MIDVALE CITY COUNCIL MEETING
AGENDA
July 2, 2019

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 2nd day of July 2019 at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:00 PM – Dahl Conference Room
COUNCIL BUSINESS

6:30 PM – Council Chambers
INFORMATIONAL ITEMS

I. DEPARTMENT REPORTS
   - Public Works Report
   - Community Development/RDA Report

II. UNIFIED POLICE DEPARTMENT REPORT

III. CITY MANAGER REPORT

7:00 PM
REGULAR MEETING

IV. GENERAL BUSINESS
   A. WELCOME AND PLEDGE OF ALLEGIANCE
   B. ROLL CALL
   C. ULGT TAP Award Presentation

V. PUBLIC COMMENTS
   Any person wishing to comment on any item not otherwise scheduled for public hearing 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.

VI. COUNCIL REPORTS
   A. Councilmember Quinn Sperry
   B. Councilmember Bryant Brown
   C. Councilmember Paul Hunt
   D. Councilmember Dustin Gettel
   E. Councilmember Paul Glover

VII. MAYOR REPORT
   A. Mayor Robert M. Hale
VIII. **PUBLIC HEARINGS**  
A. Public Hearing to Consider a Preliminary Subdivision Plat Approval Request for 4-Lot Jordan Bluffs Lot 2 2nd Amended Subdivision located at approximately 8500 South and 700 West/Main Street [Lesley Burns, City Planner]  

ACTION: Approve a Preliminary Subdivision Plat Approval Request for 4-Lot Jordan Bluffs Lot 2 2nd Amended Subdivision located at approximately 8500 South and 700 West/Main Street  

B. Public Hearing to Consider a Rezone Request to add the Public Facilities Overlay to the Canyons School District Property and allow a Telecommunications Facility, 7350 South 900 East (Hillcrest High School Campus) [Lesley Burns, City Planner]  

ACTION: Approve Ordinance No. 2019-O-09 Rezoning the Canyons School District Property at 7350 South 900 East adding the Public Facilities Overlay and Allowing a Telecommunications Facility  

IX. **CONSENT AGENDA**  
A. Consider Minutes of June 18, 2019 [Rori Andreason, H.R. Director/City Recorder]  

X. **ACTION ITEMS**  
A. Consider Resolution No. 2019-R-28 Adopting the Employee Job Classification Plan and Benefit Package for Fiscal Year 2020 [Rori L. Andreason, Human Resource Director/City Recorder]  

B. Consider Resolution No. 2019-R-29 A Resolution Confirming the Mayor’s Appointment of Matt Dahl as the Assistant City Manager/Community Development Director for Midvale City [Kane Loader, City Manager]  

C. Consider Resolution No. 2019-R-30 Protecting Minors from Conversion Therapy [Lisa Garner, City Attorney]  

XI. **DISCUSSION ITEMS**  
A. Discussion on Utah Medical Cannabis Act [Lesley Burns, City Planner]  

XII. **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](http://www.midvalecity.org) and the State Public Notice Website at [http://pmn.utah.gov](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 28, 2019

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
CITY COUNCIL MEETING
Minutes
Tuesday July 2, 2019
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert M. Hale

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

STAFF: Kane Loader, City Manager; Bryce Haderlie, Asst. City Manager/Administrative Services Director; Matt Dahl, Asst. City Manager/Community Development Director; Rori Andreasen, HR Director/City Recorder; Lisa Garner, City Attorney; Glen Kennedy, PW Director; Chief Randy Thomas, UPD; Battalion Chief Brad Larson, UFA; Laura Magness, Communications Director; Leslie Burns, City Planner; Keith Ludwig, City Engineer; and Juan Rosario, IT Technician.

The pre-meeting workshop began at 6:00 p.m.

COUNCIL BUSINESS
Staff and Council discussed agenda items as well as updates from staff.

INFORMATIONAL ITEMS
I. DEPARTMENT REPORTS
   • Public Works Report
Glen Kennedy reported that the Water Department has completed the annual water quality report which has been submitted to the state. The Storm Water Department installed a new drain at the Performing Arts Center, and a rooftop A/C unit has been installed on the UPD building. Freedom LED has been contracted to install a new sign at the park. In August, Public Works will be doing a six month trial of working 4/10 hour days. The parks staff wanted to thank UPD on help with issues in the park.

   • Community Development/Redevelopment Agency Report
Matt Dahl said a new employee will start next week working with business license as well as building permits. He reviewed current stats with Detective Gerry Wayne taking over the code enforcement. He said the goal is to work with residents on issues by giving them the time to fix the issues. He would also like to enforce on those that are operating without business licenses. They are looking at Main Street and the code to start addressing some of the issues regarding business closures. The contract for the development of the
basketball court was terminated because the developer was unable to meet the June 15th deadline. He is currently working on plan B. He discussed the issue of dust on the Jordan Bluffs site. The City's Storm Water Coordinator is checking on the construction sites and making sure they are following the storm water plan. There are state regulated processes to enforce if the contractors are not following the storm water plan. A letter has been sent to Jordan Bluffs developer identifying areas that they need to improve on.

II. Unified Police Department Report
Chief Randy Thomas said he ran a preliminary general offense report and it shows 960 cases. Last year the number of cases was just below that. He reviewed the cases with the Council. He has had complaints on the parking on Roosevelt and 8000 South. He and the Public Works Director are looking at options to help the residents on that street.

Council Member Paul Hunt said he has had several calls on the parking on 8000 South.

Council Member Bryant Brown suggested painting the curb red.

Chief Randy Thomas reported on issues he and Mayor Hale have been working on with citizens. He said they have been working with the neighborhood on the issues and have made positive steps. He thanked Public Works for the A/C unit, it has been great.

Unified Fire Authority
Chief Brad Larson said their new website is up and running, which is a lot better than the one before. He said they are preparing for any incidents that may happen due to fireworks during the month of July. Their investigations team and wild land crew will be out in the valley. He is hoping they will not be busy at all.

III. City Manager Report
Kane Loader said he has been spending a lot of time the last few weeks with TransJordan and the future of waste within the valley. It will require two transfer stations within the valley. He has been working on two locations. One at the current landfill site which would require the purchase of additional property. Also, working with Sandy City regarding purchasing some additional property on 700 West 8900 South to locate a station there. He is trying to educate surrounding property owners. They will also be touring other transfer station facilities.

IV. GENERAL BUSINESS
A. WELCOME AND PLEDGE OF ALLEGIANCE

B. ROLL CALL - Council Members Paul Hunt, Dustin Gettel, Quinn Sperry, Paul Glover, and Bryant Brown were present at roll call.

C. ULGT TAP AWARD PRESENTATION
Doug Folsom, Manager of Loss Prevention with ULGT, said he was there to present the City with the Trust Accountability Program. It is the fifth consecutive year the City has received this reward. He expressed appreciation to the City for their continued efforts for
safe practices. He recognized the employees of the City as well as staff on the Safety Committee.

V. PUBLIC COMMENTS
Sophia Hawes-Tingey said the Community Council is not meeting on July 3\textsuperscript{rd} due to the holiday. They will meet on August 14\textsuperscript{th}. She asked the City Council to open up item C on the agenda for public comment.

VI. COUNCIL REPORTS
A. Council Member Quinn Sperry – had nothing to report.

B. Council Member Bryant Brown – said he received positive feedback for speed signs. He said he likes the one on Monroe that has a frowny face.

C. Council Member Paul Hunt – thanked staff for assisting him with issues.

D. Council Member Dustin Gettel – said the speed devices on Bingham Junction Blvd also have frowny faces. He asked if something could be put on social media regarding the dust from Jordan Bluffs stating it will be there and the City is doing everything possible to mitigate the dust.

E. Council Member Paul Glover – reported that the mosquitoes are now biting. He recommended getting rid of standing water and the use repellant.

VII. MAYOR REPORT
Mayor Robert Hale – thanked Council Member Glover and Council Member Sperry for filling in as Mayor Pro-Tem over the last month. They did a great job with that. He recognized Senator Kathleen Reibe, District 8, for being in attendance at the meeting. He reported the printing of the census is beginning and will be ready for April 1\textsuperscript{st}. He encouraged everyone to complete the census form. He expressed his appreciation for the positive attitude of businesses wanting to open up in Midvale. He said he was also invited to the Hope Clinic who provide medical resources for low income individuals. He attended the Canyons School District 10-year anniversary. He said he is proud to be a part of a city that has supported them positively.

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

VIII. PUBLIC HEARINGS
A. PUBLIC HEARING TO CONSIDER PRELIMINARY SUBDIVISION PLAT APPROVAL REQUEST FOR 4-LOT JORDAN BLUFFS LOT 2 2\textsuperscript{ND} AMENDED SUBDIVISION LOCATED AT APPROXIMATELY 8500 SOUTH AND 700 WEST/MAIN STREET
Lesley Burns said the proposed Jordan Bluffs Lot 2 2\textsuperscript{nd} Amended Subdivision plat consists of four (4) proposed lots with 209.56 acres located on Jordan Bluffs between
Center Street, Main Street, and the Jordan River. This request was submitted by Ben Seastrand, representing KC Gardner Company, to create the development parcels for Pod C in the Jordan Bluffs Subareas 1-3 zone (see attached Pod Map). No new development is proposed as part of this subdivision request.

The proposed subdivision is subject to Title 16 (Subdivisions), and Chapter 17-7-10.12 (Jordan Bluffs Subareas 1-3 Development Zone). Because of the project's proximity to the Jordan River and associated special flood hazard area identified by FEMA, Chapter 8.11 (Flood Damage Prevention) also applies.

Staff has found the proposed subdivision complies with the design standard requirements of Title 16. No lot standards apply for the zone and no new public or private streets are proposed. Street tree requirements have been overridden by the development zone and will be addressed during the site plan review. Public and private infrastructure improvements will be included as part of the site development plan. Staff recommends requiring notes on the plat indicating street trees and public infrastructure will be required at the time of site development. This note would replace the existing note on the plat regarding street trees.

Staff has also found the proposed subdivision complies with the requirements of the development zone. The zone allows a subdivision plat to establish the boundary of Pod C prior to submission of the required Large Scale Master Plan. Further development on the site will require the project to complete the review process identified in Chapter 17-7-10.12 and Staff recommends restating this requirement as a condition of approval.

Chapter 8.11, Flood Damage Prevention, establishes additional requirements for development within identified special flood hazard areas, or floodplains. To address these standards as they relate to the proposed subdivision, Staff recommends requiring the following:

- Provide or establish the Base Flood Elevation ("BFE") and boundary of the 100-year special flood hazard area on the subdivision plat and
- Include a note on the plat indicating future development within the special flood hazard area will be required to comply with the development standards of Chapter 8.11 including, but not limited to, elevating residential structures at least 1' above BFE, elevating or floodproofing nonresidential structures at least 1' above BFE, and designing the utility systems to minimize or eliminate the potential for flood damage.

The applicant's proposal was sent to the City Engineer and Unified Fire Authority for review and both approved the preliminary plat without comment.

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 12, 2019 and forwarded a recommendation to the City Council to approve the subdivision plat for the Jordan Bluffs Lot 2 2nd Amended Subdivision with the following conditions:
1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, and City Council.
2. The applicant shall complete the required review processes described in the Jordan Bluffs Subareas 1-3 Development Zone ordinance prior to any construction on the site. A note to this effect shall be added to the plat.
3. Street trees and public infrastructure within and adjacent to the property shall be addressed with the site development plan. A note to this effect shall be added to the plat.
4. The plat shall be amended to include both the Base Flood Elevation and boundary of the Zone AE special flood hazard area identified on the Flood Insurance Rate Map.
5. A note shall be included on the plat indicating future development within the special flood hazard area shall be required to comply with the development standards of Chapter 8.11 including, but not limited to, elevating residential structures at least 1' above BFE, elevating or floodproofing nonresidential structures at least 1' above BFE, and designing utility systems to minimize or eliminate the potential for flood damage.

The applicant has prepared an updated preliminary plat (see attached) partially addressing these conditions. The note regarding development in the special flood hazard area has been added and the remaining notes have not.

Assuming the Council approves this preliminary plat, the applicant will be required to bring a final plat back to the Council for review before recording the plat and completing the subdivision.

STAFF RECOMMENDATION:
Staff recommends the City Council approve the preliminary subdivision plat for the Jordan Bluffs Lot 2 2nd Amended Subdivision with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, and City Council.
2. The applicant shall complete the required review processes described in the Jordan Bluffs Subareas 1-3 Development Zone ordinance prior to any construction on the site. A note to this effect shall be added to the plat.
3. Street trees and public infrastructure within and adjacent to the property shall be addressed with each site development plan. A note to this effect shall be added to the plat.
4. The plat shall be amended to include both the Base Flood Elevation and boundary of the Zone AE special flood hazard area identified on the Flood Insurance Rate Map.

Mayor Robert Hale opened the hearing to public comment.
Rosemary Stolz asked what was being planned for the different plots. She asked about the wetlands.

Lesley Burns said these are large lots, which could be divided further. There is a road that divides the area that is the wetlands which will be retained by the developer. The plat is allowing the master developer to sell the larger areas for a possible townhouse development. The Planning Commission will have a hearing on this in a couple of weeks with a number of discussions and development agreements.

Council Member Dustin Gettel asked about the restoration project on the Jordan River and the potential impact that could dry the wetlands.

Lesley Burns said they would need to work with West Jordan on that project.

Council Member Dustin Gettel said he was concerned that if the developer retains the wetlands, and the wetlands are dry, there is nothing to retain.

Lesley Burns said it still will be a parcel that will be used for another amenity. If the wetlands change over time, it will be an amenity that will have other uses. We will want to have the master developer maintain this parcel.

**MOTION:** Council Member Paul Glover MOVED to close 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 for a vote. The motion passed unanimously.

**MOTION:** Council Member Paul Hunt MOVED that demonstrated in the application or addressed by conditions of approval, I move that we approve the preliminary subdivision plat for the Jordan Bluffs Lot 2 2nd Amended Subdivision with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, and City Council.
2. The applicant shall complete the required review processes described in the Jordan Bluffs Subareas 1-3 Development Zone ordinance prior to any construction on the site. A note to this effect shall be added to the plat.
3. Street trees and public infrastructure within and adjacent to the property shall be addressed with each site development plan. A note to this effect shall be added to the plat.
4. The plat shall be amended to include both the Base Flood Elevation and boundary of the Zone AE special flood hazard area identified on the Flood Insurance Rate Map. "The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The voting was as follows:

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Council Member Quinn Sperry  Aye
Council Member Paul Glover  Aye
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Council Member  Paul Hunt  Aye  
Council Member  Bryant Brown  Aye  
Council Member  Dustin Gettel  Aye  
The motion passed unanimously.

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

B.  PUBLIC HEARING TO CONSIDER A REZONE REQUEST TO ADD THE PUBLIC FACILITIES OVERLAY TO THE CANYONS SCHOOL DISTRICT PROPERTY AND ALLOW A TELECOMMUNICATIONS FACILITY, 7350 SOUTH 900 EAST (HILLCREST HIGH SCHOOL CAMPUS)

Lesley Burns said the Canyons School District, Sprint and Verizon are proposing to construct an 85-foot high monopole with co-located panel antennas on the north side of the Hillcrest High School campus located at 7350 South 900 East. This telecommunications facility would also include two adjacent 10 x 24 foot equipment shelters. This monopole would replace equipment located on a light pole at the football stadium and on the fly tower of the school’s auditorium. These facilities will be demolished as the high school rebuild progresses.

The school property consists of three parcels totaling approximately 39 acres. These parcels are currently zoned Single Family Residential (SF-1) with a Duplex Overlay and Regional Commercial. These zones allow the school, but do not allow telecommunications facilities greater than 35 feet in height. The antennas on the old building complied with the wall mounted telecommunications facility requirements in the SF-1 DO zone, and the antennas on the stadium light pole pre-existed the current zoning ordinance. The new school building will be four stories in height and the current stadium light antennas will be impeded to service customers on the west and south sides of the school. This proposed new monopole will allow all of the antennas to be co-located in an area away from public roadways, away from residential development, separated from school operations for maintenance and safety, and provide the community with needed cell phone coverage. The attached narrative and coverage maps provide more details on these items. In order to address the need to relocate two cell phone service providers equipment, a request has been made to rezone the school district property to include the Public Facilities Overlay, as well as to approve the proposed site plan for the monopole. The Overlay includes a provision for a telecommunications facility with a monopole exceeding 35 feet.

The Public Facilities Overlay can allow a telecommunications facility with a pole over 35 feet in height provided the telecommunications facility complies with the specific criteria found in the Overlay. The school campus, an educational institution, is considered a public facility. This criteria includes the following:

1. The telecommunications facility must be located with and designed as part of a public facility.
2. Evidence must be provided demonstrating the telecommunications facility location and configuration is necessary to provide transmission/reception coverage for an area that cannot otherwise be serviced by other telecommunications facility sites; and, without the proposed telecommunications facility, it would result in a public detriment.

3. The telecommunications facility shall be designed to allow for co-location of services for multiple providers if possible.

4. If the telecommunications facility includes a tower or pole above thirty-five feet in height, the structure shall comply with the following:
   a. The structure shall be located a minimum of 250 feet from an existing residential use.
   b. The maximum height shall be eighty-five feet.
   c. No more than one tower or pole, of any height shall be considered for each public facility.

The proposed telecommunications facility has been incorporated into the overall site plan for the high school campus rebuild project. The location is proposed in a fenced area adjacent to a future parking lot for access, and away from school buildings and activity centers on the campus. It does not impact the operation and function of the school. It is also the location that is the least obtrusive to the overall community. The backdrop is the East Jordan Canal which is also fenced and includes large trees and vegetation to provide buffering from neighboring commercial developments to the north and residential developments to the west. The new school buildings will buffer the monopole from the east and the south. Sprint has provided maps showing the coverage with and without this facility. This facility is being designed and will be built for two providers. The pole is proposed to be located approximately 450 feet from the nearest existing residential uses. With the elimination of the stadium light pole with antennas as part of this proposal, this will be the only telecommunications facility pole on the Hillcrest High School campus.

Planning Commission Recommendation
The Planning Commission conducted a public hearing and discussed this request on June 12, 2019. At this meeting, the Planning Commission forwarded the following findings and motions to the City Council for its consideration:

Rezone:
"Because the school campus is considered a public facility, I move that we forward a positive recommendation to the City Council to rezone the 39 acres owned by the Canyons School District located at 7350 South 900 East to include the Public Facilities Overlay Zone."

Telecommunications Facility Site Plan:
"Based on the proposed telecommunications facility with the 85 foot monopole complying
with the specific criteria for a telecommunications facility in the Public Facilities Overlay, I move that we approve the preliminary site plan for the telecommunications facility with the following conditions:

1. This approval is subject to the City Council approving the rezone request.
2. A Final Site Plan shall be submitted for review and approval before a Building Permit application can be submitted.
3. Before construction of the facility can commence, Sprint and Verizon will need to obtain a Building Permits from Midvale City."

STAFF RECOMMENDATION:
Staff agrees with the Planning Commission’s recommendation/approval and recommends the adoption of Ordinance No. 2019-O-9 which rezones the School District’s Hillcrest High School property to include the Public Facilities Overlay Zone and allows the construction of a telecommunications facility with an 85-foot high monopole co-locating two cell phone providers.

Council Member Bryant Brown asked if other carriers would be able to come in and use the pole.

Lesley Burns said with the zoning, only one pole is allowed on public property.

Council Member Dustin Gettel commented that it is a benefit to the school.

Council Member Quinn Sperry asked about the height of the pole, and if there were any complaints.

Lesley Burns said that the pole is 75 feet and there have been no complaints.

Mayor Robert Hale opened the hearing for public comment.

Rick Conger, Director of Facilities, Canyons School District, thanked the Mayor for his kind words about the Canyon School District. He appreciates the support from the City and the Council. He thanked Lesley Burns for her assistance on this. He feels that the tower is a win win for everyone and it will be a good location. He said they have a formula for the funds from the tower and how they will be distributed.

Clifford White said he just wanted to see what was going on. He wants to make sure his tenants get good reception. He thanked the Council and staff for their good work.

MOTION: Council Member Bryant Brown MOVED to close a public hearing. 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.

MOTION: Council Member Quinn Sperry MOVED that we adopt Ordinance No. 2019-O-09, rezoning the three parcels located at 7350 South 900 East
(approximately 39 acres) to include the Public Facilities Overlay Zone and allow the construction of a telecommunications facility with an 85-foot high monopole collocating two cell phone providers as presented. The motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, 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.

IX. CONSENT AGENDA
A. CONSIDER MINUTES OF JUNE 18, 2019

MOTION: Council Member Bryant Brown MOVED to approve the consent agenda. The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, 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.

IX. ACTION ITEMS
A. CONSIDER RESOLUTION NO. 2019-R-28 ADOPTING THE EMPLOYEE JOB CLASSIFICATION PLAN AND BENEFIT PACKAGE FOR FISCAL YEAR 2020

Rori Andreason said as part of the budget process, the employee compensation plan and benefits package for FY2020 needs to be adopted. The Compensation Committee comprised of the City Manager, Assistant City Manager/Community Development Director, Assistant City Manager/Administrative Services Director, Public Works Director, and Human Resources Director/City Recorder reviewed the compensation study in great detail. There are 20 positions that have been identified as being more than 4% below market, which would make them eligible for an increase.

A resolution adopting the Midvale City Employee Job Classification and Benefits Package for FY2020 has been prepared for Council’s consideration.

MOTION: Council Member Paul Hunt MOVED to adopt Resolution No. 2019-R-28, a resolution adopting the Midvale City Employee Job Classification and Benefit Package for Fiscal Year 2020. The motion was SECONDED by Council Member Dustin Gettel.
Mayor Hale called for discussion on the motion. There being none, 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. 2019-R-29 A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF MATT DAHL AS THE ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR FOR MIDVALE CITY

Kane Loader said with the departure of Brian Berndt, Matt Dahl accepted the appointment as Interim Assistant City Manager/Community Development Director. Since Matt has extensive background in both housing and redevelopment, he has decided to take on the challenge of heading both the Community Development Department and Redevelopment Agency for the City. He has proven his leadership and expertise in this position over the last few months. He is more than qualified for the position and will do a great job. We are excited that Matt has decided to accept this challenge look forward to his continued success and excellent leadership.

Mayor Hale said he was concerned that the City always have a first class RDA Director. He fully sustained Kane Loader’s proposal.

Council Member Dustin Gettel asked if there were plans to hire an RDA Director.

Kane Loader said no, Matt Dahl will retain the RDA Director position as well.

Matt Dahl expressed his appreciation for staff, Council, and the opportunity for this new position.

MOTION:  Council Member Dustin Gettel MOVED to approve Resolution No. 2019-R-29 Confirming the Mayor’s Appointment of Matt Dahl as the Assistant City Manager/Community Development Director for Midvale City. The Motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, 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.

Rori Andreason administered the oath of office to Matt Dahl, Assistant City Manager/Community Development Director.
C. CONSIDER RESOLUTION NO. 2019-R-30 PROTECTING MINORS FROM CONVERSION THERAPY

Lisa Garner said the Salt Lake County Council recently passed a resolution urging the Utah State Legislature to enact laws which protect minors from conversion therapy by prohibiting conversion therapy for minors. In an effort to support actions and initiatives that are in the best interest of the public health, safety, and welfare of the residents of Midvale City, Council Members Gettel and Brown asked that Midvale City Council also pass a resolution showing its support of the enactment of laws prohibiting conversion therapy for minors.

According to the nation's leading medical and mental health organizations, the term "conversion therapy" refers to any practice or treatment that seeks to change the sexual orientation or gender identity of a patient or client. These practices and treatments include practices or treatments that seek to change, eliminate, or reduce behaviors, expressions, attractions, or feelings related to a client's or patient's sexual orientation or gender identity. Conversion therapy has been disavowed by the nation's leading medical and mental health organizations and has been associated with high rates of depression and suicidality among minors.

Council Member Bryant Brown said he was in favor of it. The City has youth that commit suicide. He feels it would be good for the City to show support for our citizens.

Council Member Dustin Gettel said the County took the action to apply gentle pressure to the state. The resolution at the county passed. The same at the city levels will help support the legislation. He shared recent data:

Most recent data from the Utah Department of Health show that Utah has the 5th highest rate of suicide among high school aged kids and that suicide was the leading cause of death for Utahns aged 10-17 and 18-24.

Between 2015 and 2017 an average of 628 high school aged students committed suicide in Utah and almost twice as many required admission to the hospital following self-inflicted but survivable injuries.

According to the Utah Suicide Prevention Coalition, LGBTQ teens who reported feeling highly rejected by their parents or caretakers were more than eight times as likely to attempt suicide as their counterparts who reported feeling only low to moderate rejection.

Council Member Paul Hunt asked why this issue was being brought to the City Council for action when the state has not acted on it.

MOTION: Council Member Quinn Sperry MOVED to open this agenda item for public comment. The motion was SECONDED by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.
Sophia Hawes-Tingey said she is chair of the Transgender Inclusion Project, and liaison for the LGBTQ chamber of commerce. She is trying to educate on acceptance therapy. The conversion therapy can be harmful. She asked the Council to ban conversion therapy.

Council Member Dustin Gettel said this is only for minor children; it will not affect adults.

Alan Anderson said he addressed Council Member Hunt's question of why Midvale doing this. He feels that is important that the city voice their opinion on this.

Ryan Bott said conversion therapy has been proven dangerous. He feels that it is important for the city to show support.

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

MOTION: Council Member Dustin Gettel MOVED to approve Resolution 2019-R-30 protecting minors from conversion therapy. 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.

X. DISCUSSION ITEMS
A. DISCUSSION ON MEDICAL CANNABIS ACT
Lesley Burns said the HB 3001, adopted in December 2018, provides for licensing and regulation of the following:
- Cannabis cultivation facility
- Cannabis processing facility
- Independent cannabis testing laboratory
- Medical cannabis pharmacy

These uses have been codified in Title 4 and Title 26 of Utah State Code which requires municipalities to allow them under certain conditions. Midvale will need to make changes to its zoning and business license regulations to comply with the new rules.
Cultivation facilities, processing facilities, and testing laboratories must be allowed in all agricultural and industrial zones provided they are:
- Not within 1000’ of a community location (i.e. public/private school, church, public library, public playground or park)
- Not within 600’ of an area zoned primarily residential
Pharmacies must be allowed in all zones provided they are:
• Not within 600’ of an area primarily zoned residential

As part of this discussion, Staff is looking for outcomes the Council would like to see as these ordinance changes are prepared, understanding that the City may not impose a requirement, regulation, condition, or standard that conflicts with the standards above.

Council Member Bryant Brown asked if the Homeless Shelter would have anything to do with the community location.

Lesley Burns said she would need to look into that.

Council Member Paul Hunt asked about the impact on the surrounding businesses, such as smell or things like that.

Council Member Paul Glover said the City needs to keep this as tight as possible and keep it as far away from homes as possible.

Lisa Garner said community location is defined as a public or private school, church, a public library, public park or playground. She said the City cannot conflict with state law, but can, for example, put requirements on dust and omissions. She said staff would have to look and see if the community location can be expanded.

Council Member Paul Glover said maybe they will need to go to the legislature about the homeless shelter and the problems it would cause.

Council Member Dustin Gettel asked what the state’s timeline is for when businesses can start applying.

Lesley Burns said yesterday was the deadline for the RFP process for cultivation facilities. The law has been in effect since last December. Staff needs to start working on what we want to do for Midvale City. When we look at the state regulations, we need to get a sense of our current industrial zone. That will help us decide on what to do, or anything that needs to be done.

Lisa Garner said the state code for a one processing, one cultivation, or one pharmacy, per so many thousand residents, if there is more than one license applied for in an area, the state has to go to the local authorities prior to approving the second license. She feels that it would be a good idea to put in our ordinance that we only allow one license per 35,000. The state will allow seven licenses but can go up to 10 licenses state wide. The testing facilities are somewhat of a requirement for the other facilities. There are no limits on the testing facilities.

Council Member Dustin Gettel said he thinks it is good to be proactive. Council Member Bryant Brown agreed.
Council Member Paul Glover said the City needs to protect the citizens and businesses and have the least amount of impact on them.

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 8:51 p.m.

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

Approved this 16th day of July 2019.
Midvale City Council Meeting  
Sign In Sheet  

Tuesday, July 2, 2019

<table>
<thead>
<tr>
<th>NAME (PLEASE PRINT)</th>
<th>ADDRESS</th>
<th>CITY</th>
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<tbody>
<tr>
<td>Doug Folsom</td>
<td>Utah Local Government Trust</td>
<td></td>
</tr>
<tr>
<td>Rosemary Steh</td>
<td>1012 W Rooftop Dr</td>
<td>Midvale</td>
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</tbody>
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Midvale City Public Comment
Sign in Sheet

Tuesday, July 2, 2019

PUBLIC COMMENTS
Any person wishing to comment on any item not otherwise scheduled for public hearing 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.

<table>
<thead>
<tr>
<th>NAME (PLEASE PRINT)</th>
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<tbody>
<tr>
<td>Sophia Hawes-Tingey</td>
<td>767 S. 600 S. 5th</td>
</tr>
<tr>
<td>Irene Butler</td>
<td>7001 W 1500 S.</td>
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