MIDVALE CITY COUNCIL MEETING
AGENDA
August 14, 2018

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 14th day of August, 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. Employee of the Year Recognition
D. Recognition of Youth Ambassadors
E. Proclamation Declaring Year of 2018 as “Great Salt Lake Council 100th Scouting Anniversary Year”

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

VI. MAYOR REPORT
A. Mayor Robert M. Hale

VII. PUBLIC HEARINGS
A. Consider a Final Subdivision Plat for a 2-Lot subdivision from Mark Snow and Brad Heaps located at 7777 South 300 East [Alex Murphy, Associate Planner]
ACTION: Approve Final Subdivision Plat for a 2-Lot subdivision from Mark Snow and Brad Heaps located at 7777 South 300 East

VIII. CONSENT AGENDA
A. Consider Minutes of July 17, 2018 [Rori Andreason, H.R. Director/City Recorder]

IX. DISCUSSION ITEMS
A. Discussion of Amendments to Purchasing Ordinance [Laurie Harvey, Assistant City Manager/Admin Services Director, Lisa Garner, City Attorney]

B. Discussion of Amendments to Chapter 5.54, Wireless Communication Services, and Chapter 12.14, Installations within City Rights-of-Way [Garrett Wilcox, Deputy Attorney]

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: AUGUST 10, 2018

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
CITY COUNCIL MEETING
Minutes
Tuesday August 14, 2018
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert Hale

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

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; Alan Hoyne, Public Works Operations
Superintendent; Gaylene Nichols, Code Enforcement Officer, Alex Murphy,
Associate Planner; Laura Magness, Communications Specialist; Garrett Wilcox,
Deputy Attorney; Christopher Butte, Economic Development Director; Chief
Randy Thomas, UPD; Chief Brad Larson, UFA; and Matt Pierce, IT Manager.

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

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS

Chief Randy Thomas said he wanted to share his condolences with his fire fighter brother’s loss
to the California wild fires. He said Harvest Days was great. They are planning to conduct a post
operation debrief, and they also built an operation plan for Harvest Days. They would like to pass
this information on for next year. He invited the council to the bid party on August 22, 2018 from
5:00 to 7:00 p.m. which will be a family event over at the bowery in the park. They will have
awards and recognition for the officers. He reviewed the stats for the last month with the council.
They are currently working on the good landlord reports and stats. He reported Back on May 9th
there was a fire on Wood Street. Three of our officers bravely performed. He put the officers in
for an incentive award, which they will receive tomorrow.

Council Member Bryant Brown thanked Chief Thomas for his hard work with Harvest Days.

Council Member Dustin Gettel said a resident that reported CD activity on 6th avenue. She has
been sending pictures on this again. He asked if there was any information on this. Chief Thomas
said he has an officer working on it.

Chief Brad Larson expressed sincere condolences for the fallen Battalion Chief Matt Burchett who
died fighting the fires in California. He also expressed his condolences for the West Valley City
Code Enforcement Officer who was killed. He updated the Council on the call volumes for the stations as well as the July 4th holiday. He reviewed resource allocations, UFA recruitment challenges and a City & Township survey that has been sent to all the entities. He asked that everyone fill it out and return as soon as possible. He reviewed the school safety messages regarding back to school safety. He said they have some really good points for drivers and kids going back to school. He discussed a new program to help escape the heat cool zone. He said Chief Peterson road in 14 parades and was very excited to get the best vehicle entry award from Midvale.

Laurie Harvey congratulated Laura Magness for her great efforts on Harvest Days. She asked Laura to report on Harvest Days. Laura Magness said it started with incredible neighborhood block parties. There were over 1000 people attending bingo. There were over 4000 people that attended the Harvest Day celebration. Every one of the food trucks sold out and were excellent. She thanked UPD and UFA for their support. She thanked all of the vendors that provided activities, sold products and gave information. She thanked the entire Harvest Days Committee who did a lot of hard work. She thanked Council Member Dustin Gettel for getting the food trucks. Melanie Beardall did an incredible job organizing the Junction 89 and Bellamy Brothers making them feel very welcomed and meeting their needs. Suzanne Walker who put together all of the activities. Wade Walker who helped set up the performances on the stage. She thanked Stephen Brown who met all the needs of the food truck vendors and spent all day with them. Lyndzi Elsmore who did a great job of planning the parade. She thanked Chris Butte and Tyler Sharp for their input and information.

Brian Berndt updated the Council on the Jordan Bluffs Project. He said they started the discussion with the Planning Commission last week. One of the primary concerns with the project is the increase in traffic. They are working with Sandy City on how the Bingham Junction Blvd will connect. He would like to get the master development agreement and zoning code completed sometime next month. The Planning Commission left the public hearing open and are still taking comments. He discussed his meeting with UDOT regarding the 7200 South North and South end I-15 construction projects. He invited everyone to the open house public hearing regarding the UDOT Northbound I-15 project being held at the Senior Center on August 21, 2018, from 4:00 to 7:00 p.m.

Matt Dahl discussed the tax increment on Bingham Junction for the audience.

**Bingham Junction: Value Growth**
2017 Value Difference: $556,448,873

Bingham Junction: Taxing Entity Revenue

2017 Property Tax Difference: $1,555,919

2004-2017 Property Tax Difference: $6,190,759
Bingham Junction: Midvale Revenue

Midvale Tax Comparison

2017 Property Tax Difference: $141,176


Bingham Junction: School District Revenue

School District Tax Comparison

2017 Property Tax Difference: $652,651

2004-2017 Property Tax Difference: $2,447,245
Bingham Junction: Total Tax Increment

Total Property Tax


2017 Property Tax Difference: $8,113,581

Council Member Bryant Brown thanked Matt for answering questions about Main Street improvements and the RDA, during the Art Walk at Harvest Days.

Alan Hoyne reported that the pedestrian activated school signs will be here and installed before school starts. He also reported that the water and street projects are all on schedule. He discussed the sanitary sewer report he just received which came back with minor deficiencies, which have already been addressed. He reported on the water pressure calls. He said the best time to water is early evening to 2:00 a.m. He recognized Jed Bell and Brian Hullinger who did a great job with Harvest Days, especially since it was their first experience with Harvest Days.

Rori Andreason asked the Council if they would be interested in starting the meeting earlier with dinner provided by the City. The Council said they would not be interested.

II. CITY MANAGER’S REPORT

Kane Loader said Harvest Days was amazing and thanked everyone for all their hard work. He said the City was successful in our request from the State Homeless Committee for a grant for 2019 and 2020. The City will be getting six more police officers in October and they will be assigned to the Homeless Shelter and the 7200 South Corridor. He said in response to Council Member Bryant Brown’s request for additional parking for the Performing Arts building, the adjacent property parking is used for a staging area for the taco carts so that is not available. However, the area where the old city hall was can be used for additional parking. He is meeting with S L County Mayor Ben McAdams this week regarding the swimming pool and the possibility for the county to reconsider the use of Union Park.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance
Mayor Hale asked for a moment of silence for the three public officials who recently passed away, West Valley Code Enforcement Officer, Jill Robinson; Draper Fire Battalion Matt Chief Burchett; and UFA Battalion Chief, Curtis Day.

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

C. **Employee of the Year Recognition**
Kane Loader said each month Midvale City employees nominate one of their peers who they feel have gone above and beyond for that month. At the end of the year each of the employees nominated for employee of the month are eligible for employee of the year. This year Gaylene Nichols, Code Enforcement Officer, has been chosen. She was nominated in September last year. Her peers nominated her for her positive attitude and being kind and friendly to those around her. She came to work every day with a positive attitude while battling chemo and radiation for her cancer. She offered to lend a hand to others and showed genuine kindness despite her own challenging circumstances. She is an excellent example of dedication and perseverance. The City would like to recognize her for a job well done.

Gaylene Nichols was presented with a plaque and gift certificate.

Gaylene Nichols thanked all her fellow employees for all of their support and all that they do. It means a lot.

Mayor Hale thanked Gaylene for her hard work and dedication.

D. **Recognition of Youth Ambassadors**
Laura Magness said the Midvale Youth Ambassador program is a service-based leadership scholarship program for young adults. The program rewards students for their academic achievements, leadership abilities, community involvement and peer inspiration. It enables you to make a positive influence on the community. The 2018 Youth Ambassadors were inducted on August 8th and will serve as representatives of Midvale City for a full year. They have already been in 10 parades. As part of their service, each youth ambassador selects a community project that impacts Midvale City. Morgan Miller’s goal is keeping youth active project. Amelia Slama Catron’s goal is healthy choices and healthy eating. Kosha Hansen’s goal is setting goals for the future.

Candy Tippetts has mentored Midvale’s Youth Ambassador program for over 13 years. Over the years Candy has empowered young woman and men to achieve their goals. We are grateful to Candy who has volunteered countless hours to the youth ambassador program.

E. **Proclamation Declaring Year of 2018 as “Great Salt Lake Council 100th Scouting Anniversary Year”**
Mayor Hale read the proclamation declaring the year of 2018 as "great Salt Lake Council 100th Scouting Anniversary Year"

Tony Patterson, District Chairman, Great Salt Lake Council, expressed his sincere appreciation for this proclamation. He said they recognize these youth value-based programs that help benefit the community and are only successful through the efforts of many individuals. He expressed appreciation for the great support Midvale has offered to the scouting program. An example is the scouting for food. They have collected a million pounds of food donated to the food bank. They have also allowed many eagle projects throughout the years.

Mayor Hale explained the new sign in sheet for public comments.

IV. PUBLIC COMMENTS
Mont Millerberg said he agreed with what was said about Harvest Days. He had a great time with his grand kids at that parade in the morning. He said there needs to be more to Harvest Days than just great fireworks. He said he plans on having a meeting with the board of education regarding the swimming pool. He is also concerned with bicycle safety in Midvale City. He read a letter he wrote for the record:

Re: Establishment of Bicycle Lanes and Safe Bicycle Corridors

The purpose of this letter is to put into writing some of the major points of discussion we have had over the last several weeks. These discussions have centered on bicycle safety and the lack of safety enhancements in the City of Midvale.

For close to 20 years I have advocated for the implementation of bicycle lanes in our city. In the last 20 years little has changed. There is now a bicycle lane in place on 7th East as it swings up to 9th East. To my knowledge, little else has changed.

A year ago, I spoke to the City Council about being hit on my bicycle on Center Street. It is my firm belief that had a proper bicycle lane in place that this accident would not have occurred. Quoting you, Mayor Hale, "The reason I was hit was because I was riding in the road". You leave cyclists with no other option.

Since that time, we have had road construction on Center Street west of Holden down to the Jordan River. The construction on the south side had ground to a standstill for well over 6 weeks. Cones and barriers have been placed so all cycle traffic is forced into the lanes of traffic. Two weeks ago, a large sign was placed to block the shoulder to announce Harvest Days that forced cycle traffic off the shoulder and into traffic lanes as well.

Surrounding cities have been able to add cycle lanes. Surrounding cities have posted signs and painted the roads to indicate that "bikes may use entire lane". Why not in Midvale? Even a few share the road signs would be appreciated.
Mayor, I am very concerned for my safety and for the safety of all bike riders. My fear is that some of our citizens will be severely injured or worse. Please, let’s get this problem addressed and taken care of.

Best regards,

Mont L. Millerberg

Sophia Hawes-Tingey, Vice Chair Community Council, said on Wednesday night or Thursday morning at 1:00 a.m. she heard shots outside her door. She called the police and they did a great job. She said the road home gave a presentation at their last meeting which was incredibly moving. When asked what the Community Council could do for them, they said volunteer. She said five campaigns came out to serve the breakfast during Harvest Days. Any political candidate that signed up to be in the parade was informed a candidate forum night will be held on September 5th.

Heidi Miller said she was one of two people to show up at the Planning Commission regarding the development on Jordan Bluffs. She was so disgusted with the turnout. She went to the open house and feels blindsided with the amount of units going in there. The roadway comes up to Ivy Street; a four-lane highway connecting to little Ivy Street. She was told the impact of those cars won’t make a difference. With 2,500 units, 2 people per household, means an additional 5,000 people. What is going to happen when it snows? Where are the cars going to go, and how are they going to plow the streets? She asked the Council to please look at the traffic. Ivy Street should have never been connected there.

V. COUNCIL REPORTS
   A. Council Member Quinn Sperry – Excused

   B. Council Member Bryant Brown – asked if the Arts Council needed to provide an invoice for the funding they receive from the City. Laurie Harvey said yes along with what they will be providing with that funding.

Council Member Bryant Brown said the custodians are not cleaning the Performing Arts Center and haven’t for quite some time. He said they are considering adding a marquee in front of the Arts building; however, the property needs to be rezoned in order to allow the marquee. A few comments from block parties: The house on Taft that was taken down, the city owns it and another lot UTA owns. He was asked which lot is owned by the City and which one is owned by UTA. For a while it was mowed but now it is full of weeds. He would like to make it somewhere kids can play. He said there are only two homes in Council District 4 that can access Utopia. There’s cabinets in his district but no one has access to it. He said they need to find a way to fund the buildout without issuing another bond. Utopia’s next project area needs to be in District 4. It is not fair to his constituents. There is a bell at the Arts Center that no one knows why it’s there. The bushes need to be cleared around it, so people can see it from the road. He said the contractor building the town homes on Center Street had double parked their trucks on Roosevelt Street without closing the road. A resident turning left onto Roosevelt Street had to back up into Center Street which could have caused an accident.
C.  Council Member Paul Hunt – thanked everyone involved in planning and executing Harvest Days. He received so many compliments on the event.

D.  Council Member Dustin Gettel – said one of the most common themes people are upset about is code enforcement. A few people said they called and code enforcement came out but there was no follow-up. One gentleman said his neighbor is raising a lot of pigeons that smell bad and bringing rats into the neighborhood. He called code enforcement, and nothing happened, so he called Salt Lake County and they are now involved. He went to a meeting for the Jordan River Commission. They are having an event called Get into the Water on September 15, 2018 at 3:00 p.m. He will get the information to Laura Magness. He would also like to follow up and discuss the confederate flag parade entry in the future.

E.  Council Member Paul Glover – said Harvest Days was great. He also had some comments on how we can improve and will get those to Kane. Jefferson Street would either like a 4-way stop going into the park to slow the traffic down or speed bumps. He has had some experiences in last week that have bothered him about the homeless shelter. There is a family they were helping, and they came back with lice and bed bugs bites. A lot of the kids going to school from the shelter have lice and bed bug bites. This needs to be addressed with the homeless shelter. West Nile virus found seven samples of mosquitoes that have had the virus. He said to remember to get rid of standing water and use caution.

VI.  MAYOR REPORT
Mayor Robert Hale – said Harvest Days was absolutely fantastic. Police and fire did a great job. The Community Council’s breakfast was well done. He thanked every group and thanked Public Works who are there long before and after everyone else. He met with the State Homeless Coordination Committee meeting with South Salt Lake. They were excited the financing was approved for the next year and year after that. He participated in the Canyons School District fair for the northern school districts. They had many buses and trailers full of school supplies and food for those students that cannot afford them.

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

VII.  PUBLIC HEARINGS
A.  CONSIDER A FINAL SUBDIVISION PLAT FOR A 2-LOT SUBDIVISION FROM MARK SNOW AND BRAD HEAPS LOCATED AT 7777 SOUTH 300 EAST

Alex Murphy said the proposed Cottages at 7777 Subdivision plat consists of two (2) proposed lots on a total of 0.33 acres located north of 7800 South on 300 East and is being submitted by Mark Snow and Brad Heaps for the purpose of dividing a proposed duplex into a twin home, allowing separate ownership of each unit.

The proposed subdivision plat was reviewed and approved by the City Engineer and Fire Marshall. As a minor subdivision request, this request is subject to and complies with the requirements of
the Single Family Residential Zone with Duplex Overlay (SF-1/DO) and the subdivision ordinance (Title 16), subject to the recommended conditions below.

He said all subdivisions require a review and recommendation from the Planning Commission and approval from the City Council. Public hearings are required to be held by each body. The Planning Commission conducted a public hearing on this subdivision plat on June 27, 2018. Based on compliance with the City’s zoning and subdivision requirements, the Planning Commission forwarded a positive recommendation to the City Council to approve the subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
2. A note shall be added to the subdivision plat indicating that a two-unit residential structure with a common wall is required to be constructed along the center line dividing Lots 1 and 2 unless the subdivision plat is officially amended.
3. A minimum of two (2) additional street trees are required to be planted along 300 East, one on each parcel. These trees shall be planted or guaranteed by a cash bond prior to recording of the final plat. A note indicating this requirement shall be added to the final plat.
4. The applicant shall complete the sidewalk along the property frontage, tying into the existing sidewalk to the north, and make necessary improvements to the curb and gutter, as required by the City Engineer. This work shall be completed and approved by the City Engineer prior to a certificate of occupancy being issued for the units.
5. The applicant shall obtain duty to serve letters for water and sewer and a fire hydrant flow verification letter prior to the subdivision plat being recorded.
6. The applicant shall provide evidence that courtesy notices have been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia and Century Link regarding the utility easements on the subdivision plat prior to final approval.

The applicant has prepared and submitted the final plat. The applicable notes regarding the two-unit residential structure and street tree requirements have been added. Proof that notices have been sent to the local utility companies has been provided.

The subdivision plat dedicates a portion of the 300 East right-of-way to the City. The applicant will need to install curb, gutter, and sidewalk prior to a certificate of occupancy being issued for the building. No water and sewer duty to serve letters or fire flow confirmation have been provided.

Council Member Paul Hunt asked why it was decided to make this a duplex rather than a single-family home.

Mark Snow, applicant, said they develop property and build homes. They’ve done several projects in Midvale. To find a piece of property that is already zoned as multiple housing is rare. They decided to go with a twin home rather than a duplex, so each side would have individual ownership, so they can sell each side. Council Member Dustin Gettel asked what is going to happen to the tree. Mark Snow said there are no plans to take it down. He has had interest from a woodworker that would like to take it down to do wood work with it.
Council Member Paul Hunt said he is having a hard time with this. He can’t understand why they didn’t do a single-family home, instead of a twin home.

Council Member Paul Glover said it is a great project because it is a for sale project rather than a rental.

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

Alex Murphy said he would like to point out for Council Member Paul Hunt that there are a few properties that are duplex overlay.

Council Member Paul Hunt said he would like to protect the single-family neighborhoods we currently have.

**MOTION:** Council Member Paul Glover MOVED to close the public hearing. The motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called a vote. The motion passed unanimously.

**MOTION:** Council Member Bryant Brown MOVED based on compliance with the requirements of the Midvale City Municipal Code demonstrated in the application or addressed by the inclusion of conditions of approval, I move that we approve the subdivision plat for the Cottages at 7777 Subdivision with the following conditions:

1. The applicant shall complete the sidewalk along the property frontage, tying into the existing sidewalk to the north, and make necessary improvements to the curb and gutter, as required by the City Engineer. This work shall be completed and approved by the City Engineer prior to a certificate of occupancy being issued for the units.

2. The applicant shall obtain duty to serve letters for water and sewer and a fire hydrant flow verification letter prior to the subdivision plat being recorded.

3. The applicant shall obtain all required signatures on the final subdivision plat Mylar.”

The motion was SECONDED by Council Member Paul Glover. Mayor Hale called for discussion on the motion. There being none then he called for 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>Absent</td>
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<td>Paul Glover</td>
<td>Aye</td>
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<td>Paul Hunt</td>
<td>Nay</td>
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<td>Bryant Brown</td>
<td>Aye</td>
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<td>Dustin Gettel</td>
<td>Aye</td>
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The motion passed 3-1 in favor.

VIII. CONSENT AGENDA
   A. CONSIDER MINUTES OF JULY 17, 2018
Council Member Bryant Brown said there is a motion on page 17 that has him voting against the motion, and it should show him in favor.

MOTION: Council Member Paul Glover MOVED to approve the consent agenda with the change noted. 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    Absent
   Council Member Paul Glover      Aye
   Council Member Paul Hunt        Aye
   Council Member Bryant Brown     Aye
   Council Member Dustin Gettel    Aye

   The motion passed unanimously.

IX. DISCUSSION ITEMS
   A. DISCUSSION OF AMENDMENTS TO PURCHASING ORDINANCE
Laurie Harvey discussed the proposed amendments to the Purchasing Ordinance as follows:

Improve Midvale’s Purchasing process
- Contracts/procurement Specialist position authorized for FY 2018
  - Shane Clement – 9/2017 to 12/2017
  - Fawn Hullinger – 2/26/2018
- Responsibilities include:
  - Managing contracts database
  - Approving purchase requisitions
  - Providing staff assistance with quotes and bids
  - Reviewing/approving all Requests for Proposal and/or Invitations to Bid
  - Reviewing/approving all Contracts

Balancing Regulations and Efficiency
- Last review of City’s Purchasing Ordinance – 2004
- Due diligence for all purchasing is vital
  - Keeps costs as low as possible
  - Keep employees and vendors honest
- Strict regulations can result in a bottleneck for staff
- Currently, purchase orders are required for any purchase > $1,000

Time and paperwork for small purchases
- Approximately 400 requisitions for purchase orders processed last year
  - 40% between $1,000 - $3,000
  - 40% between $3,000 - $25,000
  - 20% greater than $25,000
- Approximately $22 million in purchase orders issued last year
  - 6% between $1,000 - $3,000

12
Staff recommendation – increase threshold for solicitation of quotes from $1,000 to $3,000

- Reduce number of requisitions processed by 40%
- Reduce $ amount of open market quotes by only 6%
- Purchases less than $3,000
  - Computer equipment
  - Wiring projects for electronics
  - Contract labor small jobs – paving and concrete, auto repair
  - Supplies for buildings, grounds, utilities maintenance

Comparison of cities
Small purchases exempt from open market solicitation

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Proposed modifications for small purchases

Existing Ordinance
- No solicitation or purchase order required for purchases under $1,000
- 3 bids required for purchases between $1,000 and $25,000
  - Oral for <$10,000
  - Written for $10,000 - $25,000

Proposed Ordinance
- No solicitation or purchase order required for purchases under $3,000
- 3 written quotes required for purchases between $3,000 and $25,000. Purchase order required.

Modifications to definitions
Existing Ordinance
- Small purchase – between $1,000 and $10,000
- Medium purchase – between $10,000 - $25,000
- Large purchase – greater than $25,000
Proposed Ordinance
- Small purchase – between $3,000 and $25,000
- Medium purchase – definition eliminated
- Large purchase – greater than $25,000 (no change)

Comparison of cities
Threshold for sealed bid requirement

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Staff recommendation - expanding definition of “Professional Services”
- Current definition – auditing, banking, insurance, engineering, legal, architectural, financial advisory, bond underwriting, and other forms of professional consulting
- Proposed definition – Professional Service providers:
  - Are skilled in the practice of a learned and/or technical discipline
  - Have undergone prolonged and specialized intellectual training
  - Profess attainments in special knowledge as distinguished from mere skills
  - Added examples to the list: accounting, construction design and management, information technology, materials testing, medicine, planning, and surveying

Reclassify Purchasing Ordinance
- Purchasing Ordinance is classified under Title 2 – Administration
- Staff recommends reclassification to Title 3 – Revenue and Finance
  - Requires renumbering of paragraphs

Other modifications
- Enhanced the “definitions” section
- Expanded from 25 to 68 – examples:
  - Bid package, change order, design-build
  - Various types of contracts – fixed price, indefinite quantity, etc.
  - Changed responsibility of evaluating bids and determining lowest responsive responsible bidder from “department head” to “award committee”
- Added a section for “procurement procedures”
- Added a section for “Construction Related Projects”
- Guidance for Construction Management and selection, different types of contracts available
Added a section for modifying contracts

Next Steps
- Consider Resolution on August 21, 2018
- Additional training for departments

Laurie Harvey said in March she discussed allowing the procurement specialist to approve piggy backing on other city or intergovernmental contracts with the Council. She said they have decided to leave that the way it is.

Council Member Dustin Gettel said when you increase a small purchase from 10,000 to 25,000 that is 2.5 times of what the small purchase used to be.

Laurie said the requirements for small purchases have gotten stricter. Right now, anything between 1,000 and 10,000 only requires a verbal quote. The proposal is to require written quotes from the vendor on those purchases between 1,000 and 10,000. Anything over 25,000 becomes a sealed bid process.

Council Member Dustin Gettel said he would have liked to have this information prior to the meeting so he could review it. It is difficult to grasp everything. Council Member Bryant Brown agreed.

Council Member Paul Glover said he was concerned with the smaller amounts. He believes that single purchases will be made, so that they won’t have to do the bidding process.

Laurie Harvey said that is addressed in the ordinance. One of the changes made was that they will have a committee rather than a single individual involved in the bidding process.

B. DISCUSSION OF AMENDMENTS TO CHAPTER 5.54, WIRELESS COMMUNICATION SERVICES, AND CHAPTER 12.14, INSTALLATIONS WITH CITY RIGHTS-OF-WAY

Garrett Wilcox said this is in regards to the SB189 small wireless facilities deployment act. The state preempted municipalities the ability to regulate the small cell companies that are entering the right of way. The ordinance the City passed back in January was to help regulate that. A number of our tools were gutted with the SB189. He reviewed the changes.

Mr. Wilcox said the law says the City cannot require them to attach to certain types of poles. We also had minimum distance for new poles. The new law said we are not allowed to set separation distances between things within the right of way. The current ordinance is currently 36 pages. With the law changes we are down to 25 pages with the revisions made to come into compliance. The City is allowed to have reasonable design standards. He believes that the design standard the Council chose has reasonable design standards. One of the big changes was on the volume size of the antennas. The City is now required to allow antennas up to 6 cubic feet. The City’s ordinance only allowed 17 cubic feet of equipment. The law is 28 cubic feet. One of the requirements is that the City’s requirements need to be on all of the communication providers. The providers specifically prevented cities from being able to be grandfathered in. The law specifically states that cities need to be in compliance by September 1st. He felt the changes made will bring the City
into compliance with SB189. There were a number of tools lost, but the ordinance will still allow us to have more control of what comes into our right of way than if we allow it to default to the state minimum standards.

MOTION: Council Member Paul Glover 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 Council adjourned the meeting at 9:25 p.m.

MOTION: Council Member Dustin Gettel MOVED to reconvene into open session. The motion was SECONDED by Council Member Paul Glover. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council reconvened into open session at 9:56 p.m.

X. CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

MAYOR: Mayor Robert Hale

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

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; Garrett Wilcox, Deputy Attorney; and Matt Pierce, IT Manager.

MOTION: Council Member Paul Glover MOVED to go into closed session to discuss pending or reasonably imminent litigation. The motion was SECONDED by Council Member Bryan 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:

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

The motion passed unanimously.
The Council went into closed session at 10:00 p.m.

**MOTION:** Council Member Paul Glover MOVED to reconvene into open session. The motion was SECONDED by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none then he called for a vote. The motion passed unanimously.

The Council reconvened into open session at 10:12 p.m.

**XI. ADJOURN**

**MOTION:** Council Member Paul Glover 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 10:13 p.m.

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

Approved this 4th day of September 2018.
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Midvale City Public Comment
Sign in Sheet

Tuesday, August 14, 2018

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.

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August 14, 2018

RE: Establishment of Bicycle Lanes and Safe Bicycle Corridors

Mayor Robert M. Hale
7505 S Holden Street
Midvale, UT 84047

Dear Mayor Hale:

The purpose of this letter is to put into writing some of the major points of discussion we have had over the last several weeks. These discussions have centered on bicycle safety and the lack of safety enhancements in the City of Midvale.

For close to 20 years I have advocated for the implementation of bicycle lanes in our city. In the last 20 years little has changed. There is now a bicycle lane in place on 7th East as it swings up to 9th East. To my knowledge, little else has changed.

A year ago I spoke to the City Council about being hit on my bicycle on Center Street. It is my firm belief that had a proper bicycle lane been in place that this accident would not have occurred. Quoting you, Mayor Hale, “The reason I was hit was because I was riding in the road.” You leave cyclists with no other option.

Since that time we have had road construction on Center Street west of Holden down to the Jordan River. The construction on the south side has ground to a standstill for well over 6 weeks. Cones and barriers have been placed so all cycle traffic is forced into the lanes of traffic. Two weeks ago, a large sign was placed to block the shoulder to announce Harvest Days that forced cycle traffic off the shoulder and into traffic lanes as well.

Surrounding cities have been able to add cycle lanes. Surrounding cities have posted signs and painted the roads to indicate that “bikes may use entire lane”. Why not in Midvale? Even a few share the road signs would be appreciated.

Mayor, I am very concerned for my safety and for the safety of all bike riders. My fear is that some of our citizens will be severely injured or worse. Please, let’s get this problem addressed and taken care of.

Best regards,

Mont L. Millerberg