MIDVALE CITY COUNCIL MEETING
**AMENDED AGENDA**
June 19, 2018

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 19th day of June 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. ULGT – TAP Grant Presentation, Doug Folsom
D. Proclamation declaring July 1-7, 2018 as Independents Week
E. Daughters of the Utah Pioneers

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

VI. MAYOR REPORT
A. Mayor Robert M. Hale

VII. CONSENT AGENDA
A. Consider Minutes of June 5, 2018 [Rori Andreason, H.R. Director/City Recorder]
B. Consider Resolution No. 2018-R-33 authorizing certain individuals to make changes to Midvale City's Public Treasurers Investment Fund (PTIF) account [Laurie Harvey, Assistant City Manager/Admin Services Director]

VIII. ACTION ITEMS
A. Consider Resolution No. 2018-R-29 Adopting the 2018 Certified Property Tax Rate [Laurie Harvey, Assistant City Manager/Admin Services Director]

B. Consider Resolution No. 2018-R-30 Adopting the Midvale City Fiscal Year 2019 Budget beginning July 1, 2018 and ending June 30, 2019 [Laurie Harvey, Assistant City Manager/Admin Services Director]

C. Consider Resolution No. 2018-R-31 Adopting the Employee Job Classification and Benefits for FY2019 [Rori Andreason, H.R. Director/City Recorder]

D. Consider Resolution No. 2018-R-32 Adopting the FY 2019 Midvale City Municipal Fee Schedule [Laurie Harvey, Assistant City Manager/Admin Services Director]

E. Consider Ordinance No. 2018-O-07 Adopting the Handbill Ordinance [Lisa Garner, City Attorney]

IX. DISCUSSION ITEMS
A. Discuss Proposed Puppy Mill and Pet Lemon Ordinance [Lisa Garner, City Attorney]

B. Discuss Amendment to Business Licensing Ordinance [Lisa Garner, City Attorney]

C. Discuss Proposed Amendment to Chapter 13.04 of the Midvale Municipal Code Water System and Chapter 13.08 Sewer System [Lisa Garner, City Attorney]

*D. Discuss Wireless and Telecommunication Services Franchise Agreements for Crown Castle [Lisa Garner, City Attorney]

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: JUNE 15, 2018

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
CITY COUNCIL MEETING
Minutes
Tuesday June 19, 2018
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert Hale

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

STAFF: Kane Loader, City Manager; Brian Berndt, Asst. City Manager/CD Director;
Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason,
H.R. Director/City Recorder; Lisa Garner, City Attorney; Matt Dahl,
Redevelopment Agency Director; Patrick O’Brien, RDA Housing Project
Manager; Alan Hoyne, PW Operations Superintendent; Laura Magness,
Communications Specialist; Chief Randy Thomson, UPD; Chief Brad Larson,
UFA; and Juan Rosario, IT Tech.

Mayor Hale called the meeting to order at 6:30 p.m.

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS
Chief Randy Thomas reported that on June 4th he met with the business community at Top Golf
for the quarterly meeting. They talked about the river clean up and boardwalk clean up. He
attended his first Harvest Days meeting. Detective Jeff Nelson will be the main contact for Harvest
Days. On June 21st they are going to conduct another crosswalk sting. The Community Council
Meeting suggested that they give a warning to the residents as to when they are conducting a sting.
He reported that the Life Start Village will have their annual BBQ on June 26th. He reported on
the home on Harrison Street with the bulky waste issues. The home has been condemned and
closed for occupancy by the Health Department, and has been since 2016. They will continue to
follow up on this home.

Mayor Hale asked about a carjacking that took place. Chief Thomas informed the Council of the
details on that incident.

Chief Brad Larson said that the fireworks season is almost upon us. The sales of fireworks are
June 24th and July 25th. The legal dates for discharge are two days before and after the holiday.
They are trying to get the word out to the public. They have an interactive map on their website
that will show where fireworks are permitted and restricted. He encouraged everyone to enjoy the
fireworks by attending the public professional fireworks shows.
Brian Berndt said he has met with S L County Parks and Recreation. Portions of the Copperview Park outfield will be taken with the freeway expansion. They are discussing solutions for this and may be able to offset this with the Jordan Bluffs Project. The Zoning Ordinance re-write has been started. The Zoning Ordinance has not been updated for about 18 years. He will be preparing a list of the code sections. He would like to hold a joint meeting with the Planning Commission to go on a tour of the City where the zoning changes will be applicable. He thought that a workshop would be a good time to do this. He will also be talking with developers and taking their suggestions into consideration. The Council agreed to discuss this in a workshop meeting.

Matt Dahl said in talking with S L County last fall regarding the traffic light at Coliseum Way and Bingham Junction Blvd., they said they are booked until June of next year. He interpreted that to be June of this year, however they really meant June of 2019. He said they had good attendance on the Housing Plan Open House meeting from all areas of Midvale City. They have been doing a lot of research on housing as far as trends etc. He will also be working with the business licensing regarding rental units that don’t have business licenses.

Alan Hoyne discussed the recent storm and the flooding of the underpasses.

Rori Andreason said that Council Member Paul Glover is in France, and will be calling him about 7:00 p.m. for the meeting.

II. CITY MANAGER’S REPORT
Kane Loader said he would like to schedule the handicap ramps discussion on the agenda for July 17th. Kane read a letter from a Texas citizen who stole a stop sign years ago. He sent $50 to replace the stop sign.

III. GENERAL BUSINESS
A. Welcome and Pledge of Allegiance

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

C. ULGT – TAP Grant Presentation, Doug Folsom
Doug Folsom from the Utah Local Governments Trust was in attendance to present the TAP grant award to the City for the fourth year in a row. He congratulated staff for their efforts in safety management. The TAP program has been very successful since we have adopted this program a few years ago. The staff has made a significant effort to safety management and awareness. He congratulated the city staff and council on their award. Kane Loader thanked senior staff and Rori Andreason, Risk Manager, for all their help and team efforts.

D. Daughters of the Utah Pioneers – Jan Litster thanked the Midvale City Staff, City Council, and the Planning Commission for their help. There is a cabin that will be the oldest structure known in Midvale City that will now be called the Pioneer Memorial Park in the Founders Point area. It has been owned by the Daughters of the Utah Pioneers since about 1936. They are
threwl with the park. They would like to have it open for Harvest Days. The dedication will be September 15th.

Council member Dustin Gettel asked to have this added to city website.

Matt Dahl said they are looking as ways to create a monument feature or signage to the park to memorialize some of the people who have lived in that area. They are also looking at signage on the street so that people are aware of where it is.

E. Proclamation declaring July 1-7 as Independents Week
Mayor Hale read the proclamation into the record. Kristin Lavelett of Local First of Utah was present to accept the proclamation.

IV. PUBLIC COMMENTS
There was no one who desired to speak.

V. COUNCIL REPORTS
A. Council Member Paul Glover – Said he is currently in France and has great pictures.

B. Council Member Quinn Sperry – Had nothing to report.

C. Council Member Bryant Brown – Said the trees on Roosevelt are being taken down. They are maple trees he planted when he moved into the home. Why are the trees being taken down? Also asked if there was a schedule for the street sweeper.

Kane Loader said the trees have moved and lifted the sidewalk and curb. The program is to take the trees out. We have offered the gentlemen a waiver that allows them to leave the tree if they take responsibility if the tree lifts the new sidewalk and curb.

Alan Hoyne said yes, there is a schedule. The goal is to get through the city twice a year.

Council member Bryant Brown said Laura is doing a great job of changing the city’s image. He said he attended the Arts Council show and invited everyone to go see these shows. He discussed the water rights letter that was sent out to the residents from the Utah Water Rights.

D. Council Member Paul Hunt – Said he is on the Municipal Council which is a council of all the cities in the valley. Some of the items discussed at the meeting were Utah being an inland port, where Utah could be the first stop for customs and for ways that would bring new businesses into Utah. They discussed the transportation tax of which the cities and towns are being asked to respond to. The homeless issues were discussed and how well Midvale City is doing. The building of the new homeless facilities, the homeless will go wherever the resources are. He doesn’t want to build a whole bunch of homeless facilities. Mayor Ben McAdams would rather use other resources to help with the issues of why people are homeless, rather than build more shelters. The conversations and discussions are very effective.

E. Council Member Dustin Gettel – Discussed the food trucks for Harvest Days. He reminded everyone that next Tuesday June 26th is the Primary election.
VI. **MAYOR REPORT**

Mayor Robert Hale – Said this morning the UFA and the UFSA budgets for the 2018-2019 year were passed. He attended the Canyons School District offices that had nine seventh graders, that received a $500 scholarship that went into their 529 college fund. Representative Bruce Cutler a few years ago, saw a report that if a middle grade student has money put into their collage fund, their chances of graduating high school go from 20 percent to 60 percent. These are under privileged children. Representative Cutler introduced this to Canyons School District and they put the program into place. They will not have access to the money, but when they go to college it will be sent directly to the college they attend. He attended the Promise Partnership Regional Council meeting which is made up of business and government leaders that are working toward getting students to advancing. There is also a group on health and financial stabilities.

VII. **CONSENT AGENDA**

A. **CONSIDER MINUTES OF JUNE 5, 2018**

B. **CONSIDER RESOLUTION NO. 2018-R-33 AUTHORIZING CERTAIN INDIVIDUALS TO MAKE CHANGES TO MIDVALE CITY’S PUBLIC TREASURES INVESTMENT FUND (PTIF) ACCOUNT**

**MOTION:** Council Member Quinn Sperry MOVED to approve the consent agenda with the amendment. The motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

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

The motion passed unanimously.

Council Member Dustin Gettel asked that the minutes be changed to indicate he spoke against the zero tolerance of weapons in the homeless shelter.

VIII. **ACTION ITEMS**

A. **CONSIDER RESOLUTION NO. 2018-R-29 ADOPTING THE 2018 CERTIFIED PROPERTY TAX RATE**

Laurie Harvey said the Certified Tax Rate for calendar year 2018 is .0011166 that will generate about 2.5 million. We budgeted 2.7 million dollars, so we will move 200,000 dollars to the other tax line so our budgeted revenue matches the certified tax rate. The tax rate was .001309 last year, so we had an increase in our values. We will be receiving about 32,000 new growth. Last year we received about 33,000 new growth.

Mayor Hale said that as the property values increase in our city the tax rate goes down, so there is no net gain on existing properties in the city. If there is new growth that does create, and it also creates workload in the city and creates tax dollars.
MOTION: Council Member Paul Hunt MOVED to approve Resolution No. 2018-R-29 setting the rate of tax for calendar year 2018 and levying taxes upon all real and personal property within the corporate boundaries of Midvale City, Utah. The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry: Aye
- Council Member Paul Glover: Aye
- Council Member Paul Hunt: Aye
- Council Member Bryant Brown: Aye
- Council Member Dustin Gettel: Aye

The motion passed unanimously.

B. CONSIDER RESOLUTION NO. 2018-R-30 ADOPTING THE MIDVALE CITY FISCAL YEAR 2019 BUDGET BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019

Laurie Harvey stated that we adopted the tentative budget on May 1st. On June 5th we held a public hearing. There are no proposed changes to the budget that was presented on June 5th other than the tax rate shift for $200,000 to other tax that was just discussed.

Council member Paul Hunt said the Council has been discussing the budget since February or March. It is a long process with a lot of research. He thanked the staff for their efforts.

Council Member Bryant Brown said the meetings are public and there is plenty of opportunity for the public to comment and discuss issues.

Council Member Dustin Gettel agreed with Council Member Hunt and thanked the staff. He read an email from a Midvale employee expressing their appreciation for the Council’s hard work on the budget and for the Council approving the Parental Leave.

MOTION: Council Member Quinn Sperry MOVED to approve Resolution No. 2018-R-30 adopting the agenda summary. The motion was SECONDED by Council Member Paul Hunt. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry: Aye
- Council Member Paul Glover: Aye
- Council Member Paul Hunt: Aye
- Council Member Bryant Brown: Aye
- Council Member Dustin Gettel: Aye

The motion passed unanimously.

C. CONSIDER RESOLUTION NO. 2018-R-31 ADOPTING THE EMPLOYEE JOB CLASSIFICATION AND BENEFITS FOR FY2019

Rori Andreason briefly discussed the Employee Job Classification and benefits for FY 2019.
MOTION: Council Member Quinn Sperry MOVED to approve Resolution No. 2018-R-31 Adopting the Employee Job Classification Plan and Benefit Package for Fiscal Year 2019. The motion was SECONDED by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

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

The motion passed unanimously.

D. CONSIDER RESOLUTION NO. 2018-R-32 ADOPTING THE FY 2019 MIDVALE CITY MUNICIPAL FEE SCHEDULE

Laurie Harvey said the Municipal Fee Schedule was discussed in the Public Hearing on June 5th. No comments have been made regarding the fees, and the fee schedule has been on the website.

MOTION: Council Member Bryant Brown MOVED to approve Resolution No. 2018-R-32 adopting the Midvale City Municipal Fee Schedule for the 2019 Fiscal Year. The motion was SECONDED by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

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

The motion passed unanimously.

E. CONSIDER ORDINANCE NO. 2018-O-07 ADOPTING THE HANDBILL

Lisa Garner said the current Midvale City Ordinance with respect to litter, handbills and posters, was amended in 2002. The proposed amendments were prepared in response to citizens who felt that the current ordinance is unclear and confusing. The proposed amendment does not substantively change the ordinance but rather clarifies the intent to limit potential litter that may be caused by unsecured handbills. The amended ordinance more clearly provides for the distribution of handbills by either directly handing it to the person on the premises or securely attaching the handbill so that it cannot be blown away. The amendment also removes the definitions of “Commercial handbill” and “Noncommercial handbill” and replaces them with a single, all-inclusive definition of a handbill. In addition, all references made to commercial and noncommercial handbills are removed.

MOTION: Council Member Paul Hunt MOVED to approve Ordinance No. 2018-O-07 amending Chapter 8.04 of the Midvale Municipal Code entitled: Litter, Handbills, and Posters. The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:
IX. DISCUSSION ITEMS

MOTION: Council Member Quinn Sperry MOVED to move item D from item A. The motion was SECONDED by Council Member Paul Hunt. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry: Aye
- Council Member Paul Glover: Aye
- Council Member Paul Hunt: Aye
- Council Member Bryant Brown: Aye
- Council Member Dustin Gettel: Aye

The motion passed unanimously.

D. DISCUSS WIRELESS AND TELECOMMUNICATIONS SERVICES FRANCHISE AGREEMENTS FOR CROWN CASTLE

Lisa Garner said the Council has previously discussed the wireless and telecommunication services for the franchise agreement. There are only two issues that we need to come to an agreement on. She feels that it is important to stay consistent with the city’s franchise agreements. Crown Castle has a couple of issues staff is currently working through. Crown Castle would like to be able to assign its interest in the contract with the sister companies without city permission. She feels that the city needs to consent to the assignment so we know what entity the city has a contract with and it is consistent with our other contracts that have been entered into. The other issue is an insurance issue that staff is doing research on. Staff would like to know if the insurance policy by a provider is cancelled by having the provider send the City notice of the cancellation. Rich Bush said that this is normal practice for insurance companies. Lisa introduced Rich Bush with Crown Castle.

Rich Bush, Crown Castle, said the insurance companies stopped providing notice to the additional of insured. He thanked the Council and the legal department for working with them.

Ms. Garner said this item will be brought back for action after these issues are resolved. Their goal is to be consistent with the providers.

A. DISCUSS PROPOSED PUPPY MILL AND PET LEMON ORDINANCE

Lisa Garner said at our last meeting, S L County Animal Services and the Humane Society were both here discussing the puppy mill ordinance as it has been called. The Council was in favor of that type of an ordinance so staff has prepared such an ordinance for consideration.

Council Member Dustin Gettel said he was in favor of this ordinance. The Council agreed to have this item brought back for action.
B. DISCUSS AMENDMENT TO BUSINESS LICENSING ORDINANCE
Lisa Garner said in the business licensing ordinance there is somewhat of a loop hole. The business owner is responsible for the acts committed by the employee. When businesses have issues with the city or UPD, the city would like to have recourse with the business owner, and the business comes back with they are an independent contractor. The ordinance does not define independent contractor. She would like to amend the ordinance to include an independent contractor so the city has some recourse with the businesses. The licensee is also responsible for any act by its agent, independent contractor, or employee while acting within the businesses compacity as well as the business owner him or herself for any illegal or criminal act that they do. The Council agreed to bring this item back for action.

C. DISCUSS PROPOSED AMENDMENT TO CHAPTER 13.04 OF THE MIDVALE MUNICIPAL CODE WATER SYSTEM AND CHAPTER 13.08 SEWER SYSTEM
Lisa Garner said that this is another code that needs to be updated. It says that the customer is responsible from the property to the meter. The city is responsible for maintenance from the meter out. Kane Loader said the city is responsible for the sewer main line, and the laterals are the property owner’s responsibility. The laterals are from the main line into the property. The water the city is responsible to the backside of the yolk. The yolk the meter and the line connecting that is the city responsibility to the main. From the backside of the meter yolk to the inside of the property is the property owner responsibility. Staff is trying to make it clear on who is responsible for what.

X. ADJOURN

MOTION: Council Member Dustin Gettel MOVED to adjourn the meeting. The motion was SECONDED by Council Member Paul Hunt. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 8:21 p.m.

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

Approved this 17th day of July 2018.
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<tr>
<th>NAME (PLEASE PRINT)</th>
<th>ADDRESS</th>
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<tbody>
<tr>
<td>Heidi Miller</td>
<td>653 W Lenox St</td>
<td>Midvale</td>
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<tr>
<td>Doug Fossom</td>
<td>UTAH LOCAL GOV. TRUST</td>
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<tr>
<td>Jan Litster</td>
<td>104 W Prindle Dr</td>
<td>Midvale</td>
</tr>
<tr>
<td>[Signature]</td>
<td>7460 So. 95E</td>
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<tr>
<td>Leland Rasmussen</td>
<td>7650 Euro Dr.</td>
<td>Midvale</td>
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