

DATE MONDAY JANUARY 10, 2022

THE KEARNS METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON MONDAY, JANUARY 10, 2022, PURSUANT TO ADJOURNMENT ON MONDAY, NOVEMBER 22, 2021, AT 6:30 P.M. VIA ZOOM.

COUNCIL MEMBERS PRESENT: ALAN PETERSON
PATRICK SCHAEFFER
CHRYSTAL BUTTERFIELD
TINA SNOW
KELLY BUSH, Chair

OTHERS IN ATTENDANCE: NATHAN BRACKEN, LEGAL COUNSEL
SHERRIE SWENSEN, METRO TOWNSHIP CLERK
By: NICHOLE WATT, DEPUTY CLERK

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Mayor Kelly Bush, Chair, presided.

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Public Meeting

Special Guest

Rajan Zed, President, Universal Society of Hinduism, provided a spiritual reading.

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Order of Business

Swearing in Ceremony

Nichole Watt, Deputy Clerk, Kearns Metro Township Council, swore in Al Peterson and Tina Snow as members of the Kearns Metro Township Council.

Design Update of 4700 South and Bangerter Intersection

Mr. Duke Richardson, Utah Department of Transportation, (UDOT), delivered a PowerPoint presentation providing an update on the environmental study for the design of 4700 South and Bangerter Intersection. The PowerPoint covered the timeline to finish the environmental study, the type of intersection proposed, the horizontal and vertical impacts of the intersection, and the closure of 4700 South during construction in 2023 or 2024.

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Mayor Kelly Bush requested a copy of the PowerPoint so it could be posted on the Kearns Metro Township Council website.

Planning Commission – Plat Dedication

Molly Gaughran presented Application #RWD2021-000495 wherein Salt Lake County is requesting plat approval for dedication in Kearns Metro Township for a public right-of-way of 1.742 acres of property located at 4715 South beginning at Arlington Park Dr. and continuing east. She stated this dedication is necessary for the continuing road construction in that area. The Municipal Services District planning staff has reviewed the proposal and no issues have been identified. The Kearns Metro Township Planning Commission recommended approval of this application.

Council Member Snow, seconded by Council Member Schaeffer, moved to approve this application. The motion carried unanimously.

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Stakeholders Updates

Unified Police Department

Chief Levi Hughes, Unified Police Department, updated the Council on the following:

- Stats show the number of burglaries has decreased over the past several months, as well as the number of stolen vehicles. Meanwhile family offenses and traffic citations have increased.
- Requested ideas from Council regarding areas that need additional traffic work.
- Driving Under the Influence (DUI) enforcement operation was held on December 17, 2021, with over 70 traffic stops, but only one DUI. Additional operations will be held throughout 2022.

Wasatch Front Waste and Recycling District (WFWRD)

Pam Roberts, General Manager, Wasatch Front Waste and Recycling District, updated the Council on the following:

- New staff members: Matt Ferguson, District Controller/Treasurer, Dustin Bradshaw, Refuse and Special Services Manager, and McKenna Tupa'i, Sustainability Coordinator

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- New board members represent the areas of Magna Metro Township, Emigration Canyon Metro Township, Millcreek, and Sandy City.
- Working to make website user friendly.
- Survey results show that customers would like more education relating to recycling.
- Premiums increased for workers compensation.
- WFWRD absorbed over \$1 million in salary increases, which cannot continue. An increase in the cost for services will happen in 2023.

Council Member Snow asked if the increase would allow for the return of the garbage collection bins in neighborhoods.

Ms. Roberts stated the increase would not allow for the garbage bins. There is a shortage of drivers, which affects this program.

Mayor Bush asked if WFWRD could investigate collecting the recycling can every other week, instead of weekly. This could help reduce increases scheduled for 2023.

Greg Anderson, Kearns Water Improvement District, updated the Council on the following:

- Working with State Legislature on bills relating to water issues
- Water consumption was reduced by 13 percent in 2021
- A 1.5-million-gallon water tank was finished this past year and another water tank was refurbished.
- Emergency generators have been installed for all water pumps
- The sewer station on Cougar Lane has been completed
- Major projects going out to bid include the renovation of a line, which goes down 4700 South to Redwood Road and connects to the Central Valley line. Construction will start the latter part of spring.
- Applied for and were denied America Rescue Plan Act (ARPA) funds for two water lines that need to be upsized. They will reapply for these funds.

Kearns Metro Township Community Council

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Roger Snow, Chair, Kearns Metro Township Community Council, updated the Council on the following:

- Plans for this year include an Easter egg hunt, a parade, and the Fire and Ice celebration.
- Christmas on 5400 South was a success this year. Looking into different options for Santa Claus house. The current option is expensive.

Evidence to Success

Josh Nielsen, Evidence to Success, updated the Council on the following:

- Survey on Healthy Utah will be going out to approximately 25,000 residents in Kearns. There will be an incentive included to encourage residents to fill out and return the survey.
- February 22, 2022, Parents Empower event will take place.
- Emails are sent out weekly to inform residents on what is happening with Evidence to Success

Becky Guertler, Evidence to Success, thanked the Council for its support. She stated the Evidence to Success Youth Council conducted a coat drive for the homeless. It was successful.

Cheryl Saunders, Evidence to Success, stated she does the weekly email and if there were anything the Council would like to include, please contact her. The emails go out every Wednesday.



Other Business

Appointment of Mayor

Council Member Schaeffer nominated Kelly Bush as Mayor of the Kearns Metro Township Council.

Council Member Snow asked if the Council would be interested in electing the Mayor per term, instead of every year.

Mayor Bush stated per term would be best, it would be hard to catch a new mayor up with everything that she is involved with.

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Council Member Snow stated when she covered for Mayor Bush it was really hard. It would take someone a long time to get caught up. She felt the appointment should be for at least two years if not four years.

Council Member Peterson stated he would be fine with the change; however, there are rules and regulations that would need to be change before this could happen.

Mr. Nathan Bracken, Legal Counsel, Kearns Metro Township Council, stated Kearns does have an ordinance that would need to be changed. This could happen at the next meeting. The Mayor could be voted on this month and the terms could be modified at the next meeting.

Mayor Bush accepted the nomination.

Council Member Schaeffer, seconded by Council Member Butterfield, moved to nominate Kelly Bush as the Mayor for the Kearns Metro Township for 2022. The motion carried by the following vote: Council Member Butterfield “Aye,” Council Member Snow “Aye,” Council Member Schaeffer “Aye,” Council Member Peterson “Aye,” and Mayor Bush “Aye.”

Deputy Mayor

Mayor Bush nominated Council Member Snow as Deputy Mayor.

Council Member Snow accepted the nomination.

Council Member Schaeffer, seconded by Council Member Butterfield, nominated Tina Snow as the Deputy Mayor for the Kearns Metro Township for 2022. The motion carried by the following vote: Council Member Butterfield “Aye,” Council Member Snow “Aye,” Council Member Schaeffer “Aye,” Council Member Peterson “Aye,” and Mayor Bush “Aye.”

Board Appointments

Mayor Bush asked if all Council Members were okay with the boards they are on.

Council Member Peterson stated he would like to be put back on the Animal Services Board. He has talked with Council Member Butterfield, who is currently serving on the board, and she was okay with the change.

Council Member Butterfield stated she was okay with the change. She asked if there was another board the Mayor would like her to sit on.

Mayor Bush asked if Council Member Butterfield would like to sit on the Kearns Improvement District board.

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Council Member Butterfield indicated that she would be willing to be on that board.

All Council Members indicated they were okay with the boards they sit on.

Council Member Snow, seconded by Council Member Peterson, moved to appoint Council Members to various boards as stated. The motion passed unanimously.

Mr. Bracken stated some of the boards require a letter from Mayor Bush indicating which Council Member was selected to be on a board. He would write the letters and have Mayor Bush sign them.

License Agreement with Zayo Incorporated for Work to be Performed on Sams Blvd.

Mr. Nathan Bracken, Legal Counsel, Kearns Metro Township, stated this license agreement would allow Zayo Incorporated to put in a fiber optic cable in the right-of-way easement on Sams Blvd.

Mayor Kelly Bush stated the goal is to do this project at the same time as the 4700 South update.

Council Member Butterfield, second by Council Member Snow, moved to approve the license agreement with Zayo Incorporated. The motion passed unanimously.

2022 Fee Schedule

Mayor Kelly Bush stated there are no changes from last year's fee schedule.

Council Member Snow, seconded by Council Member Peterson, moved to approve the following resolution:

RESOLUTION NO. 2022-1-1

DATE: January 10, 2022

AN ORDINANCE OF THE KEARNS METRO TOWNSHIP COUNCIL
ADOPTING THE 2022 FEE SCHEDULE

RECITALS

WHEREAS, the Kearns Metro Township ("**Kearns**") contracts with the Greater Salt Lake Municipal Services District ("**MSD**") to provide planning and development services; and

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WHEREAS, in addition to Kearns, the MSD provides planning and development services to the metro townships of Copperton, Emigration Canyon, Magna, and White City as well as unincorporated Salt Lake County; and

WHEREAS, Section 3.42.040(A)(1) of the Kearns Metro Code states that all “fees to be charged by [a Kearns] office or agency shall be proposed by the agency each year as part of the annual budget processes;” and

WHEREAS, Section 3.42.040(A)(3) states that “[u]pon review and approval of fees by the...council, the fee schedule shall be placed on file with the...clerk;” and

WHEREAS, the MSD board approved the attached 2022 fee schedule for the planning and development services the MSD provides; and

WHEREAS, the Council desires to adopt the attached 2022 fee schedule.

NOW, THEREFORE BE IT RESOLVED BY THE KEARNS METRO TOWNSHIP COUNCIL that effectively immediately:

1. The attached 2022 fee schedule is adopted pursuant to Section 3.42.040 of the Kearns Metro Township Code; and
2. Staff are instructed to file this resolution and the attached fee schedule with the Kearns Metro Township Clerk; and
3. Staff are instructed to post this resolution and the attached 2022 fee schedule to the Kearns Metro Township website and to the “Municipal Resolutions Book” within the Kearns’ Municode page; and
4. Except as otherwise stated with the attached 2022 fee schedule, the 2022 fee schedule does not modify or alter any civil penalties set forth within the Kearns Metro Township Code, including but not limited to the civil penalties set forth in Section 19.94.070.

APPROVED and ADOPTED this 10th day of January, 2022.

KEARNS METRO TOWNSHIP COUNCIL

ATTEST:

By /s/ KELLY BUSH
Mayor

By /s/ SHERRIE SWENSEN
Clerk/Recorder

The motion passed unanimously.

Budget Adjustment of \$60,000 from the Capital Restricted Funds to be used for Kearns Midway Drive to 8000 West Utah & Salt Lake Canal Trail Project.

Mayor Kelly Bush stated this budget adjustment is for Kearns’ match on the Kearns Midway Drive to 8000 West along the Utah & Salt Lake Canal Trail. She was not aware that a \$2 million grant had been approved until she received information that Kearns needed to participate with matching funds and that is why it was not budgeted in the 2022 budget. Kearns match is \$60,000. The remaining match will be split between various entities.

Mr. Nathan Bracken, Legal Counsel, Kearns Metro Township, stated he wanted it on record that no public hearing was needed since this is a line item transferred.

Mayor Bush stated that was correct, this is a line-item transfer.

Council Member Snow, seconded by Council Member Peterson, moved to approve this budget adjustment of \$60,000. The motion carried by the following vote: Council Member Butterfield “Aye,” Council Member Snow “Aye,” Council Member Schaeffer “Aye,” Council Member Peterson “Aye,” and Mayor Bush “Aye.”

CARES2 Funds signage to be Installed on the North and South Side of 4620 West 4865 South

Mayor Kelly Bush stated the proposal is to use \$20,000 from the CARES2 Funds to install two feedback signs. Additional measures to help prevent traffic accidents at this location will also be put in. Three accidents have occurred at this location just this past week.

Council Member Snow, seconded by Council Member Butterfield, moved to approve this item. The motion carried by the following vote: Council Member Butterfield “Aye,” Council Member Snow “Aye,” Council Member Schaeffer “Aye,” Council Member Peterson “Aye,” and Mayor Bush “Aye.”

Approval of Minutes

Council Member Snow, seconded by Council Member Peterson, moved to approve the minutes of the Kearns Metro Township Council meetings held on November 8, 2021, and November 16, 2021. A correction was made to the November 8, 2021, Council meeting correcting the name “Kick Back Day” to “Take Back Day” as it relates to the amount of prescription drugs collected under Evidence to Success. The motion passed unanimously.



Legal Updates and Information

Rules of Order and Procedure Review

Nathan Bracken introduced Lisa Baskins who was just hired by his firm. She will be working with him on the code updates. He stated Kearns Metro Township Council has a Rules and Procedure Policy that requires it to follow Robert Rules of Order. The goal is to make sure everything the Council does is transparent for the public. Council Members are required to take annual training relating to the open meetings act yearly and ethic training every two years. He will provide training on ethics at the next Council meeting. Included in the ethics training will be a discussion on conflict of interest and when the Council Members must declare a conflict. There are two types of conflicts; however, the general rule of thumb is that it needs to be disclosed before a vote is taken.

Open and Public Meetings Act Training

Mr. Bracken stated this training can be done online and he would suggest that it gets done as soon as possible. The League of Cities and Towns provides this training.

Goals

Mr. Bracken stated his priority for this year is to update the code. Another goal would be to create a Redevelopment Agency (RDA) Ordinance, which would allow the Kearns Metro Township to create RDAs. This would bring more businesses into the Kearns area.

Mayor Kelly Bush stated she would like the code updates to take another look at the parking requirements for rentals and subletting homes. Parking needed to be provided on the property.

Mr. Bracken stated he would investigate that as well as updating the sign ordinance.

Mayor Bush asked each Council Member to come up with three goals they would like to accomplish in 2022 and be prepared to discuss those during the February 14, 2022, Council meeting.

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Council Member Snow, seconded by Council Member Schaeffer, moved to close the open meeting of the Kearns Metro Township Council in order to discuss pending or reasonable eminent litigation. The motion carried by the following vote: Council Member Butterfield "Aye," Council Member Snow "Aye," Council Member Schaeffer "Aye," Council Member Peterson "Aye," and Mayor Bush "Aye."

The meeting was reopened by vote during the closed session.

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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

CHAIR, KEARNS METRO TOWNSHIP

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