MIDVALE CITY COUNCIL MEETING
AGENDA
July 11, 2017

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 11th Day of July, 2017 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 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 Hunt
B. Councilmember Quinn Sperry
C. Councilmember Wayne Sharp
D. Councilmember Stephen Brown
E. Councilmember Paul Glover

VI. MAYOR REPORT
A. Mayor JoAnn B. Seghini

VII. CONSENT AGENDA
A. Approve Minutes of June 20, 2017 [Rori Andreason, H.R. Director/City Recorder]

VIII. ACTION ITEMS
A. Approve Resolution No. 2017-R-27 Appointing Brandon Smith as City Treasurer [Dalin Hackett, Asst. Finance Director]

IX. DISCUSSION ITEMS
A. Discuss Bulky Waste Program [Larry Wright, Public Works Director]
B. Discuss Mobile Food Businesses "Food Trucks" [Phillip Hill, Assistant City Manager/Community Development Director]
C. Discuss small cell site [Lisa Garner, City Attorney / Kane Loader, City Manager]

X. 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 days advance 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 posted in the City Hall Lobby, the 2nd Floor 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: JULY 7, 2017

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
CITY COUNCIL MEETING
Minutes
Tuesday, July 11, 2017
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor JoAnn B. Seghini

COUNCIL MEMBERS: Council Member Wayne Sharp
Council Member Stephen Brown
Council Member Paul Glover - Excused
Council Member Paul Hunt
Council Member Quinn Sperry

STAFF: Kane Loader, City Manager; Phillip Hill, Asst. City Manager/CD Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreasen, H.R. Director/City Recorder; Lisa Garner, City Attorney; Larry Wright, Public Works Director; Matt Dahl, RDA Housing Director, Brandon Smith, City Treasurer, Dalin Hackett, Asst. Finance Director; Chief Jason Mazuran, UPD; Chief Anderson, UFA; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:35 p.m.

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS
Chief Anderson reported on recent fires within and around the City. He also discussed staffing changes with the United Fire Authority.

Chief Jason Mazuran reported on recent incidents. He introduced Officer Michael Bendixen who was selected as officer of the month for April. Officer Bendixen was dispatched on attempted abduction of a young girl. In his investigation, he was able to locate the van and the suspect who matched the description the young girl had given him. He introduced Officer Corey Levin, and Detective Morgan Matthews who are working with Officer Javier Chavez and the Homeless Shelter. All three officers will be working the shelter.

Laurie Harvey said the monthly check lists were sent to the Council for review. She updated the Council on the court revenues and traffic citations which are averaging 663 citations a month. Nine proposals were received for Auditor Services. The firm selected by the Audit committee is Larson and Company, which is a very reputable local firm. They have audited over 30 governmental entities. She has asked White City if a time could be scheduled on their agenda to discuss servicing their citizens with the Midvale Justice Court.

Phillip Hill said Danny Walz did an excellent job with his interview with the Salt Lake City Council so it looks like he will be leaving Midvale. The Jordan Bluffs site will require some minor
changes to the zoning ordinance, which will go before the Planning Commission. The Planning Commission will also be discussing the Hooper Nielsen townhome project on Center Street. He said he is working with the EPA to find a site coordinator. Request for proposals will be sent out for consultants to the small area plans for the Trax Stations, and this will all go through Wasatch Front who will handle the process. Staff is meeting with Parametrics to do a pedestrian safety study on Center Street. Keith Ludwig will hold an open house regarding the 7100 S 150 E petition for improvements and will bring in design engineers for options. He said he had applied for funds for a hawk crossing similar to the one by Gardner Village. The final open space and trail system on Bingham Junction is under construction. East Riverwalk Homeowners Association Board met and took a vote on closing the walkway and it was a negative vote of the Board.

Lisa Garner discussed a recent GRAMA request asking for any information including emails on crosswalks, flashing lights, safety, etc. The I.T. Department ran the search on just emails and came up with 26,000 email hits. A hit is considered an email with any words such as safety, lights, crosswalks, etc., so there are a lot of duplicates. This would take a good amount of time with 1 or 2 employees going through these emails to redact any information that is not public. She said the approximate cost would be $2000 and a lot of man hours. The requester has asked that the fee be waived. She asked the Council for direction on how to proceed with the request and the request to waive the fees.

Councilmember Paul Hunt said many of the emails produced may not be relevant to the request. Kane Loader said he feels that this came about from an article that was written in the newspaper about an email that was sent to the City regarding the crosswalk on Center Street where the girl was hit.

Councilmember Stephen Brown suggested to have a conversation with the requestor of the GRAMA Request to find out more information as to what this person is requesting.

Councilmember Wayne Sharp said the problem is the time that would be involved in separating emails we are not allowed to give out and the fees associated with it.

Councilmember Stephen Brown felt that the fees should not be waived but instead narrow the search by talking to the requester.

Councilmember Wayne Sharp said that he read on Facebook a comment about Center Street and issues there. The comment talked about 26,000 emails about safety on Center Street. He wanted to set the rumors straight and let people know that this is not true. He has had suggestions from residents to not have crosswalks at all. The Council has allocated funds to go towards crosswalks and safety. He said the City is currently working on the crosswalks and safety, and this is a rumor that is not true.

II. CITY MANAGER’S REPORT
Kane Loader discussed a meeting held with Salt Lake County Animal Services. He said they do a great job for the City. He will be watching the costs with some cities looking at pulling out of their service and possible increased contract costs. The plan is to bring back a recommendation to the Council at the end of the year as to where to go from there. He thanked the I.T. Department
for stalling new screens for the City Council chambers. It will be easier to see for those attending the meetings. He reported that we had another pedestrian accident over by Top Golf. A little boy ran out into the street and was hit, fortunately he was not hurt. The news media was there and talked with some of the residents and they said that there were no speed limit signs posted. In a residential zone there is no requirement to post speed limit signs. He said this is an example of when the news media is involved, they sometimes tend to lose focus of what the real problem is and what occurred.

III. GENERAL BUSINESS
   A. Welcome and Pledge of Allegiance
   B. Roll Call – Council Members Paul Hunt, Wayne Sharp, Quinn Sperry, and Stephen Brown were present at roll call. Council Member Paul Glover was excused.

IV. PUBLIC COMMENTS
There was no one present who desired to comment.

V. COUNCIL REPORTS
   A. Councilmember Paul Glover – excused.
   B. Councilmember Paul Hunt – said he sits on the Copperview Advisory Board and their numbers are way up. It’s nice to see the community utilizing their services. He said he has talked with residents about the roads that are being repaired in the City and they appreciate it.
   C. Councilmember Quinn Sperry – had nothing to report.
   D. Councilmember Wayne Sharp – asked if the Ute Football League can paint the storage container located in the park.
   E. Councilmember Stephen Brown – said he has talked about potentially doing a crosswalk along 6960 South by Winco. There is no north and south crosswalk in that area, and by Presideo. He asked staff to produce a timetable for when roads construction projects will start.

VI. MAYOR REPORT
    Mayor JoAnn B. Seghini – said Harvest Days is coming up and we would love to see everyone there.

VII. CONSENT AGENDA
    A. APPROVE MINUTES OF JUNE 20, 2017

MOTION: Councilmember Quinn Sperry MOVED to approve the consent agenda. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:
    Council member Stephen Brown    Aye
    Council member Paul Glover       Absent
VIII. ACTION ITEM
A. APPROVE RESOLUTION NO. 2017-R-27 APPOINTING BRANDON SMITH AS CITY TREASURER
Dalin Hackett said it was his pleasure to present Brandon Smith to be appointed as City Treasurer. He was hired six months ago and has done a great job.

Brandon Smith said he enjoys working for Midvale City. It’s been a very enjoyable experience.

MOTION: Councilmember Paul Hunt MOVED to approve Resolution No. 2017-R-27 Appointing Brandon Smith as City Treasurer. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

- Council member Stephen Brown: Aye
- Council member Paul Glover: Absent
- Council member Paul Hunt: Aye
- Councilmember Wayne Sharp: Aye
- Council member Quinn Sperry: Aye

The motion passed unanimously.

IX. DISCUSSION ITEMS
A. DISCUSS BULKY WASTE PROGRAM
Larry Wright asked that this item be tabled until the first workshop in September to give Ace Disposal more time to prepare.

B. DISCUSS MOBILE FOOD BUSINESSES “FOOD TRUCKS”
Phillip Hill discussed mobile food businesses.

Bill SB0250
- Nothing in the bill prohibits Midvale from enforcing land use regulations, zoning, and other ordinances in relation to the operation of a Food Truck.
- In any zone in which Food Trucks are allowed, we must grant a business license if:
  - The Food Truck vendor has a current business license with another political subdivision within the state, subject to zoning requirements;
  - The Food Truck vendor has a current health department permit within the state;
  - The current approval from a political subdivision within the state shows that the Food Truck passed a fire safety inspection.
- Business license fees may only cover the true cost of regulation.
- If a Food Truck vendor is licensed by another political subdivision and is operating at an event for a private company for the sole benefit of its employees, Midvale may not require a business license.
Definitions

- Food Truck – means a fully encased food service establishment, on a motor vehicle or on a trailer that a motor vehicle pulls to transport and from which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption.
- Food Truck – does not include a food cart or an ice cream truck.

Land Use Considerations

- Itinerant Merchants – Vending Carts
  - Allowed in all commercial & mixed-use zones.
  - Located on private property
  - Distance between carts is 1,325 feet
  - Dedication of 2 on-site parking spaces
  - Signage attached to the cart
  - Temporary signs, tables and seating prohibited
  - 30 feet from a single family residential zone
  - Maximum size 4’x6’
  - Operation hours 6:00 a.m. to 10:00 p.m.

Land Use Considerations Food Trucks

- Which zones?
- Private parking lots only? Public roads?
- Distance requirements between Food Trucks?
- A-frame signs allowed for menus?
- Temporary in nature – no more than 16 hrs. in a 24-hr. period
- Associated with an approved commissary
- Maintained in good condition – no rust or peeling paint
- Maximum size 24’ long; 8’6” wide; 12’ high

Land Use Considerations Food Courts

- Minimum property size (2,000 s.f.?) SoHo is roughly 7,500
- Landscaping – match front setback only?
- Power pedestal for each food truck pad?
- Signage?
- Dining areas?
- Parking? On street? Associated with nearby business?

The Council discussed food trucks in length. Phillip Hill said he would bring back options and ordinances to consider in September.

B. DISCUSS SMALL CELL SITES

Kane Loader and Lisa Garner discussed a small telecommunication cell sites. The industry is trying to fit these cell sites in the public rights-of-way. He stated it is a nationwide battle with the cities and the providers. The City has franchise agreements with the utility companies and has the ability to collect taxes from the utilities that are operating in our rights-of-way. The mini cell
companies do no not sell directly to the public. They wholesale the services out to others. They currently do not have customers. They have no real defined use. In the future, these will be used for the smart cars. The cars will be driverless and operated by computers. In order to have the smart cars the mini cells are needed. Mr. Loader said they are not exactly sure of how to handle this.

Lisa Garner said this issue is not going to go away. The federal government has not come out and said they are public utilities, but our state public service commission has. One of the companies that came to us has a certificate that deems them a public utility. The FCC regulations do allow the cities to regulate the use in its right-of-way. The City can and needs to look at some options to control these sites.

Councilmember Stephen Brown said all the public utility companies need to be treated the same.

Lisa Garner said it isn’t just for smart cars. It is wireless and will be used for many things.

Kane Loader said they are asking for an agreement or they will just come in and start putting up their poles.

Lisa Garner said they are currently working with other cities and attorneys to try and come up with an agreement.

X. ADJOURN

MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Paul Hunt SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

The meeting adjourned at 8:50 p.m.

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

Approved this 18th day of July, 2017.