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## MIDVALE CITY COUNCIL MEETING AGENDA September 3, 2019

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **3<sup>rd</sup> day of September 2019** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

**5:30 PM – Dinner, Dahl Conference Room**

**6:00 PM – Dahl Conference Room  
WORKSHOP**

**7:00 PM  
REGULAR MEETING – Council Chambers**

**I. GENERAL BUSINESS**

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Police Report

**II. 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.

**III. COUNCIL REPORTS**

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

**IV. MAYOR ROBERT M. HALE REPORT**

**V. CITY MANAGER REPORT**

**VI. DEPARTMENT REPORTS**

- A. Public Works Report [*Glen Kennedy, Public Works Director*]
- B. Community Development Report [*Matt Dahl, Assistant City Manager/CD Director*]

**VII. CONSENT AGENDA**

- A. Consider Minutes of August 27, 2019 [**Rori Andreason, H.R. Director/City Recorder**]

**VIII. ACTION ITEMS**

- A. Consideration and Approval of Resolution No. 2019-R-44 Authorizing the Execution of a Service Agreement between Midvale City and Rocky Mountain Power [**Matt Dahl, Assistant City Manager/CD Director**]
- B. Consideration and Approval of Resolution No. 2019-R-45 Authorizing the Modification Staffing in the Community Development Department [**Matt Dahl, Assistant City Manager/CD Director**]

**IX. DISCUSSION ITEMS**

- A. Discussion of Process Regarding Council's Approval of Appointed Positions [**Kane Loader, City Manager**]

**X. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

**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](http://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: AUGUST 30, 2019**

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



**CITY COUNCIL MEETING**  
*Minutes*

**Tuesday August 27, 2019**  
**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor Robert M. Hale

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

**STAFF:** Kane Loader, City Manager; Bryce Haderlie, Asst. City Manager/Admin. Services Director; Matt Dahl, Asst. City Manager/Community Development Director; Rori Andreason, HR Director/City Recorder; Lisa Garner, City Attorney; Glen Kennedy, PW Director; Laura Magness, Communications Director; Alex Murphy, Associate Planner; Chief Randy Thomas, UPD; Chief Brad Laron, UFA; and Matt Pierce, IT Manager.

**5:30 pm Council Meal**

**6:00 pm - Workshop**

**A. CLOSED SESSION TO DISCUSS DEPLOYMENT OF SECURITY PERSONNEL, DEVICES, OR SYSTEMS**

**MOTION:** Council Member Dustin Gettel **MOVED** to go into closed session to discuss Deployment of Security Personnel, Devices, or Systems. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The voting was as follows:  
Council Member Quinn Sperry **Absent**  
Council Member Paul Glover **Aye**  
Council Member Paul Hunt **Absent**  
Council Member Bryant Brown **Aye**  
Council Member Dustin Gettel **Aye**  
The motion passed unanimously.

The Council went into closed session at 6:02 pm

**MOTION:** Council Member Paul Glover **MOVED** to reconvene into open session. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor

**Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.**

**The Council reconvened into open session at 6:30 pm**

**B. Discuss Elected Officials Compensation and Benefits**

Kane Loader discussed the market survey that takes place each year. During the budget retreat it was mentioned that the Mayor and Council were out of market, but no further action was taken. Council Member Dustin Gettel brought this to our attention to discuss this evening.

Mr. Loader reviewed the cities that are included in the market survey. The Council are out of market by \$1016, and the Mayor is out by \$7,200. Any changes made would need to be done by ordinance. The City Attorney will review language and if a public hearing is necessary.

The Council asked staff to look at an ordinance to provide for a market adjustment each year as needed and to proceed with the increase this year.

Kane Loader said a Council Member asked about education assistance. The policy states it's for full-time employees only and if they leave within two years, they have to reimburse the City. There are funds for education and training for the City Council. Those funds are usually underspent. He felt that it could be broadened out to use for education purposes. He suggested if the Council wants to attend a conference that's out of state or out of the norm to bring it to the Council for approval.

Mayor Hale said there is a leadership conference at the Utah Local Governments Trust on October 2, 2019 if the Council is interested in attending. Bryce Haderlie said there is also a land use training the day before if the Council is interested.

Mayor Hale said the Family Support Center is having a fund raiser on September 25, 2019. They've got various levels of sponsorship available. He recommended the Council sponsor this fundraiser since they help a lot of Midvale citizens get through very troubled times. They have two offices in Midvale. The Council recommended sponsoring at \$2500 if the budget is available. Council Member Paul Glover asked for a complete list of organizations like this one.

The workshop adjourned at 6:55 p.m.

The business meeting was called to order at 7:00 p.m.

**I. GENERAL BUSINESS**

**A. WELCOME AND PLEDGE OF ALLEGIANCE**

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

**C. UNIFIED POLICE DEPARTMENT REPORT**

Chief Randy Thomas reported that our crossing guards have worked extra shifts to patrol in the morning. He has instructed the patrolmen to sit in the school crossings and re-train citizens to look out for the lights at the crosswalks. The school resource officer at Hillcrest High is set to deploy for an entire year with his military assignment so there is a new resource officer. The first two weeks on his assignment he took pelican guns from two of the students that looked real. He also reported that he attended the sentencing for the person who killed K-9 Dingo.

Chief Brad Larson reported that 653 people signed up for new hire. They went through the examination and the top candidates will move on to a physical test and oral interview. On August 10<sup>th</sup> a call came in for a 9 month old baby that wasn't breathing. Officer Travis Clark, his son, gave the baby CPR and saved her life. It was a great outcome.

**D. PROCLAMATION FOR TONY MASON, POLICE CHIEF**

Mayor Hale read a proclamation in honor of Chief Tony Mason, Police Chief, for his dedicated service to Midvale City. He presented the proclamation and plaque to Paula Mason and her family in honor of Chief Mason.

**E. UTOPIA/UIA UPDATE**

Roger Timmerman, Executive Director, Josh Chandler, General Counsel, and Laurie Harvey, CFO updated the council on UTOPIA.

Roger Timmerman reported that the network continues to grow. All UIA projects have been successful. These projects are all paying for themselves and profitable. He expects this project to continue to grow. The business areas are getting a great benefit from UTOPIA. They have smart city applications that help cities get the connectivity they need. This is a benefit that UTOPIA brings. There are a lot of options with UTOPIA that continues to grow. They have a very solid competitive environment now. UTOPIA Fiber is the top rated service in the state.

The financial status is that the city is still paying the bond obligations from phase 1, Utopia. Phase 2, UIA, is doing really well and are paying for themselves. They are working to get it built out as fast as they can. They currently have 25,000 subscribers and are expecting 6,000 new subscribers this year. Midvale's schedule for new build outs can be viewed on the Utopia website. He said there have been construction obstacles in some areas and they get held up from Rocky Mountain pole permits. They are trying to submit pole permits to Rocky Mountain early as possible. In some area's they are waiting for HOA approvals.

Council Member Quinn Sperry asked about the other cities that don't have UTOPIA that have customers that want the service.

Roger Timmerman said they are meeting with other cities on a regular basis. They won't benefit financially but will still benefit from the services. He said they have been working on marketing the services and are continuing to improve.

## **F. DISCUSS I-15 NORTHBOUND CONSTRUCTION**

Jessica Rice, Project Manager for I-15 Northbound Project, updated the Council on the I-15 Northbound Construction. She reported that they have entered the next phase and have Ames Construction under contract. This project is adding one lane north bound from Bangerter Highway up to 9400 South and building a collector distributor system from 9400 South up to about 7200 South.

The benefits of the project are improved mobility, reduced congestion, and will also enhance safety along the corridor. They have been underway with the design since 2019. Adams and Hoover Street will have utility service line abandonments (where the homes were demolished. There will also be a linear park. On Oak Street there will also be service line abandonments and realigning the curb on the south end. There will be flagging operations during this time on Oak Street. On Catalpa Street they are currently clearing the landscaping on the west and adding curb and gutter with restriping. Contractors are focusing on completing the side streets first then will move to work on I-15. The noise wall will go on the south edge of the Copperview Recreation Center. It will be 16 feet in height. Work at the 9000 South Interchange on and off ramps will be reconfigured, utility work, and a bridge going over 9000 South. Drivers can expect night time closers on the on and off ramps, and on the NB I-15 between 10600 South and 9000 South. Construction is ongoing through 2020.

A public meeting last Wednesday and there were about 37 people who attended. They are trying to keep people informed through email updates, project website, and social media. The project website is [i15northbound@utah.gov](mailto:i15northbound@utah.gov). Residents can get email updates by calling UDOT or on their website.

Council Member Bryant Brown said the construction trucks driving on Adams Street could have potentially damage on the road and it needs to be repaired if there are damages.

Ms. Rice said they will be adding a surface treatment when the work is completed.

## **II. PUBLIC COMMENTS**

Stephanie Griffin said her father uses a piece of property that Midvale City owns. In 1991 UDOT gave the property to Midvale City for a water pipe that has since been capped and is not being used. Midvale City sent out letters in 1999 about the property with an opportunity to purchase the property. They did not purchase the property at that time but would like another opportunity to purchase the property. She said Lisa Garner told her that this property is on the agenda as a discussion item for tonight. It will be discussed at that time.

## **III. COUNCIL REPORTS**

**A. Council Member Quinn Sperry** – said he wanted to recognize Spencer Mears and his family for the work they do to help others throughout the City.

**B. Council Member Bryant Brown** – said the Arts Council obtained their ZAP funding. He wanted to recognize the Arts Council for all that they do.

**C. Council Member Paul Hunt** – thanked the Fire Department for helping with an activity at the park.

**D. Council Member Dustin Gettel** – said last Tuesday he and Lisa Garner were able to attend Overstocks celebration. It was a good event. The CEO Patrick Burn said he chose Midvale Utah because he wanted to include a diverse group. He said the artist started painting some of the electrical boxes and is doing a really good job. He said he would like to discuss further the purpose of “advice and consent” to appointments. He asked staff to schedule this item on the next agenda for discussion. He would like the ability to interview candidates prior to the appointment.

**E. Council Member Paul Glover** – said West Nile Virus is here and people have been getting sick. He asked everyone to take precautions.

#### **IV. MAYOR REPORT**

**Mayor Robert Hale** – reported that a year ago at Harvest Days he had the opportunity to honor one of our prior Police Chiefs Joe Mazuran. He went to the Midvale History Book to look for information on Joe. The book is not indexed and was very frustrating to try and find information. This last year he took all the names from the history book and made an index and sent it to the Midvale Museum. They are in the process of digitizing the information.

#### **V. CITY MANAGER REPORT**

Kane Loader reported that he attended a board meeting at the Utah League of Cities and Towns. The policy committee is discussing a tax reform. The state dedicated 75% of all income tax to education in 1923. In 1947 that was changed to 100% to education. They are discussing amending the state constitution for tax reform. They are looking at sales tax on food and partial taxes on services. It will be a big thing. A decision won't be made until the state legislature convenes in January. One interesting point that was brought up was the supreme courts ruling on collecting sales tax on the internet. It was called the way fare decision that was made that allowed them to start collecting taxes on the internet. They used Amazon as an example. The states portion of that tax is \$40 million dollars. Everybody said the city should have gotten a windfall, but that did not happen. The City did not get a windfall because prior to that the session the state took care of that with personal property tax on industrial equipment, which basically erased any increase from that sales tax. Sixty percent of the sales that are done on Amazon are through facilitators. That sales tax does not kick in until October of 2019. This has not been touched, and we are anticipating this next quarter a bump in our sales tax. What this means to Amazon is \$60 million dollars to the state.

#### **VI. DEPARTMENT REPORTS**

##### **A. ADMIN SERVICES REPORT**

Bryce Haderlie reported on the Administrative Services Department. He thanked Sherrie Reynolds for helping with a fund raiser donation to Animal Services Spayghetti and No Balls. She had a \$100 budget and the donation basket she put together bid out at \$400.00. He thanked staff, Mayor and Council for the work they did and activities at Harvest days. In the Finance Department the sales tax is up:

- May's sales tax deposit is up 1.8% compared to last year.
- On a YTD basis, we are up 3.5%.
- **Statewide** sales tax for May is down 0.3% compared to last year.
- On a YTD basis, **statewide** sales tax is up 4.3%.
- Preparations are underway for the audit in October.
- Meter reading accuracy and reporting improvements being coordinated between finance and public works depts.

Dalin Hackett is working on an upcoming audit. David Stenquist has brought great energy to the department.

The Emergency Management is helping the Public Works Department with the radios in storage and getting them ready for emergency and daily operations.

Mayor, Laura Magness, and I went to a conference with an exercise of a mass shooting. There will be more training on this throughout the year.

#### IT Dept.

1. AppSense – Allows end users to install IT approved applications without help.
2. Ivanti Endpoint – Provides better IT remote management for desktops.
3. Palo Alto Firewalls – Improves security, VPN, and reporting for threats.

#### HR Dept.

1. Policy Manual updates being drafted.
2. Wage Survey methods being evaluated.

The new I.T. Tech is Daniel Silva.

**MOTION:** Council Member Paul Glover MOVED to go into a public hearing. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The motion passed unanimously.

### VII. PUBLIC HEARINGS

#### A. **CONSIDER FINAL SUBDIVISION PLAT FOR VIEW 72 RETAIL 4<sup>TH</sup> AMENDED SUBDIVISION LOCATED AT 7225 SOUTH BINGHAM JUNCTION BOULEVARD**

Lesley Burns said the View 72 Retail Subdivision 4<sup>th</sup> Amended plat proposes to consolidate two lots of the View 72 Retail Subdivision 3<sup>rd</sup> Amended plat and reconfigure the existing Perpetual Open Space Public Use Easement as part of the CHG Phase 2 project, which included a new 4-story office building and 4-story parking garage. The property included approximately 5.1 acres and has frontage along Jordan River Boulevard, Bingham Junction Boulevard, and Grandeur View Way. The proposed subdivision is subject to Title 16 (Subdivisions), Chapter 17-7-9 (Bingham Junction Zone), and Chapter 17-7-9.12.2 (Junction at Midvale Zone).

Staff has found the proposed subdivision complies with the design standard requirements of the Title 16. No. lot standards apply for the zone and no new public or private streets are proposed. Enough street trees to meet the applicable requirement have been installed. Compliance with infrastructure requirements will be verified during the site plan review.

As the revised plat proposed modifying an easement granted to the City and tied to the Junction at Midvale Development Agreement, a modification to the Development and Easement Agreements where the open space boundaries are described will be required. Changes to the Development and Easement Agreements with the Council on August 6, 2019 and will be presented for formal consideration on August 27, 2019.

Compliance with the development zone requirements was verified prior to construction of the office complex. No new development is proposed at this time.

The applicant's proposal was sent to Unified Fire Authority and the City Engineer for review and comment and both reviewers approved the plat.

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 August 14, 2019, decided to approve the preliminary subdivision plat and forward a recommendation for approval of the final subdivision plat to the City Council 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. This approval is contingent upon the City Council approving the proposed change to the open space easement.
3. The plat shall not be recorded until the City Council approves a revised development agreement incorporating the modified open space easement.

Due to an expedited review process, these conditions have not been addressed by the applicant. If the Council is comfortable with the proposal, staff will verify they are addressed before the plat Mylar is printed and recorded.

**Staff Recommendation:**

Staff recommends the City Council approve the final subdivision plat for the View 72 Retail Subdivision 4<sup>th</sup> Amended plat 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 Staff. Once approved by Staff, the applicant shall obtain all required signatures on the final plat Mylar.
2. The plat shall not be recorded until the City Council approves a revised development agreement and a revised easement agreement incorporating the modified space easement.

Council Member Dustin Gettel questioned the need for a large parking structure when he doesn't think the CHG parking lot is being utilized.

Lesley Burns and Matt Dahl explained the reason for standards for parking structures.

Mayor Hale opened the hearing for public comment. There was no one present who desired to speak on this issue.

Ben Seastrom, Gardner Company, said the parking garage is being built to city standards and what the user company requires. The developer wants to cut down the parking as much as possible. The common thought is they want to get as many parking stalls as possible. CHG is extremely happy with their corporate offices and want to hire more employees so they want adequate parking stalls. Five stalls per thousand square feet is the market right now and that's what they are providing.

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

**ACTION:** APPROVAL OF FINAL SUBDIVISION PLAT FOR VIEW 72  
RETAIL 4<sup>TH</sup> AMENDED SUBDIVISION LOCATED AT 7225  
SOUTH BINGHAM JUNCITON BOULEVARD

**MOTION:** Council Member Dustin Gettel **MOVED** 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 View 72 Retail Subdivision 4<sup>th</sup> Amended plat 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 Staff. Once approved by Staff, the applicant shall obtain all required signatures on the final plat Mylar.
2. The plat shall not be recorded until the City Council approves a revised development agreement and revised easement agreement incorporating the modified open space easement. These revised agreements shall be recorded concurrently with the subdivision plat.

The motion was **SECONDED** by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, 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  
Council Member Bryant Brown Aye  
Council Member Dustin Gettel Aye

The motion passed unanimously.

**VII. CONSENT AGENDA**

**A. CONSIDER MINUTES OF AUGUST 6, 2019**

**MOTION:** Council Member Paul Glover **MOVED** to approve the consent agenda. The motion was **SECONDED** by Council Member Paul Hunt. Mayor Hale called for discussion on the motion. There being none, 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**  
Council Member Bryant Brown **Aye**  
Council Member Dustin Gettel **Aye**

The motion passed unanimously.

**VIII. ACTION ITEMS**

**A. CONSIDER RESOLUTION NO. 2019-R-37 ACCEPTING AND APPROVING THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION HELD AUGUST 6, 2019 AS SHOWN ON THE CANVASS REPORT**

Rori Andreason The Mayor and City Council are the legislative body for Midvale City and comprise the Board of Municipal Canvassers pursuant to Utah Code §20A-4-301. Utah Code requires the Board of Municipal Canvassers to meet to canvass the returns of the Municipal Primary Election no sooner than seven days and no later than 14 days after the election.

Salt Lake County has prepared the election results report for review and approval. Any valid ballots received by noon on the day of the official canvass and postmarked before election day were opened and added to the election results. The final canvass report was distributed and reviewed by the Council.

**STAFF RECOMMENDATION:**

Staff recommends the Board of Canvassers approve Resolution No. 2019-R-37 Accepting and Approving the Results of the Municipal Primary Election held August 13, 2019 as shown on the Canvass Report. The Board of Canvassers will be requested to sign the official canvass results indicating their approval.

Rori Andreason reviewed the Canvass Report for the Primary Election which was held on August 13, 2019. The final results were as follows:

| <u>Candidate</u>    | <u>Votes Received</u> |
|---------------------|-----------------------|
| Sophia Hawes-Tingey | 289                   |
| Paul Glover         | 268                   |
| Eric Chamberlain    | 131                   |

**2019 Primary Election Canvass  
Statistics: Midvale City Council 2**

|   |  |              |                |
|---|--|--------------|----------------|
| <b>Eligible Registered Voters</b>                             |  | <b>2,569</b> |                |
| <b>Ballots Counted</b>  |  | <b>690</b>   | <b>26.86%</b>  |
| <b>By Mail Ballots Counted</b>                                |  | <b>678</b>   | <b>26.39%</b>  |
| <b>By Mail Ballots Not Accepted (not counted)</b>             |  | <b>26</b>    | <b>3.83%</b>   |
| * <i>Returned Unsigned</i>                                    |  | <b>4</b>     |                |
| * <i>Signatures Did Not Match the Voter Record</i>            |  | <b>3</b>     |                |
| <i>Two ballots in one envelope</i>                            |  | -            |                |
| <i>Empty Envelopes</i>  |  | -            |                |
| <i>Ballots Postmark Invalid</i>                               |  | <b>19</b>    |                |
| <b>Cure Letters</b>   |  |              |                |
| <i>Cure Letters Sent</i>                                      |  | <b>19</b>    | <b>2.80%</b>   |
| <i>Cure Letters Returned</i>                                  |  | <b>12</b>    | <b>63.16%</b>  |
| <b>Voted in Person</b>  |  | <b>12</b>    | <b>1.74%</b>   |
| <i>In Office/Early Voting</i>                                 |  | <b>2</b>     | <b>0.29%</b>   |
| <i>Vote Centers on Election Day</i>                           |  | <b>10</b>    | <b>1.45%</b>   |
| <b>Emergency Ballots</b>                                      |  |              |                |
| <i>Emergency Absentee Ballots issued</i>                      |  | -            |                |
| <i>Emergency Absentee Ballots counted</i>                     |  | -            |                |
| <b>Provisional Ballots Issued</b>                             |  | -            | <b>0.00%</b>   |
| <b>Provisional Ballots Counted</b>                            |  | -            | <b>#DIV/0!</b> |
| <i>Same Day Registration (No Prior Registration)</i>          |  | -            |                |
| <b>Provisional Ballots Not Accepted</b>                       |  | -            | <b>#DIV/0!</b> |
| <i>Voted an Absentee Ballot or Early</i>                      |  | -            |                |
| <i>Not Eligible for Ballot Issued</i>                         |  | -            |                |
| <i>Incomplete Registration</i>                                |  | -            |                |
| <i>No ID Provided</i>   |  | -            |                |
| <i>No Proof of Residency</i>                                  |  | -            |                |
| <b>Vote Centers and Vote Center Workers</b>                   |  |              |                |
| <i>Number of Election Day Vote Centers</i>                    |  | <b>22</b>    |                |
| <i>Number of Early Voting Locations</i>                       |  | <b>8</b>     |                |
| <i>Number of Vote Center Workers</i>                          |  | <b>68</b>    |                |
| <i>Number of TSX machines deployed</i>                        |  | <b>120</b>   |                |
| <b>Ballots Counted on or Before Election Day</b>              |  | <b>574</b>   | <b>83.19%</b>  |
| <b>(Absentee, By Mail, Vote Centers and Early Voting)</b>     |  |              |                |
| <b>Valid Ballots Processed and Counted After Election Day</b> |  | <b>116</b>   | <b>16.81%</b>  |

\* Voters were notified and provided an opportunity to rectify their ballots.

Council Member Dustin Gettel congratulated Sophia Hawes Tingey and Paul Glover going into the general election.

**MOTION:** Council Member Paul Hunt **MOVED** to approve Resolution No. 2019-R-37 Accepting and Approving the Results of the Municipal Primary Election held August 13, 2019 as shown on the Canvass Report. The motion was **SECONDED** by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, 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**  
Council Member Bryant Brown **Aye**  
Council Member Dustin Gettel **Aye**

The motion passed unanimously.

**B. CONSIDER RESOLUTION NO. 2019-R-38 FOR REVIEW AND APPROVAL OF THE FY2019 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

Chief Randy Thomas said Midvale City had been allocated \$14,362.00 in JAG grant funds. This request is for approval to purchase the following equipment for Midvale UPD Precinct with the grant funds:

- Two (2) Electric Bicycles @ \$4,188.00 each for a total of \$8,376.00
- One (1) Bike Rack (carries two bikes) @ \$498.00
- One (1) Utility Trailer @ \$1,529.00
- One (1) Ice Making Machine @ \$2,800.00
- 78 Tourniquets @ 14.97 each for a total of \$1,168.00

**Total \$14,371.00 (UPD Midvale Precinct has agreed to pay the difference/balance of \$9.00)**

**BUDGET JUSTIFICATION:**

- Electric Bicycle: Electric bicycles will be used by sworn officers on our bike patrol unit. Electric bicycles will allow officers to patrol areas difficult to patrol by car and will be more efficient when enforcing safety and security in city parks at city events. They will also be used for proactive patrolling at community-oriented policing (COP) events.
- Budget Justification – Bike Rack: For Bike Patrol to transport bicycles to and from events.
- Budget Justification – Utility Trailer: For offices to transport odd shaped and/or over-sized found or abandoned property or evidence and clean-up projects. The trailer will also be used to transport police equipment and supplies to COP events.
- Budget Justification – Ice Making Machine: An ice making machine would be used to provide ice for precinct coolers that hold drinks to hydrate precinct employees at park events. The ice machine will also be used at precinct meetings, for first aid and for day to day use by precinct employees.
- Budget Justification – Tourniquets will be used by officers as life-saving equipment at critical incidents.

**FISCAL IMPACT:** Grant funds will cover all costs resulting in no fiscal impact to Midvale City.

Chief Randy Thomas discussed additional funds leftover from a previous grant.

Council Member Dustin Gettel asked if the bicycles would be the only transportation for the officers.

Chief Randy Thomas said no it will not be the only form of transportation.

Council Member Dustin Gettel is concerned if they will get used.

Chief Randy Thomas said they intend to use the bicycles and they will really help in different situations.

**MOTION:** Council Member Quinn Sperry **MOVED** to suspend the rules and approve Resolution No. 2019-R-38, authorizing the Application and Use of JAG Grant Funds to purchase equipment for the Midvale UPD Precinct as indicated. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, 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  
Council Member Bryant Brown Aye  
Council Member Dustin Gettel Aye

The motion passed unanimously.

**C. CONSIDER RESOLUTION 2019-R-39 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SKM ENGINEERING LLC FOR THE MIDVALE CITY WATER & SEWER SYSTEM SUPERVISORY CONTROL AND ACQUISITION (SCADA) SYSTEM PROJECT**

Glen Kennedy After evaluation of the City's SCADA system for the water and sewer utilities in 2018, it was determined that it was insufficient to meet the basic needs of the utility departments and was basically nonfunctioning. From that analysis, staff requested, and Council approved a reallocation of funds to be put towards a new SCADA system in lieu of a fixed base meter read system.

The 2019 Midvale SCADA Project was put out for request for proposals, with an opening of proposals on July 15, 2019. We received 2 proposals.

Staff evaluated the proposals based on the criteria outlined in the bid documents, which included the bid price, approach to the project, and experience. In addition, staff contacted and visited neighboring agencies that are customers of each of the bidders to gain knowledge of the products and customer service experiences relating to each of the bidders.

Based on that evaluation, SKM Engineering was deemed the best overall bidder and staff awarded SKM Engineering the project.

We are anxious to get this project underway, so I am requesting that you suspend the rules so that you can take action on this item tonight.

**FISCAL IMPACT:** Their bid of \$69,300.00 will be paid out of the Water and Sewer Utility funds.

**MOTION:** Council Member Quinn Sperry **MOVED** to Suspend the Rules and Approve Resolution No. 2019-R-39 Authorizing the Mayor to sign the agreement with SKM Engineering for the 2019 Midvale SCADA Project. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, 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  
Council Member Bryant Brown Aye  
Council Member Dustin Gettel Aye

The motion passed unanimously.

- D. CONSIDER RESOLUTION NO. 2019-R-40 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO AMEND THE DEVELOPMENT AGREEMENT FOR THE JUNCTION AT MIDVALE PROJECT**
- E. CONSIDER RESOLUTION NO. 2019-R-41 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO AMEND THE EASEMENT AGREEMENT FOR THE CHG PROJECT**

Lesley Burns said the Bingham Junction Zone and Junction at Midvale Development Agreement establish an open space requirement of 20% of the Junction at Midvale project area, that area bounded by 700 West on the east, Jordan River Boulevard/7200 South on the north, the Jordan River on the west, and the TRAX line on the south. The Development Agreement, originally executed in 2007 and subsequently amended in 2012, 2014, and 2015, included a master open space plan and exhibits detailing the locations of the areas used to meet this open space requirement. As development has occurred within the project area, amendments to the open space locations have been necessary to better accommodate the specific development plans while still meeting the intents of Council in 2015.

Arbor Gardner has been working on an expansion to the CHG building located at 7225 South Bingham Junction Boulevard. This addition, which included a 4-story office and 4-story parking garage, is proposed to occupy the north end of the existing CHG property. To provide emergency vehicle access to the north side of the new building, an access road has been proposed, cutting across a portion of the open space area described in Parcel I.

As part of the lot reconfiguration contemplated by the View 72 Retail 4<sup>th</sup> Amended Subdivision plat presented to the Council earlier, Gardner has proposed a modification to the open space area of Parcel I that would reconfigure the area and eliminate the conflict by removing some of the open space on the northeast corner of the property and increase the amount of open space on the northwest corner. This modification would still meet the 20% open space requirement and would provide an additional 0.07 acres of open space above what was provided in the last exhibit.

To preserve the open space areas, the City has either been deeded the property or obtained easement agreements for the areas identified on the open space master plan. This proposed change to Parcel I is in one of the areas with an easement agreement, which would need to be amended should the Council approve the open space modification.

Staff has provided proposed amendments to the Development and Easement Agreements for the Council to consider:

- The Fourth Amendment to the Development Agreement for the Junction at Midvale Project would replace the exhibits approved in the latest amendment with new ones reflecting the proposed change to open space Parcel I.
- The First Amendment to the Easement Agreement for the CHG Project would revise the easement boundary reference to include the revised plat for the View 72 Retail 4<sup>th</sup> Amended Subdivision, also reflecting the change to open space Parcel I.

Should the Council be comfortable with the proposed amendments to the Development and Easement Agreements, Staff has prepared two resolutions, one for each agreement, that would approve the amendments and authorize the Mayor to sign the amendments on behalf of the City.

**MOTION:** Council Member Quinn Sperry **MOVED** to adopt Resolution No. 2019-R-40 approving the Fourth Amendment to the Development Agreement for the Junction at Midvale Project and adopt Resolution No. 2019-R-41 approving the First Amendment to the Easement Agreement for the CHG Project. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none, 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**  
Council Member Bryant Brown **Aye**  
Council Member Dustin Gettel **Aye**

The motion passed unanimously.

**F. CONSIDER RESOLUTION NO. 2019-R-42 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BECK CONSTRUCTION FOR THE 2019 MIDVALE SEWER REHABILITATION PROJECT**

Glen Kennedy said in an effort to identify potential concerns with our existing sewer infrastructure, we engaged our consultant, Bowen Collins & Associates, to work on a sewer master plan. The master plan was completed in 2018, and with input from City staff several areas of concern were identified.

Bowen Collins & Associates began design work on these areas. As design work progressed and engineering estimates given, we decided that breaking these areas into 6 separate schedules was appropriate. By doing so it gave us the flexibility to award the schedules based on the available budget.

The 2019 Midvale Sewer Rehabilitation Project was put out to bid, with a bid opening of August 8, 2019. We received 3 bids.

The bids were evaluated based on the criteria outlined in the bid documents, which included the bid price, approach to the project, and past experience.

Based on that evaluation, Beck Construction & Excavation was deemed the best overall bidder. Based on our available budget, we have decided to award Schedules 2-6 totaling \$832,085.

They are anxious to get this project underway, so he requested the Council suspend the rules so action could be taken on this item.

**FISCAL IMPACT:** Their bid of \$832,085 will be paid out of bond funds as well as capital money within the sewer fund.

Council member Bryant Brown asked staff to make sure Beck Construction takes into account the use of the roads by the citizens so they don't block off areas unnecessarily.

**MOTION:** Council Member Paul Hunt **MOVED** to Suspend the Rules and Approve Resolution No. 2019-R-42 Authorizing the Mayor to sign the agreement with Beck Construction & Excavation for the 2019 Midvale Sewer Rehabilitation Project. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, 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  
Council Member Bryant Brown Aye  
Council Member Dustin Gettel Aye

The motion passed unanimously.

**G. CONSIDER RESOLUTION NO. 2019-R-43 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ROCKY MOUNTAIN POWER FOR THE ELECTRICAL SERVICE AT THE INTERSECTION OF 700 WEST AND IVY DR**

Matt Dahl said as part of the Jordan Bluffs development., Midvale City (City) is requiring the installation of traffic signals at the intersection of 8150 S 700 W. The City will own and operate the traffic signals upon acceptance of Ivy Drive from the site developer and will be responsible for paying for the electrical service provided by Rocky Mountain Power.

Rocky Mountain Power requires the execution of General Services Contract (Contract) in order to provide power to the new traffic signals. The Contract includes, among other things, the following:

- A description of the power that will be supplied by Rocky Mountain Power.
- A requirement that the City pay a Customer Advance of \$9,072.59 for the installation of equipment.
- A minimum billing formula based on a Rocky Mountain Power fee schedule and a \$34.92 monthly facilities charge.
- A description of obligations for the preparation of the site for installation.
- An indication that the Rocky Mountain Power will design, construct, own, and operate the equipment that they install.

The Contract is a standard form for all similar service installations. The costs are determined by the specific site requirements and established Rocky Mountain Power rates and fees.

**Fiscal Impact:** A one-time cost of \$9,072.59 will be paid from grant funding provided by Salt Lake County for the construction of Bingham Junction Boulevard and Ivy Drive. The on-going fees for services will be paid through the Street Department's Electric Signals Account. The on-going monthly fee will be the greater of the service charge (an amount based on the use of power and Rocky Mountain Rate Schedule No. 15) or \$34.92 plus 80% of the service charge.

**MOTION:** Council Member Quinn Sperry **MOVED** to suspend the rules and approve Resolution No. 2019-R-43 Authorizing the execution of General Services Contract between Midvale City and Rocky Mountain Power. The motion was **SECONDED** by Council Member Paul Hunt. Mayor Hale called for discussion on the motion. There being none, 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  
Council Member Bryant Brown Aye  
Council Member Dustin Gettel Aye

The motion passed unanimously.

**IX. DISCUSSION ITEMS**

**A. DISCUSS STAFFING NEEDS IN COMMUNITY DEVELOPMENT**

Matt Dahl said the Community Development Department and the Redevelopment Agency (RDA) are each requesting the City Council and Board of Directors consider the creation and hiring of a new position within their respective groups. The Community Development Department is seeking to hire a second Community Development Support Technician to provide additional customer support in the administration of Building Services and Business Licensing. The RDA is seeking to hire a new RDA Manager to provide management of the RDA under the direction of the RDA Director.

Building and Business Licensing services are currently being provided by a combination of Sunrise Engineering and five City staff members. Over the course of the last three months, staff has been evaluating the efficiency and effectiveness of the current system and has determined that additional staffing is required. The reasons for this proposed change are as follows:

- The majority of staff members providing Building and Business Licensing services have added these responsibilities to those they were originally hired to do. Allowing these individual to focus on their core areas of responsibility (e.g. plan review) will improve the overall effectiveness of the Community Development Department.
- Responsibilities are currently spread across too many people, which can lead to confusion, miscommunication, and inefficiencies. In July, the Community Development Department hired a Community Development Support Technician, who is dedicated to Building and Business Licensing services. This addition has been key to improving our service provision. However, due to the volume of permitting, licensing, inspections, and other related tasks, additional dedicated support is warranted. The addition of another Community Development Support Technician will allow the primary responsibilities for Building and Business Licensing to be addressed by two staff members rather than five.

The Redevelopment Agency is currently staffed by a director, two project managers, and an executive assistant. Following recent changes in staffing, the director has also taken on the role of Community Development Director and Assistant City Manager. The RDA is proposing the addition of an RDA Manager that would have mid-level management responsibilities for the whole organization. The position would supervise the project management staff and would be supervised by the RDA Director. The reasons for this proposed change are as follows:

- The proposed addition would create a similar structure to other divisions in the City (e.g., Planning, Engineering, etc.).
- The proposed position would increase overall project capacity for the RDA.
- The position would be able to provide dedicated daily administration of the RDA.

Council Member Dustin Gettel asked if there was any immediate impact with the budgets.

Matt Dahl said it would increase the administrative accounts for the RDA and adjustments to the business licensing and building services accounts to fund those positions.

Council Member Quinn Sperry said he has concerns if it is necessary to add the positions.

Matt Dahl said he would not ask for position unless they were absolutely needed.

## **B. DISCUSS CANNABIS AND TOBACCO RELATED ORDINANCE AMENDMENTS**

Lesley Burns said UT HB 3001, adopted in December 2018, provides for the licensing and regulation of Cannabis Production Establishments (including cannabis cultivation facilities, cannabis processing facilities, and independent cannabis testing facilities) and Medical Cannabis Pharmacies.

Staff approached the Council in July 2019 seeking direction on how to incorporate these uses into the City's Zoning Ordinance. In response to that discussion, Staff has prepared a summary of the proposed land use regulations and seeks any additional input from the Council before moving forward with the formal ordinance amendment process. Additionally, as they are regulated by the State similarly to cannabis-related uses, Staff has also included a new use category and related requirements for Retail Tobacco Specialty Businesses.

The draft summary includes new use categories, appropriate zones for the new uses, proximity requirements, sign standards, and definitions. These requirements are generally copied from HB 3001 and State Retail Specialty Tobacco Business regulations. A few items to note regarding the attached summary:

- The definition for "Medical Cannabis Pharmacy" includes any state-run central fill facilities in addition to privately held operations. Given recent news reporting, this inclusion may ultimately prove unnecessary.
- Proximity requirements for cannabis-related uses are defined slightly differently from retail tobacco specialty businesses with respect to residential uses and zones. Cannabis-related business proximity requirements are based on areas **zoned primarily for** residential uses while retail tobacco specialty proximity requirements are based on areas **used or zoned for** residential use. "Zoned primarily for" limits the areas that can be considered in the proximity calculations to strictly residential zoning designations while "used or zoned for" means any nonconforming or mixed-use areas and zones must be accounted for when considering a location for a retail specialty tobacco business.
- Proximity requirements apply across City boundaries. For example, a community location in Murray will impact where cannabis and retail specialty tobacco businesses may locate in Midvale. Staff will need to verify proximity requirements are satisfied for locations near City limits, such as by obtaining approval from the adjacent jurisdiction or reviewing their zoning maps.

- HB 3001 requires cannabis production establishments be permitted in at least one industrial zone. The draft summary proposes allowing production establishments in all of the zones where manufacturing uses are permitted (Clean Industrial, Bingham Junction, and Jordan Bluffs Subareas 1-3.) Even where permitted by zone, these uses are still subject to applicable proximity requirements.
- HB 3001 requires medical cannabis pharmacies be permitted in all zones, except where prohibited by proximity requirements. The proposed zone list accounts for areas primarily zoned for residential use but does not otherwise limit location of medical cannabis pharmacies.

Staff would like additional input from the Council on the following items:

- HB 3001 provides the City with the authority to recommend waiving proximity requirements for cannabis-related uses. Should the City wish to codify parameters and processes to be used in considering waiver requests, these could be addressed now or added after the regulations are administered and specific problems are identified.
- HB 3001 requires cannabis-related businesses to prepare a security plan, which the City will review against applicable ordinance requirements. The City could require UPD review of security plans.
- The definitions used for “community locations” as they relate to proximity requirements are not consistent at the State level for cannabis and tobacco related businesses. The attached summary proposing utilizing the tobacco related definition for both business types because it is the more restrictive, includes homeless shelters, and eliminates the need for two definitions for the same term. These definitions can be separated, if desired. Here are the two definitions:

HB 3001 (Cannabis)  
“Community location” means:

- A public or private school;
- A church;
- A public library;
- A public playground; and
- A public park

UCA §10-8-41.6 (Tobacco)  
“Community location” means:

- A public or private kindergarten, elementary, middle, junior high, or high school;
- A licensed child-care facility or preschool;
- A trade or technical school;
- A church;
- A public library;
- A public playground;
- A public park;
- A youth center or other space used primarily for youth oriented activities;
- A public recreation facility’
- A public arcade; or

- For a new license issued on or after July 1, 2018, a homeless shelter.

Exhibit A – Cannabis and Tobacco Ordinance Summary

EXHIBIT A

Cannabis Production Establishment:

- Permitted Use in:
  - Clean Industrial
  - Bingham Junction
  - Jordan Bluffs (Subareas 1-3)
- Not permitted within 1000' of a community location or within 600' of an area zoned primarily for residential use, as measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or residential area.
- Verify proximity requirements are satisfied across City limits, such as by obtaining approval from the adjacent jurisdiction or reviewing their zoning maps.
- City may recommend waiver of proximity requirement if \_\_\_\_\_
- Applicant must provide a description of the physical characteristics of the proposed facility, including a site plan, floor plan, architectural elevations, and a security plan. Fencing and security devices must comply with applicable City requirements.
- Where allowed by State law, signage is subject to the applicable zone requirements for type and size.
- Parking minimum between 1-2.5 stalls per 1000 SF of net leasable floor area.

Medical Cannabis Pharmacy:

- Permitted Use in:
  - Mixed Use
  - State Street
  - Transit Oriented Development
  - Bingham Junction
  - Jordan Bluffs (Subareas 1-3)
  - Historic Commercial
  - Regional Commercial
  - Clean Industrial
  - Transit Oriented Development Overlay
- Not permitted within 600' of an area zoned primarily for residential, as measured in a straight line from the boundary of the property containing the medical cannabis pharmacy to the zone boundary of the residential area without regard to intervening structures or zoning districts.
- Not permitted within 600' of a community location, as measured from the boundary of the property containing the medical cannabis pharmacy to the property

boundary of the community location following the shortest route of ordinary pedestrian travel.

Not permitted within 200' of a community location as measured in a straight line from the nearest entrance of the medical cannabis pharmacy to the nearest property boundary of a community location without regard to intervening structures or zoning districts.

- Verify proximity requirements are satisfied across City limits, such as by obtaining approval from the adjacent jurisdiction or reviewing their zoning maps.
- City may recommend waiver of proximity requirement if \_\_\_\_\_
- Applicant must provide a description of the physical characteristics of the proposed facility, including a site plan, floor plan, architectural elevations, and a security plan. Fencing and security devices must comply with applicable City requirements.
- Where allowed by State law, signage is subject to the applicable zone requirements for type and size.
- Parking minimum of 3 stalls per 1000 SF of net leasable floor area.

Retail Tobacco Specialty Business:

- Permitted Use in:
  - Mixed Use
  - State Street
  - Transit Oriented Development
  - Bingham Junction
  - Jordan Bluffs (Subareas 1-3)
  - Historic Commercial
  - Regional Commercial
  - Clean Industrial
  - Transit Oriented Development Overlay
- Not permitted within 1000' of a community location; within 600' of another retail tobacco specialty business; or within 600' from property used or zoned for agricultural or residential use as measured in a straight line from the nearest entrance of the retail tobacco specialty business to the nearest property boundary of a location described above without regard to intervening structures or zoning districts.
- Verify proximity requirements are satisfied across City limits, such as by obtaining approval from the adjacent jurisdiction or reviewing their zoning maps.
- Parking minimum of 3 stalls per 1000 SF of net leasable floor area.

New Definitions:

- Cannabis Cultivation Facility means a person or entity that
  - (a) possesses cannabis;
  - (b) grows or intends to grow cannabis; and
  - (c) sells or intends to sell cannabis to a cannabis cultivation facility or to a cannabis processing facility.

- Cannabis Processing Facility means a person or entity that:
  - (a) acquires or intends to acquire cannabis from a cannabis production establishment or holder of an industrial hemp processor license;
  - (b) possesses cannabis with the intent to manufacture a cannabis product;
  - (c) manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and
  - (d) sells or intends to sell a cannabis product to a medical cannabis pharmacy or the state central fill medical cannabis pharmacy.
- Independent Cannabis Testing Laboratory means a person or entity that:
  - (a) conducts a chemical or other analysis of cannabis or a cannabis product; or
  - (b) acquires, possesses, and transports cannabis or a cannabis product with the intent to conduct a chemical or other analysis of the cannabis or cannabis product.
- Cannabis Production Establishment means a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.
- Medical Cannabis Pharmacy includes any state central fill medical cannabis pharmacies and means a person or entity that:
  - (a)
    - (i) acquires or intends to acquire
      - (A) cannabis in a medicinal dosage form or a cannabis product in a medicinal dosage form from a cannabis processing facility; or
      - (B) a medical cannabis device; or
    - (ii) possesses cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device; and
  - (b) sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device to a medical cannabis cardholder.
- State Central Fill Medical Cannabis Pharmacy means the central fill pharmacy that the Utah Department of Agriculture and Food creates in accordance with State law.
- Cannabis Product means a product that:
  - (a) is intended for human use and
  - (b) contains cannabis or tetrahydrocannabinol.
- Retail Tobacco Specialty Business means a commercial establishment in which:
  - the sale of tobacco products accounts for more than 35% of the total quarterly gross receipts for the establishment;
  - 20% or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products;
  - 20% or more of the total shelf space is allocated to the offer, display, or storage of tobacco products; or
  - the retail space features a self-service display for tobacco products.
- Tobacco Product means:
  - any cigar, cigarette, or electronic cigarette,
  - a tobacco product, including:

- (A) chewing tobacco; or
  - (B) any substitute for a tobacco product, including flavoring or additives to tobacco; and
- tobacco paraphernalia.
  - Community Location means:
    - a public or private kindergarten, elementary, middle, junior high, or high school;
    - a licensed child-care facility or preschool;
    - a trade or technical school;
    - a church;
    - a public library;
    - a public playground;
    - a public park;
    - a youth center or other space used primarily for youth-oriented activities;
    - a public recreational facility;
    - a public arcade; or
    - a homeless shelter.

Council Member Dustin Gettel said feels that we are to far ahead. It can change in the next legislative session.

Council Member Paul Hunt said he felt that there would be more changes and regulations. Although he felt staff is headed in the right direction. The police need to be included in the discussions.

Lesley Burns said some of the wording is not all clear. As long as it is reasonable as community location is defined.

Council Member Dustin Gettel said he would be opposed to having it by the homeless shelter.

Council Member Paul Glover said they need to look at the reasons why they wouldn't want it next to the homeless shelter.

Lesley Burns said the homeless shelter is something that can be discussed at a later date. She asked the Council if they agreed with the direction staff was moving. Council said yes, they agreed.

**C. DISCUSSION REGARDING THE SURPLUS AND SALE OF REAL PROPERTY LOCATED AT APPROXIMATELY 8580 SOUTH 220 EAST IN SANDY CITY**

Lisa Garner said in 1991 UDOT deeded a strip of land to Midvale City. The land had been previously used, by virtue of an easement, for a water line that serviced Midvale residents. It appears that UDOT deeded the property to Midvale so that Midvale could then sell the abandoned easement property to the adjacent property owners. This intention is evidenced by a deed from Midvale City to one of the adjacent property owners

dated August of 1991. However, there was a small piece of property that remained the ownership of Midvale City. The adjacent property owner recently discovered that this piece of property was owned by Midvale City and now desires to purchase this property from the City. This piece is approximately .27 acres and valued at \$700.00 by the Salt Lake County Assessor's Office. As the property is under one acre and valued at less than \$100,000.00, it is not considered a significant piece of property under Title 3 of the Midvale Municipal Code and public noticing is not required. It is staff's recommendation that this remnant piece of property be declared surplus property and sold to the adjacent property owner.

Council Member Paul Glover had concerns of the costs of assessing the property and clearing up the boundary lines.

Lisa Garner said she would bring this item back at one of the next Council meetings.

**X. ADJOURN**

**MOTION: Council Member Paul Glover MOVED to adjourn the meeting. The motion was SECONDED by Council Member 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 9:56 p.m.

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

Approved this 3<sup>rd</sup> day of September 2019.



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## Redevelopment Agency of MIDVALE CITY SUMMARY REPORT

**MEETING DATE: SEPTEMBER 3, 2019**

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**SUBJECT:** Discussion and Action Regarding Resolution No.2019-R-44 Authorizing the Execution of a General Service Contract between Midvale City and Rocky Mountain Power for Power Service to Traffic Signals at 8415 S 700 W.

**SUBMITTED BY:** Matt Dahl, Redevelopment Director

**SUMMARY:** As part of the Jordan Bluffs development, Midvale City (City) is requiring the installation of traffic signals at the intersection of 8415 S 700 W. The City will own and operate the traffic signals upon acceptance of Bingham Junction Boulevard from the site developer and will be responsible for paying for the electrical service provided by Rocky Mountain Power.

Rocky Mountain Power requires the execution of General Services Contract (Contract) in order to provide power to the new traffic signals. The Contract includes, among other things, the following:

- A description of the power that will be supplied by Rocky Mountain Power.
- A requirement that the City pay a Customer Advance of \$6,360.72 for the installation of equipment.
- A minimum billing formula based on a Rocky Mountain Power fee schedule and a \$28.36 monthly facilities charge.
- A description of obligations for the preparation of the site for installation.
- An indication that the Rocky Mountain Power will design, construct, own, and operate the equipment that they install.

The Contract is a standard form for all similar service installations. The costs are determined by the specific site requirements and established Rocky Mountain Power rates and fees.

**FISCAL IMPACT:** A one-time cost of \$6,360.72 will be paid from grant funding provided by Salt Lake County for the construction of Bingham Junction Boulevard. The on-going fees for services will be paid through the Street Department's Electric Signals Account. The on-going monthly fee will be the greater of the service charge (an amount based on the use of power and Rocky Mountain Rate Schedule No. 15) or \$28.36 plus 80% of the service charge.

**RECOMMENDED MOTION:** I move that we adopt Resolution No. 2019-R-XX authorizing the execution of General Services Contract between Midvale City and Rocky Mountain Power.

**ATTACHMENTS:** Resolution No. 2019-R-44, General Services Contract

**RESOLUTION No. 2019-R-44**

**A RESOLUTION AUTHORIZING THE EXECUTION OF GENERAL SERVICES CONTRACT BETWEEN MIDVALE CITY AND ROCKY MOUNTAIN POWER**

**WHEREAS**, Gardner Jordan Bluffs, L.C. (Developer), is constructing extensions of 8415 S 700 W through the Jordan Bluffs development site, and

**WHEREAS**, Midvale City requires the Developer to install a traffic-signal at the intersection of 8415 S 700 W; and

**WHEREAS**, the City will own and operate the traffic signals located at the intersection of 8415 S 700 W; and

**WHEREAS**, Rocky Mountain Power (RMP) requires the City to enter into a General Services Contract to provide power for the operation of the traffic signals; and

**WHEREAS**, the City has reviewed the General Services Contract for the provision of power to the Traffic Signals at the intersection of 8415 S 700 W

**NOW THEREFORE BE IT RESOLVED BY MIDVALE CITY COUNCIL**, that they do hereby approve the General Services Contract between Rocky Mountain Power and Midvale City and authorize the Mayor to execute the agreement, subject to any terms and conditions required by Midvale City’s legal counsel.

**APPROVED AND ADOPTED** this \_\_\_\_\_ day of September 2019.

\_\_\_\_\_  
Robert M. Hale, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason,  
City Recorder

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

**GENERAL SERVICE CONTRACT  
(1000 KVA OR LESS)  
between  
ROCKY MOUNTAIN POWER  
and  
MIDVALE CITY CORP**

This General Service Contract ("Contract"), dated August 27, 2019, is between Rocky Mountain Power, an unincorporated division of PacifiCorp ("Company"), and **MIDVALE CITY CORP** ("Customer"), for electric service for Customer's traffic light operation at or near 8415 S 700 W, MIDVALE, Utah.

Company's filed tariffs (the "Electric Service Schedules" and the "Electric Service Regulations") and the rules of the Utah Public Service Commission ("Commission"), as they may be amended from time to time, regulate this Contract and are incorporated in this Contract. In the event of any conflict between this Contract and the Electric Service Schedules or the Electric Service Regulations, such schedule and rules shall control. They are available for review at Customer's request.

1. **Delivery of Power.** Company will provide 120/240 volt, single-phase electric service to the Customer facilities.
2. **Contract Demand.** The demand in kVA that Customer requires to meet its load requirement and Company agrees to supply and have available for delivery to Customer, shall be 1 kVA (diversified, based on Customer's submitted load prior to the signing of this Contract)(the "Contract Demand").

After 36 months of service the Company may reduce Contract Demand to the maximum recorded and billed demand in the previous 36 months. The reduction in Contract Demand shall become effective thirty (30) days after the Company provides notice.

Within fifteen (15) days of Customer's written request for capacity above the Contract Demand, Company shall advise Customer in writing whether the additional power and energy is currently available, or if not currently available, initiate the processes to determine the costs to make it available.

3. **Extension Costs.** Company agrees to invest \$1,177.28 (the "Extension Allowance") to fund a portion of the cost of the improvements (the "Improvements") as per tariff. Customer agrees to pay Company the estimated construction costs in excess of the Extension Allowance ("Customer Advance"). Customer has paid for engineering, design, or other advance payment for Company's facilities in the amount of \$0.00, which amount is reflected in the balance due in the Customer selected option below. Customer trenching, conduit, vault and/or right-of-way ("TCVR"), when provided for Company lines and equipment, may also be subject to refund as calculated using Company standard costs. **(Customer must initial** selected option on the blank space at the beginning of the option and pay the balance due given in that option.)

— **Refund Option.** The total Customer Advance for this work is \$6,610.72, and the **balance due is \$6,610.72**, and Customer remains eligible for refunds. Company will refund part of the Customer Advance if additional customers connect to the Improvements within ten (10) years of the date Company is ready to supply service. Company will refund 20% of the refundable Customer Advance allocable to the **shared** Improvements for four additional applicants. Company will try to inform Customer when a refund is due. However, in the event Company is unable to locate Customer or has not identified that a refund is due, **Customer is responsible for requesting a refund** within twenty-four (24) months of the additional applicant connecting to the Improvements.

— **Contract Administration Credit Option.** Customer chooses to receive a Contract Administration Credit of **\$250 and waives their right to refunds should additional applicants connect to the Improvements. Accordingly, the balance due is \$6,360.72.**

4. **Contract Minimum Billing.** Customer agrees to pay a contract minimum billing (the "Contract Minimum Billing") during the first sixty (60) months beginning from the date Company is ready to supply service. The Contract Minimum Billing shall be the greater of: (1) the **Customer's monthly bill**; or, (2) \$28.36 (the **monthly facilities charge**) plus eighty percent (80%) of the **Customer's monthly bill**. Billings will be based on Rate Schedule No. 15 and superseding schedules. Company will reduce the minimum charges by the amount of the facilities charges associated with refunds due from additional applicants connecting to the Improvements.
5. **Effective.** This Contract will expire unless Customer signs and returns an original of this Contract along with any required payment to Company within ninety (90) days of the Contract date shown on page 1 of this Contract.
6. **Contract Minimum Billing Term.** This Contract becomes binding when both Company and Customer have signed it, and will remain in effect for five (5) years following the date when Company is ready to supply service (the "Term").

In the event Customer terminates service or defaults (which results in termination of service) within the first five (5) years of this Contract, Customer shall be responsible for paying the Contract Minimum Billing for the remainder of the Term.

If Customer is not ready to receive service from Company within one-hundred fifty (150) days of the date Customer signs this Contract, then Company may terminate this Contract. The Customer's Advance will be applied to Company costs incurred for design, permitting and other associated Contract costs. However, if Company has installed Improvements so that Company is ready to supply service, but Customer is not ready to receive service from Company within such one-hundred fifty (150) day period, then the failure of Customer to receive service may be treated as a Customer default, and Customer shall be responsible for paying the Contract Minimum Billing for remainder of the Term.

7. **Customer Obligations.** Customer agrees to:
  - a) Provide legal rights-of-way to Company, at no cost to Company, using Company's standard forms. This includes rights-of-way on Customer's property and/or adjoining property and any permits, fees, etc. required to cross public lands;
  - b) Prepare the route to Company's specifications;

- c) Install all Customer provided trench, conduit, equipment foundations, or excavations for equipment foundations within the legal rights-of-ways; and,
- d) Comply with all of Company's tariffs, procedures, specifications and requirements.

**8. Special Provisions:** None

- 9. Underground Facilities.** If service is provided by an underground line extension, Customer will provide, or Company will provide at Customer's expense: all trenching and backfilling, imported backfill material, conduit and duct, and furnish and install all equipment foundations, as designed by Company. Company may abandon in place any underground cables installed under this Contract that are no longer useful to Company.

Customer warrants that all Customer provided trench and excavations for equipment foundations, and Customer installed conduit and equipment foundations are installed within legal rights-of-way, and conform to the specifications in Company's Electric Service Requirements Manual, and other specifications as otherwise provided by Company. In the event Customer fails to comply with the foregoing, Customer shall be liable for the cost to Company for relocating the facilities within a legal right-of-way, acquiring right-of-way for Company facilities, repair or replacement of improperly installed conduit or foundations, and paying costs for damages that may arise to any third party as a result of Company facilities being located outside of a legal right-of-way. The provisions of this paragraph 9 shall survive the termination of this Contract.

- 10. Design, Construction, Ownership and Operation.** Company shall design, construct, install, and operate the Improvements in accordance with Company's standards. Company will own the Improvements, together with Company's existing electric utility facilities that serve or will serve Customer. Construction of the Improvements shall not begin until (1) both Company and Customer have executed (signed) this Contract, and (2) all other requirements prior to construction have been fulfilled, such as permits, payments received, inspection, etc. Any delays by the Customer concerning site preparation and right-of-way acquisition or trenching, inspection, permits, etc. may correspondingly delay completion of the Improvements.

Company warrants that its work in constructing and maintaining the Improvements shall be consistent with prudent utility practices. **COMPANY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTY OF MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE, AND SIMILAR WARRANTIES.** Company's liability for breach of warranty, defects in the Improvements, or installation of the Improvements shall be limited to repair or replacement of any non-operating or defective portion of the Improvements or Company's other electric utility facilities. Under no circumstances shall Company be liable for other economic losses, including but not limited to consequential damages. Company shall not be subject to any liability or damages for inability to provide service to the extent that such failure shall be due to causes beyond the reasonable control of Company.

No other party, including Customer, shall have the right to operate or maintain Company's electric utility facilities or the Improvements. Customer shall not have physical access to Company's electric utility facilities or the Improvements and shall engage in no activities on or related to Company's electric utility facilities or the Improvements.

- 11. Payments.** All bills shall be paid by the date specified on the bill, and late charges shall be imposed upon any delinquent amounts. Company reserves the right to require customer

payments be sent by EDI or wire transfer. If Customer disputes any portion of Customer's bill, Customer shall pay the total bill and shall designate the disputed portion. Company shall decide the dispute within sixty (60) days after Customer's notice of dispute. Any refund Company determines Customer is due shall bear interest at the rate then specified by the Commission or, if no rate is specified, the then effective prime rate as quoted in The Wall Street Journal.

Company may request deposits from Customer to the extent permitted under the applicable Electric Service Regulations and the applicable Electric Service Schedule. In the event of a default by Customer in any of its obligations, Company may exercise any or all of its rights and remedies with respect to any such deposits.

**12. Furnishing Information and Deposits.** Customer represents that all information it has furnished or shall furnish to Company in connection with this Contract shall be accurate and complete in all material respects. Company will base its decision with respect to credit, deposits, allowances or any other material matter on information furnished under this section by Customer. Should such information be inaccurate or incomplete, Company shall have the right to revoke or modify this Contract and/or its decision to reflect the determination Company would have made had Company received accurate and complete information. Company may request deposits, for the purpose of guaranteeing payment of electric service bills, as permitted under the Company's Utah Electric Service Regulation No. 9.

**13. Governing Law; Venue.** All provisions of this Contract and the rights and obligations of the parties hereto shall in all cases be governed by and construed in accordance with the laws of the State of Utah applicable to contracts executed in and to be wholly performed in Utah by persons domiciled in the State of Utah. Each party hereto agrees that any suit, action or proceeding in connection with this Contract may only be brought before the Commission, the Federal courts located within the State of Utah, or state courts of the State of Utah, and each party hereby consents to the exclusive jurisdiction of such forums (and of the appellate courts therefrom) in any such suit, action or proceeding.

**14. Assignment.** The obligations under this Contract are obligations at all times of Customer, and may not be assigned without Company's consent except in connection with a sale, assignment, lease or transfer of Customer's interest in Customer's facility. Any such assignment also shall be subject to (i) such successor's qualification as a customer under Company's policies, the Electric Service Regulations, and the applicable Electric Service Schedule, and (ii) such successor being bound by this Contract and assuming the obligation of Customer from the date of assignment, which may be evidenced by written agreement of such successor or other means acceptable to Company. Company may condition this assignment by the posting by the successor of a deposit as permitted under the applicable Electric Service Regulations and the applicable Electric Service Schedule.

Company may at any time assign its rights and delegate its obligations under this Contract to any: affiliate; successor in interest; corporation; or any other business entity in conjunction with a merger, consolidation or other business reorganization to which Company is a party.

**15. Remedies; Waiver.** Either party may exercise any or all of its rights and remedies under this Contract, the applicable Electric Service Regulations, the applicable Electric Service Schedule and under any applicable laws, rules and regulations. No provision of this Contract, the Electric Service Regulations, or the applicable Electric Service Schedule shall be deemed to have been waived unless such waiver is expressly stated in writing and signed by the waiving party.

**16. Attorneys' Fees.** If any suit or action arising out of or related to this Contract is brought by any party, the prevailing party or parties shall be entitled to recover the costs and fees (including, without limitation, reasonable attorneys' fees, the fees and costs of experts and consultants, copying, courier and telecommunication costs, and deposition costs and all other costs of discovery) incurred by such party or parties in such suit or action, including, without limitation, any post-trial or appellate proceeding, or in the collection or enforcement of any judgment or award entered or made in such suit or action.

**17. Waiver of Jury Trial.** TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS CONTRACT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.

**18. Entire Agreement.** This Contract contains the entire agreement of the parties with respect to the subject matter, and replaces and supersedes in their entirety all prior agreements between the parties related to the same subject matter. **This Contract may be modified only by a subsequent written amendment or agreement executed by both parties.**

**MIDVALE CITY CORP**

By \_\_\_\_\_  
signature

\_\_\_\_\_  
NAME (type or print legibly)      TITLE

\_\_\_\_\_  
DATE

Customer's Mailing Address for Executed Contract

Keith Ludwig  
ATTENTION OF

7505 S HOLDEN ST  
ADDRESS

MIDVALE UT 84047  
CITY, STATE, ZIP

\_\_\_\_\_  
EMAIL ADDRESS

**ROCKY MOUNTAIN POWER**

By \_\_\_\_\_  
signature

\_\_\_\_\_  
NAME (type or print legibly)      Manager  
TITLE

\_\_\_\_\_  
DATE

Rocky Mountain Power's Mailing Address for Executed Contract

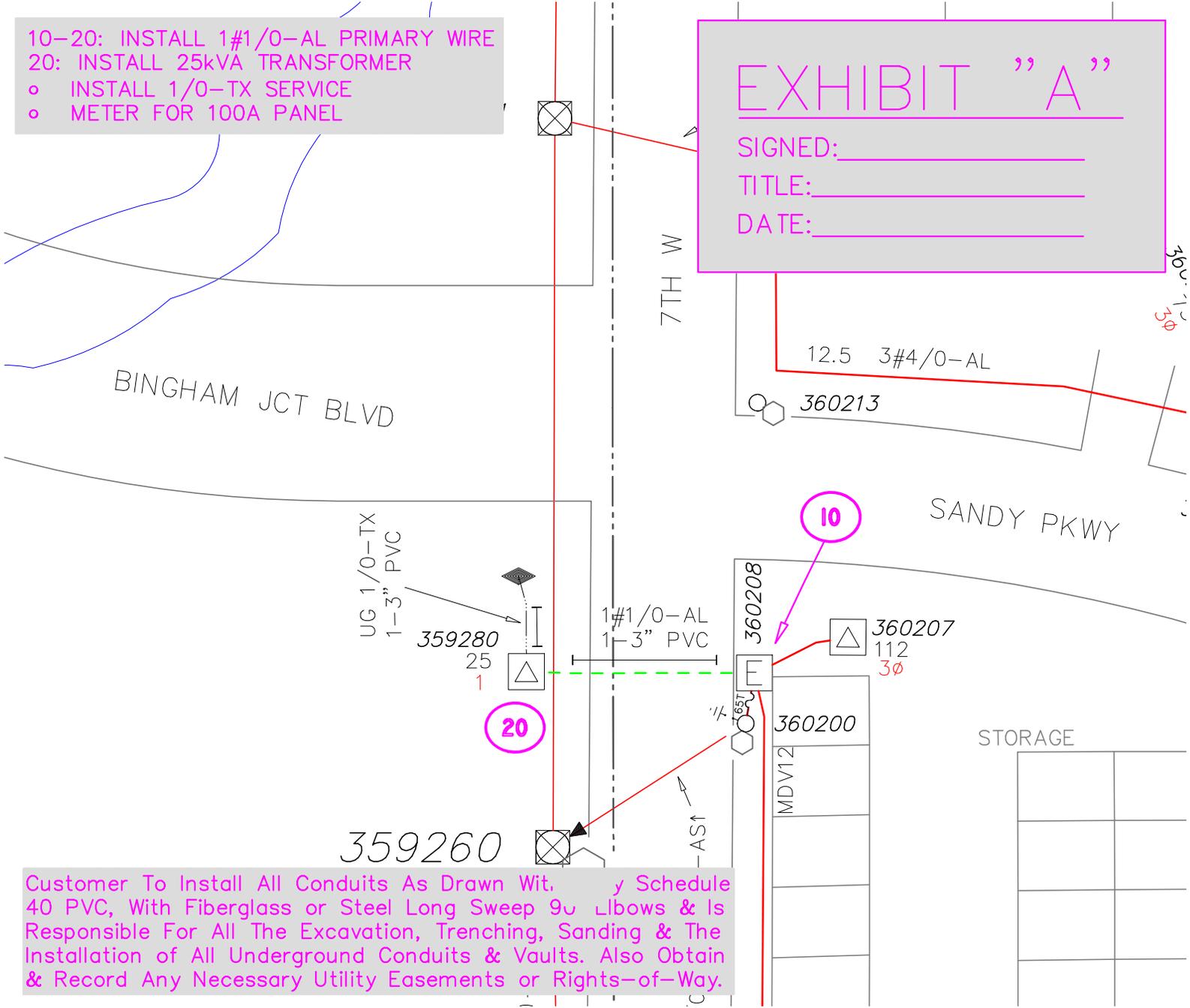
12840 Pony Express Rd  
ADDRESS

Draper, UT 84020  
CITY, STATE, ZIP

\_\_\_\_\_  
EMAIL ADDRESS

10-20: INSTALL 1#1/0-AL PRIMARY WIRE  
 20: INSTALL 25kVA TRANSFORMER  
 ○ INSTALL 1/0-TX SERVICE  
 ○ METER FOR 100A PANEL

EXHIBIT "A"  
 SIGNED: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 DATE: \_\_\_\_\_



Customer To Install All Conduits As Drawn With Schedule 40 PVC, With Fiberglass or Steel Long Sweep 90° Elbows & Is Responsible For All The Excavation, Trenching, Sanding & The Installation of All Underground Conduits & Vaults. Also Obtain & Record Any Necessary Utility Easements or Rights-of-Way.



|         |       |            |          |       |       |
|---------|-------|------------|----------|-------|-------|
| EST ID# | 28200 | Print Date | 08/27/19 | Scale | 1=60' |
| 1 OF 1  |       |            |          |       |       |

|                         |       |                        |            |                |               |           |                          |                          |
|-------------------------|-------|------------------------|------------|----------------|---------------|-----------|--------------------------|--------------------------|
| Foreman                 | Emp # | Map String             | 11302001.0 | Job Start Date | Job Comp Date | Post Jobs | <input type="checkbox"/> |                          |
|                         | CC#   | WO# / REQ#             | 006731994  | Circuit        | MDV12         | RQII      | <input type="checkbox"/> |                          |
| CUSTOMER : Midvale City |       | ADDRESS : 8415 S 700 W |            |                |               |           | Posted                   | <input type="checkbox"/> |
|                         |       | Midvale, HChristiansen |            |                |               |           |                          |                          |



## Midvale City Council SUMMARY REPORT

**MEETING DATE: SEPTEMBER 3, 2019**

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**SUBJECT:** Consideration and Approval of Resolution No. 2019-R-45 Authorizing the Hiring of Additional Staff in the Community Development Department

**SUBMITTED BY:** Matt Dahl, Assistant City Manager/Community Development Director

**SUMMARY:** Staff is requesting that the City Council consider adding a new Community Support Technician to the Community Development Department in order to provide additional customer support in the administration of the City's licensing, permitting, and related community services.

Building and Business Licensing services are currently being provided by a combination of Sunrise Engineering and five City staff members. Over the course of the last three months, staff has been evaluating the efficiency and effectiveness of the current system, and has determined that additional staffing is required. The reasons for this proposed change are as follows:

- The majority of staff members providing Building and Business Licensing services have added these responsibilities to those they were originally hired to do. Allowing these individual to focus on their core areas of responsibility (e.g. plan review) will improve the overall effectiveness of the Community Development Department.
- Responsibilities are currently spread across too many people, which can lead to confusion, miscommunication, and inefficiencies. In July, the Community Development Department hired its first Community Development Support Technician, who is dedicated to Building and Business Licensing services. This addition has been key to improving our service provision. However, due to the volume of permitting, licensing, inspections, and other related tasks, additional dedicated support is warranted. The addition of another Community Development Support Technician will allow the primary responsibilities for Building and Business Licensing to be addressed by two staff members rather than five.

Staff is proposing the following for the requested position:

Title: Community Development Support Technician

Status: Full-Time

FLSA: Non-Exempt

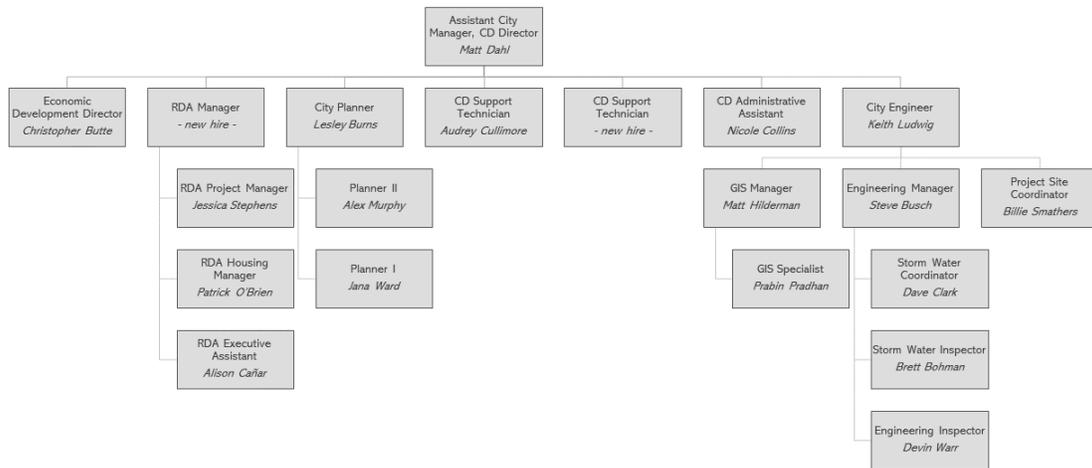
Pay Grade: 20

Pay Range: \$19.98 - \$29.92 Per Hour

Hiring Range: \$19.86 - \$24.95 Per Hour

General Purpose: Under the direction of the Community Development Director, the Community Development Support Technician is responsible for various record keeping and clerical duties with an emphasis on the overall coordination, review, and issuance of business licenses and building permit applications within Midvale City. Provides assistance to all subsections of the Community Development department as needed.

Proposed Community Development Organization Chart:



Fiscal Impact: The proposed position would be funded through the General Fund and will require a future budget amendment to fund the position. The position has a proposed pay range of \$19.86-\$29.92 per hour (\$41,562-\$62,226 annually) and would receive full benefits. The total expense for this position (pay plus benefits) in the first year would not exceed \$73,000. The proposed position, if approved, would be hired approximately 1/3 of the way through the current fiscal year, which will proportionally reduce the impact on the current budget.

**RECOMMENDED MOTION:** I move that we adopt Resolution No. 2019-R-45 Authorizing the Hiring of Additional Staff within the Community Development Department.

**RESOLUTION No. 2019-R-45**

**A RESOLUTION AUTHORIZING THE HIRING OF ADDITIONAL STAFF WITHIN THE COMMUNITY DEVELOPMENT DEPARTMENT**

**WHEREAS**, the Midvale City Administration has identified the need for additional staff in the Community Development Department; and

**WHEREAS**, the Midvale City Administration has requested the addition of a new Community Development Support Technician that would be responsible for various record keeping and clerical duties with an emphasis on the overall coordination, review, and issuance of licenses and permits within Midvale City, as well as providing assistance to all subsections of the Community Development department as needed; and

**WHEREAS**, the City Council has evaluated the need for the proposed position and considered the cost of the additional hire; and

**WHEREAS**, the City Council has determined that it would improve customer service, enhance the efficiency of the Community Development Department, and benefit the community to hire an additional Community Support Technician.

**NOW THEREFORE BE IT RESOLVED BY MIDVALE CITY COUNCIL**, that they do hereby authorize the City Manager to hire a Community Development Support Technician, and thereby add one additional full-time employee within the Community Development Department

**APPROVED AND ADOPTED** this \_\_\_\_\_ day of September 2019.

\_\_\_\_\_  
Robert M. Hale, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason,  
City Recorder

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