PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 6th day of March 2018 at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 PM
INFORMATIONAL ITEMS

I.  DEPARTMENT REPORTS

II.  CITY MANAGER BUSINESS

7:00 PM
REGULAR MEETING

III.  GENERAL BUSINESS
    A.  WELCOME AND PLEDGE OF ALLEGIANCE
    B.  ROLL CALL
    C.  Salt Lake County Animal Control Annual Report/Presentation

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

VI.  MAYOR REPORT
    A.  Mayor Robert Hale

VII.  PUBLIC HEARINGS
    A.  Consider a Text Amendment to Clarify Implementation of Single Family Setback and Residential Buffer Standards in Transit Oriented Development (TOD) and Transit Development Overlay (TODO) Zones [Lesley Burns, City Planner]
ACTION: Consider Ordinance 2018-O-03 Adopting a Text Amendment to clarify implementation of Single Family Setback and Residential Buffer Standards in Transit Oriented Development (TOD) and Transit Oriented Development Overlay (TODO) Zones

VIII. CONSENT AGENDA
A. Consider Minutes of February 20, 2018 [Rori Andreason, H.R. Director/City Recorder]

IX. DISCUSSION ITEMS
A. Land-Use Training [Lisa Garner, City Attorney]

B. Discuss Amendments to the Midvale City Purchasing Ordinance [Laurie Harvey, Asst. City Manager/Admin Services Director]

X. CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

XI. ADJOURN

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

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

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

DATE POSTED: MARCH 2, 2018

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

Public Hearing on proposed text amendment to clarify the implementation of the single family setback and residential buffer standards in the Transit Oriented Development (TOD) and Transit Development Overlay (TODO) Zones (proposed Ordinance No. 2018-O-03)

SUBMITTED BY:  Lesley Burns, City Planner

SUMMARY:

In 2017, the City adopted a land use ordinance which made some changes to the Transit Oriented Development (TOD) Zone and created the Transit Oriented Development Overlay (TODO) Zone. As the City has begun reviewing projects under these land use regulations, a question has arisen regarding the required “single family setback”. The “single family setback” is one of the development standards for TOD and TODO projects that provides distance and buffering between TOD/TODO buildings and single family residential zones. The standard requires a greater distance between the two as building height increases. The current language is as follows:

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.

There is some ambiguity in what was intended by “adjacent to a single family residential zone”. Does this setback requirement apply when a TOD/TODO project abuts a roadway, canal or rail line that borders a single family residential zone, or only when a TOD/TODO project directly abuts a single family residential zone parcel? See attached examples. There are also some potential conflicting development standards regarding the “build-to line” and the “residential buffer” when applying the single family residential setback standard to projects that abut a roadway bordering a single family residential zone. Without some amending language, it could be interpreted a seven-foot wall adjacent to the roadway needs to be constructed. This would defeat some of the architectural and safety standards required for the building.
This proposed text amendment is intended to merely clarify the current language so the original intent of the single family setback requirement is correctly applied to TOD/TODO projects. The proposed text amendment does not change the development standards adopted by the City last year.

**Planning Commission Recommendation**

The Planning Commission conducted a public hearing on the proposed text amendment on February 14, 2018 and considered clarifying language that defines “adjacent to a single family residential zone” as a TOD/TODO property sharing a property boundary with a property in a single family residential zone or sharing a property boundary with a roadway, canal or rail line that borders a single family residential zone. This language also clarified the “build-to line” and “residential buffer” standards so these standards would not conflict with other development standards in the zone. After reviewing the proposed clarifying language and the related locations, the Planning Commission forwarded a recommendation to the City Council to approve this language with a change that would allow the single family setback to be reduced by the width of the adjacent roadway, canal or rail line to not penalize properties adjacent to a roadway, canal or rail line but still maintain the distance from the single family residential zones required by the setback.

The Planning Commission’s recommendation is included in Option 1 of the proposed ordinance and allows the single family setback to be reduced by the width of the adjacent roadway, canal or rail line.

The original clarifying language is included in Option 2 of the proposed ordinance.

**FISCAL IMPACT:** N/A

**STAFF RECOMMENDATION:**

Staff recommends the City Council conducts a public hearing on the proposed text amendment. If no new related issues are raised requiring further information to be presented to the Council, Staff recommends the City Council adopts either Option 1 or Option 2 of proposed Ordinance No. 2018-O-03.

**RECOMMENDED MOTIONS:**

**Option 1 – Planning Commission Recommendation**

“I move that we adopt Ordinance No. 2018-O-03 with Option 1 attachment, clarifying the implementation of the single family setback and residential buffer standards in the Transit Oriented Development (TOD) and Transit Development Overlay (TODO) Zones.”
Option 2 – Original clarifying language

“I move that we adopt Ordinance No. 2018-O-03 with Option 2 attachment, clarifying the implementation of the single family setback and residential buffer standards in the Transit Oriented Development (TOD) and Transit Development Overlay (TODO) Zones.”

Option 3 – Table decision

“I move that we table a decision on this item to address the following items:

1. . . .
2. . . .”

Attachments:

- Location examples
- Proposed Ordinance No. 2018-O-03
- Option 1 Attachment (Planning Commission recommendation)
- Option 2 Attachment
ORDINANCE NO. 2018-O-03

AN ORDINANCE CLARIFYING THE IMPLEMENTATION OF THE “SINGLE FAMILY SETBACK” AND “RESIDENTIAL BUFFER” STANDARDS IN THE TRANSIT ORIENTED DEVELOPMENT ZONE AND THE TRANSIT ORIENTED DEVELOPMENT OVERLAY ZONE (SECTIONS 17-7-8.4(A)(4), 17-7-8.5(B)(4), 17-7-8.7(C), 17-7-17.3(A)(4), 17-7-17.4(B)(4), AND 17-7-17.6 (C) OF THE MIDVALE MUNICIPAL CODE); ALSO, PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah State Code, Midvale City (the “City”) has the authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance (Title 17 of the Midvale Municipal Code) became effective and may be subject to amendments from time to time; and

WHEREAS, since this effective date, the City has found areas requiring amendments to the text of the ordinance to correct errors and omissions, clarify the intent of the language, protect its citizens, and/or include new provisions to further the vision of the City; and

WHEREAS, the City has the desire to clarify the language for the “single family setback” and “residential buffer” standards in the Transit Oriented Development Zone and Transit Oriented Development Overlay Zone to ensure consistency in the implementation and understanding of these standards; and

WHEREAS, the Planning Commission held a public hearing on February 14, 2018 to review the proposed clarifying text amendment language regarding this issue, with such meeting being preceded by notice through publication in the Salt Lake Tribune and Deseret News on January 31, 2018, and the Planning Commission forwarded a recommendation with specific language and formatting to the City Council on this same date; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on March 6, 2018, which meeting was preceded by notice through publication in the Salt Lake Tribune and Deseret News on February 20, 2018; and

WHEREAS, the City Council of Midvale City, Utah, after taking into consideration citizen testimony, planning analysis, and the Planning Commission
recommendation, finds it is appropriate and within the best interests of the City to make this change in the Midvale Municipal Code.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Midvale City, Utah as follows:

Section 1. The following chapter and sections of the Midvale Municipal Code are hereby amended as included in ATTACHMENT A of this document.

Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

**PASSED AND APPROVED** this ____ day of ______________, 2018.

________________________
Robert M. Hale, Mayor

ATTEST:

________________________
Rori Andreason, MMC
City Recorder

Date of first publication: ____________

Voting by City Council  
Bryant Brown  
Dustin Gettel  
Paul Glover  
Paul Hunt  
Quinn Sperry  

<table>
<thead>
<tr>
<th>“Aye”</th>
<th>“Nay”</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ATTACHMENT A (Option 1)

Clarification for Measuring Single Family Setback & Implementation of Residential Buffer TOD & TODO Zones

Text Additions
Text Deletions

TOD Zone

17-7-8.4 Medium and high density residential development standards.

The following development standards apply to all new single family attached, single family detached, and multi family development in the zone, with the exception of single family detached residential lot subdivisions (see Section 17-7-8.3):

A. Setbacks. New development shall comply with the following setbacks:

4. 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: Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone. The setback can be reduced by the width of the adjacent road right-of-way, rail line right-of-way or canal property provided the setback is not less than fifteen feet measured from the back of curb in the case of a road right-of-way or fifteen feet from the property line in the case of a canal or rail line right-of-way.

a. Three-story structures must be set back thirty-seven 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.

B. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. The structure may be set back an additional fifteen feet to allow for the inclusion of a courtyard or patio. When the front yard is also a required "single family setback", the single family setback is the build-to line.

17-7-8.5 Retail, office and mixed-use development standards.
The following development standards apply to all new retail, office and mixed-use development in the zone:

B. Setbacks. New development shall comply with the following setbacks:

4. 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: Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone. The setback can be reduced by the width of the adjacent road right-of-way, rail line right-of-way or canal property provided the setback is not less than fifteen feet measured from the back of curb in the case of a road right-of-way or fifteen feet from the property line in the case of a canal or rail line right-of-way.

   a. Three-story structures must be set back thirty-seven 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.

C. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. The structure may be set back an additional fifteen feet to allow for the inclusion of an outdoor dining area, courtyard, patio or other pedestrian-oriented use. When the front yard is also a required "single family setback", the single family setback is the build-to line.

17-7-8.7 Required landscaping.

C. Residential Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a minimum seven-foot screening wall (up to eight feet if warranted and approved by the planning commission). The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones. Development that abuts a road right-of-way bordering a single family residential zone is exempt from this requirement.
The following development standards apply to all new medium and high density residential development:

A. Setbacks. New development shall comply with the following setbacks:

4. 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. Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone. The setback can be reduced by the width of the adjacent road right-of-way, rail line right-of-way or canal property provided the setback is not less than fifteen feet measured from the back of curb in the case of a road right-of-way or fifteen feet from the property line in the case of a canal or rail line right-of-way.

   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.

B. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. The structure may be set back an additional fifteen feet to allow for the inclusion of a courtyard or patio. When the front yard is also a required “single family setback”, the single family setback is the build-to line.

17-7-17.4 Retail, office and mixed-use development standards.

The following development standards apply to all new retail, office and mixed-use development in the zone:

B. Setbacks. New development shall comply with the following setbasck:

4. 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: Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone. The setback can be reduced by the width of the adjacent road right-of-way, rail line right-of-way or canal property provided the setback is not less than fifteen feet measured from the back of curb in the case of a road right-of-way or fifteen feet from the property line in the case of a canal or rail line right-of-way.

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.
C. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. Recessed plazas, courtyards and trellises are encouraged. The structure may be set back an additional fifteen feet to allow for the inclusion of an outdoor dining area, courtyard, patio or other pedestrian-oriented use. When the front yard is also a required “single family setback”, the single family setback is the build-to line.

17-7-17.6 Required landscaping.

C. Residential Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a minimum seven-foot screening wall (up to eight feet if warranted and approved by the planning commission). The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones. Development that abuts a road right-of-way bordering a single family residential zone is exempt from this requirement.
ATTACHMENT A (Option 2)

Clarification for Measuring Single Family Setback & Implementation of Residential Buffer
TOD & TODO Zones

TOD Zone

17-7-8.4 Medium and high density residential development standards.

The following development standards apply to all new single family attached, single family detached, and multi family development in the zone, with the exception of single family detached residential lot subdivisions (see Section 17-7-8.3):

A. Setbacks. New development shall comply with the following setbacks:

4. 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: Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone.

a. Three-story structures must be set back thirty-seven 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.

B. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. The structure may be set back an additional fifteen feet to allow for the inclusion of a courtyard or patio. When the front yard is also a required "single family setback", the single family setback is the build-to line.

17-7-8.5 Retail, office and mixed-use development standards.

The following development standards apply to all new retail, office and mixed-use development in the zone:

B. Setbacks. New development shall comply with the following setbacks:
4. 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: Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone.
   a. Three-story structures must be set back thirty-seven 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.

C. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. The structure may be set back an additional fifteen feet to allow for the inclusion of an outdoor dining area, courtyard, patio or other pedestrian-oriented use. When the front yard is also a required “single family setback”, the single family setback is the build-to line.

17-7-8.7 Required landscaping.

C. Residential Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a minimum seven-foot screening wall (up to eight feet if warranted and approved by the planning commission). The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones. Development that abuts a roadway bordering a single family residential zone is exempt from this requirement.
17-7-17.3 Medium and high density residential development standards.

The following development standards apply to all new medium and high density residential development:

A. Setbacks. New development shall comply with the following setbacks:

   4. 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. Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone.

   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.

B. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. The structure may be set back an additional fifteen feet to allow for the inclusion of a courtyard or patio. When the front yard is also a required "single family setback", the single family setback is the build-to line.

17-7-17.4 Retail, office and mixed-use development standards.

The following development standards apply to all new retail, office and mixed-use development in the zone:

B. Setbacks. New development shall comply with the following setbacks:

4. 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: . Development is considered adjacent when the development property directly abuts a single family residential zone or abuts a road right-of-way, canal or rail line bordering a single family residential zone.

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.

C. Build-To Line. The front yard setback is the build-to line. At least fifty percent of the front elevation must be built within three feet of the build-to line. Recessed plazas, courtyards and trellises are encouraged. The structure may be set back an additional fifteen feet to allow for the inclusion of an outdoor dining area, courtyard, patio or other pedestrian-oriented use. When the front yard is also a required “single family setback”, the single family setback is the build-to line.

17-7-17.6 Required landscaping.

C. Residential Buffer. New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a minimum seven-foot screening wall (up to eight feet if warranted and approved by the planning commission). The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones. Development that abuts a roadway bordering a single family residential zone is exempt from this requirement.

TOD Overlay Zone Buffering Standard

A – Large (Class 3) trees, 30’ on center (alternate with 8’ tall evergreens)
B – Low shrub buffer
C – Tall shrub zone (8’ – 10’ mature height)
D - Screening wall as approved by Commission
Mayor Hale called the meeting to order at 6:35 p.m.

I. INFORMATIONAL ITEMS

A. DEPARTMENT REPORTS

Chief Randy Thomas said they conducted a distracted driving training at Hillcrest High School. He said they still have the traffic data collected on Grant Street but have not pulled the data off yet. He said he would report on the data at the next meeting.

Battalion Chief Brad Larson reported on the house fire on Cottonwood Street.

Laurie Harvey reported on the court cases. She congratulated Rori Andreason on passing the PHR/SHRM-CP exam. Matt Pierce introduced Jake Shepherd, Network Administrator.

Phillip Hill reported on the annual SNAP meeting with the school district he attended. There are three areas they want to activate crossings. These areas are Pioneer Street and Garden View, 700 East crosswalk at Hillcrest; of which we have added a street light on the west side of that crosswalk, and the crossing at the Jordan Valley High School on 10th East. These crossings will be discussed at the upcoming budget retreat.

Matt Dahl said Applewood Homeowners Inc. was able to close on the financing and acquire the Applewood Home Community. He has received thanks from them as well as expressing their appreciation to the City for the assistance.
Larry Wright discussed snowplowing activities over the weekend. The employees have been doing a great job. It’s an ongoing effort with many hours involved. He said he has informed the employees if they get into an area that has cars parked on the street, note it and keep going. Then give the address to him when they return, and he will contact the police department to issue citations.

Rori Andreason discussed the turnover for the last year. There have been 35 jobs posted over the past year. The City implemented an applicant tracking program that reduced costs by approximately $30,000 in advertising. Citizens have said the City employees are highly paid but they do not know how long those employees have worked in the City. There are a several employees that have worked for the City 10-30+ years. The Utah Rights to Know website does not always show the details so the information is skewed. The City Council adopted a compensation philosophy that does not lead or lag the market but remains at market. The City does not give cost of living increases due to the fact that salaries are at market. However, even with the salaries staying at market, the City has had 35 jobs to fill over the past year.

Lisa Garner reported that Garrett Wilcox has been working very hard with the league and the legislators on the small cell legislation. He has been instrumental. She reported on the tickets issued for yielding to pedestrian’s citations. There were 28 cases filed with the court, 15 of those have been paid, 13 are pending, 11 warnings, and a couple for jaywalking.

II. CITY MANAGER’S REPORT
Kane Loader reported that they are working on a lot of issues with the state legislature. The City is asking to fully fund our police services for the homeless shelters. The cost is within the million-dollar range for the police service needs that are requested in state funding. He is working on finding a dedicated funding source for the City for the shelter so it’s not needing to be requested each year. House bill 175 is a bill they are working on. There is a billboard bill that basically allows the ability to change the paper sign billboard to an electronic billboard sign no matter where it is located. He attended a meeting with SLC County Animal Services and he will discuss those costs in the budget retreat. The shelter is a no kill shelter, and they do a fantastic job. The recent exotic reptile incident that was in our City, was handled very well by SLC County. There were 126 animals they had to deal with. They validated their abilities and service. He reminded the Council about the Midyear Conference in St. George April 25-27, and to contact the City if they would like to attend.

III. GENERAL BUSINESS
A. Welcome and Pledge of Allegiance

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

IV. PUBLIC COMMENTS
Mayor Robert Hale said he apologized for not opening the microphone to those wanting to discuss the crosswalks at the last regular meeting and asked if there was anyone who desired to speak to that issue.
Melanie Beardall said she was representing the Arts Council. She invited the Council to attend the musical Nunsense on March 2-10 at the Midvale Performing Arts Center, 7:30 p.m.

V. COUNCIL REPORTS

A. Councilmember Paul Hunt – thanked Public Works for their great response on snow plowing issues. He received several emails about how good the employees did.

B. Councilmember Dustin Gettel – said he witnessed one of the snow plow drivers pushing someone who was stuck. He said a resident tested his water pressure and was getting 55 and his plumber told him he should be getting 75. He said he would contact Larry Wright with the resident’s information. He thanked Chief Thomas for attending the Community Council meetings. He said the Community Council is going through a by-law review.

C. Councilmember Quinn Sperry – said his street was one of those that was missed yesterday but was completed first thing this morning. He expressed his appreciation.

D. Councilmember Bryant Brown – had nothing to report.

E. Councilmember Paul Glover – was excused.

VI. MAYOR REPORT

Mayor Robert M. Hale – expressed appreciation to Phillip Hill and staff for the tour of Jordan Bluffs. He read a letter from the Utah Local Governments Trust awarding the City the 2017 TAP Grant. He expressed appreciation to the City staff for working on the safety of employees. He said he would be out of town Friday, Saturday and Sunday.

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

VII. PUBLIC HEARING(S)

A. CONSIDER AMENDMENTS TO THE FY2018 BUDGET FOR THE GENERAL FUND AND OTHER FUNDS AS NECESSARY

Laurie Harvey said staff proposes amendments to the FY 2018 Budget for the following funds: General Fund, Capital Improvement Projects Fund, Storm, Water Utility Fund, and Sanitation Fund. These amendments cover new revenues and adjustments in current year operations.

FISCAL IMPACT:

General Fund – Reduction of $53,000 in Fund Balance
Capital Projects Fund – no change to Fund Balance
Storm Water Utility Fund – Reduction of $27,300 in Fund Balance
Sanitation Fund – Reduction of $6,000 in Fund Balance

Proposed Amendments to General Fund FY2018

• “TIGER” Grant for Crosswalks - $158,600
Local match required ($40,000) – Center Square crosswalk
Proceedings of the City Council Meeting
February 20, 2018

Utah Local Governments Trust - $37,000
Dividend and TAP grant
  • Increase contribution to Midvale B&G Club - $20,000
  • Increase Legal Services – prof services - $40,000
  • Increase P&Z – Planner I position – $30,000
Net impact to General Fund Balance - $53,000

**Proposed Amendments to Enterprise Funds BY2018**
  • Sanitation Fund
    From Fund Balance - $6,000 for monthly bulk waste pickup
  • Storm Water
    From Fund Balance – $27,300 for FLSmidth outfall project

Council Member Quinn Sperry said he would like to see what the percentage of Murray City’s budget is verses what they are contributing to the boys and girls club and compare that with what the City is contributing.

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

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

**ACTION:** APPROVE AMENDMENTS TO THE FY2018 BUDGET FOR THE GENERAL FUND AND OTHER FUNDS AS NECESSARY

**MOTION:** Councilmember Bryant Brown MOVED to adopt Resolution No. 2018-R-08, amending the budgets of the following funds: General Fund, Capital Improvement Projects Fund, Storm Water Utility Fund, and Sanitation Fund for the fiscal year ending June 30, 2018. The motion was SECONDED by Councilmember Paul Hunt. Mayor Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:
  - Council member Quinn Sperry Aye
  - Council member Paul Glover Absent
  - Council member Paul Hunt Aye
  - Councilmember Bryant Brown Aye
  - Council member Dustin Gettel Nay

The motion passed 3-1 in favor.

Councilmember Dustin Gettel said he was opposed to the Planner I position being funded when nothing has been done on crosswalks. He said the position is not needed now because nothing is going on but crosswalks need funding.

Phillip Hill said the Planner position will be paid for with the building permit revenues and permit fees. The planner position is needed now as we are currently writing the ordinances and working on the master development agreement that takes a large amount of time from himself and Lesley
Burns, City Planner. This position will be the one person in the office to meet the requirements of the state law, and to get building permits out on time. Staff is legally bound by these time frames. It was verbally agreed upon on from the Council to move forward to fill this position.

Councilmember Dustin Gettel said that since then there has been two pedestrians hit at the crosswalks, he thinks that a better prioritization of City funds is in order. He said he doesn’t see the entry level Planner 1 position as a priority.

Councilmember Paul Hunt said that he didn’t think that it was one verses the other, they are separate issues.

Councilmember Dustin Gettel said he knows it’s not a tradeoff, it is a priority and it gives the wrong impression that in a month the City can free up funds for a planner position but cannot free up funds to put paint down at crosswalks.

Mayor Hale said the crosswalks cannot be painted because the ground has to be 55 degrees for the paint to stick. There are technical issues.

Councilmember Dustin Gettel said he did not know that and asked why he wasn’t told that before when the issue was discussed.

Councilmember Quinn Sperry said two weeks ago, if anyone was listening, the Council discussed the issue of putting over $200,000 of improvements into crosswalks.

VIII. CONSENT AGENDA
A. CONSIDER MINUTES OF FEBRUARY 6 & 13, 2018

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

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

The motion passed unanimously.

IX. ACTION ITEMS
A. CONSIDER RESOLUTION NO. 2018-R-11, AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN $13 MILLION AGGREGATE PRINCIPAL AMOUNT OF WATER, SEWER, AND STORM WATER REVENUE AND REFUNDING BONDS, SERIES 2018 AND RELATED MATTERS.

Laurie N. Harvey reviewed the parameters resolution for water/sewer revenue bonds. She said Midvale City is considering issuing Water, Sewer, and Storm Water Revenue Bonds to finance the following projects:
• Direct connection between the water systems of the City and Jordan Valley Water Conservancy District
• Improvements to the City’s water meter reading system
• Improvements to the City’s water, sewer, and storm water system infrastructure
• Upgrades to grit and phosphorous removal equipment at South Valley Water Reclamation Facility, of which City is a partial owner

The estimated cost of these projects is $6.2 million. The bonds will be rated by Standard & Poors and Fitch. With anticipated premium, it is expected that the par amount of bonds issued will be in the range of $5.7 million. The current anticipated interest rate (true interest cost or TIC) is 3.85%.

The resolution establishes parameters within which designated City officials can approve the sale of the bonds. The parameters in the resolution allow a maximum par amount of the bonds of $7 million, a maximum interest rate of 6% (allowing for the ability to price with original issue premium), with a maximum length to maturity of twenty-seven years.

The City has two other water/sewer bond issues outstanding. While it is not currently anticipated that the outstanding bonds can be refunded for a cost savings, the parameters in the Resolution have been set so as to allow for the inclusion of these refunding transactions should circumstances arise. The Resolution also allows for them to be issued in conjunction with the new money bonds described above. The maximum par amount in the Resolution is $7 million. Other terms match those stated in the above paragraph.

The Resolution provides for a 30-day contest period. Upon passage of this Resolution, the City and its partners will continue to refine the bond documents, meet with rating agencies, and price the bonds in early April.

FISCAL IMPACT:
Annual debt service on the bonds is in the range of $386,000 to $390,000 given current rates. Debt service coverage must remain at 1.25x each year until the bonds mature. This means that net revenue available from the systems must exceed total debt service by more than 1.25 times.

MOTION: Councilmember Paul Hunt MOVED to approve Resolution No. 2018-R-11, authorizing the issuance and sale of not more than $13 million aggregate principal amount of Water, Sewer, and Storm Water Revenue and Refunding Bonds, Series 2018, and related matters. The aggregate principal amount of the bonds authorized is not more than $7 million for new projects and not more than $6 million for refunding opportunities. The motion was SECONDED by Councilmember Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

<table>
<thead>
<tr>
<th>Council member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quinn Sperry</td>
<td>Aye</td>
</tr>
<tr>
<td>Paul Glover</td>
<td>Absent</td>
</tr>
<tr>
<td>Paul Hunt</td>
<td>Aye</td>
</tr>
<tr>
<td>Bryant Brown</td>
<td>Aye</td>
</tr>
<tr>
<td>Dustin Gettel</td>
<td>Aye</td>
</tr>
</tbody>
</table>

The motion passed unanimously.
B. CONSIDER RESOLUTION NO. 2018-R-09 AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH ACE DISPOSAL FOR THE BULKY WASTE PROGRAM

Larry Wright said on Tuesday, January 9, 2018, the City Council discussed an amendment to the “Residential Solid Waste Collection and Disposal Contract” with ACE Disposal. The amendment would discontinue the spring/fall bulky waste cleanup program and move to a monthly bulk waste pickup. This change would benefit the citizens by allowing them to dispose of larger bulky items each month instead of storing it for up to six months waiting for pickup. This change also benefits the City by keeping the City cleaner, avoiding filling the gutters with debris left to wash into the storm drains, and giving an overall better vision of Midvale by not having piles of bulky waste left in the streets for two months of the year. This system would also incorporate the leaf bag program and a Christmas tree pickup.

FISCAL IMPACT: $5,000 for FY 2018. $43,300 per year for future fiscal years.

Dawn Beagley, Ace Disposal, said they are ready to start this program April 1st.

Larry Wright explained the proposed Bulky Waste Program. The bulky waste will be picked up each month on a regular schedule so the citizens will become accustomed to the schedule.

MOTION: Councilmember Bryant Brown MOVED to approve Resolution No. 2018-R-09 authorizing the Mayor to enter into an amended agreement with Ace Disposal for the Bulky Waste Program. The motion was SECONDED by Councilmember Paul Hunt. Mayor Hale called for discussion on the motion.

There being none, he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

C. CONSIDER RESOLUTION NO. 2018-R-10 APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF MIDVALE CITY, MIDVALE CITY, AND SALT LAKE COUNTY FOR INSTALLATION OF TRAFFIC SIGNAL AT BINGHAM JUNCTION BLVD. AND TUSCANY VIEW RD

Annaliese Eichelberger said the current intersection of Bingham Junction Blvd. and Tuscany View Road has been identified as a safety hazard for pedestrians and motorists. The City Council asked redevelopment staff to consider the possibility of installing a traffic signal at this location to mitigate for these issues. Staff has been working with Salt Lake County’s public works division over the last few months to work through the design and schedule.

The signal will be a 4-way lighted intersection with flashing yellow arrows for left-hand turns. For pedestrians this intersection will include crosswalks in all directions, as well as push button walk signals. The City will own the traffic signal once completed and the County will maintain it.
Because the traffic signal will be placed on City property by the County and funded by the RDA, the Interlocal agreement will be between all three parties. The County anticipates beginning construction in March with a completion date no later than June 30, 2018.

The agreement has been prepared by the County’s legal counsel and reviewed by the City’s legal department. Staff recommends adopting the resolution and executing the agreement.

**FISCAL IMPACT:** The cost estimate for this project is $203,500.00 and will be funded from the Agency’s Infrastructure budget.

**MOTION:** Councilmember Dustin Gettel MOVED to adopt Resolution No. 2018-R-10 authorizing the execution of an Interlocal Agreement between Salt Lake County, the Redevelopment Agency of Midvale City and Midvale City for the installation of a traffic signal at Bingham Junction Blvd. and Tuscany View Drive. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

**X. ADJOURN**

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

The meeting adjourned at 7:57 p.m.

---

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

Approved this 6th day of March 2018.