



COPPERTON COUNCIL COUNCIL MEETING

JULY 17, 2024, 6:30 PM
BINGHAM CANYON LIONS CLUB
8725 HILLCREST STREET, COPPERTON, UTAH 84006

COPPERTON TOWN COUNCIL MEETING MINUTES

Council Members Present:

Sean Clayton, Mayor
Tessa Stitzer, Deputy Mayor
Kathleen Bailey, Treasurer
Kevin Severson, Council Member
Dave Olsen, Council Member

Staff Present:

Nathan Bracken, Legal Counsel
Nichole Watt, Salt Lake County Deputy Clerk
Steven Kuhlmeier, Salt Lake County Engineering
Nicole Smedley, Municipal Services District Council Clerk/Recorder
Daniel Torres, Municipal Services District Economic Development Director
Jared Johnson, UFA
Detective Harry Holt, UPD

Others Present:

Dakota Pierce, UPHEAD
Ben Shull
Apollo Pazell
Harvey Seal

1. Regular Council Meeting

Mayor Clayton, presiding, called the meeting to order at 6:30 PM.

2. Community Input:

2.1 Recognize Visiting Officials

There were no visiting officials present.

2.2 Citizen Comment

COPPERTON COUNCIL MEMBERS

MAYOR SEAN CLAYTON, DEPUTY MAYOR TESSA STITZER,
COUNCIL MEMBER KATHLEEN BAILEY, COUNCIL MEMBER KEVIN SEVERSON,
COUNCIL MEMBER DAVE OLSEN

Harvey Seal, a member of the Copperton Improvement District Water Board, reported that a proposal for the expansion of the Canyon Apartments has been submitted. He also provided the council with a handout detailing the proposal.

2.3 Unified Fire Authority

Jared Johnson, Engineer at the Copperton Fire Station, reported the last four of eight calls for service were within Copperton City limits. He also shared that the station will be receiving a new fire engine, and a rehabilitation truck will be stationed at their station this fall.

2.4 Unified Police Department

Harry Holt, Unified Police Department, reported 27 calls for service with only two cases, which is a record low number of calls. He mentioned that they are now two weeks into their separation from the County and asked if the council had any questions. No questions were raised by the council.

3. Council Business

3.1 Meeting Minutes Approval (Discussion/Motion) – Mayor Clayton

There were no minutes to approve.

3.2 Fiscal Items (Discussion/Motion)

(i) Approval of expenditure(s)

Mayor Clayton stated the attorney bill from June was \$3,916.

Council Member Bailey moved to approve the expense. Council Member Severson seconded the motion; vote was 5-0, unanimous in favor.

The council changed the order of agenda items to accommodate those needing to present beginning with Item 3.6 and subsequent notes underneath each item with those changes.

3.3 Subdivision Ordinance Update SB 174 (2023) HB 476 (2024) (Discussion/Motion) - Jay Springer, Smith Hartvigsen

Jay Springer, Smith Hartvigsen, presented the mandated change by the Legislature regarding the subdivision approval process, highlighting that the Council's involvement will now be limited to setting policies and statutes, as council members can no longer participate in subdivision approvals. He stated that this update, funded by the state through the Department of Workforce Services, reflects changes adopted by larger cities in February, with additional amendments enacted by the Legislature in 2024.

Council Member Bailey inquired about the intent of the bill.

Mr. Springer explained that making the process administrative provides more certainty, reducing discretion in decision-making and alleviating the awkward position previously faced by the Council when the public perceived they had more influence than they did. He stated the new process also aims to inform developers of all requirements upfront.

Mr. Springer provided a questionnaire to the Council to gauge their preferences on areas where Copperton has discretion, such as whether to hold public hearings on each subdivision. It was emphasized that Mr. Springer's work is funded by the State, rather than the MSD or Copperton. Following Mayor Clayton's recommendation, the Council agreed to return their responses to Mr. Springer by the end of next week and to forward the questionnaire to Wendy Gurr, Municipal Services District Planning Coordinator for review by the planning commission. Mr. Springer noted that the goal is to adopt the changes in October.

Mayor Clayton asked if the apartment expansion mentioned by Mr. Seal earlier would be subject to these new rules.

Mr. Springer responded that no, multi-family developments (apartments) are currently excluded from this.

Mayor Clayton stated he would forward Mr. Springer's email regarding the questionnaire to the Council and the Council can respond to the questionnaire via email directly to Mr. Springer.

3.4 Bingham Lions Club Library Idea (Discussion/Motion) – Mayor Clayton and Ben Scholle, Lions Club Secretary

Ben Shull reported that KIDS Read, a non-profit organization, is interested in placing a small library in town, which would contain curated books. He shared a handout from the organization. The proposal includes leasing one square foot of space in the park for this purpose. The content of the library would be managed by either KIDS Read or the Lions Club.

Mayor Clayton stated that he will send a contract for review, with a focus on ensuring that Copperton will not be held liable for any materials placed in the library.

Council Member Severson stated that, all legality aside, the program was about improving the literacy of children.

City Attorney Nathan Bracken noted that potential liability is likely minimal, but if a challenge were to arise, it would most likely be related to the content of the books. This concern could be addressed through an indemnity provision in the contract which was discussed above.

After this item, the council moved to Item 3.7 – Storm Drain Update

3.5 Discussion of Copperton Park Condition and Future Plan (Discussion/Motion)- Deputy Mayor Stitzer

This item was heard after Item 3.7 – Storm Drain Update

Council Member Stitzer began by addressing an ongoing issue of line of communication regarding Copperton Park. While some believe the County manages Copperton park, she wanted to clarify that Copperton is responsible for the park and that residents with concerns should direct them to the Council, not the County. The Town of Copperton only contracts with the County to maintain the park in terms of mowing, watering, broken equipment, etc. She then shared that trees themselves are a separate issue, noting that a few years ago an arborist was hired to assess the trees, noting there were concerns at that time that the County was placing “left over” trees in Copperton Park to fill in space. This created a monoculture with several of the exact same kinds of trees, and leaving them all susceptible to fungus or another issue that would kill the whole group because there was no variety in the types of trees being planted. The arborist at that time gave a presentation on the types of trees in the park, and their details. Council Member Stitzer noted the park is over 100 years old, and because of that there are much older trees nearing the end of their lifespan. When trees started dying at that time, there were accusations that the trees were poisoned, over-fertilized, or infected with a fungus. She clarified that the hired arborist reported no evidence of poisoning or over-fertilization, explaining how some of the marks on the trees came to be through regular park maintenance and the equipment used over the years. With additional testing on the trees, it was found that several had a fungus similar to a black mold, which if spread could lead to the death of multiple trees. She stated that the decision to hire the arborist was justified as it was less expensive and likely more effective than contracting with the County, which lacks specialized expertise and still charged Copperton for the planting of the “left over” trees. When it came time to remove the dead trees, that also required professional experience that the County lacked, lending more credit to the use of a professional arborist. She also noted that turf and trees require different watering methods, and that brings up the water issue. The Council has requested an increase in the park’s watering schedule due to its current dryness. They have been in a drought for the last few years, and watering was decreased, but last year the watering was completely put on hold. Now that she has been able to establish a proper line of communication for the park, she is asking the Copperton Improvement District (CID) for reports on the park’s water usage to prevent overwatering when they attempt to increase the amount being used.

Mr. Seal from the Copperton Improvement District agreed to provide three years’ worth of watering reports to help the Council determine the appropriate water usage going forward.

Council Member Stitzer additionally highlighted that the grass is dead because the natural canopy from the trees providing shade was removed with all the dead trees. They need to start repairing the sprinkler system, noting they do have a \$15,000 grant appropriation for the park but that amount would not be nearly enough to repair the sprinkler system and replace the turf. Those repairs and the park should be something the council takes seriously going forward.

Mayor Clayton noted that \$50,000 per year is set aside for park improvements, which would include the repairs being discussed, as part of a Capital Reserve Fund. He made it clear that those currently employed to take care of the park should not be harassed by anyone in town, as they are not the ones making the decisions.

Council Member Stitzer noted that with a communication system like the one discussed at the beginning of the meeting, residents would have a central place to ask those questions they have, rather than bothering those solely responsible for the physical caretaking of the park. Regarding ownership throughout the park, portions of the land do still belong to Rio Tinto including the parking lot, basketball court, playground, future pickleball courts, tennis court and hockey/skate/dog area. This has led to the park being split up in terms of land ownership with Copperton not being the main landowner. She would like to find a way to get the entire parcel under the town's control. After speaking with Ryan Perry with Rio Tinto today, she can share that they are willing to work with the town as far as the ownership or lease of public/park land. She brought up the fact that the portion on Rio Tinto's land is the most expensive portion for the taxpayers, and she encouraged continuing that conversation with Rio Tinto if that productive negotiations can't be agreed upon.

Attorney Nathan Bracken noted that when the metro townships incorporated, the deal was that all public land would go to the township. However, the county never actually deeded any of that land over. A few years following that the county did send over some proposed deeds, but for all the townships the deeds included the reversionary clause which stated that if the town ever used the park for a non-public purpose it would revert automatically back to the county. Despite no intention of ever doing that, as an independent local entity the town should have the discretion to determine how the park is used. For instance, a lucrative business is coming into the town and they want to use a section of the park; that could potentially invalidate the agreement. This is an issue for all the previous townships, not just Copperton, and he gave an example of parks in Kearns and how they have handled it. It was suggested that Copperton and other MSD members work through the MSD to address this issue with the County and ask for a deed without the reversionary clause. The final rights to the park will depend on the title history, particularly how Rio Tinto conveyed it to the County.

Mayor Clayton suggested combining with other MSD municipalities and sending the request for the deed without the reversionary clause. Noting that if the county refuses, they should then consider either suing them, or sending a bill for past insurance and other costs as that is what Kearns essentially has done.

Council Member Stitzer noted the city does have an agreement with Rio Tinto for their portion of the park land, they have indicated they are more than willing to work through the process with the town.

Council Member Bailey discussed land and water conservancy issues that come up when the county gives up a park.

Attorney Bracken will research some of the background to see what their options are before they move on to the next step and it will stay on the town's radar while they work through this.

Council Member Bailey discussed the issues with weeds taking over certain areas of the park after the tree removals, and suggested plotting areas for new grass and sprinklers with this year's fund allocation. She will work on developing a Request for Proposals (RFP) to update

the sprinkler system. She also noted the County treats all parks uniformly, which may not suit Copperton's specific needs.

Mayor Clayton agreed that the County treating all parks the same is a big issue, and questioned whether it would be more effective to hire an alternative provider. Mayor Clayton noted that the MSD had an agreement with a landscaping company (Roth) to maintain pocket parks in Magna, which has proven to be more cost-effective and beneficial. He stated that Roth could be considered for Copperton, though they would not handle building maintenance. Council Member Stitzer suggested the possibility of hiring an employee to care for the park structures. Mayor Clayton then reviewed a cost sheet detailing actual expenses, noting that the largest recurring costs are from administration and County overhead, which total approximately \$20K annually. These costs could be eliminated if the Council decided to contract with another provider. He asked to keep this as a standing agenda item for the next few months to follow up and make sure things keep moving.

3.6 Emergency Text and Council Messaging (Discussion/Motion) Deputy Mayor Stitzer, Dakota Pierce, UPAHEAD

This item was heard after 3.2 - Fiscal Items agenda item.

Council Member Stitzer expressed interest in implementing a text messaging service to disseminate important information to the community, suggesting different services might be cost-effective. She introduced Dakota Pierce from UPAHEAD, who presented a slide featuring a QR code that could be added to the Copperton City website. He stated that the QR code would allow residents to subscribe to event alerts, non-emergency alerts, and a text communication program. Mr. Pierce mentioned that an existing subscription list could be integrated as well, and that the city's phone number could be made text-able for residents to report issues such as potholes, water issues, etc.

Council Member Olsen asked about emergency features, including additional noise alerts.

Mr. Pierce said there are no extra emergency noises, however there are other ways to make messaged stand out to include putting them in all caps, etc.

Council Member Stitzer noted this is a secondary notice in addition to reverse 911 and other governmental services. This service would be \$169 a month if approved by July 31 and would not change in the future.

Ben Shull (Resident) – For work he does HR information systems, with part of that being sending out mass messages for open enrollment to employees. This is something that is very easy to set up if you have an email domain already existing. There is a free alternative if you already have an email domain set up and he wanted the council to be aware of that.

Council Member Stitzer noted that this system is more small community focused, which makes it potentially self-sustaining so Copperton doesn't need to rely on MSD or other staff as much. In addition, she appreciates the map feature that would be included.

Mayor Clayton asked if the multi-media policy would apply to these types of text alerts.

Attorney Nathan Bracken responded that yes, it would apply.

Apollo Pazell (Resident) – would these be subject to public information requests?

Attorney Bracken responded yes, they would be subject to GRAMA requests.

Mayor Clayton added that this week Copperton is beginning its move over to a .gov website address.

Council Member Bailey suggested looking at the free options first to see how they compare.

Mayor Clayton expressed concerns with no administrator to run the free options available, and none of the council members could take on that role as it would be considered a bias. This would cost much more than the stated monthly cost to hire an administrator.

Council Member Bailey agreed to look into the free options available.

Dan Torres commented and noted that he used one of these types of tools in his prior position, it was able to be used more as a passive tool once set up and he felt it was an effective tool in his opinion.

Mayor Clayton reminded everyone there is room in the budget for the website to be able to absorb this without needing to change anything in the budget.

Council Member Stitzer noted that one of the biggest complaints in the community they are hearing is communication. As a council they should be using every avenue possible to communicate with the residents for events, emergencies, day to day information, etc.

Ben Shull shared some of the ways he has used these types of programs through email domains and he and Council Member Bailey will meet offline for her to get more information from him on the free options.

Mayor Clayton asked to have any additional proposals submitted by the next meeting on August 19, and all council members agreed to that.

Attorney Bracken advised that three written quotes should be obtained and kept on file before making a final decision.

Council Member Stitzer noted that this system would still be cheaper than flyers, printed newsletters, postage, etc.

The council moved to Item 3.3 – Subdivision Update.

3.7 Storm Drain Update (Discussion) Mayor Clayton and/or Steven Kuhlmeier, SL County Engineering

This item was heard after 3.4 - Bingham Lions Club Library Idea

Steven Kuhlmeier from Salt Lake County Engineering presented the scope of the upcoming storm drain project. He reported that bids were received favorably, allowing all the work to be contracted. He stated the project is scheduled to begin on August 5th, starting on Rio Tinto property and Copperton Circle, with anticipated completion by November 2024; work may extend into Spring 2025 if necessary. He reported that some funding for the project comes from bond funds, with timelines incorporated into the contract. Mr. Kuhlmeier said that road closures are expected during the project, and flyers will be sent to all affected property owners. The information will also be posted on the website, Facebook, and the emergency app.

Mayor Clayton requested that the same information provided to residents be sent to the Council.

Mr. Kuhlmeier stated that the contractor selected for the project is MC Contractors, a new firm to Salt Lake County Engineering, but their references have been verified.

The council moved on to Item 3.5 – Copperton Park Condition/Future Plan

3.8 Committee/Board Updates (Discussion/Motion)

- i. Legislative Research Committee – Nothing to report**
- ii. Bingham Cemetery Board - Deputy Mayor Stitzer - Nothing to report.**
- iii. Copperton Community Council - Deputy Mayor Stitzer**

Town Days on August 23, Movie in the Park at Sundown is Inside Out. August 24 will be the all-day event from about 11am – 4pm. Mayor Clayton asked all the Council Members to be at the town's booth for Town Days. Bingo is at the Lions Club every second Wednesday as an adult event.

iv. Planning Commission - Council Member Severson

There is no meeting to report on this month.

3.9 Copperton Metro Township Council Member Reports (Discussion/Motion)

i. Greater Salt Lake Municipal Services District (GSLMSD)

Mayor Clayton reported that the GSLMSD has entered a lease for office space in Taylorsville resulting in less overhead costs than the Salt Lake County Building. They have hired a new Human Resource Director who is revising all the human resource policies.

ii. Council of Governments (COG) – Council Member Olsen – Nothing to report

iii. Unified Police Department (UPD) – Council Member Olsen

(a) Salt Lake Valley Law Enforcement Service Area (SLVLESA)

Council Member Olsen shared that because of the split, the month has been very busy with trying to complete the budget process as well. Things are messy but the split has been completed with Jason Mazuran being appointed as Chief of Police for the UPD. There has been an agreement reached with Taylorsville's departure, with the UPD owing around \$800,000. There were concerns around pre-judgment interest, and they settled on the entire allotment set aside, which was about \$1.3 million. He was unable to share any information on the money given to Sheriff Rivera for her new areas. He noted he was against allowing her the money requested, but was out of town and there was a unanimous vote of approval for those funds in his absence.

iv. Unified Fire Authority (UFA)

(a) Unified Fire Service Area (UFSA)

Council Member Bailey shared that most of the meetings were housekeeping items.

v. Deputy Mayor Stitzer

(a) Wasatch Front Waste and Recycle (WFWRD)

Council Member Stitzer noted that every year they discuss the dumpster program in the meetings she attempts to speak up for Copperton, noting their shared driveways and issues with sharing the space for a dumpster one neighbor may not want. Instead of the current program of postcards and applications, for next year she would like to have the council rent all 23 dumpsters over the four available days, and just place them on the roads. There were discussions about some potential board member changes and trucks. She discussed the new dump vouchers she received, noting they can be picked up every third Wednesday of the month, before or after the council meeting. More information on the vouchers can be found on the town's website.

vi. Council Member Severson

(a) SL County Animal Services – Nothing to report.

4. Other Announcements (Discussion/Motion)

4.1 Citizen Comment

Rebecca Fletcher stated the county sprayed "Kills All" around existing trees, as well as newly planted trees. She asked about the monitoring of the park and she would like to see others

involved other than the county in terms of running the park. As the customers the town should be able to get more information on what is being done at the park. She asked what is being paid for the leftover trees from the county, noting they could probably get better quality trees for much less at a small nursery as the trees being planted now are small and will take a long time to mature.

4.2 Announcements

Attorney Nathan Bracken will be on vacation July 15th through July 29th.

5. Closed Session per Utah Code §52-4-205 – None needed.

6. Motion to Adjourn Meeting

Council Member Severson moved to adjourn the July 17 Council Meeting. Council Member Stitzer seconded the motion; vote was 5-0, unanimous in favor.

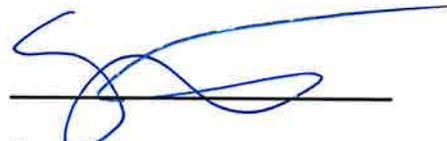
The July 17, 2024 Council Meeting adjourned at 8:48 PM.

This is a true and correct copy of the July 17, 2024 Town Council Meeting Minutes, which were approved on January 15, 2025.

Attest:


Diana Baun

Diana Baun, Town Clerk



Sean Clayton, Mayor