



MAGNA CITY COUNCIL MEETING

MAY 27, 2025 @ 6:00 PM
WEBSTER COMMUNITY CENTER
8952 West Magna Main Street
Magna, Utah 84044

MAGNA CITY COUNCIL MEETING MINUTES

Council Members Present:

Eric Barney, Mayor
Steve Prokopis
Mick Sudbury

Council Member(s) Excused:

Audrey Pierce
Trish Hull

Staff Present:

David Brickey, City Manager
Paul Ashton, Legal Counsel
Diana Baun, City Recorder
Daniel Torres, Economic Development Manager
Justin Smith, Planner
Chief Del Craig, UPD
Chris Benedict, UPD

Others Present:

Kari Duckworth, Sharon Nicholes

6:00 PM – PUBLIC MEETING

1. Call to Order

Mayor Barney, presiding, called the meeting to order at 6:00 pm. He noted that both Council Members Trish Hull and Audrey Pierce were excused from the meeting.

2. Determine Quorum

A quorum was present, allowing the meeting to proceed.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. PUBLIC COMMENTS

MAGNA COUNCIL MEMBERS

MAYOR ERIC BARNEY, MAYOR PRO TEM AUDREY PIERCE,
COUNCIL MEMBER TRISH HULL, COUNCIL MEMBER STEVE PROKOPIS,
COUNCIL MEMBER MICK SUDBURY

Scott Henriksen, representing the Magna Main Street reconstruction project and working with Jakes and Associates, introduced himself and informed the council about an upcoming open house scheduled for Thursday from 6:00 to 7:30 p.m. at the council building. He explained that his team has been engaging with local residents and businesses along Main Street to provide information about the construction project and serve as the primary communication contact throughout its duration. He noted that City Manager David Brickey would later offer a broader overview of the project.

Debbie Rydalch spoke about a traffic incident on 8000 West right by her house, where a vehicle dislodged a barrier, creating a safety hazard for pedestrians and school children. She emphasized the lack of visibility and traffic control measures in the area, including inadequate lighting and speeding, and requested that the barrier be reinstalled and better safety precautions be implemented before road reconstruction begins in 2026 or 2027.

Teresa Brown raised concerns regarding misinformation on the city's website about the local parade route, stating that it inaccurately listed the normal route, which had changed. She reported public confusion and pushback on social media, and asked that the website be updated to reflect the current or potential route changes. She also inquired about a form submitted to the National Guard, but City Manager Brickey deferred the discussion to after the meeting.

Miguel Rodriguez expressed opposition to a rumored plan to subdivide a property at 2877 South and Buccaneer Drive. He stated that the proposed development would overcrowd the area, lower property values, and potentially lead to increased crime. He emphasized concern for the neighborhood's livability and the impact on his adjacent property.

Steve Valencia echoed Rodriguez's concerns. As a lifelong resident, he criticized the ongoing trend of high-density housing developments on small lots, citing increased street parking and traffic congestion as major issues. He specifically opposed the proposed subdivision on Buccaneer Drive, noting it would exacerbate existing problems and negatively impact the character and historical value of the neighborhood.

5. STAKEHOLDER REPORTS

A. Unified Police Department

Chief Del Craig introduced Chris Benedict as the new executive officer assigned to Magna, replacing Shane Manwaring. Benedict took a moment to address the council, expressing enthusiasm for his new role and highlighting his 17 years of law enforcement experience, including time in Davis County and with Unified Police. He noted that he grew up near Magna and was pleased to return to the area. Council members and Mayor Barney welcomed him, with the mayor noting his long-standing connection to Benedict's family. Chief Craig then addressed ongoing parking challenges in Magna, particularly in areas like Little Valley Gateway. He explained that the city had updated ordinances to make parking violations civil offenses with immediate and scalable fines. This was expected to better manage repeat

offenses. One specific ordinance adjustment included a uniform 30-foot no-parking distance from intersections, simplifying previously conflicting 20- and 30-foot guidelines. He acknowledged jurisdictional complications between public and private roads—public roads being enforceable by police and private ones falling under HOA authority. He stated that while the police department cannot enforce parking on private roads, it can act if vehicles encroach into public rights-of-way. He noted that the HOA in Little Valley Gateway has been actively towing vehicles and sharing reports with the police department.

Council Member Steve Prokopis asked whether the police could intervene if HOAs failed to enforce regulations on private roads.

Chief Craig clarified that they cannot, reaffirming that enforcement on private property must be handled by the HOA. He suggested improving the relationship between the city and HOAs to ensure consistent enforcement and communication.

Council Member Mick Sudbury brought up a concern about Linden Hill Apartments, where residents have been parking on both sides of a private street. The apartment management recently learned they owned the road and expressed interest in implementing restrictions and towing.

Chief Craig confirmed that as the road is private, management could proceed with such actions, though the city cannot enforce those restrictions. It was mentioned that the fire marshal is investigating whether the road qualifies as a designated fire lane. City staff agreed to help facilitate communication with the complex to ensure they understand signage and legal requirements related to enforcement.

B. Pleasant Green Cemetery

Sharon Nicholes provided an update on cemetery activities for the month. She reported the sale of six plots, four burials, and two headstone settings. Additionally, a broken tap was repaired with assistance, and a cemetery cleanup was completed. She noted the cemetery's appearance had drawn positive feedback, including commendations from the Daughters of Utah Pioneers, who were impressed by the flags and overall presentation. They took photos for potential sharing, possibly on social media, to highlight the cemetery as an example of historic preservation. Nicholes expressed gratitude to all who contributed, especially volunteers, including the Cyprus High School football team and Magna Water District, for their ongoing support and assistance with maintenance and water access.

C. Magna 4th of July

Kari Duckworth, representing Magna's Fourth of July committee, provided an update on event planning. She reported that the committee held its last meeting on May 20 and currently has 31 confirmed parade entries and two new volunteers. Eleven sponsors are contributing to the event—four providing in-kind donations and the rest financial support. Notably, Rocky Mountain Power increased its sponsorship from \$1,000 to \$2,000. Duckworth mentioned a

delay in securing funds from Rio Tinto due to an unresolved issue with identifying the correct person to sign a necessary form. She emphasized the urgency of resolving this matter before the upcoming Saturday deadline to ensure timely submission. She discussed logistical challenges related to ongoing construction, which may affect the Fourth of July parade and park festivities. She indicated that plans for the park are progressing in coordination with the Unified Police Department, but are subject to change depending on construction developments. Regarding the parade route, she explained that a definitive path has not yet been finalized due to uncertain access near the Webster Center. As a result, organizers have been advising residents west of 8950 West not to expect the parade to pass through their area this year. Duckworth clarified that general announcements have been made to indicate the parade will be rerouted to end at the park, although specific route details are being withheld until more information becomes available.

Mayor Eric Barney suggested publicizing the route as following its normal course with diversions around construction zones.

Ms. Duckworth noted that such messaging has been attempted, but public confusion and social media misinformation persist. She stated that while the committee is doing its best to provide clear and timely updates, challenges remain in communicating with the public effectively. She concluded by announcing that a volunteer meeting will be held on June 26 and the final committee meeting before the event is scheduled for June 17, both to take place in the council building. Ms. Duckworth reaffirmed her commitment to attending the upcoming construction meeting and serving as a point of contact for residents with questions about the Fourth of July event.

6. CONSENT AGENDA

A. Approve City Council Minutes

1. April 8, 2025 City Council Meeting Minutes

Council Member Sudbury moved to approve the April 8, 2025 Meeting Minutes as published. Council Member Prokopis seconded the motion; vote was 3-0, unanimous in favor. Council Members Hull and Pierce were absent from the vote.

7. PUBIC HEARING

A. Discussion and Potential Action Regarding Resolution R2025-05, Adopting Magna City's FY2026 Official Budget

Council Member Sudbury moved to open the public hearing on Magna's FY2026 Official Budget. Council Member Prokopis seconded the motion; vote was 3-0, unanimous in favor. Council Members Hull and Pierce were absent from the vote.

No public comments.

Council Member Prokopis moved to close the public hearing on Magna's FY2026 Official Budget. Council Member Sudbury seconded the motion; vote was 3-0, unanimous in favor. Council Members Hull and Pierce were absent from the vote.

8. PRESENTATION ITEMS

A. Rio Tinto General Community Update

Ryan Perry and representatives from Kennecott, including Paula Doughty and Jenny Esker, delivered their annual presentation to the council regarding dust mitigation efforts and environmental monitoring related to the company's tailings operations. Mr. Perry acknowledged the limited time available but encouraged questions throughout the presentation. Ms. Esker was introduced as the air quality specialist available to address data specifics.

Paula Doughty began by detailing dust control measures on the north tailings impoundment, which spans approximately 3,500 acres. The south impoundment, about 5,700 acres, has been reclaimed for roughly 20 years. Dust control practices include the use of weather forecasting services, extensive camera surveillance, vegetation on outer slopes, polymer application while vegetation establishes, automated sprinkler systems, and the use of chloride for road stabilization. She explained that cameras and meteorological tools are used to track wind and weather conditions, allowing for proactive responses to dust risks. Ms. Doughty noted that the southeast corner of the south impoundment has shown significant vegetation growth, particularly visible from State Route 111. She acknowledged minor restoration work was still needed in areas recently affected by stormwater infrastructure updates.

Jenny Esker then explained how dust is measured, focusing on particulate matter (PM), specifically PM10 (larger dust particles) and PM2.5 (smaller particles linked to air inversions). She presented data from the Utah Division of Air Quality (DAQ), which recently installed PM10 monitors at the Utah State Correctional Facility and in Lake Park. The readings from these new monitors have generally aligned with valley-wide trends, showing no exceedances of EPA dust standards. Esker noted that while Magna no longer has an active monitor, historical data exists, and she would follow up with DAQ about potential future monitoring in the area.

Ms. Doughty also briefly discussed ongoing efforts to improve the structural integrity of the impoundments, particularly with regard to earthquake preparedness in the southeast corner. She confirmed that design work is underway to contain material within the property boundary even in a maximum probable seismic event.

Mr. Perry highlighted the company's complaint tracking process. In 2024 to date, six complaints have been logged across Kennecott's operations, four of which were dust-related and originated from Magna. In 2023, there were twelve total complaints. The public is encouraged to contact the community team directly by phone or email to report concerns. He also mentioned upcoming "community days" at the mine and encouraged participation, especially from schools and local groups. Finally, he reported on the results of a community trust and acceptance survey from the previous year. With a maximum target trust score of 3.5

(comparable to trust levels in the medical field), Kennecott's current community trust score stands at 3.17, with an acceptance score of 3.51. A follow-up survey will be conducted in late July or early August, with distribution support from local partners, including Magna city.

Council Member Steve Prokopis expressed appreciation for the dust monitoring but emphasized the need for a dedicated monitor in Magna, given its proximity to both the Great Salt Lake and the tailings site. Esker responded that historical data from Magna is available and that she would inquire with DAQ about future monitoring plans.

Resident Steve Valencia asked about the status of the former monitor in Magna and raised concerns about visible dust clouds emanating from the tailings site. He questioned previous explanations from Kennecott that attributed the issue to "beach dust."

Ms. Esker clarified that the company does not deny generating dust but emphasized that their data shows no single source exceeds EPA standards. She acknowledged that messaging may have been unclear and apologized for any miscommunication, reinforcing that dust events are typically valley-wide and not solely attributable to one site.

B. Oquirrh Hills Performing Arts Alliance/The Empress Theatre Group Fund Request

Candice Jorgensen, representing the Empress Theatre and the Oquirrh Hills Performing Arts Alliance, addressed the council to request funding assistance for critical electrical upgrades to the historic theater building. She explained that the facility currently uses outdated wiring, which presents safety concerns for both patrons and performers. The proposed updates include properly grounding electrical outlets and installing safety lighting, with the goal of enhancing safety, improving energy efficiency, and ensuring the building is more environmentally friendly. She stated the funding request totaled \$16,400, based on multiple contractor bids, and noted that the estimate had been slightly rounded up to account for potential fluctuations. She confirmed that the work could be broken into phases to accommodate available funding and scheduling flexibility.

Mayor Eric Barney disclosed a conflict of interest, noting that he currently serves as the chairman of the board for the Oquirrh Hills Performing Arts Alliance, and made the disclosure publicly.

Council Member Mick Sudbury remarked that he had recently toured the theater and found it impressive.

Ms. Jorgensen shared that the organization's traditional funding sources include ticket sales, grants, and donations. Council members had no further questions at that time.

C. Discussion Regarding Pickleball Court at Magna Neighborhood Park

D. Discussion Regarding Tree/Landscape Plan for Copper and Neighborhood Parks

Dan Torres presented two parks-related updates requested by the council. First, regarding the installation of a pickleball court at Magna Neighborhood Park, he reported that he obtained pricing from a vendor on the state contract who had previously completed a similar project in Copperton. The cost for a single court was quoted at \$67,644.50. He recommended including a 10% contingency, bringing the total request to \$74,408.95. He clarified that the cost reflects reinforced concrete construction, which involves more than simply laying a standard slab.

Council Member Mick Sudbury asked if staff could obtain pricing to convert one of the two existing tennis courts at Copper Park into two pickleball courts, leveraging the existing concrete surface.

Mr. Torres confirmed he would pursue that estimate. He then addressed a request to enhance tree coverage and landscaping at Copper Park. Staff recommended developing a formal site plan, which was subsequently expanded to include Magna Neighborhood Park. The landscape architecture firm MGB+A from Salt Lake City would be tasked with providing on-site analysis, photo and CAD-based plans, two conceptual designs, final planting plans, irrigation recommendations, and specifications aligned with city codes. They would also assist with bidding and contractor coordination. The total cost for this work was quoted at \$19,185, which falls under the city's professional services procurement threshold, eliminating the need for a formal bid process.

Council Member Prokopis questioned whether it was necessary to hire an outside firm, given that MSD already employs a horticulturist.

Mr. Torres responded that while internal expertise exists, bringing in a landscape architect ensures long-term continuity of the design, provides accurate cost estimates, and helps prevent costly change orders during implementation.

9. COUNCIL BUSINESS

A. Discussion and Potential Action Regarding Ordinance 2025-O-08, Rezone of Property Located at 2734 S 8750 W from the C-3 Zone to the C-1 Zone. Applicant James Schouten

Justin Smith presented a rezone request for application 2025-001360, concerning property located at 2734 South, 8750 West. The parcel in question is located on a gravel road off Magna Main Street and contains an existing garage structure. The current zoning is C-3, a legacy commercial zone. He explained that while most of the area was rezoned under the new code to Downtown Historic Mixed Use, this parcel remained C-3. The applicant did not submit a development plan but seeks to change the zoning from C-3 to C-1 to operate an auto detailing business. Auto detailing is not a permitted use under C-3. Mr. Smith noted that while rezoning to C-1 would create a nonconforming structure due to setback issues, it would be a more compatible designation because it allows for most uses previously permitted under the now-restricted C-2 zone, which now requires a 40-acre minimum lot size. On May 8, the Magna Planning Commission reviewed the rezone request and recommended approval with the condition that no auto sales or dealerships be allowed on the property.

Council Member Sudbury confirmed the location, referencing the site's previous use as a cement yard.

Mayor Barney reiterated that the intended use is for auto detailing.

Council Member Prokopis raised concerns that auto detailing operations could evolve into full auto repair businesses, as had occurred at another location. He asked if the rezone could be conditioned to permit only auto detailing and exclude other automotive uses.

Mr. Smith and legal counsel Paul Ashton responded that it would be more enforceable to prohibit specific uses—such as auto sales and auto repair—rather than approving the rezone for only one narrow use.

Council Member Sudbury expressed concern about code enforcement issues, citing a nearby business operating beyond its permitted use.

City Manager David Brickey confirmed that the property in question had been investigated and cited for violating zoning by conducting major engine repairs. He emphasized that proactive enforcement will be necessary to prevent such issues from recurring.

The Planning Commission's recommendation—to rezone from C-3 to C-1 with conditions excluding auto sales and dealerships—was restated. Todd Richards, as a representative for the Planning Commission, noted that the Planning Commission had also intended to exclude major auto repairs.

Council Member then moved to approve the rezone with Ordinance 2025-O-08 as stated above, with the conditions outlined: no auto sales, no dealerships, and no major auto repairs.

Sudbury initially suggested tabling the item to allow further discussion but ultimately seconded the motion after emphasizing the need for immediate and ongoing code enforcement to avoid past problems.

Council Member Sudbury seconded the motion; vote was 2-1, majority "aye" vote, with Mayor Barney voting "No." The motion passed with a majority vote.

10. CITY MANAGER/CITY ATTORNEY UPDATES

City Manager David Brickey provided several key updates to the mayor and council.

First, he reported that several properties managed by the Community Reinvestment Area (CRA) are set to transfer into city or CRA ownership by the end of June. This includes Main Street, Magna's City Park, Mantle Park, the retention pond at Copper Park (clarified as the neighborhood park), and several additional parcels. Documents to approve the transfer will be presented to the council on June 10, after which they will be submitted to Salt Lake County for

processing. Brickey noted that while most parcels will fall under CRA control, some will be designated for city ownership, with distinctions clearly outlined at the June 10 meeting.

Next, he discussed preparations for the Main Street reconstruction open house scheduled for Thursday, May 29, from 6:00 to 7:30 p.m. at the Webster Center. The event will include a greeting area, looping slide presentations with project details, and a staffed station featuring contractors, engineers, and city representatives to address specific questions. Business cards will be available for those unable to attend.

Council Member Steve Prokopis asked for clarification regarding the open house, which Mr. Brickey confirmed is focused solely on the Main Street project and not the Webster Center's redesign.

Mr. Brickey added that he plans to meet with Fourth of July event coordinator Kari Duckworth to discuss the parade route, noting that while the preferred route through 8950 West may not be possible, the team believes access through 8850 West should remain open. He also reminded the council that the filing period for municipal elections opens on Monday and runs through the following Friday. Candidates for mayor (at-large) and Council Districts 2 and 4 must file in person at the Municipal Services District (MSD) offices and pay a \$50 fee.

Council Member Mick Sudbury inquired about storm drain improvements along Main Street.

Mr. Brickey confirmed that two storm drain issues are scheduled for repair during the Main Street project. He added that completing those repairs will necessitate follow-up improvements one block north, which can only be addressed once the Main Street work is completed. The full project is expected to finish before the fall season.

Council Member Prokopis then brought attention to the city's budget process, asking whether any further steps were required in May following a recent public hearing.

Mr. Brickey responded that a resolution for budget approval was included in the council's packet and suggested adopting it that evening, as required for MSD action the next day.

Mayor Barney noted that while the public hearing was properly noticed, the agenda lacked a specific item for formal budget approval.

Council Member Prokopis acknowledged this oversight but noted that the agenda included a general "discussion and potential action" clause that could be used to proceed.

City Attorney Paul Ashton clarified procedural requirements regarding the city's budget approval process. He explained that after the council approved the tentative budget, it was made public and properly posted, fulfilling the legal obligation for public access. The public hearing was held accordingly, and while it is not mandatory to adopt the final budget during the same meeting, the council has the authority to do so, particularly since the item was listed on the agenda as open for "discussion and potential action." He also added that although the

agenda might have been clearer with a dedicated item titled “final budget adoption,” legal requirements were still met. Council Member Steve Prokopis noted that the city has discretionary funds and could address additional requests in a future meeting, supporting immediate adoption. Mr. Ashton also reminded incumbents and potential candidates for the upcoming municipal elections of a new statutory requirement: they must file a conflict of interest disclosure form at the same time as their declaration of candidacy. He advised current officials to bring a copy of their previously filed form to avoid any challenges related to compliance.

Mayor Eric Barney reopened discussion on agenda item 7A—potential adoption of the final budget following the public hearing.

Council Member Mick Sudbury made a motion to approve Resolution R2025-05, Adopting Magna City’s FY2026 Official Budget. Council Member Prokopis seconded the motion; vote was 3-0, unanimous in favor. Council Members Hull and Pierce were absent from the vote.

11. COUNCIL REPORTS

Council Member Mick Sudbury provided an update regarding the Wasatch Front Waste and Recycling District (WFWRD). He noted that Herriman City has begun exploring withdrawal from the district, citing dissatisfaction with rising rates and diminishing services—concerns echoed by Council Member Sudbury, who suggested Magna should also consider pricing alternatives. Mayor Barney and other council members acknowledged that seasonal cleanup services have been particularly impacted, and other participating municipalities may also be evaluating their continued involvement.

City Manager David Brickey elaborated that Herriman’s withdrawal would require a formal resolution, but it is unclear whether such a resolution must originate from the creating entity or from the member city itself. WFWRD’s legal counsel is preparing an explanation for the next board meeting.

Council Member Steve Prokopis reported on the Unified Police Department (UPD), noting that the tentative budget will be adopted at a special board meeting scheduled for Friday. A previous discrepancy in the cost allocation formula was identified and corrected in Magna’s favor, reducing the projected cost increase. Despite the correction, Magna is still facing a budget increase due to a rise in 911 calls, averaging three more calls per day over the past year. He also mentioned ongoing discussions related to budgetary impacts from the administrative separation between UPD and the Salt Lake County Sheriff’s Office. On the Unified Fire Authority (UFA) side, Council Member Prokopis shared that a community pancake breakfast at Station 102 had a solid turnout. He noted that UFA recently graduated 33 new firefighters, with an additional 24 scheduled for hire in August. UFA has adopted its tentative budget, with final approval expected next month.

Mayor Eric Barney reported on recent Municipal Services District (MSD) matters. The audit

committee reviewed financials in preparation for the district's annual audit. Contracts were approved for right-of-way acquisition along 8000 West for future widening and infrastructure improvements. The council also discussed the implications of a newly incorporated "island" area, which triggered a rebalancing of voting weights on the MSD Board. Voting weight is based not only on population but also on road miles, which ties to how B and C road funds are distributed. The mayor noted this adjustment will remain stable as no further islands exist that would trigger additional changes.

Mayor Barney and Council Member Prokopis also shared their upcoming travel plans: Prokopis will be out of the country on June 10, and Barney is planning to be away during the first two weeks of August.

Council Member Sudbury moved to recess the Council Meeting and moved to Closed Session for the reasons outlined below. Council Member Prokopis seconded the motion; vote was 3-0, unanimous in favor. Council Members Hull and Pierce were absent from the vote.

12. CLOSED SESSIONS IF NEEDED AS ALLOWED PURSUANT TO UTAH CODE §52-4-205

- A. Discussion of the character, professional competence or physical or mental health of an individual.**
- B. Strategy sessions to discuss pending or reasonably imminent litigation.**
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property.**
- D. Discussion regarding deployment of security personnel, devices, or systems; and**
- E. Other lawful purposes as listed in Utah Code §52-4-205**

13. ADJOURN

Council Member Prokopis moved to adjourn the Closed Session and return to the regular Council Meeting. Council Member Sudbury seconded the motion; vote was 3-0, unanimous in favor. Council Members Hull and Pierce were absent from the vote.

Council Member Prokopis moved to adjourn the May 27, 2025 Magna City Council Meeting. Council Member Sudbury seconded the motion; vote was 3-0, unanimous in favor. Council Members Hull and Pierce were absent from the vote.

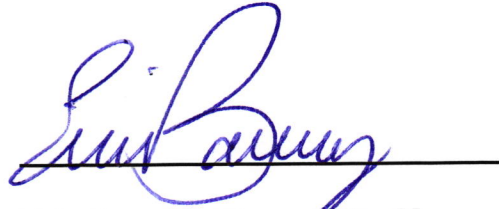
The May 27, 2025 Magna City Council Meeting adjourned at 8:47 PM

This is a true and correct copy of the May 27, 2025 City Council Meeting Minutes, which were approved on June 10, 2025.

Attest:



Diana Baun, Magna City Recorder



Eric Barney, Magna City Mayor