

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ELECTRONICALLY ON TUESDAY, OCTOBER 25, 2022, PURSUANT TO ADJOURNMENT ON TUESDAY, SEPTEMBER 27, 2022, AT THE HOUR OF 7:00 P.M., VIA ZOOM.COM.

COUNCIL MEMBERS

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

COUNCIL MEMBER EXCUSED: CATHERINE HARRIS

OTHERS IN ATTENDANCE: CAMERON PLATT, LEGAL COUNSEL  
GORDON BENNETT, ADMINISTRATOR  
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 “Medium 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

None.



Reports from other Municipal Providers

*Emigration Canyon Community Council (ECCC)*

**Bill Tobey** stated Unified Fire Authority (UFA) crews extended the fuel break in the Acorn Hills neighborhood. It extends north through the first switchback and up to Middle Oak Lane. November 18, 2022, is the deadline for Firewise recertification. CERT cannot be relaunched until training is scheduled. Tyler Tippetts continues to recruit team members and trainers. The Community Council election will be held in November. Voter information pamphlets have been mailed to residents. There are six open seats with three candidates, recruiting is ongoing.

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*Unified Police Department (UPD)*

**Chief Wayne Dial** introduced Detective Dawn Larsen as the Emigration Canyon C.O.P. Officer.

**Detective Larsen** stated that if the Council needs anything, to let her know.

**Mayor Smolka** asked how the marathon went.

**Detective Larsen** stated there were a few issues at the beginning. The 5K marathon was not clearly defined. When buses tried to turn around it blocked the road and caused delays. The lane markers were not well defined, and more signage was needed. Runners were veering off into the west bound lanes causing traffic issues, additional candle sticks to keep runners in the east bound lanes were needed. Volunteers were not at their stations when they needed to be.

**Deputy Mayor Hawkes** asked if there were cones all the way down the canyon and if recommendations could be made to other events concerning cones and spacing.

**Detective Larsen** stated the cones were few and far between and small. She will talk to Michelle McCabe, Permit Specialist, about the issues.

**Deputy Mayor Hawkes** stated the banners used, were approved and probably should not have been. The signage is usually done by electronic signs. The event organizers were told to include those in addition to whatever signage it was using. In the future, electronic signs should be used.

**Detective Larsen** stated she had the electronic signs up informing drivers of the marathon.

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*Unified Fire Authority (UFA)*

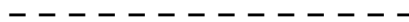
**Mayor Smolka** stated Council Member Harris emailed UFA's report to Council Members.

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*Wasatch Front Waste and Recycling District*

**Pam Roberts**, General Manager, WFWRD, introduced Paul Korth, Finance Director, WFWRD. She reviewed the 2023 budget and priorities the District has. A fee increase of \$2.50 is being proposed to the board. She reviewed the various programs that WFWRD offers residents. WFWRD continues to deal with staffing issues. In 2018, WFWRD began having trouble hiring enough CDL drivers to keep the bulk waste program the same. In 2020 it was short full-time and part-time driver positions and that created the need to change the bulk waste pick up program to the Seasonal Container Reservation Program (SCRIP). She continues to look for improvements and ways to absorb increases in costs. A public hearing for the budget will be held on November 14, 2022, at 6:00 pm at 6960 South 604 West.

**Paul Korth**, Finance Director, WFWRD, reviewed cost increases since the last fee increase in 2018 and WFWRD's cash projections for 2022-2026.



*Salt Lake County Animal Services*

**Gary Bowen**, Emigration Canyon Metro Township Representative, Salt Lake County Animal Services Advisory Board, stated the first in-person meeting will be held on November 3, 2022. Animal Services has regular adoption and other type of events. He recommended putting these events in the Emigration Canyon newsletter and website.

**Deputy Mayor Hawkes** stated she could add those to the community calendar on the website. She asked Mr. Bowen to get her the information.



Council Business

*Salt Lake City Department of Public Utilities*

**Mayor Smolka** stated since Emigration Canyon Metro Township shares borders with Salt Lake City Department of Public Utilities (SLCDPU), it wanted to invite Laura Briefer, Director, to the meeting to discuss various topics. He asked Ms. Briefer to explain what the Department of Public Utilities does.

**Ms. Briefer** stated the Department of Public Utilities provides drinking water, manages the watersheds, manages flood control and stormwater, collects and treats wastewater, maintains and enhances public street lighting. When working with Emigration Canyon it is usually regarding water. SLCDPU owns land in Emigration Canyon, in the City Creek Canyon area. The annual budget is around \$350 million a year. It is working on repairing and replacing aging water infrastructure.

She updated the Council on initiatives that she would like Emigration Canyon's participation in. Emigration Canyon is part of the watershed protection program. In 1999 a major update to the watershed plan was completed and has had small updates since; however, comprehensive

updates need to be made. This update is part of a large public process. During the summer, a scientific study was completed, the analysis was presented to the public. They continue to hold meetings to get feedback. She would like Emigration Canyon's feedback on the Watershed Program update. Comments can be submitted online. The draft plan will be ready in early 2023 and then will be presented to the public for comment, the Council will review and then adopt it. Any feedback at anytime would be great for the whole process.

**Mayor Smolka** stated he gets questions regarding work being done at Mountain Dell Reservoir.

**Ms. Briefer** stated Mountain Dell Reservoir's dam is undergoing rehabilitation. The concrete was starting to fail, and the dam needs to be relined. A cofferdam was built so the dam could be drained, and the face of the dam could be worked on. It is scheduled to be completed next year.

**Mayor Smolka** asked what the water extraction is that SLCDPU takes from the tunnel at the bottom of the canyon.

**Ms. Briefer** stated it is a clean water source that is part of the water supply that can be used year round. Upgrades have been made to that system.

**Mayor Smolka** asked what the thoughts of SLCDPU regarding the trails are.

**Ms. Briefer** stated she has not formulated an opinion on what Parks and Recreation is doing with the Trail Master Plan. SLCDPU tries to be thoughtful of trails if they are in the protected watershed areas.

**Mayor Smolka** stated a big concern in Emigration Canyon is wildfire. One of the things it has been doing is creating fire breaks at the bottom of the canyon below Sunnydale, who owns that land.

**Ms. Briefer** stated with the exact coordinates, she can check to see if SLCDPU or Salt Lake City owns it.

**Mayor Smolka** asked Bill Tobey, Emigration Canyon Community Council, to follow up with Ms. Briefer regarding that land. The Council is interested in adding a fire break to protect those homes.

**Ms. Briefer** stated SLCDPU is partnering with the Division of Fire Forestry on an oak brush mastication project in Parleys Canyon that the Council may be interested in. The Council can reach out to her anytime with questions, concerns or just wanting to connect.

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*Community Renewable Energy Program*

**Council Member Brems** stated the Board is looking at finalizing an ordinance for communities to review and adopt. Moving forward with the program, what additional payments will Emigration Canyon Metro Township need to make.

**Emily Quinton**, Sustainability Program Manager, stated Emigration Canyon Metro Township will not be receiving another invoice for funds.

**Christopher Thomas**, Senior Energy and Climate Program Manager, presented a PowerPoint presentation updating the Council on the Community Renewable Energy Program. He reviewed the agency structure, 2030 goals, how the program will work, implementation timeline, plans for low-income assistance, and the draft ordinance to finalize the community's participation in the program. The ordinance is anticipated to be finalized in December 2022 by the Board. The ordinance will need to be adopted within 90 days once approved by the Utah PSC. If the Council has any feedback regarding the ordinance, they can contact him.

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*Emigration Canyon Metro Township Code Rewrite*

**Matt Starley** stated the Greater Salt Lake Municipal Services District (MSD) is moving forward with the Emigration Canyon Metro Township code rewrite. He presented phase one to the Council in August and have had a couple of comments. He recommended having a joint meeting with the Emigration Canyon Metro Township Planning Commission and the Council.

**Mayor Smolka** stated some of the zones in the code are not necessary in the canyon. There is commercial property in the upper part of the canyon that has since turned into a private residence. Can the Council initiate a zone change or does the property owner need to do that.

**Mr. Starley** stated the property is a consolidation of four properties. The property owner would need to request a change in zone. He proposed parks and recreation zones that could potentially be used moving forward. The Council can decide to not include those in the code. It may be a good idea to have the Planning Commission look at it and do some more research.

**Council Member Brems** asked for an update on the dark sky ordinance.

**Mr. Starley** stated an ordinance is being drafted. There have been three rounds of comments from the Planning Commission. The ordinance will soon be ready to present to the Council.

**Council Member Brems** stated if we adopt a dark sky ordinance, the Council should have strong support from the community. He recommended sending a mailer, fact sheet, or questioner to residents explaining the ordinance and to gain feedback.

**Mayor Smolka** stated he would like the community informed.

**Mr. Starley** stated he could create a website with the information and provide a survey.

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*Municipal Energy Sales and Use Tax and Municipal Telecommunication's License Tax*

**Cameron Platt** stated before the Council can enact the tax, the Council will need to adopt an ordinance indicating how the tax will be used. He is working on drafting an ordinance for the Council to consider at its next meeting.

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*Ordinance Prohibiting Camping*

**Cameron Platt** stated an ordinance prohibiting camping would help enforce complaints as there are no areas in the canyon where camping is prohibited. Regulations can only be made on property that is owned by the Metro Township; he is working on identifying those boundaries.

**Council Member Pinon** stated he would like language to address tents. Does the Metro Township have any rights regarding easements.

**Mr. Platt** stated it depends on the easement. If there is a utility easement, then the Metro Township has rights to put utilities on the property but not regulate it. The Metro Township can regulate what can be done on property to a degree. It can restrict how long people can live in an RV on a property.

**Deputy Mayor Hawkes** stated the timeframe of four hours that an individual must move a vehicle, may be an extensive amount of time and five minutes is unreasonable.

**Chief Wayne Dial** stated the timeframe depends on the circumstances. If it is a motor vehicle, five minutes would be enough time to move. If someone is pulled over because they could be a danger to the public, then it could be longer. He suggested a 30 minute timeframe.

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*American Rescue Plan Act (ARPA)*

The Council did not have any additional recommendations on how to use the ARPA funds.

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*Emigration Canyon Metro Township Council Meeting Dates*

The Council agreed to hold the Emigration Canyon Metro Township Council meetings on November 15, 2022, and December 20, 2022.

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*Broadband Update*

**Council Member Pinon** stated Utah Broadband placed a repeater on the top of Got Teeth Lane. Residents should have received a mailer informing them of what Utah Broadband is doing in the canyon and will invite them to sign up with a provider.

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*Legal Issues*

None.

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*Budget Items*

**Mayor Smolka** stated invoices for clerk services and legal counsel were paid. The Greater Salt Lake Municipal Services District (MSD) tentatively passed the budget which included Emigration Canyon Metro Townships proposed budget.

**Deputy Mayor Hawkes** stated that an invoice for the restroom has been received.

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*Minutes*

Council Member Pinon, seconded by Council Member Brems, moved to approve the minutes of the Emigration Canyon Metro Township Council meeting held on September 27, 2022. The motion passed unanimously.

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Council Member Reports

*Administrative Report*

**Gordon Bennett** stated he is coordinating with Unified Fire Authority (UFA) and the Greater Salt Lake Municipal Services District (MSD) to get Wi-Fi working so the Council can hold hybrid meetings. He will coordinate with UFA to get access to the building to upgrade and test the equipment. He will be able to connect to UFA's guest Wi-Fi.

**Council Member Pinon** stated a speed test needs to be done and determine if there is enough bandwidth. He offered to test video call capabilities with Mr. Gordon.

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

**Council Member Brems** stated UPD and SLVLESA will meet tomorrow, there is nothing new to report.

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*Emigration Canyon Metro Township Planning Commission*

Nothing to report.

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

Nothing to report.

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*Watershed Plan*

Nothing to report.

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*Wasatch Front Waste and Recycling District (WFWRD)*

**Council Member Pinon** stated there is nothing additional to report beyond what Pam Roberts reported on earlier in the meeting.

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*Association of Municipal Councils*

Nothing to report.

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*Website*

**Deputy Mayor Hawkes** asked Gary Bowen to provide her with the Animal Services information so she can put it on the website.

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*CodeRED*

**Deputy Mayor Hawkes** stated a notification regarding the marathon was sent to residents. She would like a policy in place to determine who can request a CodeRED and what the notification can be.



**Cameron Platt** stated he will follow up with Polly McLean, Legal Counsel, and put something together.

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*Restrooms*

**Deputy Mayor Hawkes** stated the Abstract Masonry Construction is not up there. She reached out to the contractors, and they are running behind. She asked them to secure the materials that are on site.

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*Utah League of Cities and Towns (ULCT)*

Nothing to report.

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*Greater Salt Lake Municipal Services District (MSD)*

**Mayor Smolka** stated the MSD Board passed the tentative budget.

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*Landfill Council*

**Mayor Smolka** stated landfill revenues are ahead for 2022.

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*Wasatch Front Regional Council (WFRC)*

Nothing to report.

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*Council of Governments (COG)*

**Mayor Smolka** stated temporary overflow shelter for homeless individuals was determined and is being prepared for winter.

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*Legislative Update*

**Mayor Smolka** stated there is a possibility of getting an emergency notification system funded by the state that municipalities could use for free. That could change how the Metro Township uses CodeRED.



Other Announcements

**Mayor Smolka** stated the Pinecrest project had a final walkthrough and some clean-up. Next spring the road will be widened a couple of feet. The puddle in Pinecrest is just about under control. A culvert was opened to help with the flow of water. Dirt work behind the jersey barriers is completed.

He attended emergency training for elected officials. He recommends that the Council attend the training on November 19, 2022. If the Council cannot attend the training, an online option is available. The FEMA website offers NIMS training.

**Deputy Mayor Hawkes** stated the Wasatch Choice meeting is on November 2, 2022.



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

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MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

SHERRIE SWENSEN, METRO TOWNSHIP CLERK

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

