



**MAGNA CITY COUNCIL  
MEETING AGENDA  
November 12, 2024**

Webster Center  
8952 West Magna Main Street  
Magna, Utah 84044

**PUBLIC NOTICE IS HEREBY GIVEN** that the Magna City Council will hold a meeting on the **12<sup>th</sup> day of November 2024** at the Webster Center, 8952 West Magna Main Street Magna, Utah as follows:

**\*\* Portions of the meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.**

Anticipated meeting duration: 1:15

**6:00 PM – PUBLIC MEETING**

1. CALL TO ORDER
2. Determine Quorum
3. Pledge of Allegiance

**4. PUBLIC COMMENTS (Limited to 3 minutes per person)**

Any person wishing to comment on any item not otherwise scheduled for a public hearing on this evening's agenda, should sign-up on the "Public Comment" form located at the entrance. Person's signing up to speak will be called up in the order that they signed-in on the "Public Comment" form. Persons addressing the City Council shall step-up to the microphone and give their name for the record. The City Council is interested in hearing directly from residents. In an effort to be both transparent and responsive, the City Council previously adopted rules to help govern public meetings. As such, Councilmembers cannot respond directly to comments during public comment. However, Magna City staff will be responsible for responding directly to citizens who request a response. Should an item on tonight's agenda generate a question you would like answered, there is a QR code at the front entrance. Please scan the QR code and send your question directly to city staff. The City Council will not interrupt the evening's agenda to take questions from the audience once the formal meeting has commenced. ***Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Governing Body.***

**5. STAKEHOLDER REPORTS**

- A. Unified Police Department - **Chief Del Craig** (5 minutes)
- B. Pleasant Green Cemetery – **Sharon Nicholes** (5 minutes)

**6. DISCUSSION/ACTION ITEMS**

- A. **CUP2024-001185** Delay Agreement for Right-of-Way Improvements: 2100 S. – **Justin Smith, Planner/Municipal Services District** (5 minutes)
- B. Consider Adopting **Resolution 2024-11-01** Authorizing the Mayor or Designee to Sign Documents Needed to Effectuate and Conclude the Transfer of the Webster Center to Magna

City Pursuant to the Purchase and Sale Agreement by and Between Magna City and Webster Community Center, Inc. – **David Brickey, City Manager** (5 minutes)

- C. Consider Adopting **Resolution 2024-11-02** Authorizing the Mayor or Designee to Sign a Real Estate Purchase Agreement for the Purchase of Parcel #14-21-479-041-0000 Located at Approximately 2657 South Mineside Drive consisting of Approximately 0.22 Acres – **David Brickey, City Manager** (5 minutes)
- D. Consider Adopting **Resolution 2024-11-03** Authorizing the Mayor or Designee to Sign a Real Estate Purchase Agreement for the Purchase of Parcel #14-29-226-018-0000 Located at Approximately 2820 South 8000 West Consisting of Approximately 0.21 Acres – **David Brickey, City Manager** (5 minutes)
- E. Discussion of Dora Street – **Paul Ashton, Legal Counsel** (10 minutes)
- F. Discussion Regarding Donation Request Policy/Process – **Paul Ashton, Legal Counsel** (5 minutes)
- G. Discussion of an RFP/RFQ for Waste Disposal Services in Magna City – **Mayor Barney** (10 minutes)

7. **MANAGER/CITY ATTORNEY UPDATES** (10 minutes)

8. **COUNCIL REPORTS** (10 minutes)

9. **CLOSED SESSIONS IF NEEDED AS ALLOWED PURSUANT TO UTAH CODE §52-4-205**

- A. Discussion of the character, professional competence or physical or mental health of an individual.
- B. Strategy sessions to discuss pending or reasonably imminent litigation.
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property.
- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Other lawful purposes as listed in Utah Code §52-4-205

10. **ADJOURN**

**ZOOM MEETING:** Topic: Magna City Council Meeting

When: November 12, 2024, 06:00 PM Mountain Time (US and Canada)

Register in advance for this webinar at:

[https://zoom.us/webinar/register/WN\\_3r3CGOQxSnSF7mFJeJVwgQ](https://zoom.us/webinar/register/WN_3r3CGOQxSnSF7mFJeJVwgQ)

After registering, you will receive a confirmation email containing information about joining the webinar.

A copy of the foregoing agenda was posted at the following locations on the date posted below:

Magna City website at <https://magna.utah.gov/> and the Utah Public Notice Website at

<https://www.utah.gov/pmn/>. Pursuant to State Law and Magna Ordinance, Councilmembers may participate electronically. Pursuant to Utah Code § 52-4-205, parts of meetings may be closed for reasons allowed by statute.

Upon request with three (3) working days' notice, the Greater Salt Lake Municipal Services District, in support of Magna City, will make reasonable accommodations for participation in the meeting. To request assistance, please call (385) 468-6703 – TTY 711.

**POSTED: November 8, 2024**



GREATER SALT LAKE  
**Municipal Services  
District**

**Planning and Development Services**

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

[msd.utah.gov](http://msd.utah.gov)

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**Files # CUP2024-001185**

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## Conditional Use Summary

**Public Body:** Magna City Council

**Meeting Date:** November 12, 2024

**Parcel ID:** 14-21-200-041-0000, 14-21-200-029-0000, 14-21-200-028-0000, 14-21-201-004-0000

**Current Zone:** M-2

**Property Address:** 2167 S Jenkins Park Lane, 2198 S 7400 W, 2185 S 7400 W

**Request:** Right-of-Way Improvement Delay Request

**Applicant Name:** Quin Bingham

**MSD Planner:** Justin Smith

**Magna Planning Commission Recommendation:** Approval

### PROJECT SUMMARY

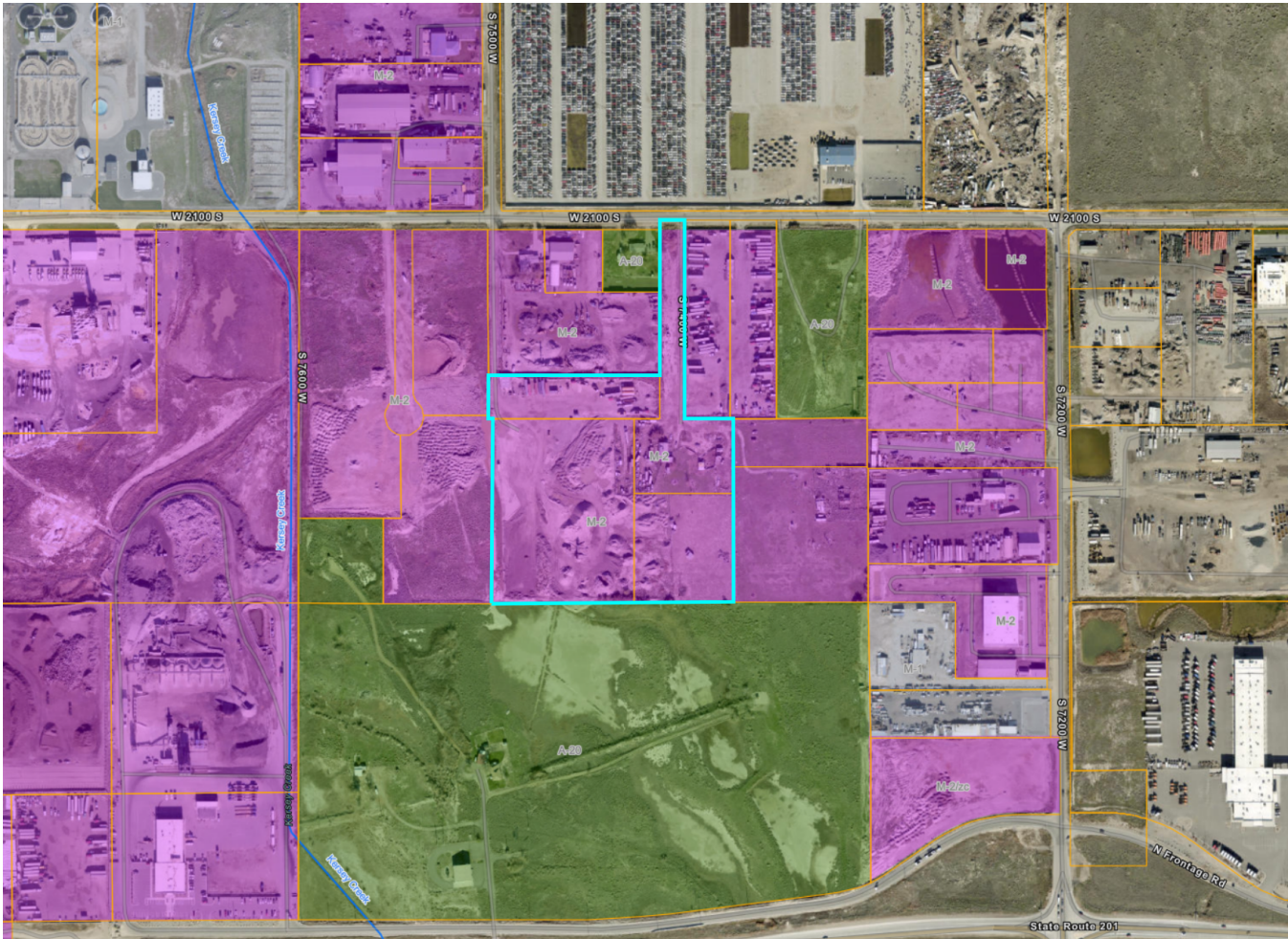
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The applicant, Quin Bingham, is currently working on a conditional use permit for a hot mix asphalt plant that would create asphalt from recycled materials. The Magna Planning Commission has approved of the conditional use, but one of the conditions of approval was getting a delay agreement for right-of-way improvements along 2100 S.

### SITE & ZONE DESCRIPTION

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The property is located along the southside of 2100 S, just west of the WHCP7581 subdivision and directly south of Copart. The four lots are currently zoned M-2. The property has access on the west side from an easement.



## ISSUES OF CONCERN/PROPOSED MITIGATION

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The Greater Salt Lake Municipal Services District and reviewing agencies have reviewed the application and have not identified any potential issues with the application and have given a conceptual “ok” to the application. This application has reached the technical review stage of the land use review process.

## PLANNING STAFF ANALYSIS

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The applicant currently has an application for a conditional use for an asphalt plant along 2100 S in Magna. One of the comments that was left during the conceptual review process from Engineering was that the applicant should get a delay agreement for right-of-way improvements along 2100 S under Title 14.12.150. Title 14.12.150 allows for exceptions and variations to right-of-way improvement requirements in areas where there are unusual topographical, aesthetic, or other exceptional conditions or circumstances exist. Title 14.12.150 further requires that these exceptions and variations must be approved by the mayor after receiving recommendations from the planning commission and the public works engineer. The public works engineer has provided a letter of recommendation for a delay agreement for the improvements to put in at a later date.

Along 2100 S in Magna there are not any developments that have provided curb, gutter, and sidewalk as required by Title 14.12.150. These developments either came into being before these requirements were put in place or received delay agreements for these improvements. Furthermore, including the easement access on

the west side of the proposed development the approximate frontage along 2100 S for this development is 126 feet.

The asphalt plant was presented to the Magna Planning Commission on October 3, 2024 where the proposed development was approved with one of the conditions that the applicant get a delay agreement. The Magna Planning Commission recommended a 10 year delay agreement. A 10 year delay agreement would require the applicant or landowner to pay for the improvements if there is a project to install the improvements within the next ten years. If these improvements were to put in after that 10 year period then the landowner or applicant would not be responsible for the costs of installing the improvements.

Based on the above analysis, MSD staff has found that the proposal is consistent with the surrounding land uses. Full compliance with required ordinances and policies will be verified through the subsequent technical review process before the issuance of the Land Use permit, and license inspection process.

### **PLANNING STAFF RECOMMENDATION**

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**On October 3<sup>rd</sup>, 2024 the Magna City Planning Commission recommended to the Magna City Council to approve of the delay agreement for right-of-way improvements.**

ATTACHMENTS:

- A. Engineer's Recommendation Letter



October 1st, 2024

**Jenny Wilson**  
Mayor

**Catherine Kanter**  
Deputy Mayor of Regional  
Operations

**Scott R. Baird, P.E.**  
Director, Public Works  
and Municipal Services

**Kade D. Moncur, P.E., CFM**  
Director, Public Works  
Engineering Division

**PUBLIC WORKS  
ENGINEERING DIVISION**

Government Center  
2001 South State Street  
Suite N3-120  
Salt Lake City, Utah 84190

**T** 385-468-6600  
**F** 385-468-6603

To Whom It May Concern,

This recommendation letter is in consideration of the following proposed development:

Application: 001185 – CUP Granite Asphalt Plant  
Location: 2198 S 7400 W

It is the recommendation of Salt Lake County Public Works Engineering that a delay agreement be granted for the installation of curb, gutter and sidewalk. The applicant is granted to wait to install the improvements on their roadway frontage at the time when additional private property development occurs.

Regards,

Ahmed Dahir, PE  
Salt Lake County  
Public Works Engineering

MAGNA CITY

RESOLUTION NO.: 2024-11-01

DATE: November 12, 2024

**A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO SIGN DOCUMENTS NEEDED TO EFFECTUATE AND CONCLUDE THE TRANSFER OF THE WEBSTER CENTER TO MAGNA CITY PURSUANT TO THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN MAGNA CITY AND WEBSTER COMMUNITY CENTER, INC.**

**WHEREAS**, Webster Community Center, Inc. (hereafter "Seller"), a Utah non-profit corporation, owns the Webster Center located at 8952 West Magna Main Street, Magna, Utah, more particularly consisting of Parcel No(s). 14-19-476-012-0000, 14-19-476-015-0000, and 14-19-476-016-0000 (hereafter "Webster Center" and/or "Property"), and,

**WHEREAS**, Seller has agreed to sale, transfer and convey the Property to Magna City (hereafter "City"), pursuant that certain Purchase and Sale Agreement (hereafter "Agreement"), a true and correct copy of which is attached hereto, marked Attachment "A", and

**WHEREAS**, the Magna City Council has determined that acquiring the Property benefits the health, safety and welfare of Magna's residents, and

**WHEREAS**, there may be need for additional documents to be signed by the City to effectuate and conclude the transactions set forth in the Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAGNA CITY COUNCIL, STATE OF UTAH, AS FOLLOWS:**

**Section 1.** The Mayor or designee (City Manager, David R. Brickey) is authorized to execute documents that may need to be signed by the City to effectuate and conclude the transactions set forth in the Agreement, Attachment "A," including, but not limited to closing documents and such other documents, if any, required for the City to fulfill the Conditions of Sale set forth in Exhibit "B" to the Agreement.

**Section 2. Severability Clause.** If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

**Section 3. Effective Date.** This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE MAGNA METRO TOWNSHIP COUNCIL, STATE OF UTAH, ON THIS 12th DAY OF November, 2024.**

[Signatures on next page.]

MAGNA CITY:

\_\_\_\_\_  
ERIC BARNEY, MAYOR

ATTEST

\_\_\_\_\_  
NICOLE SMEDLEY  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
PAUL H. ASHTON  
ATTORNEY

VOTING BY COUNCIL:

MAYOR BARNEY

\_\_\_\_\_

COUNCIL MEMBER PIERCE

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COUNCIL MEMBER PROKOPIS

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COUNCIL MEMBER HULL

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COUNCIL MEMBER SUDBURY

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MAGNA CITY

RESOLUTION NO.: 2024-11-02

DATE: November 12, 2024

**A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO SIGN A REAL ESTATE PURCHASE AGREEMENT FOR THE PURCHASE OF PARCEL # 14-21-479-041-0000 LOCATED AT APPROXIMATELY 2657 SOUTH MINESIDE DRIVE CONSISTING OF APPROXIMATELY 0.22 ACRES**

**WHEREAS**, Robert S Warren and D Dolene Warrren ("Sellers") own a parcel of property: Parcel #14-21-479-041-0000 located at approximately 2657 South Mineside Drive in Magna (the "Property"); and

**WHEREAS**, the Property consists of approximately 0.22 acres; and

**WHEREAS**, Sellers have offered to sell the Property to Magna City; and

**WHEREAS**, the Magna City Council has determined that acquiring the property benefits the health, safety and welfare of Magna's residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAGNA CITY COUNCIL, STATE OF UTAH, AS FOLLOWS:**

**Section 1.** The Mayor or designee (City Manager, David R. Brickey) is authorized to execute the Real Estate Purchase Contract and other necessary documents if any that represents the Sellers interest and Magna's interest in purchasing parcel #14-21-479-041-0000.

**Section 2.** Severability Clause. If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

**Section 3.** Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE MAGNA METRO TOWNSHIP COUNCIL, STATE OF UTAH, ON THIS 12th DAY OF November, 2024.**

*(signature page to follow)*

MAGNA CITY:

\_\_\_\_\_  
ERIC BARNEY, MAYOR

ATTEST

\_\_\_\_\_  
NICOLE SMEDLEY  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
PAUL H. ASHTON  
ATTORNEY

VOTING BY COUNCIL:

MAYOR BARNEY

\_\_\_\_\_

COUNCIL MEMBER PIERCE

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COUNCIL MEMBER PROKOPIS

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COUNCIL MEMBER HULL

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COUNCIL MEMBER SUDBURY

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MAGNA CITY

RESOLUTION NO.: 2024-11-03

DATE: November 12, 2024

**A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO SIGN A REAL ESTATE PURCHASE AGREEMENT FOR THE PURCHASE OF PARCEL # 14-29-226-018-0000 LOCATED AT APPROXIMATELY 2820 SOUTH 8000 WEST CONSISTING OF APPROXIMATELY 0.21 ACRES**

**WHEREAS**, John W Grimsdale owns a parcel of property: Parcel #14-29-226-018-0000 located at approximately 2820 South 8000 West in Magna (the "Property"); and

**WHEREAS**, the Property consists of approximately 0.21 acres; and

**WHEREAS**, John W Grimsdale has offered to sell the Property to Magna City; and

**WHEREAS**, the Magna City Council has determined that acquiring the property benefits the health, safety and welfare of Magna's residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAGNA CITY COUNCIL, STATE OF UTAH, AS FOLLOWS:**

**Section 1.** The Mayor or designee (City Manager, David R. Brickey) is authorized to execute the Real Estate Purchase Contract and other necessary documents if any that represents the sellers interest and Magna's interest in purchasing parcel #14-29-226-018-0000.

**Section 2. Severability Clause.** If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

**Section 3. Effective Date.** This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE MAGNA METRO TOWNSHIP COUNCIL, STATE OF UTAH, ON THIS 12th DAY OF November, 2024.**

*(signature page to follow)*

MAGNA CITY:

\_\_\_\_\_  
ERIC G. BARNEY, MAYOR

ATTEST

\_\_\_\_\_  
NICOLE SMEDLEY  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
PAUL H. ASHTON  
ATTORNEY

VOTING BY COUNCIL:

MAYOR BARNEY

\_\_\_\_\_

COUNCIL MEMBER PIERCE

\_\_\_\_\_

COUNCIL MEMBER PROKOPIS

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COUNCIL MEMBER HULL

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COUNCIL MEMBER SUDBURY

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