

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ELECTRONICALLY ON TUESDAY, APRIL 25, 2023, PURSUANT TO ADJOURNMENT ON TUESDAY, APRIL 19, 2023, AT THE HOUR OF 7:00 P.M., AT THE EMIGRATION CANYON FIRE STATION 119, 5025 E EMIGRATION CANYON ROAD, SALT LAKE CITY, UTAH.

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

OTHERS IN ATTENDANCE: CAMERON PLATT, LEGAL COUNSEL
GORDON BENNETT, ADMINISTRATOR
NICHOLE WATT, DEPUTY CLERK



Mayor Smolka, Chair, presided.



PUBLIC MEETING

Pledge of Allegiance

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



Citizen Input

Janet Haskell stated her home was affected by unexpected runoff. She thanked those individuals that came to her aid. The leadership and the tenacity to problem-solve were excellent. Government is about protecting citizens and that is what this team did. The community is lucky to live in a small town with a group of warriors.



Reports from other Municipal Providers

Emigration Canyon Community Council (ECCC)

Bill Tobey stated Firewise will be held on June 17, 2023, and arrangements are in place. Planning for spring and summer wildfire fuel mitigation is moving ahead. Salt Lake County District Attorney, Sim Gill, attended the April meeting to discuss various community priorities, the dissolution of Unified Police Department, and legislation. The ECCC attended the annual meeting of the Utah Neighborhoods. Annual training for new community council members

was held on April 22, 2023. He will be out of town through June 7, 2023, if the Council needs anything, contact Paul Brown or Bryan Johansen.

Unified Police Department (UPD)

Detective Dawn Larsen reviewed the March statistics, stating there were 45 calls for service, 12 reports taken, and 14 citations issued.

Lieutenant April Morse stated she has asked Special Operation’s drone pilots to keep an eye on the water levels in the canyon.

Unified Fire Authority (UFA)

Chief Bryan Case stated there were four calls in March. The car that flipped over in the creek was an accident. A bystander helped pull the person out of the creek. UFA is preparing for flooding and has alerted crews regarding best practices.

Salt Lake County Animal Services

Gary Bowen, Emigration Canyon Metro Township Council Representative, stated there have only been one or two animal-related incidents in the canyon. He received a newsletter on capturing and removal of raccoons and skunks. He recommends that information be put on the Emigration Canyon website.



Council Business

CodeRED Usage Policy

The Council reviewed the CodeRED usage policy.

Deputy Mayor Hawkes, seconded by Council Member Harris, moved to approve the CodeRED usage policy. The motion passed unanimously.

Firework Restrictions

The Council reviewed the following Resolution restricting fireworks:

RESOLUTION NO. 2023-04-02

Date: April 25, 2023

RESOLUTION FINDING HAZARDOUS ENVIRONMENT 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 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 environment condition” if the “historical hazardous environment 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 22, 2023, and previous years’ letters 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:

Section 1: 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 1: 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 25th day of April in the year 2023.

EMIGRATION CANYON METRO TOWNSHIP

DATE TUESDAY APRIL 25, 2023

/s/ JOE SMOLKA
Mayor

ATTEST:

/s/ LANNIE CHAPMAN
Metro Township Clerk

Council Member Brems, seconded by Deputy Mayor Hawkes, moved to approve Resolution No. 2023-04-02. The motion passed unanimously.

Declared Local State of Emergency

Mayor Smolka recommended extending the local emergency declaration an additional 30 days from May 12.

Mayor Smolka, seconded by Council Member Harris, moved to extend the local emergency declaration for an additional 30 days. The motion passed unanimously.

Open and Public Meetings Act Training

Cameron Platt provided Open and Public Meetings Act Training. He reviewed what entities have to follow the Open and Public Meetings Act, what is considered a meeting, rules regarding the location of a meeting, electronic meetings, reasons a meeting may be closed, notice requirements for a meeting, public comment, minutes and recordings, emergency meetings, and what the consequences of violating the Open and Public Meetings Act.

H.B. 374 County Sheriff Amendments

Council Member Brems stated last month a resolution was passed establishing policy and providing direction regarding the implementation of H.B. 374.

Cameron Platt stated the resolution is meant to keep options open in the near future and long term.

Legal Issues

None.

Budget Items

Mayor Smolka stated payroll was processed and invoices for the attorney, clerk services, and Zoom were received.

Minutes

Council Member Brems, seconded by Council Member Harris, moved to approve the minutes of the Emigration Canyon Metro Township Council meetings held on March 28, 2023, and April 12, 2023. The motion passed unanimously.



Council Member Reports

Administrative Report

Gordon Bennett stated he sent a list of names to the Greater Salt Lake Municipal Services District (MSD) to have name plates ordered. He will attend the Community Renewable Energy Meeting.

He presented a PowerPoint presentation reviewing his work on preserving green space and trails in Emigration Canyon.

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

Council Member Brems stated the UPD Board has been having discussions about the separation between UPD and the Sheriff’s Office. Chairman Marcus Stevenson read a statement regarding the preservation of office ranks and pay scale while working through the transition. Hiring lateral officers and new hires has been difficult because of the uncertainty of UPD. The Board is proposing the appointment of Chief Jason Mazuran to take the place of Sheriff Rivera as CEO of UPD. He will negotiate the separation of UPD and the Sheriff’s Office.

SLVLESA passed a resolution allowing the Board to use Salt Lake County for its hiring process. Salt Lake County will put out notices for various positions and help to fill those positions.

The Political Subdivision Committee will be conducting a study to determine the viability of the metro townships. Frank Pignanelli, Lobbyist, recommended that the metro townships put together a letter outlining their success and get it in front of the committee.

Emigration Canyon Metro Township Planning Commission

Nothing to report.

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

Council Member Harris stated the budget is being prepared and the public hearing will be held in June. Chief Burchett's mission is the mental health and well-being of all firefighters. Captain Matthew Hambleton passed away this month, the Council has the opportunity to make a contribution in his name, to be directed towards mental health services.

Watershed Plan

Council Member Harris stated she hopes to have a final draft of the watershed plan by next Friday. She will distribute the report when she receives it.

Wasatch Front Waste and Recycling District (WFWRD)

Council Member Pinon stated WFWRD updated its website, it has tools and an app that goes into details about what can be recycled. It also includes a banner to update residents about weather-related delays. A lot of plastic bags are being put in the recycling bins and when that happens the load is considered contaminated and is rejected. The first quarter financial report was reviewed and revisions to the FMLA policy were adopted.

Utah Broadband

Nothing to report.

Website

Deputy Mayor Hawkes stated the website has been updated with information on flooding mitigation, septic, sandbags, and a button for volunteers to submit their hours was added. She will be adding information from Wasatch Front Waste and Recycling District (WFWRD) and Firewise.

CodeRED

Deputy Mayor Hawkes stated in the past, the Council has received training on how to use CodeRED. This training should occur on a yearly basis, so everyone is up to date on how to send a message.

Restrooms

Deputy Mayor Hawkes stated the restrooms are 90 percent complete. The locks, pedestals, and fixtures are being worked on. She talked to Salt Lake Watershed, Salt Lake City Parks and Recreation, and Salt Lake County about how they maintain pit toilets. The Council will need to have a discussion on who will maintain the restrooms. The anticipated finish date will be June 30, 2023. Utah Open Lands wants to hold a ribbon cutting.

Association of Municipal Councils

Deputy Mayor Hawkes stated two senators and a representative presented bills that they either wrote or co-wrote and talked about which bills passed. There were not a lot of bills that applied to Emigration Canyon.

Utah League of Cities and Towns (ULCT)

Deputy Mayor Hawkes stated when she gets the legislative update, she will forward it to the Council.

Greater Salt Lake Municipal Services District (MSD)

Mayor Smolka stated a few changes with the senior staff are being made to include training additional staff on payroll. Since the flooding and mudslides, engineers are reevaluating the road widening project. The MSD was featured at the ACCT training.

Landfill Council

Mayor Smolka stated the landfill remains ahead on revenues.

Wasatch Front Regional Council (WFRC)

Mayor Smolka stated the Transportation Committee meets on Thursday.

Council of Governments (COG)

Nothing to report.

Legislative Update

Council Member Brems stated Unified Police Department (UPD) is meeting twice a month because there is so much going on. He will get a schedule of meetings and distribute them to the Council.

Other Announcements

Mayor Smolka stated there is a new larger mudslide and some smaller ones. Salt Lake County has been up the canyon every day clearing the mudslides and moving mud out from the culverts. He will be talking with the director of flood control to determine what information needs to be submitted to apply for FEMA money.

Council Member Harris stated she is concerned with how saturated the soil is.

Mayor Smolka stated he asked Council Member Pinon to organize an event to move filled sandbags to upper Pinecrest. The bottom of the canyon is prepared for at least a 155 flow. Tyler Tippets has radios and will pass them out to council members and a few additional individuals throughout the canyon.

Council Member Brems stated he received a call from a resident in Pinecrest that is upset about flood control employees accessing the stream and removing vegetation.

Mayor Smolka stated he spoke with the director of flood control and the job foreman about that situation. They probably removed more trees than they needed to.

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Closed Session

Council Member Harris, seconded by Council Member Brems, moved to close the open session of the Emigration Canyon Metro Township public meeting to discuss real estate. The motion passed unanimously.

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time,

DATE TUESDAY APRIL 25, 2023

the meeting was adjourned.

MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

LANNIE CHAPMAN, METRO TOWNSHIP CLERK

By: _____
Deputy Clerk

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