

DATE TUESDAY APRIL 09, 2024

THE MAGNA METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON TUESDAY, APRIL 09, 2024, PURSUANT TO ADJOURNMENT ON TUESDAY, MARCH 26, 2024, AT THE HOUR OF 6:00 PM, AT THE WEBSTER CENTER AT 8952 WEST MAGNA MAIN STREET (2700 SOUTH), MAGNA, UT 84044.

COUNCIL MEMBERS PRESENT: TRISH HULL
AUDREY PIERCE
STEVE PROKOPIS
MICK SUDBURY
ERIC BARNEY, Mayor

OTHERS IN ATTENDANCE: PAUL ASHTON, LEGAL COUNSEL
DAVID BRICKEY, ADMINISTRATOR

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Mayor Eric Barney presided.

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Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was recited.

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Public Comment

Becky Colonna stated she raised a carport issue two meetings ago and has not received any feedback and would like a response.

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Unified Police Department (UPD) Report

Chief Del Craig reviewed monthly statistics, stating that the numbers remained consistent; however, there is an increase in aggravated domestic violence cases. Public order and public peace cases would go through a procedural change so they can be better tracked and receive follow-up reviews by detectives. A new bar is opening and will operate on Fridays and Saturdays. He has not met the owner yet but would try and establish a relationship with the owner.

Council Member Prokopis asked Chief Craig to bring back how many FTE's there currently are and how many are vacant.

Mayor Barney stated he met with the caretaker of Pleasant Green Park, and they reviewed numerous pictures of graffiti that consistently appears in the restrooms. The graffiti

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matches that which was recently found on the fence off of Buccaneer. What actions are being taken to mitigate and resolve the issue?

Chief Craig stated that the recent arrest is connected to ongoing issues from last year at Matheson Jr. High School, extended to Cypress High School, and involved larger gang groups in the valley, primarily in the 7200 West block area. Graffiti markings indicate territorial disputes among rival gangs. So far, there have not been any instances of outward violence. There has been juvenile justice reform, which is an effort to avoid criminalizing youth and instead send them to alternative programs. Juvenile courts will not take cases like truancy. For lower misdemeanors and infractions, they send them to a diversion program.

Council Member Sudbury stated UPD and Granite School District Officers are in the schools; however, when there is an issue UPD always takes action. Granite School District pays for policing but UPD does 90 percent of the policing.

Chief Craig stated Granite School District Police are concerned with problems that happen inside of school hours, while UPD is concerned with what is happening in the community also. The view and responsibility of UPD is broader.

Council Member Sudbury asked why Granite School District does not have officers in the schools.

Council Member Hull stated part of the grant that Magna received goes to Choose Gang Free advocates, who are working with known gang-involved youth in the community. Another portion goes to Granite School District's Check and Connect program that works with high-risk youth.

Mayor Barney suggested having Granite School District attend a Council meeting and present information on policing in the schools.

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Discussion Items

Second Amendment to the Mahogany Ridge Development Agreement

Jeff Miller, Planner II, Greater Salt Lake Municipal Services District (MSD), stated the purpose of tonight's meeting is primarily to discuss the additional amendments that Magna would like to see in the Mahogany Ridge development agreement. The update in the staff report includes the following four items:

1. The signalization of Cordero Drive and 8400 W.
2. The trail travel requirement along 4100 S and 8400 W.
3. Fencing along the eastern boundary of the Mahogany Ridge planned community.
4. Reserve an area within the Maverik site on the corner for a potential "Welcome to Magna" monument sign.

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Council Member Prokopis asked if road width was supposed to be included with the amendments.

Mr. Miller stated the road width on Cordero Drive is up for discussion. Ivory had a meeting with Hales Engineering regarding the traffic study. It is pretty much finalized, and Engineering should be able to study it soon; however, he is not ready to discuss that item yet.

Council Member Sudbury asked about the drainage issue.

Mr. Miller stated that he had talked to Salt Lake County Engineering about that particular issue. According to the plans, the rear yards will have an onsite retention pond, which is not yet installed and will be finalized during construction. The retention pond is designed to handle a 100-year storm. There is nothing else in the code that can be required for drainage.

Council Member Sudbury asked how the water would be contained, particularly for the homes on the north side that back up to the subdivision behind them.

Mr. Miller stated that the reason for having a retention pond at the rear of each property is to guide the water towards it.

Mayor Barney stated planning for water retention is a long-term concern, not just a short-term issue. If the water retention is in the backyard, there's a risk that over time, with changes in ownership and landscaping, someone might unknowingly alter the backyard's contours. This could potentially lead to unexpected consequences during a significant weather event.

Mr. Miller stated one of the requirements is having a stormwater maintenance agreement, which is recorded on the property and obligates the property owner to maintain it. Therefore, if someone were to alter the landscape and remove the retention pond, Magna could enforce the agreement and require them to restore it.

Ross Dinsdale, Ivory Homes, stated once we have a phase-ready plat recorded, we hand it over to our construction team, who then begin building homes. Our construction plans include a backyard retention pond. The fence line is built up about two feet, then slopes down towards the house we are building. After that, the yard slopes up. So, there is essentially a depression along the back of the yard to ensure that any water running down does not flow onto the neighbors' properties. As developers are on-site, they have noticed that the elevation difference increases towards the east. They are planning to address this by installing the retention ponds after digging the foundation for each home. They will shape the yard accordingly. However, for the homes furthest east, they are considering additional measures like installing a concrete box to assist with drainage.

Mayor Barney stated there was an issue in White Farm where the homes along the east perimeter, particularly in the Ivory community, were built higher than the existing grade for those homes. Subsequently, the fence was installed, leading to a lot of sloughing off into neighboring yards without any retention provided despite the disparity in elevation. He wants to ensure that a similar situation is prevented in this development. When discussing raising the

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elevation by 2 feet, he wanted to ensure that dirt was not being pushed against a neighbor's fence, as occurred in White Farm.

Mr. Dinsdale stated Ivory will make sure it is careful with the neighbor's fencing. All cities are required to implement long-term stormwater management agreements and adhere to various standards mandated by the Federal Emergency Management Agency (FEMA) through the states. While the federal government oversees these regulations, they are often delegated to the states, which in turn pass them on to the cities. It is a complex issue because new homeowners may not always realize the need to consult with the city regarding their backyard plans. Balancing the city's role in managing stormwater with residents' rights to their private space presents challenges. Landscaping in the backyard can significantly help mitigate these issues. Many problems arise during construction or when a backyard is left bare, particularly in winter when water can pool or run off onto neighbors' properties. Once landscaping is in place, it absorbs much of the rainwater, alleviating concerns about runoff. Ivory will do its best to inform all new homeowners about easements and other things they need to maintain yards.

He met with Hales Engineering, who is working on the updated traffic study. They have compiled the data, and it plans to discuss it with the Salt Lake County Engineering Department. It will contact the Utah Department of Transportation (UDOT) to see what plans it has with Cordero Drive. Additionally, they will find out the answers to questions about the road access category at that location.

Mayor Barney stated a meeting is scheduled with the Greater Salt Lake Municipal Services District (MSD) staff, myself, and UDOT to discuss U 111 at that intersection on the 17th. Addressing this from both angles may prove helpful. Additionally, he provided Steven Kuhlmeier in Engineering with a letter from Granite School District along with previously agreed upon maps and plats. These were reviewed when D.R. Horton was initially setting up, and Granite was deciding where to place the new Cypress High School. During those meetings, UDOT had committed to Cordero being the main access for the high school, with accommodations made to ensure its safety and effectiveness. The aim is to hold everyone accountable and ensure that no one conveniently forgets their commitments.

Mr. Dinsdale stated Hales Engineering will work on whether a right-in, right-out access could be permitted on 8400 West. Ivory has discussed the trail requirements with Salt Lake County, and it is planning to ensure compliance with what is required on 4100 South and 8400 West.

Council Member Prokops stated I feel like we missed the mark when the initial development agreement was reached regarding the height of the fence between these two types of uses. A six-foot fence is probably inadequate between residential areas and the type of usage that the fire department has to the east of those areas. It is probably not conducive to have such a low fence, especially considering how close the residential areas are to the fire department. We had discussed increasing the height of the fence for better neighbor relations as we were developing the development agreement. He is not sure exactly why it did not make it into the final draft, but it is not there, and this is a concern. Since the development agreement was open for discussion, we had talked about revisiting this issue.

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Mayor Barney stated the challenge is that the Council is aware of the activities that take place at the fire training facility. They are literally burning things on a daily basis, and he is not sure if that is something that people want coming over their fence. It just feels like we should establish a more substantial boundary to preserve and protect the residents.

Mr. Dinsdale stated Ivory sent some information to the fire department. The construction manager is starting on that six-foot fence on the east side soon. Currently, he believes they have ordered and prepared a significant portion of the fence as part of the construction process.

Council Member Sudbury stated he has not seen construction on the fencing.

Mr. Dinsdale stated the fencing is not installed but they have got the materials ordered. A precon, six-foot masonry wall has been set up.

Council Member Sudbury stated it should be raised to ten-feet.

Mr. Dinsdale stated the construction manager provided information to the fire department about raising the fence from six to eight feet, which would cost an additional \$70,000. Raising it from six to ten feet would cost \$166,000.

Council Member Prokopis stated there are 13 ½ acres that were developed into a fire training site. FEMA has a section of the property where the federal emergency response teams are trained. Another section has been dedicated to the Bureau of Land Management (BLM) to house a future wildland interface firefighting team on-site and a long-term training facility for structured firefighting. UFA has been operating out of modular buildings for the last 25 years. They are in the early stages of talking about a more robust capital plan with a \$20 million investment. There is training going on every day with ATF, SWAT, USAR, and other various organizations. With residential housing being built so close, there will be a lot of complaints and UFA is trying to avoid that. A better fence between the training site and homes may help lessen the complaints.

Mr. Dinsdale stated a large portion of that fence had already been ordered based on the current development agreement.

Council Member Prokopis stated the East side of the development is the only section that needs to be elevated.

Mr. Dinsdale stated he thinks the request for the monument sign on the corner is a reasonable request for Maverik. However, it may be better to work with UDOT on this because their property line cuts up on that corner.

He has looked into the driveway spacing and he would like to slightly amend the proposal. The proposal was initially drafted with no minimum spacing. The distance the engineer is showing between the edges of the two driveways is about 5 ½ feet. Instead of eliminating the minimum space entirely, he suggested setting a minimum of five feet for single-family homes. One to two feet between driveways may be sufficient for townhomes.

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Council Member Prokopis stated the only way he would entertain a smaller width between properties is if it does allow for a third car to park in the driveway.

Mr. Dinsdale stated everywhere that there is room, there will be a third car spot in the driveway.

Mayor Barney asked if the townhomes were back-loaded.

Mr. Dinsdale stated some are and others are front-loaded. The front-loaded ones would have driveways to the street.

Fee Waiver for Event in Copper Park

Rob Hurst stated this is the 68th year that the Union has organized the party at the park. He has 30 years of service with Kennecott and has organized the event for the last 40 years. Several sponsors have been involved in the event, including three with over 30 years of participation. Magna residents will come to the event and are never turned away even though they are not in the union. Last year there was an incident that forced the Union to obtain an insurance waiver. He is requesting the Council waive the rental fee for the park.

Council Member Sudbury asked how much the fee was last year.

Mr. Hurst stated last year's fee was \$150.

Mayor Barney asked what the fee is this year.

An unidentified individual stated the fee is \$250.

Council Member Prokopis stated the Council is being asked to waive the \$250 park fee and the Union covers the \$17,000 in expenses.

Council Member Hull asked if the Union charges for the event.

Mr. Hurst stated no, but there are options to purchase raffle tickets for prizes.

Council Member Prokopis asked how many people participate through the day.

Mr. Hurst stated an average of 125 people an hour come through, totaling approximately 2,000-2,500 for the day. The event goes from 12:00 PM to 9:00 PM.

Mayor Barney stated state law requires the Council to review requests for fee waivers to ensure that all parties are treated fairly and equally.

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David Brickey stated under Utah State Code 1082, municipalities that grant a waiver must do it in conjunction with a public hearing. It is a fee expenditure that is not anticipated and not in the current budget. Mr. Hurst has provided a copy of his request and staff will review it and pass it along to the Council for a possible public hearing.

Granite School District Presentation – Boundary Adjustments and School Closures

Mayor Barney stated Granite School District was supposed to be included on the agenda but was not. He would like to suspend the rules to allow Granite to make its presentation.

Council Member Hull, seconded by Council Member Prokopis, moved to suspend the rules and allow Granite School District to make its presentation. The motion passed unanimously.

Ben Horsley delivered a PowerPoint presentation regarding boundary adjustments and school closures. He reviewed boundary maps, the reason for closing schools, the benefits of consolidation, school information, why the 3500 South is being considered, and the process.

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Manager / City Attorney Updates

David Brickey stated he continues to have discussions with West Valley City's engineers regarding development on 4100 South and everything east of 8400 West. A new question regarding a plat that D.R. Horton is asking to be recorded. He will update you on Saturday.

He is working with Maridene Alexander, Communication Manager, Greater Salt Lake Municipal Services District (MSD), reviewing Magna's webpage. There were some errors that needed to be fixed immediately. Some of these were the notice of claim page and GRAMA requests. Those have been fixed. The webpage is being updated with Pleasant Green Cemetery information and corrected phone numbers.

He would like feedback on what monument signs the Council wants. The parade route for the 4th of July has been submitted.

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Council Reports

Magna Mosquito Abatement District

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Council Member Pierce stated the District has all summer staff selected. In the next couple of weeks, it will start treating mosquitos.

Unified Fire Authority (UFA)

Council Member Hull stated UFA's meeting is scheduled for next week.

Greater Salt Lake Municipal Services District (MSD)

Mayor Barney stated the MSD is meeting tomorrow to discuss budgets. Last Friday the service providers presented its proposed budgets, which were pretty standard and matched last year's budgets.

There was some concern with Salt Lake County Parks and Recreation. The only park within Magna that is not a county-owned property but is maintained by Salt Lake County Parks and Recreation is Copper Park. The amount it was asking for that park felt exorbitant at \$270,000 a year. There are discussions about what exactly that amount covers and how it can be better managed over time.

A meeting with Salt Lake County Parks and Recreation was held to discuss their updated five-year plan for county-owned or regional properties, which include Pleasant Green and the new Magna Regional Park. Concerns about maintenance, upkeep, poor irrigation, and vandalism were discussed. The caretaker from Pleasant Green Park also joined us briefly.

Engineering also addressed roadways and the proposed road maintenance schedule. Sixty percent of the funding for road maintenance in 2024-2025 is allocated for Kearns alone. Magna received a much smaller portion, and everyone else was largely left out. He brought up the disparity and asked why. The answer he received was that our roads are so poor that maintenance is not enough, and there is not enough funding for overhauls.

Unified Police Department (UPD) / Salt Lake Valley Law Enforcement Service Area (SLVLESA)

Council Member Prokopis stated preliminary numbers have been released regarding Sheriff Rivera's SLVLESA funding request and it is concerning. It is a big ask for a small residential population. Sheriff Rivera presented her request of \$5.8 million to the Salt Lake County Council and received approval.

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Council Member Sudbury, seconded by Council Member Hull, moved to close the meeting to discuss the purchase, exchange, or release of real property. The motion passed unanimously.

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned.

LANNIE CHAPMAN
METRO TOWNSHIP CLERK

By Nichole Watt
Deputy Clerk



CHAIR, MAGNA METRO TOWNSHIP COUNCIL
Mayor City

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