



**MIDVALE CITY COUNCIL MEETING
AGENDA
May 1, 2018**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **1st day of May, 2018** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 PM

INFORMATIONAL ITEMS

I. DEPARTMENT REPORTS

II. CITY MANAGER BUSINESS

7:00 PM

REGULAR MEETING

III. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL

IV. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for public hearing on the agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

V. COUNCIL REPORTS

- A. Councilmember Paul Glover
- B. Councilmember Quinn Sperry
- C. Councilmember Bryant Brown
- D. Councilmember Paul Hunt
- E. Councilmember Dustin Gettel

VI. MAYOR REPORT

- A. Mayor Robert M. Hale

VII. PUBLIC HEARING

- A. Consider adoption of the Midvale City Fiscal Year 2019 Tentative Budget beginning July 1, 2018 and ending June 30, 2019 [*Laurie Harvey, Asst. City Manager/Admin Services Director*]

ACTION: Consider Resolution No. 2018-R-23 for the adoption of the Midvale City Fiscal Year 2019 Tentative Budget beginning July 1, 2018 and ending June 30, 2019

VIII. CONSENT AGENDA

- A. Consider Minutes of April 17, 2018 [*Rori Andreason, H.R. Director/City Recorder*]
- B. Set date and time [**June 5, 2018 at 7:00 p.m.**] for a public hearing regarding the Midvale City Fiscal Year 2019 Budget beginning July 1, 2018 and ending June 30, 2019 [*Laurie Harvey, Asst. City Manager/Admin Services Director*]
- C. Set date and time [**June 5, 2018 at 7:00 p.m.**] for a public hearing regarding the Enterprise Funds for FY2019 for Midvale City [*Laurie Harvey, Asst. City Manager/Admin Services Director*]
- D. Set date and time [**May 15, 2018 at 7:00 p.m.**] for a public hearing to consider proposed amendments to the FY2018 Budgets [*Laurie Harvey, Asst. City Manager/Admin Services Director*]
- E. Set date and time [**May 15, 2018 at 7:00 p.m.**] for a public hearing on proposed property tax increase by Jordan Valley Water Conservancy District for water service purposes [*Kane Loader, City Manager*]

IX. ACTION ITEM

- A. Determine Status of Pygmy Goat Ordinance [*Lesley Burns, City Planner*]

X. DISCUSSION ITEMS

- A. Review FY2019 proposed budgets for Administrative Services, General Administration, and Legal [*Laurie Harvey, Asst. City Manager/Admin Services Director; and Lisa Garner, City Attorney*]
- B. Discuss Telecommunications Franchise Agreement with Verizon [*Lisa Garner, City Attorney*]

XI. ADJOURN

In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working day notice of the meeting. TTY 711

A copy of the foregoing agenda was provided to the news media by email and/or fax. The agenda was also posted at the following locations on the date and time as posted above: City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice Website at <http://pmn.utah.gov>. Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.

PLEASE MAKE SURE ALL CELL PHONES ARE TURNED OFF DURING THE MEETING

DATE POSTED: APRIL 27, 2018

**RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER**



MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: May 1, 2018

SUBJECT: Action approving Resolution No. 2018-R-23, a resolution adopting the Fiscal Year 2019 Tentative Operating and Capital Budgets

SUBMITTED BY: Laurie Harvey, Asst. City Manager/Admin. Services Dir.

SUMMARY:

As we go through the process of adopting the FY 2019 budgets there are several steps that you as the City Council are required to take to be compliant with state statute.

1. UCA 10-6-111(1) requires the Budget Officer to present a tentative budget for each fund within the city. The budgets must be submitted no later than the first regularly scheduled meeting in May. We will present budgets for each fund on Tuesday, May 1st. At that time, we will brief you on the FY 2019 revenue estimates, provide a brief overview of the expenditures, and present budget highlights along with any proposed program changes.
2. UCA 10-6-111(3) further requires the City Council to adopt the tentative budget at this meeting. The Council will then review and amend, if necessary, the budgets prior to their final adoption. During the next several weeks, staff will be discussing the detail of each department budget with the Council.
3. As a reminder, the purpose of a tentative budget is to have a working tool from which we can start the formal adoption process. The budget document can be amended prior to final adoption in June. At the time of final adoption, all the City's budgets must be balanced, meaning that expenditures must equal revenues.

FISCAL IMPACT: The tentative budget provides a starting point for discussion of the budget for Fiscal Year 2019 prior to final approval.

RECOMMENDATION MOTION:

I move that we adopt Resolution No. 2018-R-23, a resolution adopting the Midvale City Tentative Operating and Capital Budgets for Fiscal Year 2018

Attachments: Resolution No. 2018-R-23. The FY 2019 Tentative Budget will be presented at the meeting on May 1st.

**MIDVALE CITY, UTAH
RESOLUTION NO. 2018-R-23**

A RESOLUTION ADOPTING THE TENTATIVE OPERATING AND CAPITAL BUDGETS FOR MIDVALE CITY, STATE OF UTAH, FOR THE FISCAL YEAR 2019.

WHEREAS, State law requires the filing of a tentative budget for each municipality located within the State of Utah; and

WHEREAS, the tentative budget complies with the requirements set out in U.A.C. § 10-6-111; and

WHEREAS, the budget shall be reviewed, considered, and tentatively adopted by the governing body and may be amended or revised in such manner as is considered advisable prior to final adoption.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, STATE OF UTAH, as follows:

SECTION ONE: That Midvale City, a municipal corporation, hereby adopts the following tentative budgets for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

1. General Fund, Section 10-6-109, UCA
2. Capital Projects Fund, Section 10-6-109, UCA
3. Public Utilities Fund (Water and Sewer), Section 10-6-135, UCA
4. Storm Water Utility Fund, Section 10-6-135, UCA
5. Street Lighting Fund, Section 10-6-135, UCA
6. Sanitation Fund, Section 10-6-135, UCA
7. Telecommunications Fund 10-6-135, UCA
8. Fleet Management Fund, Section 10-6-135, UCA
9. Information Technology Fund, Section 10-6-135, UCA

SECTION TWO: That this Resolution shall become effective immediately upon the passage thereof.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF MIDVALE CITY,
STATE OF UTAH, this 1st day of May 2018.**

Robert M. Hale, Mayor

BUDGET OFFICER CERTIFICATION:

ATTEST:

Kane Loader, Budget Officer

Rori L. Andreason, MMC
Midvale City Recorder

| Voting by City Council: | “Aye” | “Nay” |
|-------------------------|-------|-------|
| Quinn Sperry | _____ | _____ |
| Paul Glover | _____ | _____ |
| Paul Hunt | _____ | _____ |
| Bryant Brown | _____ | _____ |
| Dustin Gettel | _____ | _____ |



CITY COUNCIL MEETING

Minutes

Tuesday April 17, 2018
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert Hale

COUNCIL MEMBERS: Council Member Quinn Sperry
Council Member Paul Glover
Council Member Paul Hunt
Council Member Bryant Brown
Council Member Dustin Gettel

STAFF: Kane Loader, City Manager; Brian Berndt, Asst. City Manager/CD Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Garrett Wilcox, Deputy City Attorney; Matt Dahl, Redevelopment Agency Director; Alex Murphy, Associate Planner; Christopher Butte, Economic Development Director; Laura Magness, Communications Specialist; Chief Randy Thomson, UPD; Chief Brad Larson, UFA; and Matt Pierce, IT Manager.

Mayor Hale called the meeting to order at 6:32 p.m.

I. INFORMATIONAL ITEMS

A. DEPARTMENT REPORTS

Chief Randy Thomas discussed the crosswalk sting that took place last week. One of his officers was almost hit by a car going 35 mph. He feels the problem is a state-wide issue, and a cultural problem, not just a Midvale City problem. People are in a big hurry. The crosswalks they were monitoring, are very wide. The Council discussed the issues regarding the crosswalks. He is inviting Laura Magness, Communications Specialist, to as many of these stings as possible so she can get a feel for what they do.

Chief Thomas reported that there were 1040 citations written for the month of March. He attended the Boys & Girls Club week with Mayor Hale. The shelter resource officers took a new narcotics dog and took him to the Shelter. The dog found drugs in the restrooms. He said there has been a problem with the homeless sleeping and charging their phones at the Museum. He reported on the officer involved shooting this morning in Magna. That was a UPD officer. All officers and the victim were safe. The suspect did pass away.

Chief Brad Larson invited the Council to attend the fire training in May. He discussed the new fireworks legislation. He said the City can use the same fireworks map as used last year. The areas could be expanded to a street to make it easily identifiable but other than that he would not

recommend any changes. The maps have to be turned into the County by May 1st and by June 1st the County must publish a County-wide map available to vendors.

Laurie Harvey said the bonds were marketed on April 5th. The City will have \$6.4 million dollars as of April 24th. The true interest on the bonds is 3.617%

Matt Dahl said they have begun boring for traffic lights on Tuscany road and Bingham Junction Blvd. His hope was that by next meeting the poles would be up. Additionally, the public art at Bingham Junction Park, the RDA Board approved last fall, is underway. They started to stake out where that is going on the site. He said he is anticipating having second open house for the Main Street Project Area Small Plan on May 9th. They will have some proposals that have come from public input.

II. CITY MANAGER'S REPORT

Kane Loader said it feels like he has been out for a very long time. He thanked the staff for filling in for him and keeping the City running.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

B. Roll Call - Council Members Paul Hunt, Quinn Sperry, Bryant Brown, Dustin Gettel, and Paul Glover were present at roll call.

IV. PUBLIC COMMENTS

Sophia Hawes-Tingey said the information regarding the graffiti removal has been very beneficial for the Community Council to relay to residents. She said the legislative update at their last meeting was very informative. On May 2nd the Community Council will be discussing what to do if your home is toxic.

Spencer Mears thanked Chief Thomas for how well they have been removing the graffiti.

V. COUNCIL REPORTS

A. Councilmember Dustin Gettel – said there is a pothole on 1st Ave and Main Street and asked staff to look at getting this fixed.

B. Councilmember Paul Glover – Had nothing to report.

C. Councilmember Quinn Sperry – Had nothing to report.

D. Councilmember Bryant Brown– said he has a co-worker living by Bingham Junction Park who has reported that people are good at picking up the dog waste but not throwing away the bag. He suggested adding more garbage cans in the park.

E. Councilmember Paul Hunt – said last week he attended the Municipal Council and had a tour of UDOT. It was fascinating to see the operation. They track traffic with cell phones locations; it was very interesting.

VI. MAYOR REPORT

Mayor Robert Hale – said he has had something every day since the last Council meeting. He expressed his appreciation for the Boys and Girls Club and what they do for the residents of the City. He also serves on Promise Partnership Regional Council that is a joint venture with teachers, businesses, school districts, and government leaders. He also is on a finance subcommittee with them, so they can teach and help families with their incomes. On Thursday, April 19th is the Canyon School District Gala, which is a fundraiser for the foundation. They raise extra income to supplement the tax dollars they receive for the children of the school district. This Friday he will be touring the fire stations on the west side of the valley that need improvement. On April 25-27 he will be attending the spring mid-year ULCT conference.

MOTION: Councilmember Paul Glover MOVED to open a public hearing. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, he called a vote. The motion passed unanimously.

VII. PUBLIC HEARINGS

A. CONSIDER BERNARDO FINAL SUBDIVISION PLAT FOR A 3-LOT SUBDIVISION LOCATED AT 349-365 WEST CORNELL DRIVE

Alex Murphy said the proposed Bernardo Subdivision plat consists of three (3) proposed lots on a total of 0.9 acres located on Cornell Drive between Pioneer Street and Adams Street. This request was submitted by Tony Bernardo, representing himself and Adam Leavitt as owners of the subject properties, for the purpose of creating a flag lot behind the existing single-family dwellings along Cornell Drive. This property is zoned Single Family Residential (SF-1).

All subdivisions require a review and recommendation from the Planning Commission and approval from the City Council. Public hearings are required to be held by each body. The Planning Commission conducted a public hearing on this subdivision plat on February 14, 2018. Based on compliance with the City's zoning and subdivision requirements, the Planning Commission forwarded a positive recommendation to the City Council to approve the subdivision plat for the Bernardo Subdivision with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, and City Council.
2. The applicant shall provide evidence the existing accessory building along the new property line meets the accessory building requirements prior to recording of the final plat.
3. A minimum of five (5) additional street trees are required to be planted along Cornell Drive. These trees shall be planted or guaranteed by a cash bond prior to recording of the final plat. A note indicating this requirement shall be included on the final subdivision plat.
4. The applicant shall obtain duty to serve letters for water and sewer prior to the subdivision plat being recorded.
5. The applicant shall provide evidence that courtesy notices has been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding the utility easements on the subdivision plat prior to final approval.

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6. All new development on the flag lots shall comply with the flag lot requirements, i.e. setbacks, height (single story), parking, and 20-foot wide paved driveway. A note indicating these requirements shall be included on the final subdivision plat.
7. The flag lot driveway shall remain clear of overhanging vegetation and no parking signs posted. A note stating this shall be included on the final subdivision plat.
8. The existing complying fences may remain and shall be maintained. Otherwise, a sight-obscuring, minimum 6' tall fence shall be constructed and maintained around the perimeter of the flag lot. This fence shall comply with the fence standards of the SF-1 zone. A note indicating this requirement corresponds with development of the lot shall be included on the final plat.

The applicant has prepared and submitted the final plat (see attached). The applicable notes regarding flag lot access and development and fence requirements have been added. The proposed subdivision plat was reviewed and approved by the City Engineer, provided some minor technical revisions are completed, and Fire Marshall. Planning Commission conditions remaining to be addressed include the following. These conditions do not affect the proposed subdivision layout but will need to be addressed prior to the subdivision plat being recorded.

- Planting five street trees along Cornell Drive, or posting a cash bond guaranteeing the planting of these trees. A note has been added to the plat for this requirement, but because the street trees are required to be planted or guaranteed to be planted with a cash bond before the plat is recorded, this note does not need to be included on the final plat and should be eliminated to avoid any confusion in the future.
- It appears the accessory structure on Lot 1 does not comply with the two-foot setback standard for accessory structures along the new lot line between Lots 1 and 2 (see attached photo). This accessory structure will need to be modified to comply with the required setback, or its existing location justified by more precise evidence indicating the setback requirement is met before the final plat is recorded. The note regarding this issue should be eliminated on the plat.
- No duty to serve letters for water or sewer service or evidence that courtesy notices have been sent to the other applicable utilities have been provided. This information should be required before the final subdivision plat can be recorded.

In addition, the property located at 365 West Cornell Drive has a carport structure that was constructed recently without a building permit, resulting in the Building Department recording a Lien Certificate of Noncompliance on the property earlier in 2018. This Lien should be resolved prior to recording the final plat.

As a minor subdivision request, this request is subject to and complies with the requirements of the Single Family Residential (SF-1) zone and the subdivision ordinance (Title 16), subject to the recommended conditions below.

STAFF RECOMMENDATION:

Staff recommends the City Council approve the final subdivision plat for the Bernardo Subdivision with the following conditions:

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1. The applicant shall provide evidence the existing accessory building along the new property line between Lots 1 and 2 meets the accessory building requirements prior to recording the final subdivision plat.
2. A minimum of five (5) additional street trees are required to be planted along Cornell Drive. These trees shall be planted or guaranteed by a cash bond prior to recording of the final plat.
3. The applicant shall obtain duty to serve letters for water and sewer prior to recording the final subdivision plat.
4. The applicant shall provide evidence that courtesy notices have been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding the utility easements on the subdivision plat prior to recording the final subdivision plat.
5. The issues prompting the 2018 Lien Certificate of Noncompliance posted by the Building Department shall be resolved prior to recording the final subdivision plat.
6. The applicant shall obtain all required signatures on the final subdivision plat Mylar.

Mayor Hale opened the hearing to public comment.

Tony Bernardo said the accessory building is his pool house and complies. He will be taking care of the carport with a permit.

There was no one else present who desired to speak.

MOTION: Councilmember Quinn Sperry MOVED to close a public hearing. The motion was SECONDED by Councilmember Paul Glover. Mayor Hale called for discussion on the motion. There being none, he called a vote. The motion passed unanimously.

ACTION: CONSIDER BERNARDO FINAL SUBDIVISION PLAT FOR A 3-LOT SUBDIVISION LOCATED AT 349-365 WEST CORNELL DRIVE

MOTION: Councilmember Paul Hunt MOVED that based on compliance with the requirements of the Midvale City Municipal Code demonstrated in the application or addressed by conditions of approval, I move that we approve the final subdivision plat for the Bernardo Subdivision with the following conditions:

1. The applicant shall provide evidence the existing accessory building along the new property line between Lots 1 and 2 meets the accessory building requirements prior to recording the final subdivision plat.
2. A minimum of five (5) additional street trees are required to be planted along Cornell Drive. These trees shall be planted or guaranteed by a cash bond prior to recording of the final plat.
3. The applicant shall obtain duty to serve letters for water and sewer prior to recording the final subdivision plat.

4. The issues prompting the 2018 Lien Certificate of Noncompliance posted by the Building Department shall be resolved prior to recording the final subdivision plat.
5. The applicant shall obtain all required signatures on the final subdivision plat Mylar.”

The motion was **SECONDED** by Councilmember Paul Glover. Mayor Hale called for discussion on the motion. There being none he called for a roll call vote. The voting was as follows:

| | |
|------------------------------|-----|
| Council member Quinn Sperry | Aye |
| Council member Paul Glover | Aye |
| Council member Paul Hunt | Aye |
| Councilmember Bryant Brown | Aye |
| Council member Dustin Gettel | Aye |

The motion passed unanimously.

VIII. CONSENT AGENDA

- A. **CONSIDER MINUTES OF MARCH 22, 27 & APRIL 3, 10, 2018**
- B. **CONSIDER RESOLUTION NO. 2018-R-15 AUTHORIZING THE MAYOR TO ENTER IN TO A CONTRACT WITH RDJ CONSTRUCTION FOR THE 2018 PIPELINE REPLACEMENT PROJECT**
- C. **CONSIDER RESOLUTION NO. 2018-R-16 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH HANSEN ALLEN & LUCE FOR THE CONSTRUCTION MANAGEMENT SERVICES FOR THE 2018 WATERLINE PROJECTS**
- D. **CONSIDER RESOLUTION NO. 21018-R-17 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ACME CONSTRUCTION FOR THE NORTH GRANT STREET RECONSTRUCTION PROJECT**
- E. **CONSIDER RESOLUTION NO. 2018-R-18 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ACME CONSTRUCTION FOR THE 7100 SOUTH 150 EAST PROJECT**
- F. **CONSIDER RESOLUTION NO. 2018-R-19 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH HANSEN ALLEN & LUCE FOR THE DESIGN OF THE 2019 WATERLINE PROJECT WHICH INCLUDES THE WORK NEEDED TO TAKE OVER THE JWCD RETAIL AREA**
- G. **CONSIDER RESOLUTION NO. 2018-R-20 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ACME CONSTRUCTION FOR THE 2018 ROADWAY IMPROVEMENT PROJECTS**
- H. **SET DATE AND TIME [MAY 1, 2018 AT 7:00 P.M.] FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE MIDVALE CITY**

TENTATIVE BUDGETS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019

MOTION: Councilmember Paul Hunt **MOVED** to approve the consent agenda. The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

| | |
|-----------------------------|-----|
| Councilmember Quinn Sperry | Aye |
| Councilmember Paul Glover | Aye |
| Councilmember Paul Hunt | Aye |
| Councilmember Bryant Brown | Aye |
| Councilmember Dustin Gettel | Aye |

The motion passed unanimously.

IX. ACTION ITEMS

B. CONSIDER RESOLUTION NO. 2018-R-21 ADOPTING THE MIDVALE CITY SOCIAL MEDIA POLICY

Laura Magness said she was there that evening to present the proposed social media policy that was discussed on March 13th and April 10th. She drafted the social media policy using best practices of cities around the nation. The law has not caught up with technology. Midvale is not the only government agency that is trying to address these issues. There have been several lawsuits nationwide. Therefore, cities are responding by writing policies to protect, not censor, council members. The goal is NOT to restrict openness and transparency, it is to encourage transparency. While it may seem behind the times or even counter to the concept of enhanced public transparency, social media communications nonetheless may present significant risks of Open Meeting Law violations.

The policy behind open meetings laws is that government decision-making should be made OPENLY, and NOT behind closed-doors, so the public can be fully informed and provide input. Therefore, open meeting laws require that all meetings of decision-making bodies provide notice and be open to the public (with very few exceptions). Communications which take place on a social media platform have the potential to run afoul of open meeting laws.

For example, if Council Member #1 makes comments on a Facebook page about an item that is on an upcoming agenda, and Council Member #2 responds to this comment, then Council Member #3 also responds, this may be considered a “meeting” because 3 councilmembers (a quorum) are in “attendance”. Holding a “meeting” without proper notice (to ensure transparency, and to include the entire public not just members of a closed Facebook page) may be a violation of the Open Meeting Law because they did not notify the public about the “meeting.”

Based on the comments from the City Council Workshop on April 10th, she added the following content (which is based on the ordinance).

“When the Mayor comments or otherwise communicates on the City’s social media sites, he/she should speak for the majority of the City Council on the social media policy:

- 3.8 When the Mayor comments or otherwise communicates as himself/herself or in his/her capacity as an individual member of the City Council on social media sites other than the City's social media site he/she should clearly identify that limited capacity.
- 3.9 Council members, other than the Mayor, shall not comment or otherwise communicate on the City's social media sites. Participating in online discussions may constitute a meeting under the Open and Public Meetings Act."

She changed the City Council member social media disclaimer to "Elected Official Social Media Disclaimer" and changed the third paragraph to:

"The following disclaimers should be included in whole or referenced with a link to the Midvale City Elected Official Social Media Disclaimer for all social media accounts owned by council members."

She also added the fourth and 5th paragraphs:

"When the Mayor comments or otherwise communicates on the City's social media sites, he/she should speak for the majority of the City Council."

"When the Mayor comments or otherwise communicates as himself/herself or in his/her capacity as an individual member of the City Council on social media sites other than the City's social media site he/she should clearly identify that limited capacity."

This policy sets forth guidelines for the use of Midvale City social media platforms as a means of conveying Midvale City information to the public, and to adopt guidelines to govern the use of social media by elected officials. The intended purpose is to disseminate information to the public in a civil and unbiased manner, enhance transparency, foster collaborative two-way conversations, build positive relationships, and create new and innovative ways to encourage civic engagement.

Midvale City has an overriding interest and expectation in deciding what is "announced" or "spoken" on behalf of the City on City social media sites. This policy establishes guidelines for the use of social media.

Councilmember Bryant Brown said he would always like the Mayor to identify himself; it should be his avatar. He should be identified on the City's social media as well as his own social media.

Councilmember Dustin Gettel said the question he has is related to the social media disclaimer for the elected officials is adding the disclaimer to his personal social media.

The social media policy was discussed in length with concerns expressed by the council and staff.

MOTION: Councilmember Dustin Gettel MOVED to table the item for further revisions. The motion failed for lack of a second.

After lengthy discussion, the council agreed to table the social media disclaimer and move forward with adoption of the social media policy.

MOTION: Councilmember Bryant Brown **MOVED** to table the social media disclaimer. The motion was **SECONDED** by Councilmember Dustin Gettel. Mayor Hale called for discussion on the motion. There being none, he called a vote. The motion passed unanimously.

Laura Magness said she would bring the social media disclaimer back in the future.

MOTION: Councilmember Dustin Gettel **MOVED** to approve Resolution No. 2018-R-21 Adopting the Midvale City Social Media Policy with the following amendment: Section 3.7 when the mayor comments, or otherwise communicates on the city's social media sites he/she should speak for the majority of the city council and should clearly be identified as the author of communication. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

| | |
|------------------------------|-----|
| Council member Quinn Sperry | Aye |
| Council member Paul Glover | Aye |
| Council member Paul Hunt | Aye |
| Councilmember Bryant Brown | Aye |
| Council member Dustin Gettel | Aye |

The motion passed unanimously.

B. CONSIDER RESOLUTION NO. 2018-R-22 AUTHORIZING THE MAYOR TO ENTER INTO A WIRELESS AND TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH EXTENET

Garrett Wilcox stated that Midvale Municipal Code 5.52 and 5.54 require companies providing telecommunications and wireless communication services within Midvale to acquire a franchise agreement with the City prior to providing services. In addition to ensuring compliance with the City's ordinance, each franchise agreement further specifies a number of requirements including those for insurance and bonding.

ExteNet Systems, Inc., wishes to install small wireless facilities and corresponding fiber within Midvale and has requested to enter into the attached franchise agreements with the City. ExteNet will not be using this system to directly provide service to Midvale residents, but will instead be leasing its system to other cellular companies such as Sprint, AT&T, and others. Under our Wireless Communication Services ordinance, ExteNet will have to provide a binding lease from a service provided for any equipment that is installed in the right-of-way.

ExteNet has not yet provided all the documentation as required by Midvale Municipal Code 5.52.230 and 5.54.230 and understands that the franchise agreements will not be executed by the City until that documentation is received. However, due to the time between City Council meetings, we are requesting that the franchise agreements be approved with the condition that the required documentation must be provided first.

FISCAL IMPACT: The City will receive revenue under its franchise agreement for access to the City's right-of-way as well as access to City-owned poles within the right-of-way. This will be

at a higher rate through August 31, 2018. On September 1, 2018, SB 189 will take effect and will likely decrease the City's revenue.

Lucas Turner with ExteNet said they received the draft of the franchise last Thursday, which is why they are missing some of the documentation. He should have the missing documentation within a week or so. He discussed their process with the council.

MOTION: Councilmember Paul Hunt MOVED to approve Resolution No. 2018-R-22 authorizing the Mayor to execute a Telecommunications Services and a Wireless Communications Services Franchise Agreement with ExteNet Systems, Inc. upon meeting the City's franchise application requirements as expressed under Midvale Municipal Code 5.52.230 and 5.54.230. The motion was SECONDED by Councilmember Bryant Brown. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote.

The voting was as follows:

| | |
|------------------------------|-----|
| Council member Quinn Sperry | Aye |
| Council member Paul Glover | Aye |
| Council member Paul Hunt | Aye |
| Councilmember Bryant Brown | Aye |
| Council member Dustin Gettel | Aye |

The motion passed unanimously.

X. DISCUSSION ITEM

A. DISCUSS FY2019 TENTATIVE BUDGET

Laurie Harvey stated the tentative budget will be presented at the May 1st City Council Meeting public hearing, then there will be additional budget discussions in the May 1, 8, & 15 City Council Meetings. The final budget public hearing will be held on June 5th with adoption of the final budget on June 19.

B. DISCUSS FUNDS FOR CROSSWALKS

Laurie Harvey stated there had been discussions about amending the FY2019 budget to include \$50,000 for improvements to the crosswalks on Jefferson and Grant. Staff met with SL County, who does the striping, and Parametrics, who is the City's traffic engineer. It will cost more than the \$25,000 that was originally anticipated. They recommended installing two poles at Jefferson & Grant crosswalks, pedestrian activated crosswalks. Staff is waiting to hear back for a cost on the poles from SL County. If the cost exceeds the \$50,000, this item will be brought back as a 2018 budget amendment in May. SL County is aware of the striping the City has requested and will be doing that in the next few weeks.

C. DISCUSSION ON REZONING SEVEN PARCELS ALONG MAIN STREET FROM SF-2 HISTORIC COMMERCIAL TO MEET THE GOALS AND OBJECTIVES OF GENERAL PLAN 2016 AND MAIN STREET PROJECT AREA

Chris Butte said these proposed zone changes are to comply with the goals and vision of the General Plan 2016 and intent of the Main Street Area Plan.

Existing: Chapter 17-7-2: Single Family Residential Zone (SF-2)

Proposed: Chapter 17-7-11 Historic Commercial Zone (HC)

The purpose of the historic commercial zone (HC) is to:

- A. Allow for new development that is compatible with and contributes to the historic character of Midvale, and facilitates the continuation of the visual character, scale, and streetscape of the original Midvale historical district through use of appropriate building materials, architectural detail, color range, massing, lighting, and landscaping criteria;
- B. Plan for a wide range of commercial and retail trades and uses, as well as offices, business and personal services, that contribute to the positive historic character of the city, buffer adjacent residential neighborhoods, and maintain pedestrian access with links to neighborhoods, and other commercial developments;
- C. Accentuate new development's relationship to streets and pedestrian ways;
- D. Minimize visual impacts of automobiles and parking on historic buildings and streetscapes;
- E. Encourage new development that incorporates historic design elements related to public outdoor space including pedestrian circulation, trails, transit facilities, plazas, pocket parks, and public art; and
- F. Encourage the preservation and protection of buildings and related structures of historic and architectural significance so that the character of the buildings will not be lost through expansion or change of commercial or other activity in the city. (Ord. 11-20-2001 § 2 (part), 2001)

He asked the Council if he was approved to proceed with contacting the property owners to proceed with the rezoning. The Council agreed.

IX. ADJOURN

MOTION: Councilmember Paul Glover MOVED to adjourn the meeting. The motion was SECONDED by Councilmember Paul Hunt. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 8:51 p.m.

Rori L. Andreason, MMC
H.R. DIRECTOR/CITY RECORDER

Approved this 1st day of May 2018.

DRAFT