MIDVALE CITY COUNCIL MEETING
AGENDA
April 3, 2018

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 3rd day of April 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. Proclamation Recognizing April 3, 2018 as National Service Recognition Day

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. ACTION ITEMS
A. Consider Resolution No. 2018-R-13 Confirming the Mayor’s Appointment of Brian Berndt as the Assistant City Manager/Community Development Director [Kane Loader, City Manager]
B. Consider Resolution No. 2018-R-14 Confirming the Mayor’s Appointment of Laurie Harvey as the City’s Designated Representative of the Utah Infrastructure Agency (UIA) Board of Directors

[Kane Loader, City Manager]

IX. DISCUSSION ITEM
A. Discuss the City’s Graffiti Program and Fines

[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 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 30, 2018

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
CITY COUNCIL MEETING
Minutes
Tuesday April 3, 2017
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert Hale

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

STAFF: Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Larry Wright, Public Works Director; Matt Dahl, Redevelopment Agency Director; Lesley Burns, City Planner; Christopher Butte, Economic Development Director; Fawn Hullinger, Procurement/Contract Analyst; Laura Magness, Communications Specialist; Chief Randy Thomson, UPD; Chief Brad Larson, UFA; and Matt Pierce, IT Manager.

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

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS
Chief Randy Thomas reported that the good landlord stats for March were the same as the month prior. He said he had recently attended a diversity training with Mayor Hale. They went over the future demographics and growth. By 2060 statistics show that Salt Lake County will have a million six population. Midvale has a lot of diversity within the City. He discussed statistics on the DEA Metro Narcotics Task Force. The Road Home activity report stayed consistent with month prior. He reported that the relief society made blankets for the UPD to hand out to those in need. The blankets are very helpful during a crisis. He reported that officer Isaac Pace found a missing child down at the river with his friends. They were returned home to their parents. The Prescription Drug Take-Back event will be April 28th. He reported that there will be a drive thru from 10:00 a.m. -2:00 p.m., at Hillcrest High School.

Chief Brad Larson reported that the governor signed HB38 regarding fireworks. He said he feels really good about this bill. The days to discharge have been reduced to four days instead of seven. The hours remain the same to discharge fireworks. There is a fine up to a $1,000 if caught discharging fireworks outside of the time permitted. There is also civil liability if damages occur. The bill expanded and broadened the language to the limitations and restrictions. Salt Lake County will have a map of areas the fireworks are restricted, for the firework vendors to hand out. He reported that UFA has started their budget process. The budget is very transparent. June 19th the budget proposal will be presented for adoption. He also reported that UFA is conducting captain
testing for new captains. They are providing and participating in the valley wide training for the wildland training for the upcoming summer for enhanced safety. He reported on the call stats for the month. And the safety tip for the month is on fire detectors maintenance.

Larry Wright said the water break on Center Street last Sunday was due to the line being old, not the developer in the area. He said the pipe is scheduled to be replaced this summer.

Councilmember Bryant Brown thanked the employees that were working on that water break. They had a great demeanor for working on Easter Sunday. He said his area recognized how great the employees were.

Councilmember Dustin Gettel said San Moritz received a text stating the water would be shut off due to a water main break.

Larry Wright said it was not a main break, it was a valve replacement. Apparently, the person at San Moritz was supposed to contact the residents that were working letting them know it was turned back on but that did not happen.

Christopher Butte reported on Opportunity Zones

**2018 City US Census Tract 1124.03**
The Tax Cuts and Jobs Act of 2017 established a new economic development program called Opportunity Zones, which has been designed to encourage long-term private investment in low-income communities.

- Salt Lake County has 64 eligible tracts, nominate 16
- Prepared by US Department of Treasury.
- The Governor has to designate up to 25% of Utah’s eligible tracts as Opportunity Zones.
- There are 181 eligible census tracts in Utah.
- “low-income communities”, determined by the US census tract.
- Salt Lake County first worked with local municipalities to identify their preferred Opportunity Zone designations, then sent the required 16 countywide recommendations to regional planning organization Wasatch Front Regional Council for delivery to Governor Herbert.

**Midvale Census Tract 1124.03**

- Midvale has six tracts (1124.03; 1124.02; 1124.04; 1125.01; 1125.03 & 1125.02).
- 1124.03 was submitted and was featured in December 2017 Research Brief: Salt Lake County Small Area Estimates, 2010-2016: Authored by: Natalie B. Young, Pamela S. Perlich of Kem C. Gardner Policy Institute, U of U.
- 1124.03 Census Tract had largest change in SL County from 2010 to July 1, 2016: 4,643 numeric and 103.8%.
- Comprises everything west of I-15: Bingham Junction, Jordan Bluffs (View 78), and Main Street Project Areas with various tax-exempt parcels owned by SL County, UTA and R H.
3 Tax Benefits

Investing in communities through qualified Opportunity Fund:

1. **Temporary deferral**: taxable income for capital gains reinvested earlier than December 31, 2026.

2. **Step-up in basis** for capital gains reinvested in Opportunity Fund: 10% is held for at least 5 years and additional 5% if held at least 7 years, excluding 15% of the original gain from taxation.

3. **Permanent exclusion** from taxable income of capital gains from sale or exchange of an investment in an Opportunity Fund if held for at least 10 years, only gains accrued after an investment in an Opportunity Fund.

Councilmember Quinn Sperry asked if this would interplay with any development agreements with Jordan Bluffs and possibly give the City the ability to negotiate better.

Matt Dahl said he did not think it would apply.

Rori Andreason asked the Council who would be attending the Canyons School District Gala on April 19th.

Lisa Garner introduced Fawn Hullinger as the Procurement/Contract Analyst. She said she has done a great job and is excited to have her on the team.

Councilmember Bryant Brown said he sent her an email with the Arts Council new logo. He asked if it was okay for them to use it? Lisa Garner said yes.

Councilmember Quinn Sperry asked Ms. Garner about the status on the disaster ordinance.

Lisa Garner said she is working on it and would update the Council at an upcoming Council meeting.

Laurie Harvey said they have the pre-pricing on the bond sale tomorrow. Bond insurers will only insure bonds that are rated with an A+ with Standard and Poor or AA- from Finch. If the City were to default on a payment the bond insurer will make the payment and then come after the City. It is a benefit to the bond holders because they know they will get paid. It does improve the City’s rating. She said the modifications to the purchasing ordinance that were discussed a couple of weeks ago, she would like to hold off on approving anything until May. This will give our new Procurement/Contract Analyst time to go over everything and put the changes into place. She said the Council talked about appropriating $50,000 for the crosswalks on Grant and Jefferson for the FY2019 budget. There is a surplus in the FY2018 budget, and if the Council desires, the FY2018 budget could be amended to start the crosswalks sooner. The Council agreed to move forward with the budget amendment.

II. CITY MANAGER’S REPORT

Kane Loader was absent.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance
B. Roll Call - Council Members Paul Hunt, Quinn Sperry, Bryant Brown, and Dustin Gettel were present at roll call. Council Member Paul Glover was excused.

C. Proclamation Recognizing April 3, 2018 as National Service Recognition Day
Mayor Hale read the proclamation into the record.

MOTION: Councilmember Quinn Sperry MOVED to move action item A forward on the agenda. The motion was SECONDED by Councilmember Paul Hunt. Mayor Hale called for discussion on the motion. There being none the he called for a vote. The motion passed unanimously.

ACTION ITEM

A. CONSIDER RESOLUTION NO. 2018-R-13 CONFIRMING THE MAYOR’S APPOINTMENT OF BRIAN BERNDT AS THE ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR
Mayor Hale said after some thorough interviewing, the hiring committee decided upon two individuals as finalists. He and the City Manager interviewed the top two and chose Brian Berndt to be the Assistant City Manager/Community Development Director. He is currently the Community and Economic Development Director of Cottonwood Heights and has been there for 7 years. He has a degree in Geography and an MPA from Arizona State. He recommended Brian Berndt to the City Council.

Brian Berndt said he is very excited to work with the City.

MOTION: Councilmember Paul Hunt MOVED to approve Resolution No. 2018-R-2013 confirming the Mayor’s appointment of Brian Berndt as the Assistant City Manager and Community Development Director for the City of Midvale. The motion was SECONDED by Councilmember Bryant Brown. Mayor Hale called for discussion on the motion. There being none the he called for a roll call vote. The voting was as follows:

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<th>Council member</th>
<th>Vote</th>
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<tr>
<td>Quinn Sperry</td>
<td>Aye</td>
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<tr>
<td>Paul Glover</td>
<td>Absent</td>
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<tr>
<td>Paul Hunt</td>
<td>Aye</td>
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<tr>
<td>Bryant Brown</td>
<td>Aye</td>
</tr>
<tr>
<td>Dustin Gettel</td>
<td>Aye</td>
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</tbody>
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The motion passed unanimously.

IV. PUBLIC COMMENTS
Sophia Hawes-Tingey congratulated Brian Berndt and welcomed him to the community. She thanked officer Chavez and the team. They came to her work and presented an active shooter training. We need to do what we can do to provide training and protection. She said we need to continue to work further on the firework bill for stricter restrictions. She invited everyone to the Community Council Meeting on April 4th at 7:00 p.m. in the Dahl Room and City Hall.

V. COUNCIL REPORTS
A. Councilmember Dustin Gettel – reported he did a news story with Fox 13 regarding pygmy goats. He thanked the staff for their hard work on the ordinance.
B. Councilmember Paul Glover – Excused.

C. Councilmember Quinn Sperry – had nothing to report.

D. Councilmember Bryant Brown – asked staff to look at the corner of Grant and Garden View that needs drains on the corner to stop the flooding when it rains.

E. Councilmember Paul Hunt – said he attended court last week and said he is very impressed with Judge Vo-Duc and his professional demeanor as well as Lisa Garner. He thanked them for the great work they are doing.

VI. MAYOR REPORT
Mayor Robert Hale – reported on the monthly Conference of Mayors in Herriman. They discussed issues and concerns of the mayors in the surrounding cities. He said he has been invited to be a board member of the Utah Local Governments Trust. He also attended a conference with Collier Real Estate where they discussed the growth and diversity statistics of Utah. S L County is adding 10,000 people every year, which is driving decisions being made.

VII. ACTION ITEM
B. CONSIDER RESOLUTION NO. 2018-R-14 CONFIRMING THE MAYOR’S APPOINTMENT OF LAURIE HARVEY AS THE CITY’S DESIGNATED REPRESENTATIVE OF THE UTAH INFRASTRUCTURE AGENCY (UIA) BOARD OF DIRECTORS

Laurie Harvey said upon the departure of Phillip Hill the seat on the UIA Board was vacated. The UIA was formed after UTOPIA. The cities that didn’t want to move forward with pledging additional funds were left out of the Utah Infrastructure Agency, so UIA was created as an outgrowth of UTOPIA. The Utah Infrastructure Agency is currently having a lot of success and has enough revenue to cover their bond payments. She has done accounting for them for about 2 years and been on the committee for about 3 years.

Councilmember Quinn Sperry said he has filled in as an alternate when Phil couldn’t attend and there are a lot of numbers, so he felt having Laurie on the Board was a great idea.

MOTION: Councilmember Quinn Sperry MOVED to approve Resolution No. 2018-R-14 confirming the appointment of Laurie Harvey as the cities designated representative of the Utah Infrastructure Agency (UIA) Board of Directors. The motion was SECONDED by Councilmember Dustin Gettel. Mayor Hale called for discussion on the motion. There being none the 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. DISCUSSION ITEM
A. DISCUSS THE CITY'S GRAFFITI PROGRAM AND FINES
Laurie Harvey discussed the graffiti programs and fines. She said our Communications Specialist Laura Magness contacted the UPD and spoke with Nancy White. She is the Unified Graffiti Removal Program Manager. They have a graffiti removal program. The City has changed the process of reporting the removal of graffiti. You can now call the graffiti hotline 385-468-9769 or email graffiti@updsl.org. The UPD will take photos before the removal for further investigation and will do their best to remove the graffiti. If the graffiti is located on private property, UPD will remove the graffiti, or provide free paint and solvent if the resident prefers to remove the graffiti themselves. If it is located on public property, Nancy White will send a letter to public works informing them of the graffiti. The letter was sent to an individual who had many opportunities to get the graffiti cleaned up. The notice very generic and stated if it didn't get the graffiti cleaned up in two weeks, there would be a fee. The cities plan is to modify the letter to add the information on contacting UPD and Midvale City. Our ordinance currently says the City can remove the graffiti with the consent of the homeowner. The City has a power washer, but UPD does not have one. If it is a situation that involves a power washer, UPD will contact the City to remove the graffiti. UPD only has two people that do the graffiti removal. She asked the Council how to proceed.

Councilmember Dustin Gettel said he would like any monetary fine removed.

Councilmembers Bryant Brown, Quinn Sperry, and Paul Hunt felt the language of the first letter should be softened, and the fine should stay in place.

Chief Randy Thomas said it is a bigger issue than just graffiti. If you call the police, they will get a case number, take pictures, and refer it to the graffiti removal team. With the current system, the graffiti may be cleaned up and UPD may not even know about it. He said Nancy does track the information but does not assign case numbers. He is working with her on this.

IX. ADJOURN

MOTION: Councilmember Dustin Gettel MOVED to adjourn the meeting. Councilmember Stephen Brown 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 8:16 p.m.

Ron L. Andreasen, MMC
H.R. DIRECTOR/CITY RECORDER

Approved this 17th day of April 2017.
Midvale City Council Meeting  
Sign In Sheet  

Tuesday, March 3, 2018  

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<tr>
<th>NAME (PLEASE PRINT)</th>
<th>ADDRESS</th>
<th>CITY</th>
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<tbody>
<tr>
<td>Spencer Mears</td>
<td>3841 Princeton Dr</td>
<td>Midvale</td>
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