



EMIGRATION CANYON CITY COUNCIL MEETING

May 27, 2025, 7:00 PM

UNIFIED FIRE AUTHORITY STATION 119

5025 E. EMIGRATION CANYON ROAD, SALT LAKE CITY, UT 84108

EMIGRATION CANYON CITY COUNCIL MEETING MINUTES ****DRAFT MINUTES – UNAPPROVED****

Council Members Present:

Joe Smolka, Mayor
Catherine Harris, Council Member
Robert Pinon, Council Member
David Brems, Council Member

Council Members Absent:

Jennifer Hawkes, Deputy Mayor

Staff Present:

Cameron Platt, Legal Counsel
Diana Baun, City Recorder
Dawn Larsen, Unified Police Department
Bryan Case, Unified Fire Authority
Tamaran Woodland, Engineering Manager

Others Present:

Lyska Emerson, Casey Liu, Janet Haskill, Gary Bowen

1. Welcome and Determine Quorum

Mayor Joe Smolka, presiding, called the meeting to order at 7:00 PM and determined a quorum was present. He acknowledged Council Members Hawkes' absence from the meeting.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Recognize Visiting Officials

4. Public Comments

Casey Liu - referenced their property off Emigration Canyon Road. He expressed a desire to be a good neighbor and explained that last summer, they constructed an off-street parking area as part of a rock stabilization project, which the county had requested due to the narrowness of the road. Mr. Liu explained that in emergencies, people might need a place to park, and this was part of the motivation for the work. He then mentioned learning two or three

EMIGRATION COUNCIL MEMBERS

MAYOR JOE SMOLKA, DEPUTY MAYOR JENNIFER HAWKES,
COUNCIL MEMBER CATHERINE HARRIS, COUNCIL MEMBER ROBERT PINON,
COUNCIL MEMBER DAVID BREMS

weeks ago that Rocky Mountain Power intended to install a transformer and a switch in the space used for street parking. Although the property is technically county-owned, he stated that they had paid a contractor for the project and considered the area adjacent to their property. Mr. Liu emphasized that had they known about Rocky Mountain Power's plans earlier, they would not have spent the money or built the retaining wall. The project had been completed in August, and now the utility was taking over the area. He expressed frustration over the lack of information and requested better communication about such developments to avoid unnecessary costs and effort in the future. He offered to share more of the story outside the meeting if needed.

Lyska Emerson - raised an issue regarding the accessibility of the budget. She said the budget was supposed to be attached to an email she received, and questioned why it was not included. City Recorder, Diana Baun responded, clarifying that the budget had been posted on the fire station door and was available at the Municipal Services District (MSD). Ms. Baun stated that the public hearing notice had listed all the locations where the budget could be found and reiterated that a physical copy was available at the MSD. Ms. Emerson clarified that the link in the email did not lead to the actual budget and noted the notice was from the Utah Public Notice website, which only linked to the hearing notice. Ms. Baun confirmed that the notice contained only a listing of where the budget would be posted, as required by Utah State Code, and not a direct attachment of the document itself. Ms. Emerson then transitioned to a question about raising revenue, suggesting the city consider implementing a fee on cyclists who frequently use the canyon. She emphasized the heavy usage of local infrastructure by non-residents. Legal Counsel, Cameron Platt responded that the city could not tax outside its jurisdiction and would need voluntary funding designations from the county or state. He added that while the state legislature had created some resort taxing mechanisms, Emigration Canyon was not classified as a resort and thus not eligible. He mentioned lobbying as a potential approach but noted the difficulty. Ms. Emerson reiterated the significant impact that external visitors have on local roads and residents.

Council Member David Brems noted that during the evening's earlier Workshop Meeting, they had discussed this issue and mentioned that Robert Macfarlane had shared statistics about the volume of non-residents using the canyon. Council Member Brems noted that this data could be useful in legislative lobbying efforts.

Council Member Catherine Harris added that the wear and tear from vehicles using the canyon as an alternate to Interstate 80 likely caused more damage than cyclists. Council Member Harris asked about the entity responsible for tolling Millcreek Canyon and confirmed it was the Forest Service, which collects fees there and represents a potential model.

Robert Macfarlane - introduced himself as a resident located off Emigration Canyon Road. He prefaced his comments as questions intended to precede Tamaran's presentation. Mr. Macfarlane asked whether a survey would be conducted as part of the road widening project, noting that county records and mapping apps showed the road alignment very close to his property line and that there were significant deviations in the right-of-way. He pointed out the inconsistency of surveys in the canyon and stressed the importance of an updated survey for the project. He also inquired about when an initial draft of the road widening plan would be

available for review, asking if there had been major changes from prior statements that it would extend the road by two to three feet in that area.

Council Member David Brems – commented as a resident, announcing that he would be running for Mayor of Emigration Canyon during this upcoming election.

Council Member Robert Pinon – commented as a resident, announcing that he would be running for re-election of his council seat during this upcoming election.

The announcements prompted a discussion on what happens on the council based on different scenarios after the election results. It was explained that with the legislative changes, this council will still consist of five members, however one of those members will be elected as the mayor by regular ballot, rather than the previous process of five council members being elected with the council appointing one of their members as mayor. The other four council members will remain as at-large seats. Should Council Member Brems be elected as mayor, the council will need to appoint a resident through the process already outlined in state code, to fill his council seat for the remainder of his term. In addition, due to the timing and changes, in the 2027 elections, there will be three council seats up for election and one of those seats will need to be a two year term to comply with Utah State Law requiring at least half of the council seats to be up for election during every two year election. City Recorder, Diana Baun, noted that the city does have the option to include a two year term seat on the official ballot in 2027, rather than going through the process to appoint someone to that two year term outside of the election.

5. Stakeholder Reports

A. Unified Police Department

Detective Dawn Larsen reported that in April there were 37 calls for service, resulting in 14 written reports and 10 issued citations—five for speeding and five for various other traffic-related offenses. The most serious incident involved a "shots fired" call, which occurred at night; the suspects had left the scene before the Sheriff's office arrived, but rifle casings were found on the backside of Emigration Canyon Road. Additionally, individuals were contacted regarding illegal camping in the canyon, and a utility trailer was reported stolen from the Sunnysdale area. She advised residents to secure their trailers to prevent similar theft.

B. Unified Fire Authority

Chief Bryan Case provided an update on Unified Fire Authority (UFA) operations, highlighting recent service calls, ongoing initiatives, and organizational developments. He reported two recent calls for service in Emigration Canyon: one involving a sick individual initially treated as a cardiac emergency and transported as a precaution, and another incident on the day of the Firewise event that involved a rubbish fire. Multiple Salt Lake City engines had responded, but the situation was quickly resolved by the local crew, who educated the homeowner on burning restrictions in the canyon. The homeowner was compliant and extinguished the fire without

further issue. Chief Case noted the Firewise event was successful, expressing gratitude to supporters and briefly mentioning the pancake breakfast, which served 30 pounds of pancakes. He then provided an overview of UFA's budget process, stating that tentative approval had been granted by the finance committee on May 20 and final approval would be sought in June. In terms of wildland firefighting, UFA hired 40 seasonal firefighters who undergo rigorous training and work during the fire season, helping the department manage costs during the off-season. These seasonal positions often serve as a recruitment pathway for full-time roles throughout the UFA. Additionally, UFA is finalizing certification for an interagency Hotshot Crew, a highly skilled wildland firefighting team, aiming to enhance UFA's capabilities. These crews can be deployed to other states under interagency agreements, and they are expected to operate beyond the local fire season. He confirmed the firework restrictions for UFA would soon be updated and shared with the community through Council Member Jennifer Hawkes. His seasonal safety message emphasized awareness around spring runoff conditions and he announced that current Battalion Chief Wade Watkins, a veteran with 23 years of experience, had been promoted to Fire Marshal and may interface with the council on future matters. Chief Case also reviewed call data for the canyon over the last quarter, indicating that 46% of the calls were EMS-related, 42% were fire-related with a large portion being false alarms, and the majority of calls occurred in the afternoon. Approximately 77% of calls were considered emergent when received by dispatch, though this status could change upon arrival.

Council Member Brems had two questions for the Chief. First, he inquired whether the Hotshot Crew mentioned by Chief Case was in addition to the 40 seasonal firefighters or part of a separate program. Second, he asked how the UFA prioritizes deployments on hot days when multiple fires occur—specifically, who the seasonal firefighters are dispatched to assist in such scenarios.

Chief Case explained that the 40 seasonal firefighters are distinct from the Hotshot Crew. While the seasonal crew works primarily during peak wildfire season and may rotate out after, the Hotshot crew will consist of full-time, highly trained firefighters who can be deployed across the country.

Council Member Brems and Council Member Harris had a discussion regarding interagency agreements that allow for personnel to be shared across states, which can be a revenue source for UFA.

Chief Case concluded by affirming that UFA maintains a mandatory callback policy to ensure local staffing levels are preserved even when personnel are deployed.

Council Member Harris added that members of the Wildland Crews participated in the Firewise event, where they demonstrated use of fire shelters including the shelter that she personally owned for her and her family in case of an emergency. She was grateful for their instruction and education on how to use those tools if needed.

C. Salt Lake County Animal Services

Gary Bowen, representing the Salt Lake County Animal Services Advisory Board, reported on the board's recent meeting held the first week of April. The primary agenda item discussed was domestic dog walking. He informed Mayor Joe Smolka that Salt Lake County Animal Services had already adopted an ordinance on this matter. Previously, at the mayor's request, Mr. Bowen had Carrie Seibert send him a copy of the ordinance. Mr. Bowen suggested that Emigration Canyon officials consider whether it is necessary to draft a separate ordinance for commercial dog walking or if the existing county ordinance is sufficient, recommending coordination with the county to avoid redundancy and aid in accurate enforcement.

Detective Dawn Larsen added that she has been enforcing the six-dog limit for dog walkers and monitoring trail use. She specified that commercial dog walkers are not allowed on a particular trail in the area that begins on Forest Service land, though private individuals walking dogs are permitted. She also noted that if residents see anything concerning they can call the UPD non-emergency dispatcher, and if they have any evidence of illegal activity they are encouraged to let her know directly.

6. Project Updates

Tamaran Woodland provided detailed updates on two key infrastructure projects in Emigration Canyon, beginning with the Skycrest Lane culvert replacement. She reported that an open house was held the previous Monday, attended by approximately 13 residents. The project will involve a complete road shutdown for three nights and four days. Ms. Woodland clarified in response to a question from Council Member David Brems that this would be a total closure, day and night. Residents voted in favor of scheduling the shutdown over a weekend rather than during the week. Residents also raised questions regarding hotel accommodations, including requests for amenities like pools, hot tubs, and adjoining rooms. Some inquired about food per diems, particularly if the hotel lacked kitchen facilities. One resident with several small children requested the option to book through a vacation rental platform for more suitable arrangements. Ms. Woodland explained that using public funds for direct reimbursements is complicated, and that a centralized payment to a hotel or booking service would be a more feasible solution.

Council Member Catherine Harris emphasized the need to balance simplicity with minimizing inconvenience and recounted her own extended stay in a hotel during a home renovation.

Ms. Woodland continued by stating that the planned construction is tentatively scheduled for September or October. She is currently working on acquiring construction easements and evaluating the feasibility and safety of a temporary footbridge for resident access during the shutdown. She acknowledged concerns about ADA compliance and emergency access, including potential wildfire response. She assured everyone that emergency vehicles could be accommodated even under catastrophic conditions.

Council Member Robert Pinon asked about the overall project duration.

Ms. Woodland estimated three weeks to a month for all three culverts, with only a brief complete closure for each.

Cameron Platt asked whether residents would be officially required to vacate during the shutdown.

Ms. Woodland said that decision would ultimately be up to the council.

Mayor Joe Smolka clarified that only the directly impacted residents on Skycrest and Cedar Loft were invited to the open house.

Ms. Woodland then moved on to the next topic, the Emigration Canyon Road widening project. She explained that despite its name, the project is primarily aimed at safety improvements between 5655 Emigration Canyon Road and Pinecrest Canyon Road, backed by \$6.1 million in grant funds. Planned improvements include slope stabilization, new and relocated guardrails, drainage upgrades, culvert replacement, and a study for possible bike lanes. The project would proceed under UDOT's RPLOC (Request for Pool Letters of Qualifications) process and will undergo a categorical exclusion environmental review (CatEx). She emphasized that the project is still in its early stages and that no decisions on property acquisition have been made or approved. She stated that discussions about acquiring land are premature and will only occur if the environmental study deems it necessary.

Council Member David Brems raised the issue of a survey to clarify property boundaries, and resident Robert Macfarlane noted he had researched property lines using GPS and online tools, stating he was concerned with the locations of those property lines.

Council Member Brems cautioned against relying on the county tax assessor's maps due to their inaccuracy.

Ms. Woodland reiterated that formal survey work would be handled by the Ensign Engineering Firm.

Lyska Emerson questioned whether the road improvements might unintentionally increase traffic and safety risks by drawing more users to the area.

Ms. Woodland acknowledged the concern but argued that existing traffic—particularly bicycles—already warranted safety upgrades. Mayor Smolka and other members pointed out that previous data from the ECRIC study indicated the most significant safety concerns were in the upper canyon, not near the firehouse, and that the lower portion had already seen improvements.

Detective Dawn Larsen added that the most recent bicycle accidents occurred near the red wall and Pinecrest turn, supporting the focus area of the current project.

Council Member Harris commented that the absence of road shoulders in the targeted section created visibility and safety issues.

Ms. Emerson questioned why the project started near the red wall rather than at the firehouse, to which Ms. Woodland and Mayor Smolka responded that the grant was geographically restricted to the upper canyon, which remains the narrowest and least improved section.

Ms. Woodland concluded by stating she would continue updating the council and would not proceed with property acquisition or final plans without their input. Mayor Smolka personally expressed doubt that any property acquisition would be needed, affirming a commitment to keeping all work within the existing public right of way.

7. Consent Agenda

- A. Approval of Council Meeting Minutes**
 - i. August 27, 2024 City Council Meeting Minutes
 - ii. April 22, 2025 City Council Workshop Minutes
 - iii. April 22, 2025 City Council Meeting Minutes

Council Member Brems moved to approve the August 27, 2024 City Council Meeting, April 22, 2025 City Council Workshop Meeting, and April 22, 2025 City Council Meeting Minutes as published. Council Member Harris seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

8. Public Hearing Items

- A. Resolution R2025-07, Approval of the FY2026 City of Emigration Canyon Budget**

Council Member Pinon moved to open the public hearing on Resolution R2025-07, Approving the FY2026 City of Emigration Canyon Budget. Council Member Brems seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

Janet Haskell - raised concerns about the availability of the city's budget document, stating she had not seen it and was unsure where it was posted.

Mayor Joe Smolka and Diana Baun responded that the complete budget had been included in the previous month's meeting packet and was posted on the public notice website, as well as physically posted at the fire station and at the Municipal Services District (MSD) building in Taylorsville. Diana Baun additionally clarified that the public hearing notice had specified the exact locations where the budget would be available.

Ms. Haskell expressed frustration that residents were not directly sent the budget and suggested that people need to be explicitly told if they are required to view it in person.

Council Member David Brems reiterated that the budget was accessible on the public notice website, while Diana Baun emphasized that it had been posted for more than the required 10 days prior to the public hearing.

Further clarification was given that while the two specified locations were the required posting sites, additional locations such as the city's website were optional and considered supplementary. Diana Baun encouraged residents to contact her as the City Recorder in the future if they have difficulty locating public documents, assuring that assistance would be readily provided.

Council Member Catherine Harris commented that she had assumed the budget was also posted on the city's website and suggested it would be reasonable and helpful to make it available there in the future. Diana Baun responded that neither she nor the MSD Communications Manager have been given access to update the city website, so updates like this would fall under the responsibility of Council Member Hawkes, but that would be an easy update to implement.

Council Member Harris moved to close the public hearing. Council Member Brems seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

Council Member Brems moved to approve Resolution R2025-07, Approving the FY2026 City of Emigration Canyon Budget. Council Member Harris seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

9. Presentation Items – None

10. Council Business

A. Dark Sky License Plate Initiative

No updates available.

B. Discussion on Open Burning Ordinance Draft

Cameron Platt led a discussion with the council regarding the current open burning ordinance and sought direction on potential updates. He reviewed existing provisions in the municipal code, which limit open burning to specific uses such as food preparation on grills or recreational campfires of limited size. These activities are further regulated under the wildland-urban interface section, which applies to all areas within Emigration Canyon. This section also prohibits smoking near combustible materials and the discharge of fireworks, ammunition, or pyrotechnics without a permit. Additional activities—such as welding, grinding, and use of small engines without spark arrestors—have been restricted in the past under temporary ordinances during heightened fire risk. He asked the council whether these temporary restrictions should be codified permanently or continue to be implemented on a seasonal or as-needed basis. He noted that fireworks restrictions must be enacted annually by state law. His personal recommendation was to maintain a flexible approach, adjusting restrictions based on current conditions.

Council Member Catherine Harris expressed a preference for making the restrictions a permanent part of the code, particularly given rising concerns about wildfire vulnerability and the implications of House Bill 48. She emphasized that wildfires are often caused by human activity and advocated for a default position of restriction, with seasonal exceptions if warranted.

Mayor Joe Smolka acknowledged House Bill 48 and indicated he could be persuaded to support the permanent inclusion of such restrictions.

Mr. Platt then read out the specific proposed additions, including bans on cutting, welding, grinding unless done on hardscape or thoroughly wetted areas, and operation of small engines without spark arrestors. Additional limitations would affect the use of fire pits and grills near flammable materials, though safe use on non-flammable surfaces like concrete would still be allowed.

Council Member Harris clarified that the aim was not to prohibit safe use but to minimize risk in vulnerable conditions.

Chief Bryan Case elaborated on the distinctions between Stage 1 and Stage 2 fire restrictions, noting that Stage 2 is more severe and includes bans even on gas grills in certain conditions.

Council Member David Brems asked what triggers Stage 2, and Chief Case responded that it involves factors such as red flag warnings, humidity, and fuel conditions. Chief Case added that the city has previously implemented a blend of Stage 1 and Stage 2 restrictions during severe seasons.

The council discussed whether to make restrictions effective year-round or specify a seasonal timeframe. Council Member Harris suggested an ordinance covering roughly April through November and stressed the importance of providing clear, local information rather than referring residents to state regulations. Mr. Platt agreed and noted that referencing external sources can confuse residents. He committed to working with Chief Case to identify standard restriction periods used by state fire authorities and to draft appropriate ordinance language.

Council Member Harris recommended including Chief Case's guidance in the ordinance preparation, possibly with an advisory letter. Chief Case confirmed he could contribute to that effort.

At the end of the discussion, the council agreed to bring this back on the agenda in June, with Cameron Platt drafting an ordinance to present and discuss regarding the issues above.

C. Reappointment of Dale Berreth to Emigration Canyon Planning Commission

Council Member Brems moved to reappoint Dale Berreth to the Emigration Canyon Planning Commission. Council Member Pinon seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

D. Ordinance 2025-O-02, Adopting Updated Engineering Standards

Tamaran Woodland briefly reviewed her presentation included in the meeting's support documents online, and presented a final update regarding the adoption of municipal engineering standards as required by House Bill 368. She first addressed this issue with the council in April and received a recommendation for adoption from the planning commission on May 8. She was now seeking council approval to formally adopt these standards, which apply to public infrastructure and development projects within Emigration Canyon. She explained that the city is adopting commonly used industry standards, including those from the American Public Works Association (APWA), the American Association of State Highway and Transportation Officials (AASHTO), and the Utah Manual on Uniform Traffic Control Devices (MUTCD). She emphasized the importance of adopting Utah MUTCD standards to ensure alignment with the Utah Department of Transportation (UDOT). Initially, the draft included language allowing the city engineer to approve exceptions to engineering standards. Upon clarification, she explained that these exceptions applied to elements such as stopping sight distances, signage, road striping on private roads, clear zones, and driveway sight distances. However, this clause was ultimately removed, and she noted that Emigration Canyon was likely the only municipality to do so. She detailed the inclusion of APWA 255 standards, particularly the T-patch requirement for trench repairs, which mandates a minimum two-foot patch with a four-foot mill and overlay. Additionally, the standards were aligned with Emigration Canyon's more stringent local code, and references to the code were integrated into the engineering standards document to ensure consistency. Ms. Woodland also outlined exceptions to mill and overlay requirements based on the age of the pavement and future planned work. Specifically, no mill and overlay is required if a city engineering project is scheduled within the next two years. Roads less than three years old require full-width mill and overlay per city code. Roads between three and seven years old follow the APWA mill and overlay standard, while roads older than seven years are exempt from the requirement.

Council Member Harris moved to approve Ordinance 2025-O-02, Adopting Updated Engineering Standards. Council Member Brems seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

Council Member David Brems raised a question regarding whether the ongoing work by Rocky Mountain Power is being conducted in compliance with the newly adopted engineering standards.

Ms. Woodland responded that while she believes they are generally in compliance—particularly with the two-foot patch requirement—it is difficult to strictly enforce standards that had not yet been formally adopted.

Mayor Joe Smolka added that based on observation, Rocky Mountain Power appears to be adhering to the two-foot trench patch guideline, despite initially cutting a one-foot trench.

Ms. Woodland then noted that Salt Lake County Public Works Operations would follow up Rocky Mountain Power's work with a micro-paving project in late July or August. When asked what micro-paving involves, she described it as a fine slurry surface treatment—essentially a

fresh layer of blacktop, though not traditional asphalt. She confirmed that this treatment would improve the road's surface once the utility work is completed.

E. Ordinance 2025-O-03, Adopting Updated FY2026 Fee Schedule

Cameron Platt informed the council of recent legislative changes that require municipalities to pass an ordinance adopting a fee schedule, particularly for land use items. Because of this requirement, the proposed fee schedule—containing redline edits—had been presented to the planning commission on May 8 for review and recommendation. He clarified that the version currently before the council includes those recommended changes, even if that had not been the initial intention. Key updates in the proposed fee schedule include adjustments to stormwater permit fees, inspection fees, and boundary line adjustment fees. Additionally, the election filing fee was updated to \$50. He stated that the updated schedule would repeal the previous one in its entirety and replace it with the new draft. Although the ordinance to enact the updated fee schedule was not included in the meeting packet, he confirmed that the ordinance document was available and ready for council approval. Diana Baun and Mr. Platt also discussed minor formatting issues in the draft, such as outdated dates and logos, which would be corrected in the finalized version.

Council Member Catherine Harris confirmed the dates shown on the schedule and asked whether the planning commission had made any changes. Mr. Platt directed her to the redline version included in the packet (noting it begins on page 87), where the changes, though not in bright red due to printing, are visible through strike-throughs and markups. The council acknowledged that the updates were largely administrative, prompted by state law, and included mostly routine revisions.

Council Member Brems moved to approve Ordinance 2025-O-03, Adopting the Updated FY2026 Fee Schedule. Council Member Pinon seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

11. City Attorney Updates

No updates at this time.

12. Council Member Reports

A. Council Member Brems

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

UPD has had a number of meeting, with only the tentative budget approved. They are meeting again this Friday to attempt approval of the budget again. They are close to finalizing a lease agreement for a Granite School District location in Kearns that will be the new location for Unified Police, details are still not public but he believes they will be soon. They also retired a K9 officer recently. Regarding SLVLESA, there are some budget minimums being planned for

use on a small project in the new UPD building; that will come out of the fund balance, with most of it coming from Kearns.

2. Emigration Canyon Planning Commission

He was hoping Matt would be in attendance at tonight's meeting as discussed for updates, but he is not in attendance to share that information.

3. Community Renewable Energy Program

Since the last meeting the Public Service Commission met and approved the request from Rocky Mountain Power to move ahead with a solicitation for renewable energy, which will be going out shortly. Those negotiations have been ongoing for almost a year and a half, and it appears the project is moving ahead. Everything depends on the cost of renewable energy, whether geothermal, wind, solar, batteries, etc.; all of which will be allowed by companies responding to the solicitation. He hopes to have more information to share next month. If the cost of energy is too high, the program will not proceed.

B. Council Member Harris

1. Unified Fire Authority (UFA) & Unified Fire Service Area (UFSA)

Chief Case gave a good summary earlier in the meeting, and she noted a public hearing coming up on June 17 to consider and approve the budget. There is a 2% increase in UFSA member fees, which is consistent with the already approved tax increase for the year. There was extensive discussion that this approved increase would avoid additional increases for at least two years. She discussed the success of Firewise Days, with Chipping Days coming soon. She wants to ensure residents are reminded about the event the first week in July, sending out the same flyer from last year with details on stacking the piles for chipping. It is also vital that the public reports to the council the number of hours they put in to creating defensible space and other home hardening measures they have taken, as well as any money invested, as that information is required as part of the annual Firewise certification for the city. She is hoping for both email and CodeRED reminders to be sent out for residents. She noted the absence of a fuels reduction project on the books this year. She has spoken with Chief Whittison previously, and they have been told the city owned land managed by public utilities at the bottom of the canyon would give permission to work there; noting this would be a great area for some thinning. The city has been unwilling to give them permission to work on that property in the past, but she hasn't heard back from anyone in Public Utilities, despite multiple emails, so she will continue trying to track down that response. She has also worked with Mike Swinsick at Fire Forestry and State Lands. She doesn't have a formal report on House Bill 48 and the implications for residents, as well as the city, but she asked to have that added to Council Business on the agenda beginning in June to keep everyone updated before implementation in January.

2. Watershed Plan

No updates at this time.

C. Council Member Pinon

1. Wasatch Front Waste and Recycling District (WFWRD)

Last board meeting was a week after this council's last meeting, nothing to report other than Pam Roberts retiring after many years of service. He has volunteered to be a member of the committee finding her replacement. The whole council agreed she has done a wonderful job and that she will be missed greatly.

2. Utah Broadband

There were letter of support sent to UBB and Comcast as requested. In the current Rocky Mountain Power project, UBB is installing conduit in the trench for future communication use, and that is being coordinated directly with the contractor.

3. Update on Possible High-Density Development

The property is currently for sale.

Carrying over from discussion at the last meeting, Council Member Pinon brought up the Healthy Utah designation which has to be done before June and he will update the council at the June meeting on that process.

D. Deputy Mayor Hawkes

1. Website (www.emigration.utah.gov)
2. CodeRED
3. Association of Municipal Governments
4. Utah League of Cities and Towns (ULCT)

E. Mayor Smolka

1. Greater Salt Lake Municipal Services District (MSD)

Thanked Marla Howard for attending the Workshop Meeting this evening to share more information on the budget. Things are progressing with some board seat changes accompanying the upcoming elections. The MSD's IT Director, Izabela Miller has left the MSD and they are in the process of hiring a new IT Director.

2. Landfill Council

Plot 8 is now open and functioning.

3. Wasatch Front Regional Council (WFRC) Transportation Committee

They met shortly after the council's last meeting, recommending approval of changes to several different categories of the TIP, and other related funds. He participated in a wonderful presentation and discussion on how those funds are awarded to communities.

4. Council of Governments (COG)

He has attended the last two meetings online, where there were discussions regarding security and some of the legislative changes in the election process. There was also a brief discussion on preparations for the upcoming winter and homeless shelters.

5. Legislative Update

No updates at this time.

Additionally, he reported that Rocky Mountain Power has moved the first step, they are supposed to go about 1500 feet at a time. At their current station location, most of the uphill cyclists can't make the light. There have been discussions with RMP regarding making that light longer or making the work area shorter, and he is waiting to hear the outcome of that discussion. There were a lot of problems over the weekend with cyclists ignoring the red light and causing problems because of the single lane conditions. Even with Officer Curley getting involved and monitoring the stretch previously, today Mayor Smolka watched three people run the red light. He encouraged UPD officers to stop and speak with the construction workers if needed about sign adjustments.

Detective Larsen noted that Officer Curley was recently promoted to Sergeant and will be leaving the city soon. She reassured the council that the UPD is aware of their need for an officer and when the highest priority times are.

Mayor Smolka also mentioned RMP burying lines on the opposite side of the road, noting that is going on from about the substation to the top of Little Mountain and they have the conduit in place which will be the power for the upper part of the canyon.

13. Public Comments

Casey Liu – discussed Rocky Mountain Power, saying they illegally stole his equipment. They have a project going through his property and last summer he had a surveyor. He was told that Rocky Mountain Power doesn't have an easement on his property. Earlier in May he saw them tearing out other areas where he was told again that they have an easement. He has already left messages asking about legal documents showing the easement. Last year he was told they didn't have a legal easement, but now he is being told that they do, and he needs to see that. He also needs to see the design, where are they going to put a line through his property. He asked the MSD to provide that, and has already seen a general contractor in the area and he wants confirmation of placement and the easement on his property before they start working on the project. In addition, he addressed a stormwater division from the top of the subdivision. He sees the issues has been addressed before, they don't have a building permit. His neighbor did something to the piping and then ran the stormwater through his property.

The MSD and county, no one has said anything. They even did the study to ask them to revise and come back to the original design because they totally destroyed his property. Trees died because the roots are exposed and the trench was dug down two more feet. The erosion is totally out of control and he doesn't know what he's going to do, and he is being asked to take legal action but he doesn't want to sue his neighbor.

Mayor Smolka responded that regarding Rocky Mountain Power, the council doesn't deal with them and their easements, neither does the MSD. Those issues have to be taken up with Rocky Mountain Power directly. Regarding the stormwater issue, he knows that is private property and that homeowners association would be responsible for the water discharge, which is what Mr. Liu stated. However, they do have to bring it down somehow to the stream. In the past, the HOA board and MSD were trying to come to a resolution dealing with that and the erosion, but nothing ever happened so he is unsure of the current agreement. If they go to do work he believes permits would be required, which would involve the MSD.

Mr. Liu indicated he spoke with the MSD, a Greg, but he was told there was no building permit and the council informed him that Greg is no longer in that position.

The council and Mr. Liu discussed his location and some of the details of the area. The council suggested contacting potentially Salt Lake County public utilities, as well as the stormwater permit technicians at the MSD and he was encouraged to contact them now. Mr. Liu said he contact the MSD a year ago, but again he was encouraged to contact Alex at this time to get more information.

Lyska Emerson – Encouraged them to have preservation of the environment as much as possible. She knows mayors will be changing, discussed the Dark Sky Initiative and the desire to keep things in a natural environment with limited impact. She hopes they can limit impact on properties of taxpayers, stakeholders, etc. As she stated before, she doesn't know if her property is even largely impacted here, but she knows people above her and would speak on their behalf as well.

Council Member Brems suggested waiting until they have a proposal and what the impacts are, then they can work on problem solving if necessary.

Ms. Emerson agreed with that suggestion, noting she hopes the city can hold the line and not let UDOT take over too much. In addition, she challenged the notion that the cyclists are inevitable and increasing, and that they use whatever means they can to moderate and mitigate the impact to residents and others that commute with whatever means they might have, be that better enforcement, drafting laws, single file only, etc.

Council Member Brems agreed that especially where there is no bike lane the cyclists should be required to at least ride single file, and noted that things do need to change.

Mayor Smolka shared that they can't legally require single file riding in general, that can only be done where there is a hazard. This prompted a discussion with UPD that where the signs are, they need to be single file, but in the other locations the code allows them to ride 2 deep.

Cameron Scott added that the issue with single file riding requirements is that you are essentially reducing the speed of all the traffic to the slowest cyclist, since they can't pass the first rider.

Ms. Emerson did not see an issue with that because they are riding and pushing other cyclists into the vehicle spaces, pushing cars into oncoming traffic.

Mr. Scott also noted that a bicycle and a car are the same in the eyes of the law, they are entitled to the same portion of the road, unless there is a bike lane; they are entitled to the entire width of the road/lane. If restricted to single file riding, there is no bike lane, and the rider chooses to not ride on the shoulder because of that, everyone slows down to the speed of that bicycle. This is the reason for allowing two abreast with cyclists, so they can pass and allows both cars and cyclists to pass.

Ms. Emerson argued that means drivers are being told to cross a double yellow line and called that "crazy." The council and legal counsel indicated there is more to that than just allowing drivers to cross the yellow line, it has to be done when safe and it depends on who is telling you to cross the double yellow line. Mr. Platt noted they can't just ignore a double yellow whenever they want and he asked Ms. Emerson again who is telling her to cross the double yellow line. Gary Bowen spoke up from the audience, noting that the legislature passed a law legalizing crossing a double yellow line in canyon areas if they are going around a bicycle. Mr. Platt noted that was the information he was looking for, if the legislature tells you it's allowed, then that's the rule.

Council Member Harris noted the discussion has been good, and shows how much further they have to go on both communication and education. She shared concerns about the attitude of "keeping others away," whether that's leavers looking at canyon scenery, bicyclists, hikers, etc. She reminded everyone they have already had one Olympic Event held here, they have the largest youth cycling group in the nation that is very successful with kids learning the rules and how to order properly. In addition there is another Olympics coming and she would like to be a part of responsible recreation. This is why she doesn't support just trying to keep cyclists away, or joggers or others; they need to manage it, and they have a long way to go.

Ms. Emerson agreed there should be a balance, she doesn't believe they shouldn't have access at all, but it has been an encroachment to a point that it's out of hand.

Janet Haskell – shared concerns with the engineering manager speaking about the CatEx one level of environmental assessment. She has spoken with Ben Worthrich who seems to know a lot about the application and project. He told her this would probably be a CatEx three, which is a higher complexity because it is being paid 50% by the government. He thought NEPA (National Environmental Protection Agency) would be the agency overseeing this assessment because of the federal funds.

Mayor Smolka responded that comment was brought up at the last meeting and Ms. Woodland researched the level as requested. It was discovered that they do not need that higher level.

Ms. Haskill asked if they are making a choice on that, or does the city have no choice.

Mayor Smolka responded that is the state's decision.

Ms. Haskill, after sitting in the workshop meeting, asked about the discussion on more taxes but she believes the bigger issue is how they can get any offset from these cyclists driving everything going on in the canyon including the road widening, the taxbase, etc. She is not saying to stop them from coming in, but they need to find a way for them to pay a fee, like a Seasons Pass. She suggested creating a committee to actually reference the ski resorts, who have this down. This cannot be put on the backs of the taxpayers in the area, that's not right.

Tamaran Woodland addressed the NEPA question, noting there were three reviews including a CatEx, an environmental assessment, and an environmental impact statement. Going through UDOT gave them the advantage of getting to the correct level. The original estimates of where the environmental assessment would come from have changed, and UDOT now thinks this will be CatEx. The higher levels are required if there is property acquisition, but they don't anticipate that happening.

Ms. Haskill noted that might be UDOT's assessment of the right level, but is it the right level for the citizens, taxpayers, and those whose properties will be affected by the road widening.

Ms. Woodland repeated that CatEx means there won't be property acquisition and they are keeping it within the public right-of-way. Any higher level changes wouldn't be allowed before coming back to this council.

Ms. Emerson spoke up from the audience, noting they have homes technically in the right-of-way, as well as the stream, so if expanded to that point it does affect those areas, not just the issue of eminent domain.

Mayor Smolka responded that they need to wait and get the plans before knowing what the impacts will be. The state came up here, assessed the space before giving the city the grant, so they already have an idea of what has to be done. The council repeatedly encouraged the residents to be patient and wait for the plans, as there is nothing showing what or who will be affected at this time and they are getting ahead of themselves.

14. Future Agenda Items

Chief Case noted that he invited the new Fire Marshal to attend the next meeting and address the open burning ordinance.

Council Member Pinon moved to recess the Council Meeting and move to a Closed Section for the reasons noted below. Council Member Harris seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

15. Closed Session per Utah Code §52-4-205

- A. Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual.
- B. Pending or Reasonably Imminent Litigation.
- C. Purchase, Exchange, or Lease of Real Property.
- D. Deployment of Security Personnel.

Council Member Harris moved to adjourn the Closed Session and move back to the Council Meeting. Council Member Brems seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes being absent from the vote.

16. Adjourn

Council Member Pinon moved to adjourn the May 27, 2025 Emigration Canyon Council Meeting. Council Member Brems seconded the motion; vote was 4-0, unanimous in favor with Council Member Hawkes absent from the vote.

The May 27, 2025 Emigration Canyon Council Meeting adjourned at 9:31 PM.

The May 27, 2025 City Council Meeting Minutes were Approved by the City Council on the 24th day of June 2025:

ATTEST:

Joe Smolka, Mayor

Diana Baun, City Recorder