

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ELECTRONICALLY ON TUESDAY, OCTOBER 26, 2021, PURSUANT TO ADJOURNMENT ON TUESDAY, SEPTEMBER 28, 2021, AT THE HOUR OF 7:00 P.M., VIA ZOOM.COM.

COUNCIL MEMBERS

ELECTRONICALLY PRESENT: DAVID BREMS
GARY BOWEN
CATHERINE HARRIS
JENNIFER HAWKES, Deputy Mayor
JOE SMOLKA, Mayor

OTHERS IN ATTENDANCE: POLLY MCLEAN, LEGAL COUNSEL
NICHOLE WATT, DEPUTY CLERK



Mayor Smolka, Chair, presided.



Pursuant to Utah Code 52-4-202 the undersigned, as Mayor of the Emigration Canyon Metro Township Council, hereby declares that providing an anchor location for the electronic meetings of the Council will present a substantial risk to the health and safety of those who may be present at the anchor location for the following reasons:

The Township is located in Salt Lake County and is still under an "Yellow" alert stage for the COVID 19 pandemic; and

The regular meeting place for the Council (the Fire Station in the Canyon) does not have sufficient space in the meeting room to provide for the recommended physical distancing to keep people safe from infection.



STAFF MEETING

The Council reviewed the following items:

- Emigration Canyon Metro Township General Plan



PUBLIC MEETING

Citizen Input

None



Emigration Canyon Community Council Report (ECCC)

Bill Tobey, Chair, stated it has received an invoice from the State Division of Forestry, Fire and State Lands for the \$12,000 contribution that the township agreed to make to Unified Fire Authority for the fuels crews work in the canyon. It also received a signed agreement from the Acorn Hills neighborhood for the shared participation in the shaded fuel break work that was completed in July. Acorn Hills is expecting an invoice from the township for one-half of the cost of the work completed, which is \$5,773.50. There were some hazardous trees along Pine Crest that were removed last week. The Community Council assisted the Forestry, Fire and State Lands with two grant applications for future fuel work in the canyon. The U.S. Forest Service Wildlife Research team would like to meet on November 10, to discuss the canyon's wildfire preparedness. Firewise recertification application is due on November 19.



Unified Police Department (UPD)

Mayor Smolka stated on September 14, UPD conducted traffic enforcement in the canyon and seven citations were issued. There is an increase in car burglaries and one of the suspect vehicles is a maroon Jeep.



Unified Fire Authority (UFA)

Captain Michael Conn reviewed the quarterly report, noting that call volume has not increased overall.



Council Business

Bond for Utility Projects

Mayor Smolka stated the sinkhole on Sunnydale has not been repaired and it has been a challenge to get someone out to fix it. The ordinance states that they have 72 hours to fix the problem and that has not happened. There is also language in the ordinance that allows the township to fix the problem and bill them.

Polly McLean stated the way the ordinance is written, protects the township.

Mayor Smolka stated Salt Lake County Public Works has been sending emails and making phone calls to Salt Lake City. Their response was that they were putting the project out to bid.

Deputy Mayor Hawkes stated the reason why it might have gone beyond the 72 hours is because they had to put a cold patch on it. However, it has been an extensive amount of time and the temperature is starting to dip.

Mayor Smolka stated with all the notification that has been sent, the option to repair the problem and send a bill is still available.

Deputy Mayor Hawkes stated a completion bond was discussed to avoid future incidents; however, the Council needs to think about the ramifications it could have. She suggested working with Salt Lake County Public Works to get the sinkhole repaired and bill Salt Lake City.

Mayor Smolka stated there are some utility companies that can be exempt from bonding. While they may have an exemption, they are still obligated to follow all covenants in the rest of the ordinance.

Ms. McLean stated she does not think the ordinance needs to be amended due to this one unusual situation. It is at the point where the road needs to be fixed and a bill needs to be sent to Salt Lake City.

Mayor Smolka stated he will talk to Salt Lake City this week. He does not think the ordinance needs to be changed to include bonds. There are only two entities where a bond could be applied.

Deputy Mayor Hawkes stated she does not think it is worth changing the process, there needs to be an understanding moving forward. If there are reoccurring problems, then the topic can be discussed at that time.

Resolution No. 2021-10-01

The Council reviewed the following Resolution considering the adoption of an Interlocal Agreement with the Greater Salt Lake Municipal Services District, Salt Lake County, and other Townships for the issuance of bonds to pay for infrastructure:

RESOLUTION NO. 2021-10-01

Date: October 26, 2021

A RESOLUTION OF EMIGRATION CANYON METRO TOWNSHIP COUNCIL APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT, COPPERTON METRO TOWNSHIP, MAGNA METRO TOWNSHIP, KEARNS METRO TOWNSHIP, TOWN OF BRIGHTON, WHITE CITY METRO TOWNSHIP, AND SALT LAKE COUNTY REGARDING THE ISSUANCE OF BONDS TO PAY FOR INFRASTRUCTURES

WHEREAS, the Emigration Canyon Metro Township ("Emigration Canyon") is a Municipality pursuant to Utah Code §§ 10-2a-401 *et seq*; and

WHEREAS, Emigration Canyon is governed by a five-member elected Council under Utah Code Ann. § 10-3-205.5, which Council elects from its members a Mayor; and

WHEREAS, Emigration Canyon is authorized under the Interlocal Cooperation Act, Utah Code Ann. § 11-13-101 *et seq.* (the “Interlocal Cooperation Act”), to enter into an interlocal agreement with the Greater Salt Lake Municipal Services District (the “District”), Copperton Metro Township, Emigration Canyon Metro Township, Kearns Metro Township, Town of Brighton, Magna Metro Township, and Salt Lake County Respecting the Issuance of Bonds to Pay for Infrastructure; and

WHEREAS, Emigration Canyon, by and through its Council, has determined authorizing the District to issue bonds for infrastructure, as set forth in the attached Interlocal Agreement, Attachment “A”, will benefit the residents of Emigration Canyon and will contribute to the prosperity, well-being, peace, and comfort of the community.

NOW THEREFORE IT IS RESOLVED, the Emigration Canyon Metro Township Council approves, and authorizes the Mayor to sign, the attached Interlocal Agreement (“Agreement”) with the Greater Salt Lake Municipal Services District, Copperton Metro Township, Emigration Canyon Metro Township, Kearns Metro Township, Town of Brighton, White City Metro Township, and Salt Lake County Respecting the Issuance of Bonds to Pay for Infrastructure (ATTACHMENT A).

IT IS FURTHER RESOLVED, the Mayor and City Attorney may make non-material changes to the Agreement prior to signing if needed to respond to comments and suggestions of other parties to the Agreement, it being understood and agreed that each party to the Agreement is represented by legal counsel that may have input to the document.

APPROVED AND ADOPTED this 26th day of October, 2021 by the Emigration Canyon Metro Township Council in Emigration Canyon Metro Township, Salt Lake County, Utah

EMIGRATION CANYON METRO TOWNSHIP:

/s/ JOE SMOLKA
Mayor

ATTEST

/s/ SHERRIE SWENSEN
Salt Lake County Clerk
Metro Township Clerk/Recorder

Council Member Bowen, seconded by Mayor Smolka, moved to adopt Resolution No. 2021-10-01. The motion passed unanimously.

Emigration Canyon Fire Station

Council Member Bowen stated he thought it was important to write a letter to Chief Dan Peterson, supporting UFA’s decision to have a three-person crew at the Emigration

Canyon Fire Station. Approximately 75 percent of calls are medical with the other 25 percent being fire issues. The budget cannot support a four-person crew. If it was decided that a four-person crew was necessary, the Council would need to pay \$420,000 to maintain that fourth person.

Council Member Brems stated sending a letter to UFA supporting a three-person crew is rationalizing the reason why Emigration Canyon is receiving less services. It is reducing 25 percent of services Emigration Canyon receives. Is there an option to negotiate the level of service the canyon gets?

Captain Michael Conn stated the ideal number of fire fighters per heavy apparatus is four. This allows the task at hand be accomplished, a four-handed crew is more significant than a three-handed crew. Crews from surrounding areas back up UFA when handling calls. The long-term plan is to build upon the three-person crew.

Council Member Harris stated the Council is not being asked, it is being told how many crew members it will have. It is hard to support something that does not meet the standard, she would like to move towards a four-person crew.

Council Member Bowen stated he will withdraw his request to approve a letter of support and recommend that the letter is not sent.

Council Member Brems stated the Council should consider a resolution to expect negotiations with UFA on a yearly basis to discuss level of service.

2022 Tentative Budget

Mayor Smolka stated the budget that was reviewed in July or August and was emailed to the Council is the same budget that needs to be approved tentatively. If the tentative budget is approved tonight, a public hearing can be held next month and there will not be a need for an extra meeting in December. A couple of line items received an increase in funding. The budget can still be amended up until the public hearing and final adoption.

Council Member Harris, seconded by Council Member Brems, moved to approve the tentative budget with the acknowledgement that certain details still need to be addressed. The motion passed unanimously.

Set Public Hearing

Mayor Smolka, seconded by Council Member Brems, moved to set the date of Tuesday November 16, 2021, at 7:00 p.m., to accept public comment and consider the 2022 Emigration Canyon Metro Township budget and 2021 Emigration Canyon Metro Township budget adjustment. The motion passed unanimously.

Community Renewable Energy Program

Mayor Smolka stated the Council previously talked about the Renewable Energy Program through Rocky Mountain Power. It was determined at the time that the Council needed more information from Rocky Mountain Power; however, they never followed up with the information requested. If the Council would like to explore its options, he will reach out to Rocky Mountain Power to find out what the information is and why the Council never received it.

Council Member Brems stated he would like Polly McLean to research the program more and find out what exactly is being proposed.

Legal Issues

Polly McLean stated Cameron Platt has been working with UPD on the noise ordinance.

Cameron Platt, Legal Counsel, stated he will follow-up with the citations that were issued to see what the outcome is. He does not have the numbers from the last six weeks but is hopeful that there will be an update next month.

Budget Items

Mayor Smolka stated the Clerk invoice was approved and the Workers' Compensation audit was approved.

Minutes

Council Member Brems, seconded by Council Member Bowen, moved to approve the minutes of the Emigration Canyon Metro Township Council meetings held on September 28, 2021 with amendments. The motion passed unanimously.

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Council Member Reports

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

Council Member Brems stated discussions on how to get UPD officers pay increased so that is competitive is ongoing. There is a lot of anxiety on how salary will be raised into the top three. SLVLESA approved a 16.6 percent property tax increase that will help get the necessary funds to increase salary. A lobbyist has been hired to help at the legislature. On a yearly basis the level of service for Emigration Canyon should be negotiated.

Planning Commission

Mayor Smolka asked if there was any thoughts on a new planning commissioner.

Robert Pinon, Emigration Canyon Metro Township Planning Commission, stated there is an individual who is an architect that should be reached out to.

Council Member Brems stated that Mr. Pinon and himself should speak to her.

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

Council Member Bowen stated Emigration Canyon fire station had a seismic evaluation completed and the only item of concern was strapping down the water heater tanks and reinforce the cabinets. A committee was put together that will help with the replacement of Chief Dan Peterson as he is retiring next year.

Animal Services

Nothing to report

Wasatch Front Waste and Recycling District (WFWRD)

Council Member Harris stated there has been a spike in employees impacted by COVID. A sixth of its workforce has been out at various times. A meeting with Salt Lake County was held to discuss moving to a special district. Salt Lake County is reviewing the potential legal ramifications. A decision will not likely be made by the beginning of next quarter. If Salt Lake County votes against moving to a special district, then it will not happen.

Watershed Plan

Council Member Harris stated the first of four best practice meetings was held with the public. The second meeting is next week and will focus on septic and sewer systems.

Website

Deputy Mayor Hawkes stated she has made updates to the website for Eric McCulley from River Restoration.

CodeRED

Deputy Mayor Hawkes stated she sent a CodeRED message for the marathon.

Restrooms

Deputy Mayor Hawkes stated she will meet with Salt Lake County Public Works to attempt to pump the vaults for the third time. There is a substantial amount of garbage and debris in them, and they will need to be vacuumed out. A contract has been signed to move forward with the process.

Strava data

Deputy Mayor Hawkes stated Strava data cannot be publicized without permission and can only be used for the Council to make decisions.

Greater Salt Lake Municipal Services District (MSD)

Mayor Smolka stated the meetings have mostly consisted of the bond, budget and personnel issues. The Board will discuss the job description for the General Manager and post the position. There is some confusion regarding the Planning and Development Department; it is no longer part of Salt Lake County. The MSD is the financial part, the Metro Townships signed an agreement to handle finances and budgets. The Council directs the Planning and Development Department to handle its needs.

Council Member Brems asked what the outcome was of the facilitated discussion on the future of the MSD.

Mayor Smolka stated a report with the Strategic Plan and other items were presented at the last MSD meeting and added to the newsletter.

Council Member Brems stated someone from the MSD should come back and present the outcomes.

Mayor Smolka stated part of the problem at the MSD right now is staffing and the absence of a General Manager.

Deputy Mayor Hawkes asked if it was possible to have an electronic newsletter distributed.

Mayor Smolka stated the MSD does a monthly electronic and a quarterly printed newsletter. In addition, he will be working with Public Works to get the jersey barriers cleaned out.

Landfill Council

Mayor Smolka stated the landfill is runny smoothly and there are no violations.

Other announcements

Deputy Mayor Hawkes stated she was asked to participate in the Wasatch Choice workshop where it will be reviewing the regional transportation plan. The workshop will be held via Zoom on November 1 from 4:00 – 6:00 p.m.

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

SHERRIE SWENSEN, METRO TOWNSHIP CLERK

By: _____
Deputy Clerk

MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

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