

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ELECTRONICALLY ON TUESDAY, JUNE 28, 2022, PURSUANT TO ADJOURNMENT ON TUESDAY, MAY 24, 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
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 “High 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.



PUBLIC MEETING

Citizen Input

Nichole Watt, Deputy Clerk, Clerk’s Office, read the following email from Kirtly Parker Jones:

Dear Township Councilpersons,

Unfortunately, I cannot attend the township meeting tomorrow. I have questions about where the Township is on the issue of controlling road noise (after a very noisy weekend). And, in the lower canyon, I think our only option for internet is an unreliable connection with CenturyLink, so I am VERY interested in any alternatives.

This is not an emergency email, but I hope we are making progress on both fronts.

Many thanks for an update.

Kirtly Parker Jones

Mayor Smolka stated an extra officer will be available to patrol the canyon. Detective Jake Elsasser received a noise meter and will be able to use that in parts of the canyon to enforce noise. Cameron Platt, Legal Counsel, is working on drafting a noise ordinance.

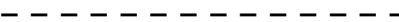
Council Member Brems stated there will be two full-time officers in the canyon, starting July 1.



Reports from other Municipal Providers

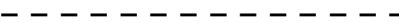
Emigration Canyon Community Council (ECCC)

Bill Tobey stated annual brush chipping services will continue through the week. The Unified Fire Authority (UFA) fuels crew is close to being fully staffed and expects to make it through the entire township. There are several complaints from residents that have submitted requests for home wildfire risk assessments and have not received a response. UFA acknowledges that there is an issue with the system that accepts requests but has not found a solution. Due to a late start in coordination with Salt Lake City (SLC), a planned large-scale fuel treatment project is at risk. The area is on watershed property owned by Salt Lake City and managed by the Department of Public Utilities. It was believed that SLC was budgeting and preparing to pursue this type of work; however, the city utilities department does not have a management plan in place to give permission to do fuels work and permission will not be forthcoming. The ECCC is amending its bylaws to allow payments to be made with electronic payment platforms like PayPal and Venmo.



Unified Police Department (UPD)

Detective Jake Elsasser stated the newly allocated canyon officer will start on July 1, with priority given to Friday, Saturday, and Sunday. He received a decibel meter and will start doing noise enforcement in conjunction with the Health Department. He believes that the Deseret Marathon will be held on July 23. He reviewed the monthly report for May, stating there were 59 calls for service with 12 initial reports being taken.



Unified Fire Authority (UFA)

Chief Bryan Case stated call volume for April, May, and June has decreased significantly. Within that timeframe, there were 13 incidents with 4 being of great importance. UFA will increase staffing, equipment, and will have a greater presence in the community for the July

4th holiday. UFA has been working on a better business inspection program. There are nearly 400 potential recruit candidates that have signed up for the written test, with the hope that 30 individuals will go onto recruit camp in 2023. The budget was approved on June 21, 2022. There is information on UFA’s website about fireworks and what can be expected if an individual is caught using fireworks in a restricted area.

Later in the meeting.

Polly McLean stated the Council adopted the Wildland Urban Interface ordinance that includes fire restrictions.

Mayor Smolka asked if the Council should adopt fire restrictions now or in July.

Ms. McLean stated the Council may want to wait until July.

Salt Lake County Animal Services Advisory Board

Nothing to report.



Council Business

Emigration Canyon Creek Letter of Map Revision

Crystal Hulbert, Salt Lake County Public Works Operations, stated the cost of updating the floodplain maps will be approximately \$91,000. The current maps were created in the 1980’s and have multiple errors. there have been a lot of development in the last 40 years. There are houses in a floodplain area where there is not one and other houses that are not insured that actually need flood insurance. If the Council decides to proceed with updating the maps, it will have control of the process. It can pay for the study, review it, and then decide if it wants to submit it to FEMA. It will be beneficial for the community to have an updated map.

Mayor Smolka stated there a few ways to fund the study; ARPA funds, capital improvement funds, or the fund balance. If the fund balance is used, money will need to be allocated to it.

Ms. Hulbert stated as soon as the funds are available in the engineering budget, it will begin the process. It can take up to six months to complete.

Emigration Canyon Projects

Crystal Hulbert, Salt Lake County Public Works Operations, stated she obtained a Tax Increment Financing (TIF) grant to develop a bike lane between the fire station and the red wall area. The grant is for a little over \$3 million with a 40 percent match, \$2 million will come from

the bond. Other projects that are being worked on, are wall stabilization, culverts, and striping will begin next month. Work on Pinecrest and Margarethe will begin soon.

Removal of Trees in the Right-of-Way

Mayor Smolka stated there are some trees along Emigration Canyon Road that may be in the right-of-way.

Council Member Pinon stated the trees in question are large and healthy for the most part. There is a property that has a clump of 8 – 10 trees that are dead. Is the township responsible for the removal of those trees?

Mayor Smolka stated the cost to remove those trees is very high, the road will need to be closed and a crane will need to be brought in. What is the Council's responsibility and what is the homeowner's responsibility for trees in the right-of-way?

Polly McLean stated it depends on where the right-of-way is. There may be language in the metro townships code that dictates it. She will research it and provide a comprehensive update next month.

Emergency Communication Plan

Mayor Smolka stated he sent the Emergency Communication Plan to the Council several weeks ago for review. The Council will need to adopt the plan either as is or with changes.

Deputy Mayor Hawkes asked that the plan be tabled until she has time to review it.

This item was pulled until next month.

Utah League of Cities and Towns Membership

Mayor Smolka stated the Utah League of Cities and Towns (ULCT) has opened its membership to the metro townships and the Town of Brighton. The membership dues for Emigration Canyon Metro Township are \$1,615.98.

Deputy Mayor Hawkes asked when and how often does the ULCT Board meet.

Mayor Smolka stated they meet once a month.

Council Member Harris, seconded by Deputy Mayor Hawkes, moved to allocated \$1,615.98 to join the Utah League of Cities and Towns. The motion passed unanimously.

Allocation of the American Rescue Plan Act (ARPA)

Mayor Smolka stated the Council will getting its second tranche of ARPA funds soon. The funds can be used to redo the floodplain maps, broadband, some capital improvement projects, and other administrative costs. There will be approximately \$180,000 available.

Council Member Brems stated some of the funds could be used to purchase equipment to allow the Council to hold hybrid meetings.

Mayor Smolka stated he can get the IT department to help get the equipment together.

Justice Courts

Mayor Smolka stated the Salt Lake County Justice Courts were audited and the outcome was not favorable. The courts will probably be dissolved and if they are, the Council will need to find court services elsewhere and determine how it is going to pay for it.

Polly McLean stated it may be the Greater Salt Lake Municipal Services District (MSD) responsibility to deal with the justice courts and contracting with them.

Meet and Greet with the Greater Salt Lake Municipal Services District (MSD) Staff

Mayor Smolka stated a date and time need to be determined to set up a meet and greet with the MSD staff. The MSD just hired Stewart Okobia as the Financial Director. He would like to give Mr. Okobia time to settle into his position before setting up the meet and greet. The end of July or first part of August would be a good time.

Greater Salt Lake Municipal Services District (MSD) Financial Audit Report

Mayor Smolka stated a copy of the MSD Financial Audit Report was provided to the Council. The MSD received the highest ratings and recommendation they could get.

Emigration Canyon Metro Township Administrator

Council Member Brems stated an administrator has not been hired.

Council Member Pinon stated there is one person that is ready to be interviewed. He has left a message for Brooke Barnes, Human Resources and Payroll Specialist, Greater Salt Lake Municipal Services District (MSD).

Broadband

Council Member Pinon stated introductions were made to residents to host a repeater. Utah Broadband is following up with one resident to see if it is a good location to host a repeater. The process to address those shadow areas is progressing nicely. There is not a financial burden for the Council; however, the Council may want to consider incentivizing residents that are willing to host.

Legal Issues

Polly McLean stated she had a meeting with Laura Briefer, Director, Salt Lake City Department of Public Utilities, and she is willing to come to a Council meeting to speak about the watershed and utility issues.

Budget Items – Expenditures

Mayor Smolka reviewed workers compensation, clerk services, and an invoice from Polly McLean.

Deputy Mayor Hawkes stated she approved expenses for the first two payments for the Community Renewable Energy program, an invoice for the restrooms, and CodeRED.

Budget Items – 2023 Budget

Mayor Smolka stated the budget process starts in July; the Council needs to establish its budget to take to the Greater Salt Municipal Services District (MSD).

Deputy Mayor Hawkes asked if funds for an administrator have been budgeted and if a line item for the renewable energy program needs to be created. There will need to be funding for ongoing restroom maintenance and there is a cost increase for CodeRED. Emigration Canyon Community Council’s fund requests will need to be included.

Mayor Smolka stated justice courts are paid for through the MSD, but with the dissolution of the courts, a line item in the budget will need to be created. Workers’ compensation has increased and will need to be reflected in the budget. Subscriptions will be increased to include dues to the Utah League of Cities and Towns. The attorney line item will need to be

increased as well. Funds for printing can be reduced and put somewhere else. The budget will be adopted in November.

Consideration of Minutes

Council Member Brems, seconded by Deputy Mayor Hawkes, moved to accept the minutes of the Emigration Canyon Metro Township Council meetings held on April 28, 2022, and May 24, 2022. The motion passed unanimously.



Council Member Reports

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

Council Member Brems stated the 2022-2023 budget was adopted. On July 14, 2022, SLVLESA is holding a workshop and the Council is invited to attend. Emigration Canyon is paying a lot in taxes compared to what services are being received. The workshop would help the Council understand what the financial situation of SLVLESA is and it would be able to weigh in on what its preferred method of raising additional funds is.

Emigration Canyon Metro Township Planning Commission

Council Member Brems stated work on the dark sky ordinance is ongoing.

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

Council Member Harris stated there will be a 7.42% member fee increase for each community and a 6% cost of living increase for UFA employees.

Watershed Plan

Council Member Harris stated the watershed plan has been set back with the departure of Eric McCulley, Project Manager, River Restoration. Sandy Wingert, Division of Water Quality (DWQ), has been helping River Restoration complete our plan. Deadlines are being met so there is no risk of losing grant funding. An invoice has been sent to DWQ for approximately \$38,000. Paperwork will need to be submitted through DWQ's payment portal so the metro township can get paid. The River Restoration portion has not been paid. An additional grant through DWQ for a pilot project in the Sunnydale Lane area was received. The project will provide fee septic pumping and evaluation of the tank and system for residents. Residents that voluntarily

allow an evaluation will be eligible to receive repairs. The program will begin on July 1, 2022; however, she does not anticipate evaluations will begin for a couple of months.

Wasatch Front Waste and Recycling District (WFRD)

Council Member Pinon stated an audit in 2021 was completed and the results were good. With inflation and the cost of fuel there will be a need to make budget adjustments. A \$2.00 - \$4.00 increase per household is being considered.

Association of Municipal Councils

Deputy Mayor Hawkes stated public financing was discussed and she attended a meeting on STRAVA.

CodeRED

Deputy Mayor Hawkes stated she will issue CodeRED updates on the construction projects. In addition to CodeRED messages, the contractor would also like some electronic signs, so the residents are well informed. The budget line item for CodeRED needs to be increased to \$1,000 to account for an increase in cost.

Restrooms

Deputy Mayor Hawkes stated the boulder walls and terrace is going in today. The dumpsters were moved outside of the enclosure so that equipment can be stored in it. Temporary fencing will be installed when the building is being deconstructed. The stone will be taken down in mid-July, the terraces will be cut this week, rock will be delivered by the end of this week and fixtures for the inside have been ordered. The anticipated finish date is mid-September.

Greater Salt Lake Municipal Services District (MSD)

Mayor Smolka stated a new financial director was hired. An audit was completed and came out well. There are a couple of jobs that have been posted at the MSD. The Board held an election of officers, he remains as Chair and Keith Zuspan from the Town of Brighton is the Vice Chair.

Landfill Council

Mayor Smolka stated the north side of the landfill is full. The trash is being prepared and a final cover will be placed. Work on pod 8 has begun so trash can be dumped there.

Wasatch Front Regional Council (WFRC)

Mayor Smolka stated funds were approved for projects that are experiencing a rise in costs.

Council of Governments (COG)

Mayor Smolka stated an update on the homeless situation and legislative mandates were provided. Each municipality was asked to come up with an option for an overflow shelter. There were presentations on the legislation with water being a big concern.

Legislative Update

Mayor Smolka stated Utah League of Cities and Towns is tracking legislation. One that will affect Emigration Canyon is allowing contractors to issue their own building permits when municipalities are slow in issuing permits or finishing inspections.



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

MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

SHERRIE SWENSEN, METRO TOWNSHIP CLERK

By: _____
Deputy Clerk

DATE

TUESDAY

JUNE

28, 2022

