

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ELECTRONICALLY ON TUESDAY, APRIL 26, 2022, PURSUANT TO ADJOURNMENT ON TUESDAY, MARCH 22, 2022, AT THE HOUR OF 7:00 P.M., VIA ZOOM.COM.

COUNCIL MEMBERS

ELECTRONICALLY PRESENT: DAVID BREMS  
ROBERT PINON  
CATHERINE HARRIS  
JENNIFER HAWKES, Deputy Mayor  
JOE SMOLKA, Mayor

OTHERS IN ATTENDANCE:

POLLY MCLEAN, LEGAL COUNSEL  
CAMERON PLATT, 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 a “Low Level of Transmission” 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:

- Watershed preliminary report update
- Watershed grant application
- Community Renewable Energy Program
- Dark Sky ordinance
- Parking enforcement
- FEMA flood plain map
- Hiring of an administrator
- Broadband



PUBLIC MEETING

Citizen Input

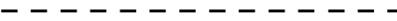
None.



Reports from other Municipal Providers

*Emigration Canyon Community Council*

**Bill Tobey** stated the Fire Day Open House will be held on May 7, 2022, from 9:00 am to 12:00 pm at the UFA fire station on Emigration Canyon Road. There will be a pancake breakfast and fire pan demonstration. Other fire risk reduction activities are in process but due to UFA's budget and staffing issues, the scope of work may change. The newsletter went out on April 10, 2022. Due to resignations on the communication team, they are recruiting people to help with the newsletter. Canyon clean-up will take place on May 21, 2022, at 8:30 am, and will meet at the fire station. The first hybrid in-person/virtual meeting was held last month. They participated in the annual business meeting of Utah Neighborhoods.

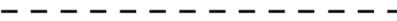


*Unified Police Department (UPD)*

**Detective Jake Elsasser** reviewed Emigration Canyon calls for service stating there were 37 calls for service with 12 initial reports.

**Council Member Pinon** asked if a trailer could be placed at the mouth of the canyon, notifying people coming into the canyon about the noise restrictions.

**Detective Elsasser** stated he is trying to get a grant to fund an additional trailer so the canyon has two. Messages on the new trailers can be changed remotely.



*Unified Fire Authority (UFA)*

**Council Member Harris** introduced Chief Bryan Case as Emigration Canyon's liaison. Chief Case is over the Special Operations Division and Search and Rescue.

**Chief Bryan Case** reviewed the quarterly report and calls for services.



Council Business

*Resolution No. 2022-04-01- Hazardous Environmental Conditions and Restrictions of Fireworks*

The Council reviewed the following Resolution, restricting fireworks within all portions of Emigration Canyon Metro Township:

RESOLUTION NO. 2022-04-01

Date: April 26, 2022

RESOLUTION FINDING HAZARDOUS ENVIRONMENTAL CONDITIONS AND RESTRICTION OF FIREWORKS WITHIN ALL PORTIONS OF EMIGRATION CANYON METRO TOWNSHIP

WHEREAS, Utah Code §53-7-225, prohibits the discharge of Class C common state approved explosives (fireworks) except around certain holidays including beginning on July 2 and ending on July 5, and beginning on July 22 and ending on July 25;

WHEREAS, Utah Code § 15A-5-202.5(1)(b) allows municipalities to “close a defined area to the discharge of fireworks due to a historical hazardous environmental condition” if the “historical hazardous environmental condition has existed in the defined area before July 1 of at least two of the preceding five years;”

WHEREAS, the fire official for Emigration Canyon Metro Township (“Emigration Canyon”) has found that existing hazardous environmental conditions have existed within Emigration Canyon before July 1 of at least two of the preceding five years. (see *Letter From Fire Marshal* dated April 5, 2022, attached as Exhibit A);

WHEREAS, the Emigration Canyon Metro Township Council (“Council”) finds that the Township, throughout all areas, contains innumerable mountainous, brush-covered, forest covered, and dry grass-covered areas which historically and, for at least two of the preceding five years before July 1st, are in an extremely flammable condition;

WHEREAS, if existing or historical hazardous environmental conditions exist within the boundaries of the Township, Utah Code §15A-5-202.5 allows the Council to prohibit the ignition and use of fireworks while these conditions exist in the following areas: (1) mountainous, brush-covered, forest covered, or dry grass-covered areas; (2) within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas; (3) wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose; or (4) a limited area outside the hazardous areas;

WHEREAS, the Council finds that the entire Emigration Canyon Metro Township consists of the above listed hazardous areas and a map of the Township is attached hereto as Exhibit B;

NOW, THEREFORE, BE IT ORDAINED BY THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL OF, UTAH, THAT:

DATE TUESDAY APRIL 26, 2022

SECTION I: Pursuant to the provisions of Utah Code Ann. 15A-5-202.5, and based on the findings as noted above, the use of Class C fireworks are hereby restricted in all areas of Emigration Canyon Metro Township as shown in the attached map in Exhibit B.

Section II: Effective Date. This resolution shall be effective upon receipt of the attached map (Exhibit B) by Salt Lake County and publication of the Resolution by the Township Clerk.

PASSED AND APPROVED by the Emigration Canyon Metro Township Council, Utah, this 26th day of April in the year 2022.

EMIGRATION CANYON METRO TOWNSHIP

/s/ JOE SMOLKA  
Mayor

ATTEST:

/s/ SHERRIE SWENSEN  
Township Clerk

Council Member Brems, seconded by Council Member Harris, moved to approve Resolution No. 2022-04-01. The motion passed unanimously.

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*2022 Conflict of Interest Disclosures*

**Polly McLean** reviewed the Conflict of Interest Disclosures Policy.

**Deputy Mayor Hawkes** stated the language in the policy needs to be corrected to reference the metro township.

Council Member Harris, seconded by Council Member Hawkes, moved to approve the Conflict of Interest Disclosure Policy with amendments to the language. The motion passed unanimously.

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*Emigration Canyon Improvement District Grant Application*

**Council Member Harris** stated a letter has been drafted to support Emigration Canyon Improvement District's (EID) grant application with the Bureau of Reclamation. The grant will fund improved water meters and pressure regulating valves throughout the water distribution system in Emigration Canyon. She would like the Council's direction on whether to send the letter.

Mayor Smolka, seconded by Council Member Hawkes, moved to approve the letter to support the EID grant application with amendments as discussed. The motion passed unanimously.

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*Legal Issues*

**Polly McLean** stated she continues to work on the civil enforcement process.

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*Budget Items*

**Mayor Smolka** reviewed the bills for the Clerk, legal counsel, and Zoom. Council Member Harris was reimbursed for Captain Michael Conn’s dinner. Unified Fire Authority will be increasing Emigration Canyon’s fee for the emergency coordinator. There should be enough in the administrative budget to cover the fee increase; however, the budget will need to be increased next year.

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Council Member Reports

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

**Council Member Brems** stated UPD needs a new mobile command center and may ask member entities for a portion of their ARPA funds to make the purchase. Work on officer, staff, and civilian compensation is ongoing. Legislation was passed for the inland port, and it will take funds away from SLVLESA. They closed on a \$12.5 million tax anticipation note with Zion’s Bank. The UPD one-on-one will be held on Thursday, April 28, 2022, at 9:00 am. The Council will have the opportunity to discuss its concerns and what unique problems it has.

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*Emigration Canyon Metro Township Planning Commission*

**Council Member Brems** stated there is nothing to report.

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

**Council Member Harris** stated the Benefits and Compensation Committee recommended a 7 percent cost of living (COLA) increase for employees. Dominic Burchett was selected as the new Chief of UFA. She attended the 100-year anniversary celebration. She is working with Deputy Mayor Hawkes to create an Emigration Canyon Metro Township patch that fire fighters will wear on their uniforms. The Western Fire Chief Association will hold a summit on May 3 and 4, 2022.

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*Wasatch Front Waste and Recycling District (WFWRD)*

**Council Member Pinon** stated WFWRD will evaluate employee experience, years of service, and education to determine compensation. Residents will receive a postcard to sign up for the free dumpster program.

**Deputy Mayor Hawkes** stated she received free dump vouchers for those that need them.

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*Association of Municipal Governments*

**Deputy Mayor Hawkes** stated there was a presentation on commercial real estate.

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*Website*

**Deputy Mayor Hawkes** stated in recent months, she has been approached about linking the Council website with businesses or a cause. The Council needs to discuss a policy that addresses what can be put on the website.

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*CodeRED*

**Deputy Mayor Hawkes** stated she sent out a CodeRED message regarding the marathon.

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*Restrooms*

**Deputy Mayor Hawkes** stated a tarp has been placed over the roof to keep the moisture out and will eventually need to be replaced. Soil tests were completed, and the vaults were inspected. The entryway will be reconstructed to there will not be a need for a handrail. A grant application was submitted last month and awarded by the first week of May.

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*Greater Salt Lake Municipal Services District (MSD)*

**Mayor Smolka** stated the MSD is in the process of looking for a Chief of Finance Officer. A booth will be set up at Fire Days to provide information about the MSD and its relation to Emigration Canyon Metro Township. The fee is going up for the metro townships use of the Emergency Municipal Planner, Jim Woodward. Mr. Woodward keeps all the emergency plans up to date.

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*Landfill Council*

**Mayor Smolka** stated the projected revenue is up approximately \$900,000 this year. With the increased revenue, they may be able to purchase additional equipment to replace the old equipment.

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*Wasatch Front Regional Council*

**Mayor Smolka** stated he had a discussion about applying for additional grants that will help fund the widening of the road to accommodate better bike lanes. There have been applications for grants submitted and one was award for \$2 million. The grant funds 60 percent with the metro township funding 40 percent. The bond may be able to be leveraged but the location of the grant funds would need to be moved. If the 40 percent match is maxed out, it would provide approximately \$5 million total. If that amount can be approved, the road could be widened from the fire station to Red Hill. He will update the Council as he gets more information.

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*Council of Governments (COG)*

Nothing to report.

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*Legislative Update*

**Mayor Smolka** stated there may be legislation that will affect the Greater Salt Lake Municipal Services District (MSD).

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Closed Session

Council Member Harris, seconded by Council Member Brems, moved to close the meeting to discuss imminent or pending litigation. The motion passed unanimously.

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The Council voted to re-open the meeting during the closed meeting.

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

DATE TUESDAY APRIL 26, 2022

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MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

SHERRIE SWENSEN, METRO TOWNSHIP CLERK

By: \_\_\_\_\_  
Deputy Clerk

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