MIDVALE CITY COUNCIL WORKSHOP MEETING
AGENDA

January 9, 2018
**Amended**

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a workshop meeting on the 9th day of January 2018 at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 p.m.

I. DISCUSSION ITEMS

A. Discuss Bulky Waste Program [Larry Wright, Public Works Director]

B. Discuss UTOPIA Buildout Options [Kane Loader, City Manager]

C. Discuss Passing a Resolution in Support of the Statewide Initiative to Legalize Medical Marijuana [Councilmember Dustin Gettel]

**D. Discuss the effect of rights-of-way on residential buffer setbacks [Phillip Hill, Asst. City Manager, Community Development Director]

II. 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: JANUARY 5, 2018

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
Mayor Hale called the meeting to order at 6:42 p.m.

I. DISCUSSION ITEMS
   A. DISCUSS BULKY WASTE PROGRAM

Dawn Bagley discussed the new bulky waste program. The green waste and bulk waste will be picked up at the same time once a week, once a month. She said they are actually going through the streets twice each time, so nothing should be missed.

Larry Wright discussed the costs associated with this program. The semi-annual bulky waste program and annual leaf bag program combined costs $47,100 per year ($7.50 per household). Replacing these programs with a monthly bulk waste program would cost $90,400 per year ($14.40 per household). The increase is $43,300 per year ($6.90 per household).

The additional cost for FY 2018 is only $5,600, beginning monthly bulky waste on April 1, with the elimination of the semiannual spring bulky waste cost, it can be easily absorbed in the FY 2018 budget.

Without the change in the bulky waste program, staff was recommending a 5% increase in garbage rates for the FY 2019 budget due to the increase in tipping fees at TransJordan and the decline in
fund balance. The last rate increase for garbage was in 2013. This would take the monthly rate from $10.66 to $11.19, or about $6.40 per household per year.

With the change in the bulky waste program, staff recommended 10% increase for FY 2019. The monthly rate would go from $10.66 to $11.73, or about $12.80. The new bulky waste program would cost about 57 cents per month per household.

Dawn Bagley reviewed the regulations for the bulky waste program. She said the piles shouldn’t be as big when it is picked up more frequently.

B. DISCUSS UTOPIA BUILDOUT OPTIONS

Kane Loader discussed the following:

UTOPIA/UIA CURRENT OVERVIEW

- Financial Status
- Service Providers

The UIA revenue is exceeding the debt service and bond payments. There are currently 10 residential and 30+ business class service providers on the network. Customer satisfaction is the highest in the state of Utah. Speeds available on UTOPIA Fiber are the following:

Residential
- 250 Mbps
- 1 Gbps

Commercial
- 1 Gbps
- 10 Gbps
- 100 Gbps

This is the fastest internet service in the state. All connections are dedicated and symmetrical. He reviewed the latest take rate numbers.

He discussed four buildout models:

Status Quo Model
- Buildout network as the subscriber base and recurring revenues increase.
- City currently pays $850K/year or $71K/month which is approximately $6/property for Phase I construction.
- As revenues continue to grow, UIA takes additional revenue backed bonds to fund incremental expansion. Buildout completed in 5-7 years.

Fiberhood Model
- Neighborhoods are organized using volunteer advocates to promote the network.
- Network is built in selected neighborhood/areas where the subscriber base meets a minimum 25% take rate.
- All financing and construction will be done incrementally based on pre-signups and projected take rates.
- Could be built a little faster than Status Quo Model but also could mean some areas could take a long time to have the service.

Utility Fee Model
- City would assess a fee on every property to build the base network. (est. $6/month)
  - More than likely the City would like to buy in from the residents (public opinion poll)
- City would issue bonds to cover construction
- Connection to the network is voluntary and the cost for connection could be covered in a monthly base fee.
- Base network is built within two years.

Expedited City Buildout
- City pledges Franchise Fee revenues to backstop the bonds specifically for completion of Midvale City network.
- UIA issues the bonds and completes construction of the network.
- Revenues are shared back to the City.

**35% Take Rate Example**
- Assumptions
  - Target take rates
    - Residential – 35%
    - Business – 20%
  - Remaining Project Build Cost – $12,550,959 (including 2yr cap interest)
  - Monthly debt service on 30yr bond – $59,919
  - Monthly infrastructure revenue - $69,060
  - Monthly transport revenue – $10,500
  - Monthly churn replacement - $9,000
  - Net Monthly Debt Relief to City - $10,641

* Numbers expected to improve as UTOPIA completes feasibility including new revenues from existing areas

**45% Take Rate Example**
- Assumptions
  - Target take rates
    - Residential – 45%
    - Business – 20%
  - Remaining Project Build Cost– $13,150,959 (including 2yr cap interest)
  - Monthly debt service on 30yr term – $62,783
  - Monthly infrastructure revenue - $87,060
  - Monthly transport revenue – $13,500
  - Monthly churn replacement - $11,250
  - Net Monthly debt relief to City - $26,527
*Numbers expected to improve as UTOPIA completes feasibility including new revenues from existing areas

The Council discussed this issue at length. The Fiberhood Model was favored but more information is needed from UTOPIA on identifying neighborhoods. Kane Loader suggested an opinion poll. He said he would look into this further and bring it back to the Council.

C. DISCUSS PASSING A RESOLUTION IN SUPPORT OF THE STATEWIDE INITIATIVE TO LEGALIZE MEDICAL MARIJUANA

Councilmember Dustin Gettel said there aren’t any other cities that have passed a resolution of support yet. A recent news article indicated that 75% of Utah voters are supportive or somewhat supportive of medical cannabis. He said 80% of the needed signatures have been received in order to place this issue on the ballot. There are three options available: 1-do nothing; 2-say we support and 3- pass a resolution of support to have this initiative on the ballot in November.

Summary of the Utah medical cannabis ballot initiative include:
- Protect terminally and seriously ill patients with specific debilitating medical conditions from arrest and prosecution if using medical cannabis pursuant to their doctor’s recommendation.
- Maintain prohibitions on the public use of cannabis, driving under the influence of cannabis, and smoking cannabis.

He said he would like to support it.

Councilmember Glover said he supports putting it on the ballot for citizens to vote however they want to. He does not think it’s proper for the Council to tell anyone how to vote.

Councilmember Hunt said he would rather leave it to the state legislature and the individuals to vote on.

Councilmember Gettel said we have residents in the Midvale City who are suffering and require the medical cannabis. They currently having to go out of state to get it. He said his goal isn’t to tell anyone how to vote, but rather as a city to be progressive in saying we support putting it on the ballot to vote.

Councilmember Sperry said he feels the studies that are out there are not properly researched. They really need to be classified. He asked what the Council’s goal is in dealing with these types of resolutions. He felt the Council should have a discussion on how they want to deal with these types of resolutions in the future. Midvale has its own issues to deal with, and the state should be dealing with issues such as this. He agreed with Councilmember Hunt, to let the state deal with this issue.

Councilmember Hunt said if the issues are for the city directly rather than state wide, then the Council should look at those issues.
Councilmember Brown suggested a further discussion on how to deal with these types of issues and resolutions in the future.

Councilmember Hunt, Councilmember Glover, and Councilmember Sperry said they would rather let the state deal with this issue and did not want to discuss it further.

D. DISCUSS THE EFFECT OF RIGHTS-OF-WAY ON RESIDENTIAL BUFFER SETBACKS
Phillip Hill discussed the effect of rights-of-way on residential buffer setbacks.

TOD Residential Buffer
Current Text
- Single Family Setback. The minimum setback from the property line, when adjacent to a single family residential zone, is fifteen feet, subject to the following exceptions.
  - a. Three-story structures must be set back thirty-seven feet; four-story structures must be set back sixty-six feet; five-story structures must be set back eighty-three feet; six-story structures must be set back one hundred feet; and seven-story structures must be set back one hundred sixteen feet.
  - b. Projections. Sills, cornices, chimneys, flues, eaves, and ornamental features may project into the setback up to two and one-half feet.
  - c. Stairs and Landings. Outside stairways and landings required by building code for exterior doorways may project into the setback up to three feet.

The Council and staff discussed this issue at length. Phillip Hill said he will bring something back for Council’s consideration.

Mr. Hill updated the Council on the parking issue with the new townhome project. The developer has strict instructions not to park in the neighborhood and not park on the sidewalk. Councilmember Brown asked about the crosswalk with this same development. Mr. Hill said they just received the traffic study and will review that and bring it back to the Council.

II. ADJOURN

Mayor Hale adjourned the meeting at approximately 8:55 p.m.

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

Approved this 16th day of January 2018
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