

DATE TUESDAY SEPTEMBER 28, 2021

THE MAGNA METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON TUESDAY, SEPTEMBER 28, 2021, PURSUANT TO ADJOURNMENT ON TUESDAY, SEPTEMBER 14, 2021, AT THE HOUR OF 6:00 P.M. AT THE WEBSTER CENTER AT 8952 WEST MAGNA MAIN STREET (2700 SOUTH), MAGNA, UT 84044.

COUNCIL MEMBERS PRESENT: TRISH HULL  
STEVE PROKOPIS  
DAN PEAY, Mayor

COUNCIL MEMBERS EXCUSED: BRINT PEEL  
AUDREY PIERCE

OTHERS IN ATTENDANCE: PAUL ASHTON, LEGAL COUNSEL  
RORI ANDRESON, ADMINISTRATOR

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**Mayor Peay**, Chair, presided.

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Council Workshop Meeting

The Council discussed the following agenda items:

- Financial statement discussion

Council Member Hull, seconded by Council Member Prokopis, moved to close the Workshop Meeting. The motion passed unanimously.

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Business Meeting

Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was recited.

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Public Comments

**James Stanley Pappas** stated he has information regarding the nuisance home. The party involved is under financial strain, last year they canvassed the neighborhood looking for loans to keep up on their home. Last year the house went into default two times and this year it has gone into default an undetermined number of times. With that information in mind, there

was a law where authorities could invoke a lien on a home in this condition. A lien would not be a consequence for someone who is barley holding on to their home, probably has zero equity, and is underwater. There needs to be an alternate plan to deal with homeowners in a meaningful way that would get their attention and demonstrate some real consequences for this type of behavior. The first option is probably valid 90 percent of the time.

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**John Fairmont** stated he lives next to a dump, trailer trash, rental property and nothing has been done about it. He has done everything he can to clean-up the neighborhood and take care of it. The people living at this location throw garbage and broken doors off their banisters. There is no less than 10 cars parked there 3 to 5 nights a week. He has seen individuals using drugs in his driveway and has had to put up a sign that says no parking. There are approximately 10 people and 5 babies living in in the little apartment above the rental property. He has called code enforcement and UPD and it has not been taken care of. UPD came out 2 or 3 months ago at 3:00 a.m. They flashed the building on the corner and yelled that they were not leaving until they came out. Once shift change approached, at 5:45 a.m. the officers left and at 6:15 a.m. 5 individuals came out of the house and drove away. Magna is a beautiful community and he should not have to deal with this behavior, something needs to be done.

**Council Member Prokopis** thanked Mr. Fairmont for bringing this to the attention of the Council. There are some options to take care of the situation.

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**Clay Humphrey** asked how long the construction 8000 W was going to go on for. Getting out his neighborhood is a problem. He would like a date of when construction was going to be finished.

**Council Member Prokopis** stated there is a 24-inch gas line going from the pressure station at the corner of 2820 S and 8000 W all the way down to the new storage facility. The construction has been completed almost all the way to the storage facility.

**Mayor Peay** stated he thought that the construction was going to be done by November 15, 2021; however, he could not guarantee that was the correct date.

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Action Items

*Ordinance No. 21-09-02*

**Molly Gaughran**, Planner, Greater Salt Lake Municipal Services District (MSD), reviewed the following application:

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Application #REZ2021-000383 – **Gary Wilson** is requesting a rezone from an R-1-6 (single-family residential) to an R-1-5 (single-family residential) zone on approximately 0.29 acres of property located at 2927 South 8850 West.

**Gary Wilson**, applicant, stated before 1987, the lot was divided into two parcels, the owner consolidated them for tax purposes. There is a water meter in the front of the lot and a driveway. He has updated the existing home and now he wants to build another single-family home on the vacant lot.

ORDINANCE NO. 21-09-02

Date: September 28, 2021

AN ORDINANCE, AMENDING TITLE 19, ENTITLED “ZONING” OF THE MAGNA METRO TOWNSHIP CODE OF ORDINANCES, 2017, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN MAGNA METRO TOWNSHIP FROM THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) TO R-1-5 (SINGLE-FAMILY RESIDENTIAL) ZONE

The Magna Metro Township, Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, The Zoning Map of the Magna Metro Township, Magna Municipal Code of Ordinances 2017, is hereby amended as follows:

The property described in Application REZ2021-000383 filed by Gary Wilson and located at 8850 West 2927 South, within Magna Metro Township, is hereby reclassified from the R-1-6 zone to R-1-5 zone, said property being described as follows:

PARCEL #: 14-30-233-043-0000

LEGAL DESCRIPTION:

BEG 2122.7 FT E & S 0°52' e 1389.12 FT & N 88°53' E 148 FT FR N ¼ COR OF SEC 30, T 1S, R 2W, S L M; S 42 FT; N 88°53'E 149 FT; N 91 FT M OR L; S 88°53' W 149 FT; S 49 FT TO BEG.LESS ST. 0.29 AC M OR L. 5982-1241 7543-1265 9743-1622 9744-3732

CONTAINING 0.29 ACRES.

Pursuant to Section 19.90.060 of the Magna Metro Township, Code of Ordinance, 2017, development of property is subject to the following conditions:

1. That the maximum dwelling unit density on the property shall be seven (7) dwelling units per acre.

Section 2: The map showing such change shall be filed with the Magna Metro Township Planning Commission in accordance with Section 19.06.020 of the Magna Municipal Code of Ordinances, 2017.

Section 3: This ordinance shall take effect immediately upon publication or posting.

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IN WITNESS WHEREOF, the Magna Metro Township Council has approved and adopted this ordinance this 28<sup>th</sup> day of September, 2021.

FOR THE MAGNA METRO TOWNSHIP

/s/ DAN W. PEAY  
Mayor

ATTESTED

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

Council Member Hull, seconded by Council Member Prokopis, moved to approve Ordinance No. 21-09-02. The motion passed unanimously.

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*Ordinance No. 21-09-03*

**Paul Ashton** reviewed the following Ordinance creating Chapter 19.15 of the Magna Metro Township Code to authorize Accessory Dwelling Units in certain residential zones and to enact related regulations:

ORDINANCE NO. 21-09-03

Date: September 28, 2021

AN ORDINANCE OF THE MAGNA METRO TOWNSHIP COUNCIL CREATING CHAPTER 19.15 OF THE MAGNA METRO TOWNSHIP CODE TO AUTHORIZE ACCESSORY DWELLING UNITS IN CERTAIN RESIDENTIAL ZONES AND TO ENACT RELATED REGULATIONS

RECITALS

WHEREAS, Utah Code §10-2a-414(3) provides that a Salt Lake County ordinance will remain in effect as the ordinance of the Magna Metro Township (“Magna”) “until the metro township council amends or repeals the ordinance;” and

WHEREAS, Title 19 of the Magna Metro Township Code (the “Code”) governs zoning within Magna; and

WHEREAS, because the Salt Lake County originally adopted Title 19 prior to the incorporation of the Magna Metro Township, Title 19 as currently constituted is not specific to Magna and does not account for the metro township form of municipal government; and

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WHEREAS, on November 19, 2019, Magna amended its general plan to include a moderate housing element to comply with the requirements of H.B. 295 and S.B. 34, which collectively enacted various moderate housing requirements for municipalities, including but not limited to requirements that municipalities of a certain size amend their general plans to include a moderate housing element; and

WHEREAS, the Magna moderate housing element calls for the development and adoption of an accessory dwelling unit (“ADU”) ordinance to assist in the creation of more moderate-income housing options in Magna; and

WHEREAS, of the various moderate housing options presented to the citizens of Magna during the development of the moderate housing element, the creation of an ADU ordinance and the reduction of regulations limiting the use of ADUs received the most support; and

WHEREAS, the Magna Metro Township Council (“Council”) instructed its planning and development staff to develop an ADU ordinance to implement the moderate housing plan’s ADU recommendations; and

WHEREAS, the Magna planning and development staff prepared a draft ordinance, which Magna’s attorney has reviewed, that would enact Chapter 19.15 of the Magna Metro Township Code to authorize and regulate ADUs in certain residential zones within Magna; and

WHEREAS, the Utah State Legislature passed H.B. 82 in the 2021 session mandating Interior Accessory Dwelling Units (IADUs) be permitted in all primarily residential zones and an ordinance is required to comply with the provisions of that law; and

WHEREAS, after holding a public hearing and taking public comment pursuant to Utah Code Ann. § 10-9a-502, the Magna Planning Commission recommended that the Council adopt the ADU ordinance the planning and development staff developed; and

WHEREAS, the Council has reviewed the ordinance and determined that it furthers the goals of the moderate housing plan and will be in the best interest of Magna and its citizens.

NOW, THEREFORE BE IT RESOLVED BY THE MAGNA METRO TOWNSHIP COUNCIL that the attached ADU ordinance is adopted and will become effective upon publication pursuant to Utah Code Ann. § 10-3-711(1) and Utah Code Ann. § 10-3-712.

APPROVED and ADOPTED this 28<sup>th</sup> day of September, 2021.

MAGNA METRO TOWNSHIP COUNCIL

By: /s/ DAN PEAY  
Mayor

ATTEST

/s/ SHERRIE SWENSEN

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Clerk/Recorder

Council Member Prokopis, seconded by Council Member Hull, moved to approve Ordinance No. 21-09-03. The motion passed unanimously.

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*Resolution No. 21-09-04*

The Council reviewed the following Resolution approving the Magna Storm Water Master Plan 2021:

RESOLUTION NO. 21-09-04

Date: September 28, 2021

A RESOLUTION OF THE MAGNA METRO TOWNSHIP COUNCIL APPROVING THE MAGNA STORM WATER MASTER PLAN 2021

WHEREAS, the Magna Metro Township (“Magna”) is a Metro Township pursuant to Utah Code Section 10-2a-401 et. Seq.

WHEREAS, the Magna Metro Township Council (“Council”) is a Metro Township Council pursuant to Utah Code Section 10-3b-504, with the Mayor acting as Chair of the Council pursuant to Utah Code Section 10-3b-503.

WHEREAS, the Magna Metro Township Council feels it is in the best interests of the citizens to adopt a Magna Storm Water Master Plan 2021;

WHEREAS, the attached the Magna Storm Water Master Plan 2021 has been prepared for adoption by the Magna Metro Township.

NOW, THEREFORE BE IT RESOVLED by the Magna Metro Township Council, the Council approves and adopts the attached Magna Storm Water Master Plan 2021, marked Attachment “A” to this resolution, for the benefit of Magna, and authorizes the Mayor to sign the same.

APPROVED AND ADOPTED in Magna, Salt Lake County, Utah this 28<sup>th</sup> day of September, 2021.

MAGNA METRO TOWNSHIP

By: /s/ DAN W. PEAY  
Mayor

ATTEST

/s/ SHERRIE SWENSEN  
Clerk/Recorder

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Council Member Hull, seconded by Council Member Prokopis, moved to approve Resolution No. 21-09-04. The motion passed unanimously.

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*Resolution No. 21-09-05*

The Council reviewed the following Resolution approving a contract with DS Accounting Services, LLC for financial management services for the Pleasant Green Cemetery:

RESOLUTION NO. 21-09-05

Date: September 28, 2021

A RESOLUTION OF THE MAGNA METRO TOWNSHIP COUNCIL APPROVING A CONTRACT BETWEEN MAGNA METRO TOWNSHIP AND DS ACCOUNTING SERVICES, LLC (DAVID SANDERSON) FOR FINANCIAL MANAGEMENT SERVICES FOR THE PLEASANT GREEN CEMETERY

WHEREAS, the Magna Metro Township (“Magna”) is a Metro Township pursuant to Utah Code Section 10-2a-401 et. Seq.

WHEREAS, the Magna Metro Township Council (“Council”) is a Metro Township Council pursuant to Utah Code Section 10-3b-504, with the Mayor acting as Chair of the Council pursuant to Utah Code Section 10-3b-503.

WHEREAS, DS Accounting Services, LLC provides financial management services to local governments.

WHEREAS, the attached agreement was negotiated between DS Accounting Services, LLC and Magna to fulfill Magna’s needs for a financial manager for the Pleasant Green Cemetery.

NOW, THEREFORE BE IT RESOLVED by the Magna Metro Township Council, the Council approves and adopts the attached contract for financial management services for the Pleasant Green Cemetery from DS Accounting Services, LLC (David Sanderson), marked Attachment “A” to this resolution, for the benefit of Magna, and authorizes the Mayor to sign the same.

APPROVED AND ADOPTED in Magna, Salt Lake County, Utah this 28<sup>th</sup> day of September, 2021.

MAGNA METRO TOWNSHIP

By: /s/ DAN W. PEAY  
Mayor

ATTEST

/s/ SHERRIE SWENSEN  
Clerk/Recorder

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Council Member Prokopis, seconded by Council Member Hull, moved to approve Resolution No. 21-09-05. The motion passed unanimously.

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*Resolution No. 21-09-06*

The Council reviewed the following Resolution approving a contract with N&W Enterprises, LLC for the Pleasant Green Cemetery caretaker services:

RESOLUTION NO. 21-09-06

Date: September 28, 2021

A RESOLUTION OF THE MAGNA METRO TOWNSHIP COUNCIL APPROVING A CONTRACT BETWEEN MAGNA METRO TOWNSHIP AND N&W ENTERPRISES, LLC (NUNNY NICHOLLES) FOR PLEASANT GREEN CEMETERY CARETAKER SERVICES

WHEREAS, the Magna Metro Township (“Magna”) is a Metro Township pursuant to Utah Code § 10-2a-401 et seq, and

WHEREAS, The Magna Metro Township Council (“Council”) is a Metro Township Council pursuant to Utah Code § 10-3b-504, with the Mayor acting as Chair of the Council pursuant to Utah Code § 10-3b-503, and

WHEREAS, in March 2020, the Magna Metro Township purchases the Pleasant Green Cemetery; and

WHEREAS, the Magna Metro Township Council issued a Request for Proposal for Cemetery Caretaker Services; and

WHEREAS, the Magna Metro Township Council desires to retain the services of N&W Enterprises LLC (Nunny Nicholes) for Caretaker Services for the Pleasant Green Cemetery; and

WHEREAS, the attached agreement was negotiated between N&W Enterprises LLC (Nunny Nicholes) to provide Cemetery Caretaker services for the Pleasant Green Cemetery in Magna, Utah,

THEREFORE BE IT RESOLVED by the Magna Metro Township Council, as follows:

1. The Council approves and adopts the attached contract for Pleasant Green Cemetery Caretaker services from N&W Enterprises LLC (Nunny Nicholes), marked Attachment “A” to this resolution, for the benefit of Magna, and authorizes the Mayor to sign the same.
2. The Resolution shall take effect immediately.



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APPROVED AND ADOPTED in Magna, Utah this 28<sup>th</sup> day of September 2021.

MAGNA METRO TOWNSHIP

By: /s/ DAN W. PEAY  
Mayor

ATTEST

/s/ SHERRIE SWENSEN  
Clerk/Recorder

Council Member Hull, seconded by Council Member Prokopis, moved to approve Resolution No. 21-09-06. The motion passed unanimously.



Community Stakeholder Reports

*Magna in Motion*

**Kari Duckworth**, Magna in Motion, stated the Health and Safety Fair was held; however, there was not a lot of participation. There are some improvements that can be made next year to encourage participation. The step challenge will be taking place and there are approximately 20 participants. She is working with Kellen Schalter, Community that Cares, to host a fun run along Main Street on October 23, 2021. Participants would receive a small prize after they complete the run.



*Magna Chamber of Commerce*

**Mayor Peay** stated the next Chamber of Commerce meeting will be held on October 1, 2021.



*Magna United/Magna "Community that Cares" Program*

**Kellen Schalter**, Program Director, Magna United/Magna "Community that Cares" Program, stated they held a survey asking for input on the Health and Safety Fair. Some of the feedback was, residents felt more connected to the community because of the fair, the survey was confusing, residents would appreciate an incentive for participating in the survey, and ideas for future events. The COVID vaccination clinic vaccinated eight individuals.



Municipal Service Provider Reports

*Unified Police Department (UPD)*

**Chief Del Craig**, UPD, stated a few officers have had break-through cases of COVID. He reviewed the August statistics and indicated that the homicide is not solved but detectives are working on the case. Officers are doing speed enforcement in the school zones. In conjunction with Granite School District, UPD will be evaluating school emergency drills at Lakeridge on October 13, 2021.

**Council Member Hull** asked if there is an increase in vandalism at the schools because of the trending TikTok challenges.

**Chief Craig** stated he was not sure how many incidents are being reported to UPD. He has made the school resource officers aware of the TikTok challenge. He is going to look into it further and will follow-up.

**Council Member Hull** asked if the wage war has calmed down.

**Chief Craig** stated increasing wages has support throughout the department and SLVLESA; however, each entity has its own challenges and budget cycle to get through.

**Council Member Prokopis** stated there is a Budget Finance Committee meeting on October 6, 2021, where Chief Ackerman will present salary information on competing agencies and what impact the different wage increase percentage will have. Currently UPD sits at number 13 out of 13 agencies for the lowest wages. There will be a public hearing in December for the final decision on increase. Other agencies are actively recruiting from UPD, offering a larger salary option.

**Chief Craig** stated other law enforcement agencies are not interested in hiring an entry level police officer, it takes too long to put an individual through the police academy. The strategy is to have UPD train the officer and the competing agency offers employment to the trained officer. If wages are not adjusted, UPD will keep training individuals for other agencies to hire.

**Council Member Prokopis** stated ARPA is a one-time funding source that can be used to provide raises to officers now; however, UPD will need to figure out how to fund those raises long term before the next budget cycle.

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*Unified Fire Authority (UFA)*

**Council Member Hull** stated VECC has gotten a new phone system that has made a difference in the 911 calls that are able to be answered. The big delay in answering calls was the old phone system. UFA is pushing for legislation to allow municipalities the ability to ban fireworks if it wants, especially if there is an extreme drought. She presented examples of the

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patches that UFA will be wearing. On the right shoulder, a patch will be worn to represent the municipality that the fire fighter works in and on the left shoulder they will wear the UFA patch. A working group has been created to begin the process of replacing Chief Dan Peterson who will be retiring next year.

**Council Member Prokopis** stated the fire station on Main Street is vacant and will be torn down by the end of October.

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*Greater Salt Lake Municipal Services Provider (MSD)*

**Mayor Peay** stated according to the settlement agreement, the property on Breeze Drive that has the junk piled up should be cleaned up by the first of the month.

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Administrator Report

**Rori Andreason** stated she sent Mayor Peay and Council Member Hull information to the League of City and Towns conference. She has sent ordinances to the Council regarding the good landlord program and the nuisance code.

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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

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CHAIR, MAGNA METRO TOWNSHIP COUNCIL

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