

DATE THURSDAY MAY 2, 2024

THE WHITE CITY COUNCIL, STATE OF UTAH, MET ON THURSDAY, MAY 2, 2024, PURSUANT TO ADJOURNMENT ON THURSDAY, APRIL 4, 2024, AT THE HOUR OF 6:00 P.M. THE MEETING WAS HELD AT THE WHITE CITY WATER IMPROVEMENT DISTRICT AT 999 EAST GALENA DRIVE, WHITE CITY, 84094.

COUNCIL MEMBERS

PRESENT:

LINDA PRICE
PHILLIP CARDENAZ
GREG SHELTON
TYLER HUISH
PAULINA FLINT, Mayor

OTHERS IN ATTENDANCE: PAUL ASHTON, LEGAL COUNSEL
RORI ANDREASON, ADMINISTRATOR
NICHOLE WATT, DEPUTY CLERK

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Mayor Paulina Flint, Chair, presided.

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Workshop

Conflict of Interest Forms and Ethics Pledge

Rori Andreason stated if any Council Member does business under the purview of White City, a conflict of interest form will need to be completed. An attorney from Smith Hartvigsen will be providing training to the Council at a future meeting.

Council Member Shelton, seconded by Council Member Huish, moved to close the Workshop portion of the meeting. The motion passed unanimously.

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Business Meeting

White City Financial Report

Dave Sanderson, Financial Manager, reviewed the financial report to date.

Council Member Cardenaz, seconded by Council Member Shelton, moved to accept the financial report. The motion passed unanimously.

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Unified Fire Authority

Chief Kenneth Aldridge stated Chief Burchett presented a 5.5 percent member fee increase. The Board will tentatively approve the budget at the May meeting, with final approval and a public hearing to be held in June. Recruit camp graduation will be held this month. He reviewed the captain's promotional process. The Wildland Division and EMS are hiring. Firework restrictions are posted on the Unified Fire Authority's (UFA) website. The safety message for May is to stay away from the rivers. Spring runoff is underway, and the rivers are moving fast.

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Unified Police Department

Detective Josh Smith reviewed calls for service for April. Most calls that came in were for public order. He encouraged residents to call the Unified Police Department (UPD) to report issues. It is hard to establish a recurring issue and move forward with additional enforcement or resources without a history of the problem.

Chief Randy Thomas recognized Unified Fire Authority's (UFA) work on its response to a critical incident in Holladay dealing with explosives. It was a significant multi-agency response that worked together to resolve the problem. UPD has been busy with various demonstrations and ensuring they stay peaceful.

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Public Comments

Tracy Miller introduced herself stating she is running for Utah House District 45.

Matt Wyatt stated his concerns regarding the firework boundaries. He would like to know why and how the decision was made to move the boundary. Has the Council pulled reports from Sandy City Fire to determine where the problem areas are? The 4th of July is a very community-oriented gathering with neighbors coming together.

Charity Wild stated as a representative of the Southern Spur area, it is against the proposed rezoning.

Deanna Beirman stated she is opposed to the request to rezone the Southern Spur area. It does not make sense to rezone the area for anything else.

Alex Smith stated he would like to rezone his property and is open to alternative proposals. The property is currently zoned to accommodate a nursery, and they are seeking to amend the code to allow a landscape company, which is not currently permitted. The proposed landscape company would be similar to the existing Rawlings Landscape next door.

Nick West stated safety concerns about several open and exposed green boxes left after the installation of underground power lines a few months ago. He has witnessed kids

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skateboarding into one of these boxes off the canal trail and his neighbor had a hole in her yard due to this issue. He requested that the Council address the problem, suggesting that the boxes be covered or marked with cones to improve safety, especially at night.

Council Member Cardenaz, seconded by Council Member Huish, moved to add emailed comments to the minutes. The motion passed unanimously.

Rori Andreason submitted the following comments from Kristy Shelton and Jim Mitchell regarding the rezoning request from Alex Smith.

Kristy Shelton submitted the following comments:

Good evening members of the White City Township Council,

Today, I'd like to address a rezoning request that, in its current form, deviates significantly from the principles outlined in our cities' General Plan. The General Plan serves as a blueprint for our community's growth and development, and it is imperative that any rezoning requests align with its vision to ensure the well-being and prosperity of our neighborhoods.

Adherence to General Plan:

- a. The proposed rezoning at 1226 E 10600 S, does not fall in line with the General Plan's vision for this area. While the plan acknowledges the potential for changes in land use over time, 15+ years down the road, it also clearly states that such changes should only occur if the area ceases to be characterized by its agricultural roots. Preservation of agricultural land is paramount, as outlined in the General Plan's commitment to maintaining the area's "Family Scale Agricultural Use."*
- b. Furthermore, the General Plan explicitly designates the A2 area for preservation as agricultural land, emphasizing that it should remain dedicated to agricultural use. It is vital to recognize that this designation is not merely a suggestion but a commitment to protecting our agricultural heritage.*
- c. The proposed rezoning should not serve as a backdoor approach to introducing commercial activities into an area intended for agricultural purposes. Our General Plan expressly restricts commercial and industrial uses in this zone, underscoring the need to maintain its agricultural character.*
- d. As stated on page 66 of the General Plan, the area in question is explicitly restricted from commercial and industrial uses. Any deviation from this restriction would undermine the integrity of our planning framework.*
- e. The future land use map, detailed on page 68 of the General Plan, indicates minimal changes in land use, reaffirming the principle that agricultural land should remain agricultural.*

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Impact on Infrastructure and Safety:

Rezoning to Mixed-Use Commercial would introduce significant burdens on the contested private road of 1225 East, potentially endangering the safety of our residents. This roadway is currently utilized by equestrian, pedestrians, and children playing, and introducing commercial traffic would exacerbate safety concerns. Regardless of the property owner's intentions, we have observed a noticeable increase in heavy equipment traffic and commercial vehicles utilizing 1225 East. Whether this aligns with the property owner's planned use or not, the reality remains that such activities pose significant risks to residents and undermine the tranquility of our neighborhood.

Preservation of Community Character:

The area under consideration for rezoning possesses a distinct character deeply rooted in agriculture. It is essential to recognize the unique identity of this area and the significance of preserving its agricultural heritage. Introducing rezoning that deviates from this character could erode the fabric of our community and undermine the principles outlined in our General Plan. Moreover, the fact that the property owner does not reside in the home raises concerns about the compatibility of full-scale business operations within a primarily residential area. While agriculture is part of the landscape, it remains primarily residential, and any commercial ventures should align with the General Plan's vision for mixed-use commercial areas.

In conclusion, based on the compelling evidence presented regarding the misalignment with our General Plan, the potential adverse impacts on infrastructure and safety, and the threat to the preservation of our community's agricultural character, I urge the Planning Commission to reject the proposed rezoning request. Any decision made today will profoundly shape the future of our community, and it is crucial that we uphold the values and principles outlined in our planning documents.

Thank you for your attention and consideration.

Jim Mitchell submitted the following comments:

*White City Township
Mayor, Paulina Flint
Council Members*

As I will not be able to attend the Council Meeting, May 2, 2024, I would like to address the requested zone change. Mr. Alex Smith, dba as Earthscapes, LLC, has requested a zoning change for the property 10600 S 1225 E to commercial mixed use.

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Having attended the Planning Commission meeting on this request, it has become very clear that Mr. Smith is looking to turn this property into a highly visible commercial property. This type of request does not and will not fit the area. Having a mixed use commercial property of this nature will disrupt this residential area.

Mr. Smith has already proven that he cannot be trusted, with the current zoning. He has tried to set up and run his landscaping business from this property. Even after several notices from code enforcement, he continued his business activities. He also rented a residential dwelling to a commercial entity and was again received written notice from code enforcement that this was not within the current zoning.

As you know 1225 E is a private road for the residents. As Mr. Smith was first moving in, his work crews and delivery truck used the road to access this property. There has never been any signage on how to access this property from 10600 S. As both you and the council can guess, even if he uses this property within the current zoning, ie landscaping and nursery; people, work crews, delivery trucks, and cell tower maintenance personal, will continue using 1225 E to access the property. There will be an increase of traffic both on 1225 E and 10600 S, leading to unsafe issues for current residents.

I understand that Mr. Smith inherited several issues when he purchased the property - cell tower and the vinyl fence that sits in the right of way. I would like to see Mr. Smith move the fence the 15+ feet to the east and closes off all access from 1225 E. Mr. Smith is receiving a monthly rental fee from the cell tower owner. He needs to instruct them to access the tower from his property, not the road. As we move forward, there will be many more issues that will arise with this property and Mr. Smith. These issues will have to be addressed at that time.

I would strongly, request that you and the council deny this request.

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Action/Discussion Items

Consideration of Minutes

Council Member Sheldon, seconded by Council Member Cardenaz, moved to accept the minutes of the White City Metro Township Council meeting held on February 1, 2024. The motion passed unanimously.

Rezone Request

Curtis Woodward, Planner, Greater Salt Lake Municipal Services District (MSD), stated the rezone application for the property at 1226 E 10600 S, proposing a change from an A-2 zone to a Corridor Mixed-Use (CMU) zone. The rezone will accommodate an existing

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ambulance crew office use that has been operating without approval. The CMU allows a number of residential and commercial uses, including retail, restaurants, medical care, and recreational facilities. It allows up to four-family dwelling units. The Planning Commission voted unanimously to recommend denial of the rezone, due to concerns that it was not consistent with the General Plan.

Council Member Shelton, seconded by Council Member Cardenaz, moved to deny the rezone request. The motion passed unanimously.

Fiscal Year 2025 Tentative Budget and Setting the Public Hearing

Rori Andreason stated with the transition to a city, White City will move to a fiscal budget year. A public hearing will need to be held for the tentative budget.

Council Member Huish, seconded by Council Member Shelton moved to set a public hearing to receive comments on the fiscal year 2025 tentative budget for May 16, 2024, at 6:00 pm. The motion passed unanimously.

Set Public Hearing to Consider an Increase to Salaries of Elected and Appointed Officials

Council Member Shelton, seconded by Council Member Cardenaz, moved to set a public hearing to receive comments on the 2025 fee schedule, the final fiscal year 2025 budget, and salaries of the elected and appointed officials of White City, to be set for June 6, 2024, at 6:00 pm. The motion passed unanimously.

2024 Firework Restrictions

The Council reviewed the following Resolution establishing the 2024 firework restrictions map:

RESOLUTION NO. 2024-05-02

Date: May 2, 2024

A RESOLUTION ESTABLISHING THE 2024 FIREWORK RESTRICTIONS MAP
IN WHITE CITY

WHEREAS, White City (City) is a body corporate and politic of the State of Utah; and

WHEREAS, in 2018, the Utah Legislature modified State regulations regarding the authority of local governments to regulate the sale and discharge of fireworks and can primarily be found in Utah Code Ann. § 15A-5-202.5 and § 53-7-225; and

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WHEREAS, Utah Code Ann. § 15A-5-202.5 provides that a municipality may restrict ignition sources if its fire code official finds that existing conditions necessitate controlled use of any ignition source, including fireworks; and

WHEREAS, the White City Council finds that certain areas of White City present dangerous conditions relating to fire danger; and

WHEREAS, the City's fire code officials have provided an opinion to the City that the above-referenced findings of the City are accurate and the fire danger within certain areas of the City is significant and that such danger would be reduced by prohibiting the discharge of personal fireworks within those certain areas of the City; and

WHEREAS, this recommendation complies with the requirements of Utah Code Ann. § 15A-5-202.5 as it only restricts fireworks around defined hazardous areas, designates the restricted area along readily identifiable features, ensures that the boundary of the designated restricted area is as close as is practical to the defined hazardous area, and identifies the restricted area through a map readily available to the public; and

WHEREAS, the White City Council has determined that the minimal restriction on public convenience which would occur through a restriction on the use of personal fireworks is significantly outweighed by the need to protect public health and safety and to take precautions to guard against the existing fire danger.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WHITE CITY, UTAH:

Section 1. Restriction on Personal Fireworks. Pursuant to the provisions of Utah Code Ann. § 15A-5-202.5, and based on the findings as noted above, the use of personal fireworks is hereby prohibited in the areas of White City described below and depicted in the attached map:

- a. All streets that border Dimple Dell will have fire restrictions on both sides of the street.
- b. This prohibition shall remain in effect until terminated or superseded by resolution by White City Council. This restriction shall not apply to permitted public fireworks displays authorized by the City and approved by the City's fire code official.

Section 2. This Resolution shall take effect immediately.

APPROVED AND ADOPTED in the White City Council, Salt Lake County, Utah this 2nd day of May 2024.

By: /s/ PAULINA F. FLINT
Mayor

ATTEST

/s/ NICHOLE WATT
Salt Lake County Deputy Clerk
City Clerk/Recorder

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Council Member Cardenaz, seconded by Council Member Shelton, moved to approve the resolution with amendments to the firework restrictions map. The motion passed unanimously.

Safe Streets

Morgan Julian, Planner, Greater Salt Lake Municipal Services District (MSD) stated a "Safe Streets for All" grant has recently become available. The UDOT Travel Wise consultants, who previously worked on the Walk White City plan, offered grant money to manage the application process and the project implementation. The proposal included temporary safety measures for designated areas of the Walk White City plan. She suggested partnering with Copperton to increase the chances of obtaining the grant, as Copperton was also interested in creating safer streets for their communities. The grant would provide funding benefits to White City without requiring any financial contribution from the city itself. The temporary solutions aimed to address traffic issues and pedestrian safety concerns using measures like bulb-outs, median refuges, high-visibility intersections, and traffic calming along borders. The Salt Lake County Department of Public Use and Engineering had been consulted and was supportive of the initiative.

Council Member Huish, seconded by Council Member Cardenaz, moved to direct planning staff to move forward with the grant. The motion passed unanimously.

Municipal Energy, Sales, and Use Tax and Municipal Telecommunications License Tax and Setting the Public Hearing

Paul Ashton stated now that White City has become an official city, it has the tools to pay for services it needs to pay for. Unified Fire Authority was raising its rates by 5.5 percent, and police membership fees in the Salt Lake Valley Law Enforcement Service Area (SLVLESA) were also increasing. Existing taxes would not cover these increased costs, necessitating adjustments in various precincts. One legislative tool available to cities is the imposition of a franchise tax on energy and telecommunications. While these fees are common on utility bills, the metro townships previously lacked the authority to impose such taxes. As part of the legislative efforts for city approval, the city committed to examining these franchise taxes to address financial shortfalls. While property tax is another potential revenue source, it requires a lengthy truth-in-taxation process and would not generate immediate funds. In contrast, the franchise taxes could start generating revenue by October 1st.

A public hearing must be held, followed by notifying the Utah Tax Commission, which will handle part of the tax collection. Agreements must be made with utility companies subject to the tax, primarily electric, natural gas, and telecommunications providers. Other recently incorporated cities have committed to this process, and he had the necessary forms prepared for submission. He proposed scheduling a public hearing on these taxes for June 6, 2024, alongside other

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hearings already planned for that date. Holding a public hearing does not guarantee that the Council will adopt any or all of the taxes; it simply initiates the required process. He stated concerns about the rising costs of policing and fire services, underscoring the need for a new revenue stream to meet public safety needs. However, he reiterated that the final decision rests with the legislative body.

Council Member Shelton, seconded by Council Member Huish, moved to set a public hearing for June 6, 2024, at 6:00 pm. The motion passed unanimously.

FY2025 Municipal Fee Schedule and Setting the Public Hearing

Council Member Shelton, seconded by Council Member Cardenaz, moved to set a public hearing to receive comments on the White City Fee Schedule for June 6, 2024, at 6:00 pm. The motion passed unanimously.

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Administrator Report

Rori Andreason stated council members need to attend training and she will forward the relevant email with further details. A gentleman requested that the city pay for his fence that was damaged by trees. She will get the exact address and forward it to the council.

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Council Reports

Greater Salt Lake Municipal Services District (MSD)

Council Member Shelton stated discussions regarding the hiring of a contractor for the new MSD building were held. It is anticipated that the MSD will move into the building closer to December. The budget was tentatively approved.

Unified Fire Authority (UFA)/Unified Fire Service Area (UFS)

Council Member Huish stated graduation is upcoming for those in recruit camp. The Board reviewed the 500-page budget. He attended Fire School 101.

South Salt Lake Valley Mosquito Abatement District

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No report was given.

Salt Lake County Animal Services

No report was given.

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

Council Member Cardenaz stated Mayor Dahle from Holladay provided a detailed account of the home explosion event. Relevant legislative bills were reviewed. The budget was approved with a 4.6 percent increase in employee benefits. The SLVLESA Board is working on a fair agreement with the Salt Lake County Sheriff's Office.

Wasatch Front Waste and Recycling District (WFWRD)

Council Member Shelton stated the Board recognized Jr. Vigil for winning the 2024 National Waste and Recycling Association Driver of the Year Award. The budget was discussed, and it is on schedule to purchase additional trucks.

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

Pauhia F. Flint
MAYOR
WHITE CITY METRO TOWNSHIP COUNCIL

LANNIE CHAPMAN
METRO TOWNSHIP CLERK

By Nichole Watt
Deputy Clerk

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