MIDVALE CITY COUNCIL MEETING
AGENDA
December 3, 2019

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 3rd day of December 2019 at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

5:30 PM – Dinner, Dahl Conference Room

6:00 PM – Dahl Conference Room

WORKSHOP
A. Discuss Calendar Year 2020 City Council Meeting and Mayor Pro-Tempore Schedule [Rori Andreason, H.R. Director/City Recorder]

7:00 PM

REGULAR MEETING – Council Chambers

I. GENERAL BUSINESS
   A. Welcome and Pledge of Allegiance
   B. Roll Call
   C. Unified Police and Fire Reports

II. 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.

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

IV. MAYOR ROBERT M. HALE REPORT

V. CITY MANAGER REPORT

VI. DEPARTMENT REPORTS
A. Community Development/RDA/Admin Services Report [Matt Dahl, Assistant City Manager/CD Director]

VII. PUBLIC HEARINGS

A. Public Hearing to Consider Rezoning 3.54 Acres of Property Located at 236-264 East 8000 South from the Single Family Residential with Agricultural Overlay (SF-1/AO) zone to the Multifamily Residential Medium Density (RM-12) Zone [Lesley Burns, City Planner]

ACTION: Approve Ordinance No. 2019-O-11 Rezoning 3.54 Acres of Property Located at 236-264 East 8000 South from the Single Family Residential with Agricultural Overlay (SF-1/AO) zone to the Multifamily Residential Medium Density (RM-12) zone

VIII. CONSENT AGENDA

A. Consider Minutes of November 19, 2019 [Rori Andreason, H.R. Director/City Recorder]

B. Set Date and Time [December 10, 2019 at 7:00 p.m.] for a Public Hearing to Consider Proposed Amendments to the FY2020 General Fund and other Funds as Necessary, Including Elected Officials Salaries [Kane Loader, City Manager]

C. Consider Ordinance No. 2019-O-12 Amending the Midvale Municipal Code Title 2, Mayor and City Council Compensation to Allow for an Annual Cost of Living Adjustment [Lisa Garner, City Attorney]

IX. DISCUSSION ITEMS

A. Discuss Proposed Amendments to the FY2020 General Fund and other Funds as Necessary, Including Elected Officials Salaries [Kane Loader, City Manager]

B. Discuss Winter Parking Ordinance [Matt Dahl, Assistant City Manager]

X. ADJOURN

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

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

PLEASE SILENCE ALL CELL PHONES DURING THE MEETING

DATE POSTED: NOVEMBER 27, 2019

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
MIDVALE CITY, UTAH
RESOLUTION NO. 2019-R-

A RESOLUTION ESTABLISHING A TIME AND PLACE
FOR HOLDING REGULAR CITY COUNCIL MEETINGS,
DESIGNATE THE MAYOR PRO TEMPORE SCHEDULE, AND
ADOPT THE HOLIDAY SCHEDULE FOR THE 2020 CALENDAR YEAR

WHEREAS, pursuant to Section 52-4-2 of the Utah Code Annotated and the Midvale Municipal Code, Section 2.36, the Midvale City Council hereby gives notice of their 2020 City Council meeting schedule; and

WHEREAS, the City Council desires to encourage residents of Midvale City to attend City Council meetings; and

WHEREAS, the City Council desires to have a designated member of the governing body automatically succeed the position of Mayor Pro Tempore whenever the Mayor is absent; and

WHEREAS, the City Council desires to observe certain Holidays throughout the year in which the City Offices will be closed,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, UTAH:

Section 1. The Midvale City Council hereby gives notice of the time and place for holding its regular Council meetings for the 2020 Calendar Year as follows:

City Council meetings are scheduled to be conducted on the first and third Tuesday of each month unless otherwise posted. City Council meetings shall begin at 6:00 p.m. with a Pre-Meeting Workshop. The regular meeting will begin at 7:00 p.m. If needed, the City Council will schedule Workshop Meetings, the time and place of which will be designated by the City Council.

Midvale City may call an emergency meeting to consider matters of an emergency or urgent nature. In accordance with Section 52-4-202 (5) UCA, notice requirements may be disregarded and the best notice practicable given. In accordance with Section 10-3-502 UCA, the Council may call a special meeting providing at least a three hour notice.

Location of Meetings: All meetings described above, except those meetings for which notice is given that the meeting will be held at a different location, will be held at City Hall, 7505 South Holden Street, Midvale, Utah.

Section 2. The Midvale City Council desires to designate the following members of the governing body to automatically succeed to the position of Mayor Pro-Tempore when the Mayor is absent:

Councilmember January and February
Councilmember March and April
Councilmember May and June
Councilmember July and August
Councilmember September and October
Councilmember November and December

Section 3. The City Council desires to observe certain Holidays in which the City Offices will be closed. The following Holiday schedule is hereby adopted for full-time and qualified part-time employees:
New Year’s Day ................................................................. January 1
Martin Luther King, Jr.’s Birthday ................................... January 20
Presidents’ Day .............................................................. February 17
Memorial Day ............................................................... May 25
Independence Day (Observed) ........................................... July 3
Pioneer Day ................................................................. July 24
Labor Day ........................................................................ September 7
Veterans’ Day ............................................................... November 11
Thanksgiving Day ........................................................... November 26
Day after Thanksgiving .................................................. November 27
Christmas Eve .................................................................. December 24
Christmas Day .................................................................. December 25

Section 4. The City Council directs the City Recorder to publish the 2019 City Council meeting schedule in at least one newspaper of general circulation in Midvale City, State of Utah.

Section 5. This Resolution shall take effect immediately.

APPROVED AND ADOPTED this ___ day of December 2019.

______________________________
Robert M. Hale, Mayor

ATTEST:

______________________________
Rori L. Andreason, MMC
City Recorder

Voting by the Council: “Aye” “Nay”
Quinn Sperry _______ _______
Paul Glover _______ _______
Paul Hunt _______ _______
Bryant Brown _______ _______
Dustin Gettel _______ _______
SUBJECT:

Public Hearing on request to rezone approximately 3.54 acres located at 236-264 East 8000 South from the Single-Family Residential w/ Agricultural Overlay (SF-1/AO) zone to the Multifamily Residential – Medium Density (RM-12) zone. (Proposed Ordinance No. 2019-O-11)

SUBMITTED BY:

Lesley Burns, City Planner

SUMMARY:

Adam Nash, on behalf of Land Development, LLC, is requesting a rezone of approximately 3.54 acres located at 236-264 E 8000 S from the Single-Family Residential zone with Agricultural Overlay (SF-1/AO) to Multifamily Residential – Medium Density (RM-12) zone with the eventual goal of constructing a master planned development. Provided the rezone is approved, the applicant will be required to apply for a master planned development to be reviewed and approved by the Planning Commission. A concept plan for the project has been included but is not currently under review.

The Planning Commission reviewed this rezone proposal and conducted a public hearing on November 13, 2019, resulting in a recommendation to approve the rezone.

GENERAL PLAN CONSIDERATIONS:

The 2016 Midvale City General Plan locates the subject properties in a Stability Area, near the border of the Middle State Street and South State Street Opportunity Areas. The proposal to rezone the subject properties from SF-1/AO to RM-12 is generally supported by the General Plan because it allows for redevelopment in a manner consistent with the surrounding neighborhood and satisfies the land use goals for Stability Areas in general.

The General Plan states that:

“In Stability Areas, the current overall land use mix is desirable and preservation of these areas’ character and function is the desired future condition. These areas are nearly fully developed and have little foreseeable change in the types or intensity of land uses in the future.

In Opportunity Areas, minor-to-major changes in current land uses are likely to occur due to market forces, increasing land values, and opportunities to optimize land uses to take
advantage of transit and other public investments. Projects in Opportunity Areas are anticipated to be at higher levels of density than current land uses and should be carefully planned and designed to integrate into the fabric of the area and minimize impacts on adjacent and nearby existing land uses.” (p. 46).

The subject property is in a neighborhood that has been transitioning over the past two decades from single family detached residential to medium density residential uses in the form of single-family attached and duplex style development. 8000 South is lined with multiple projects, including White Pines, Creekside Townhomes, Auburn Townhomes, and Pinstripe Cove. Other nearby projects not located on 8000 South include the Candlestick Apartments complex to the northwest and the Station Place Condominium project to the southwest. A few single-family dwellings remain scattered throughout the area but are generally outnumbered by single-family attached and duplex developments. Rezoning the subject properties to RM-12 would allow them to be redeveloped in a manner consistent with the changes in the surrounding overall land use mix.

Regarding future land use goals for the Stability Area and nearby Opportunity Areas, the General Plan states:

“The land use goals for Stability Areas include:

1. Support property maintenance and neighborhood stability.
2. Buffer uses in Stability Areas from more intensive land uses nearby, including adjacent Opportunity Areas.
3. Provide for better pedestrian/bicycle connections through and between neighborhoods.
4. Provide for access to parks, trails, and recreation facilities.
5. Provide for appropriate transit opportunities.
6. Provide mechanisms for appropriate home remodeling to occur to accommodate today’s lifestyles and needs.” (p. 46)

“The Middle State Street Opportunity Area is generally bounded by 7300 South on the north and approximately 7900 South on the south. The east-west extent of the Opportunity Area varies, but the boundary is intended to encompass properties that front on or have direct access to State Street, as well as incorporates the Center Street TRAX station. … The future land use goals for the Middle State Street Area include:

1. Support development of higher-value commercial and business uses through the development of mixed-use and higher density residential uses.
2. Develop a small area plan for the development near the TRAX station.
3. Support and encourage development to take advantage of transit and transportation opportunities.
4. Focus commercial and mixed-use development at the nodes of 7500 South and 7720/7800 South into mixed-use residential development.
5. Support redevelopment of the underutilized commercial properties between the commercial nodes into mixed-use residential development.
6. Explore the potential for unifying urban-design elements and beautification of the area.
7. Employ design elements to buffer the effects of higher intensity uses in the core areas on adjacent existing residential uses.
8. Strengthen pedestrian connections to the Center Street TRAX station.” (p. 52).

“The South State Street Opportunity Area is generally bounded by 7900 South on the north, southern City boundary on the south, and the TRAX line on the east. The west extent of the Opportunity Area varies, but the boundary is intended encompass properties that either front on or have direct access to State Street. … Future land use goals for the South State Street Area include:

1. Support development of higher-value commercial and business uses through the development of mixed-use and higher density residential uses.
2. Make the 8000 South State Street intersection a commercial node.
4. Explore the potential for unifying urban-design elements and beautification of the area.
5. Strengthen pedestrian connections along State Street to the Center Street TRAX station access on State Street just north of 8000 South.
6. Enhance pedestrian connections east/west across State Street.
7. Employ design elements to buffer the effects of higher intensity uses in the core areas on adjacent existing residential uses.” (p. 53).

The subject properties fall outside the boundaries of the Middle and South State Street Opportunity Areas. However, due to their general proximity to the eastern boundary of both Opportunity Areas, supporting redevelopment to strengthen the buffer between the existing and expected higher density residential and commercial uses in the Opportunity Areas to the north and west and the lower density residential uses to the south and east of the subject properties is consistent with Stability Area Goal #2.

The recently adopted Housing Plan also supports the proposed rezone. The RM-12 zone allows for a variety of housing types, including single family, duplex, and townhome-style developments. Policy proposal G06 calls for the City to encourage the development of missing middle housing to accommodate housing choice for people at all stages of life, which is accomplished by providing more area with flexible housing options.

**PLANNING COMMISSION RECOMMENDATION:**

Section 17-3-1 of the Midvale City Municipal Code requires the Planning Commission hold a public hearing and adopt a written recommendation to the City Council, advising the City Council to approve, disapprove, or modify a request on all zoning map amendments.

The Planning Commission reviewed this proposal and conducted a public hearing on November 13, 2019. The Planning Commission considered the submitted information and public comment before deciding, in a 3-2 vote, to recommend approval of the rezone request with the following motion:
Based on the following findings, I move that we forward a recommendation to the Midvale City Council to approve the rezoning of 236-264 E 8000 S to the Multifamily Residential – Medium Density (RM-12) zone:

1. The proposed rezoning is consistent with the goals of the 2016 Midvale City General Plan and
2. The land and its surrounding environs have changed to such a degree that it is in the public interest to recognize the changed character or the area and encourage redevelopment of the area.

FISCAL IMPACT: N/A

STAFF RECOMMENDATION:

Staff agrees with the Planning Commission’s recommendation and recommends the requested rezone be approved through adoption of Ordinance No. 2019-O-11.

RECOMMENDED MOTION – APPROVE:

“Based on the following findings, I move that we adopt Ordinance No. 2019-O-11, rezoning property located at 236-264 East 8000 South from the Single-Family Residential zone with Agricultural Overlay to the Multifamily Residential – Medium Density zone:

1. The proposed rezoning is consistent with the goals of the 2016 Midvale City General Plan and 2019 Housing Plan and
2. The land and its surrounding environs have changed to such a degree that it is in the public interest to recognize the changed character or the area and encourage redevelopment of the area.”

ALTERNATE MOTION – TABLE DECISION:

“I move that we table decision on the proposed rezone to address the following questions/comments:

1. ...
2. ...”

ALTERNATE MOTION – DENY:

“I move that we deny the proposed rezone for the following reasons:

1. ...
2. ...”
ATTACHMENTS:

- Vicinity Map
- Zoning Map
- Adjacent Use Map
- Concept Plan
- Proposed Ordinance No. 2019-O-11
CONCEPT NARRATIVE RESIDENTIAL

LOCATION:
MIDVALE CITY, SALT LAKE COUNTY

ORIGINAL PROPERTY
3.54 ACRES

EXPANSION AREA
2.36 ACRES

TOTAL MULTIFAMILY UNITS
46

FRONT LOAD UNITS
30

REAR LOAD UNITS
16

TOTAL DENSITY
12.99 UNITS/ACRE

PUBLIC OPEN SPACE
0.94 ACRES - 26.6% OF TOTAL PROPERTY

PRIVATE OPEN SPACE
0.83 ACRES - 23.4% OF TOTAL PROPERTY

TOTAL OPEN SPACE
1.77 ACRES - 50.0% OF TOTAL PROPERTY

NOTE: OPEN SPACE MUST BE EQUAL TO OR GREATER THAN 50%, UNIT SIZE AND MIX WILL BE DESIGNED TO FIT.

PRIVATE STALLS
152 (32 REAR-LOAD, 120 FRONT-LOAD)

OFFSITE PARKING STALLS
10

TOTAL PARKING STALLS
162

PARKING DENSITY
3.52 STALLS/UNIT

MIDVALE MILLS PUD

PHASE 1 - 34 UNITS

PHASE 2 - 8 UNITS

OVERALL - 42 UNITS

OVERALL DENSITY - 12.99 UNITS/ACRE

GENERAL NOTES:
1. INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANY TIME FOR ANY REASON. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. THIS DEVELOPMENT WILL NOT REQUIRE RETAINING WALLS BASED ON THE EXISTING SLOPE.
3. IN CONJUNCTION WITH PORCH LIGHTING, PROPOSED EXTERIOR LIGHTING WILL BE INCORPORATED AS SHOWN.
4. LANDSCAPING WILL BE ADDED IN OPEN SPACE AREAS AS SHOWN.

ENGINEERING AND SURVEYING, LLC

6949 S. High Tech Drive Suite 200
MIDVALE, UTAH 84047  PH: (801) 352-0075
www.focusutah.com

Sheet:
Job #:
Drawn:
Scale:
Date:

16-202
CJG
10/2/19
1"=50'

K

1 inch = \( \frac{1}{50} \) ft.

GRAPHIC SCALE

0

40

40

80

80

160

20

Z:\_2016\16-202 Adam Nash-Lot 4 Country Squires Acres\design 16-202\dwg\concepts\16-202 Concept K.dwg

CONCEPT PLAN

VICINITY MAP
ORDINANCE NO. 2019-O-11

AN ORDINANCE REZONING APPROXIMATELY 3.54 ACRES
LOCATED AT 236-264 EAST 8000 SOUTH FROM THE SINGLE-FAMILY
RESIDENTIAL W/ AGRICULTURAL OVERLAY (SF-1/AO) ZONE TO
THE MULTIFAMILY RESIDENTIAL – MEDIUM DENSITY (RM-12)
ZONE); ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE
DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah Code, Midvale City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land; and

WHEREAS, a request has been made for a change of zoning on the property described in Exhibit A; and

WHEREAS, the Planning Commission held a public hearing on November 13, 2019, which meeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News, on October 30, 2019, to review the request for rezone, and, after considering all of the information received, made a recommendation to approve the rezone request thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on December 3, 2019, which meeting was preceded by notice by publication in the Salt Lake Tribune and Deseret News, on November 19, 2019; and

WHEREAS, after taking into consideration citizen testimony, planning and demographic data, the desires of the owners of the property, and the Planning Commission’s recommendation as part of its deliberations, the City Council determined the rezoning of said property is appropriate, is consistent with the Midvale City General Plan, promotes the health and general welfare of the City, is compatible with the surrounding neighborhood, and fulfills the needs of the City as a whole.

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

Section 1. The zoning ordinance, which sets forth the zone districts within Midvale City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The properties (Parcel No’s. 22-31-176-013; 22-31-176-014; and 22-31-176-015) described in Exhibit A attached hereto and by this reference made a part hereof, which properties
are located at approximately 236-264 East 8000 South, Midvale, Utah, and are currently zoned Single-Family Residential with Agricultural Overlay (SF-1/AO), shall be zoned Multifamily Residential – Medium Density (RM-12).

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Single-Family Residential with Agricultural Overlay (SF-1/AO)

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Multifamily Residential – Medium Density (RM-12)

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

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

PASSED AND APPROVED this ____ day of ______________, 20__. 

________________________________________
Robert Hale, Mayor

ATTEST: Voting by City Council  “Aye”  “Nay”
Quinn Sperry _______ _______
Paul Glover _______ _______
Paul Hunt _______ _______

Rori Andreason, MMC  Bryant Brown _______ _______
City Recorder  Dustin Gettel _______ _______

Date of first publication: _____________
“EXHIBIT A”
(Ordinance No. 2019-O-11)

REZONING APPROXIMATELY 3.54 ACRES LOCATED AT 236-264 EAST 8000 SOUTH FROM THE SINGLE-FAMILY RESIDENTIAL W/ AGRICULTURAL OVERLAY (SF-1/AO) ZONE TO THE MULTIFAMILY RESIDENTIAL – MEDIUM DENSITY (RM-12) ZONE:

Legal Descriptions:

Parcel 1: (22-31-176-013 / 236 East 8000 South / 1.18 ac.)

LOT 3, COUNTRY SQUIRE ACRES SUB

Parcel 2: (22-31-176-014 / 248 East 8000 South / 1.18 ac.)

LOT 4, COUNTRY SQUIRE ACRES SUB

Parcel 3: (22-31-176-015 / 264 East 8000 South / 1.18 ac.)

LOT 5, COUNTRY SQUIRE ACRES SUB
The pre-meeting workshop began at 5:30 p.m. – Dinner, Dahl Conference Room

Workshop at 6:00 pm – Dahl Conference Room

A. TransJordan Landfill Update

Jarin Scott, TransJordan Landfill Executive Director reviewed the following:

Trans-Jordan Cities:
Draper, Midvale, Murray, Riverton, Sandy, South Jordan, & West Jordan City.

Trans-Jordan Background:
- Formed in 1958
- Midvale Joined in 1960 (Tri-Cities=WJ, Sandy and Midvale)
- Member / Owner Cities
  - Draper, Midvale, Murray, Riverton, Sandy, South Jordan, West Jordan
- Landfill Gas to Energy project on-line 2005
  - Partnership with Murray City & EDL
Power for approx. 4,200 homes (4.2 MW)

Trans-Jordan Today:
- Serve Approximately 500,000+ residents and commercial entities for the south half of Salt Lake County
- 385,000 Tons of MSW Landfilled FY 18-19
• Midvale Curbside & City Trucks = 10,041 tons of MSW
  • paid $160,660 based on member tipping rate of $16.00 per ton
    (Commercial rate =$31/ton)
  • 2nd Lowest tipping fee in the Nation for a Subtitle D (Lined) Landfill

4712 residential visits originating in Midvale

Trans-Jordan Future:
  • 6 million tons of available airspace at Trans-Jordan
  • Approximately 12.5 Years* Landfill Life Remaining with current economy projections (3% annual growth)

*30 year POST closure requirement--EPA/DEQ regulated

Remaining Landfill Cells:

Trans-Jordan Future:
  • Co-purchased Bayview Landfill (Utah County) to secure long-term disposal for 100+ Years
    • Will service approximately 2 million residents
    • $10.50 per ton member tipping fee (Lowest in the Nation)

Bayview Landfill
• Two (2) Transfer Stations (TS) needed to accept / transport Trans-Jordan’s waste to Bayview Landfill
  • Sandy Location (Primarily East Side of Service Area)
    • Murray, Midvale, Sandy, Draper
  • Trans-Jordan (West Side Service Area)
  West Jordan, South Jordan, Riverton, Herriman*

Sandy City TS Site:
• Currently negotiating to purchase 3 acres of property from Sandy Suburban Improvement District (SSID) outlined in Red
• Sandy City providing property outlined in yellow

Sandy City TS Breakdown:
• Forecasted Opening Date 2024
• Anticipated Stats of Sandy City Transfer Station
  • Incoming Tonnage: 200,000 Tons Per Year
  • Commercial Inbound Loads: 150 Trucks Per Day
  • Residential Loads (Saturdays): 400 Vehicles
  • Transfer Loads (Outbound): 27 Trucks
• Partnerships with Sandy City and SLCoHD
  • Household Hazardous Waste Facility – Operated by SLCoHD
  • Residential Recycling Drop-Off Location – Operated by TJ

Sandy City TS Site Plan:
Trans-Jordan TS
- Purchasing 50 acres of current 100+ acres leased area
  - Provides area for dirt storage to finish out remaining landfill space
  - Provides area for needed Transfer Station
  - Provides a buffer area and proper berm design to transition from residential to landfill on south border
  - Necessity for long-term oversight of the landfill (30 years after official “closing”)

Proposed Daybreak Property Purchase:

Daybreak Berm Grading Concepts:
Trans-Jordan Purchase:
- Ability to sell back parcels C-102 and C-103 after the landfill is closed and final cover placed.
- Results of Negotiations with Daybreak
  - Positive negotiations have resulted in open dialogue on transition area between landfill and Daybreak / South Jordan residents
  - Best final product for all parties involved
  - Streamlined operational area near U-111 for future use of the TJ site

Current Operational Footprint:

![Current Operational Footprint Image](image)

TJ Final Operational Footprint:

![TJ Final Operational Footprint Image](image)

Trans-Jordan TS Site:
- Anticipated Stats of Trans-Jordan Transfer Station
  - Incoming Tonnage: 200,000 Tons Per Year
  - Commercial Inbound Loads: 150 Trucks Per Day
  - Transfer Loads (Outbound): 27 Trucks
- Continued PCC (Public Convivence Center) Operations
  - Residential Loads (Saturdays): 400 Vehicles
  - Keeps residents primarily out of Transfer Station
Household Hazardous Waste Facility
Residential Recycling Drop-Off Location

Transfer Station Siting:

TJ Green Waste Future:
• Currently at Max Capacity
• Green Waste dropped off and chipped in the green area
• Green Waste is composted on property leased from South Valley Water Reclamation Facility
• SVWRF property future unknown
  • EPA has a hold on property and studies are being completed

World Recycling Status:
• China’s “National Sword” Campaign
  • China was the largest consumer of recyclable materials from the US
  • Announced Changes Summer 2017 affecting the Global Recycling Market
    • Intent to ban most recyclable materials including post-consumer plastics and mixed paper
  • July 2018, China announced that it would ban all imported recyclable materials by end of 2018
• India, Philippines and Malaysia followed China and banned most imported recycling
• Other Southeast Asian countries are accepting recyclables but:
  • Can’t accept the volume that China previously received
  • More “poling” than recycling
  • Countries worldwide left wondering what to do with their recyclables

National Recycling Status:
• Across the nation Cities / Counties struggling with Recycling issues.
• “As Costs Skyrocket, More U.S. Cities Stop Recycling”, NY Times Article March 2019
“With fewer buyers, recycling companies are recouping their lost profits by charging cities more, in some cases four times what they were charged last year.”

Local Recycling Status:
- Recycling Challenges in Utah
  - Logan Recycling MRF abandoned due to inability to find markets for material
- Recycling Challenges in Utah
  - Washington County now pays $128 per ton to process recyclables after Rocky Mtn Recycling declared a “Force Majeure” to nullify its contract
  - Each city/county has different challenges depending on their MRF, location, etc. but undeniable fact – Recycling is NOT what we once thought it was

Trans-Jordan’s Recycling Role:
- Trans-Jordan:
  - Operates the LANDFILL
  - Preference would be to extend life of landfill with honest diversion
  - Is NOT benefitting from recycling problems
  - Member cities have been hit with challenges similar to what is being seen across the nation
- 2018 Facts
  - Population of member cities 456,965
  - Member cities “recycled” 23,833 tons of material
    - Material diverted to 2 Recycling MRF’s
      - Recycle America (Waste Management Facility)
      - Rocky Mtn Recycling
- 2018 Facts
  - KNOWN Rejected / Contaminated Material
    - Recycle America brought 12,554 tons to TJ
      - Increased from 3,727 in 2016
    - Rocky Mtn Recycling “back-hauled” 3,502 tons to Bayview
      - Back-haul to Bayview availability limited
    - Other material taken to other landfills – data not available
- Trans-Jordan’s Board has been discussing what can be done to:
  1) Reduce Costs for Resident Benefit
  2) Be Honest with Residents

Solution/Option:
- Reduce Costs
  - Reduce contamination in Curbside Collection Programs
- Transparency / Honesty
  - Be honest with Residents regarding recycling
    - Honesty can help reduce contamination
    - Shows responsibility with public funds and trust
    - Focus on true diversion and environmental responsibility
- Member Cities given the opportunity to have Trans-Jordan support their efforts to
Proceedings of City Council Meeting
November 19, 2019

- Reduce Costs
- Be Honest with residents

Recycling Update:
State of Recycling
An important point to remember is that something can only be recycled if there is a demand for that material, by a manufacturer, to be turned into a new product for consumers to buy.

**Items currently being processed for recycling**
- Plastic Bottles & Jugs
- Corrugated Cardboard

**Aluminum Cans & Metal Containers**

Cost of Recycling?
- $50+ /ton to recycle facility
  - Vs.
  - $16/ton to landfill

![Recycling Cost per Ton](image)

![2019 Midvale Curbside Recycle Analysis](image)
Making a Change

- **Simplicity** – Go back to the basics. What material still has value?
- **Consistency** – keep the message consistent throughout the city.
- **Education** – be honest, and upfront.
  - Let residents know why there is a change.
  - Understand that recycling is not free.

---

**BIG 3**

**CORRUGATED CARDBOARD:**
This includes any size material consisting of a fluted corrugated sheet, like shipping boxes & packing boxes. Flatten all boxes and remove packaging including Styrofoam, peanuts, bubble wrap and plastic liners. **Do NOT** put paperboard (cereal boxes, shoe boxes), newspaper or junk mail in the curbside recycling bin. Drop off locations have been provided at elementary schools throughout your city.

**PLASTIC BOTTLES AND JUGS WITH A NECK:**
Rinse out any residue. All other plastic material is considered trash. Ignore the numbers, as they don’t indicate if something is recyclable. **Do NOT** put plastic bags, yogurt, take-out containers, packaging, Styrofoam, hosing, toys, furniture, or other plastic items in the curbside recycling bin.

**METAL FOOD AND BEVERAGE CANS:**
This includes all food and beverage cans made from aluminum or steel. Rinse out any residue. **Do NOT** put metal hangers, cooking pots and pans, or other scrap metal like foil and pie plates in the curbside recycling bin.
Paper is recyclable, but it does not belong in your bin. When paper becomes wet or soiled, it becomes unusable for recycling. Paper recycling is successful if it stays clean and dry and is delivered to the appropriate drop-off location.

**Participating Drop Off Locations**
- Copperview Elementary 8449 Monroe St.
- Midvalley Elementary 217 E. 7800 S.
- Saint James Church 7486 Union Park Ave.

Example of Counties that have recently eliminated paper from Single Stream Curbside Collection.
- Twin Falls ID
- Lancaster PA
- Hawaii
- Madison KY (+12 Surrounding Counties)

According to recent studies 33% of the United States already separates paper from other recyclables in a dual stream curbside collection, allowing paper to remain clean and preserve value.

**B. Discuss Bulky Waste Program**
Glen Kennedy discussed the City’s Bulky Waste Program as follows:
Current Program
Once a month curbside service

Allows for residents receiving solid waste services through the City to place compliant items curbside for pick-up on the third full week of each month.

City pays ACE $1.23 per solid waste utility account (about $7,700 per month or $92,000 annually).

2018 tonnage under this program was 637 tons with tipping fee costs of $10,200

Total program costs - $102,000

Current Program
Once a Month Curbside Service (Cont.)

- Aesthetically not Great
- Random Piles Showing Up
- Compliance and Enforcement
- Environmental and Operational Issues
City Scheduled Neighborhood Dumpster Program through Contracted Hauler

This program would entail the City coordinating with its contracted waste hauler, ACE Disposal, to have 12 dumpsters moving through the City between April 1 and November 30 each year. An interactive map would be available for residents to search their address to find what dates dumpsters would be delivered and picked up in their neighborhood.

Dumpsters would be available for two days after they are placed (picked up 48 hours after delivery).

In addition to the projected 10% rate increase for next fiscal year to meet current solid waste financial demands, another 3% increase would be required to fund this option. Total financial impact to residents would be a $1.41 monthly increase to their solid waste bill.

Options Moving Forward

City Scheduled Neighborhood Dumpster Program through Contracted Hauler

Resident Scheduled Neighborhood Dumpster Program through Contracted Hauler

Landfill Voucher Program
Resident Scheduled Neighborhood Dumpster Program through Contracted Hauler

This option would allow for residents that pay for City curbside garbage/recycle services, to schedule the delivery of a 30-yard dumpster to their residence, one time per calendar year, either at a reduced rate or no charge.

Dumpsters would be available for two days after they are placed (picked up 48 hours after delivery). There would be a limit of 6 available dumpsters per day and scheduling would be coordinated directly through ACE.

This option would not require an additional increase to the already projected 10% increase ($1.17 per month).

Landfill Voucher Program

This program would make vouchers available to residents paying for City curbside waste services, allowing for a load to be taken to the Trans-Jordan Landfill with no fee.

This option would not require an additional increase to the already projected 10% increase ($1.17 per month). It is also anticipated that future rate increases would be less with this option.
The Council agreed that Option No. 2, the Resident Scheduled Neighborhood Dumpster Program, would be the best option for the City.

Mayor Robert Hale called the business meeting to order at 7:00 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. UNIFIED POLICE & UNIFIED FIRE DEPARTMENT REPORTS

Chief Randy Thomas had nothing new to report.

Chief Brad Larson reported that he too had nothing new to report.

D. UDOT I-15 Southbound Update

John Ogden and Dianne Olson were present from UDOT to update the Council on the Southbound I-15 project.

Project Overview:

<table>
<thead>
<tr>
<th>Program</th>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
</table>
| City Scheduled Neighborhood Dumpster Program | Set Schedule  
Enforcement is isolated to specific area  
Easier to budget forecast | Most expensive option  
Only available April-Nov  
Availability not subject to individual needs |
| Resident Scheduled Neighborhood Dumpster Program | Neighborhoods can coordinate clean-ups  
Available when individually needed  
Rate options | Limited to 6 per day (Seasonal and Weekend premiums)  
Harder to forecast accurate budget initially |
| Landfill Voucher Program               | Least expensive  
Very little oversight  
No real enforcement issues | Requires residents to haul  
Likely a lower participation rate*** |
I-15 / I-215 Interchange:

UDOT has conducted a state environmental study to evaluate possible transportation-related improvements to reduce delays along I-15 and 7200 South. These improvements include:

- Adding a lane to southbound I-15 between S.R. 201 and 12300 South in Salt Lake County.
- Modifications to the I-15 interchange at I-215 to improve traffic flow.
- Widening 7200 South to three lanes each direction between I-15 and Bingham Junction Blvd. in Midvale.

Before & After Speed Comparison by Time of Day on Weekdays

Southbound I-15 from 7800 South to 12300 South

Before Condition Average Speed (9/19/18 to 11/19/18)
After Condition Average Speed (11/20/18 to 1/17/19)
7200 South Improvements:

- The westbound I-15 to southbound I-15 ramp will connect directly to mainline HSR, which will merge with the I-15 southbound traffic.
- Remove existing connection.

- Eastbound I-25 to southbound I-15 ramp.
- 7200 S to southbound I-15 on-ramp.
- The eastbound I-25 to southbound I-15 ramp will be in with the 7200 South on-ramp, which will ramp into southbound I-15 at the same location.
- Remove existing connection.

**Future Road Configuration**

**Current Road Configuration**
John Ogden said on I-15 Southbound they are adding a lane from 201 to 1230 South. 7200 South is being widened from 2 lanes to 3 lanes in each direction. Last year a lane was added from 7800 South to 12300 South on the Southbound Interstate. 7200 South UTA structures were widened and also the Union Pacific structure is in the process of
being widened. With part of the widening on the north side of 7200 South some of the business have been impacted. In the spring they will come in on the south side of 7200 South to widen.

Council Member Bryant Brown said traveling north on Holden Street on the east side there is a road construction sign that is in the shoulder. He asked if the sign could be moved over. Mr. Ogden said they could do that.

Council Member Dustin Gettel said when traveling west to east on 7200 South right at the I-15 Southbound interchange, there is a concrete median to relieve the traffic, but now everyone is fighting for space to turn left onto I-15 North. He asked when this work will be completed?

John Ogden said the complexity is the widening of the Union Pacific rail right there and having to work in that area, so it has shortened the space.

Council Member Dustin Gettel asked about going the other way towards Top Golf. Now that the center median is gone people are crossing into where the median used to be to turn left instead of going down to the light. Is there any way to prevent that from happening? He suggested signage to say no left turn here. John Ogden said he would look into that.

Dianne Olson gave contact information for the North and South Bound I-15 Projects:

To stay informed during construction, visit the project website and sign up for email updates.

udot.utah.gov/i15northbound
i15northbound@utah.gov
801-747-9950

HOW CAN I STAY INFORMED AND INVOLVED?

Please follow the website and/or sign up for email updates to stay informed of project progress:

udot.utah.gov/i15southbound
i15southbound@utah.gov
801-885-6096

For updates on this and other area UDOT projects, please follow:

@i15southbound
facebook.com/utahdot
II. PUBLIC COMMENTS
Michelle Lake, Boys and Girls Club, said they have an emergency roofing issue at the club. This was unexpected so it was not budgeted. The bid was for $35,000 in which they would appreciate any support the Council can give them.

Barbara Moller said she has escaped domestic violence and lived in her car with her kids for several months. They never lost their sense of home. She said they were the first at Lifestart Village to be taken in and qualify to rent a home. She asked the Council to consider affordable housing in Midvale. Prices have dramatically increased. Families need affordable housing. Don’t turn families away.

Council Member Dustin Gettel asked Ms. Moller to rejoin the Community Council.

III. COUNCIL REPORTS
A. Council Member Paul Hunt – thanked the police department for giving an introduction of what police work is really like to a member of the community.

B. Council Member Dustin Gettel – said tomorrow, November 20th, is Transgender Day of Remembrance. There have been 22 transgender women murdered this year. He asked everyone present to take a moment of silence in remembrance of the 22 lives that have been lost this last year. He also said Midvale City is one of the entities that doesn’t have any campaign contribution limitations. He said he would like to look at this and review the way Salt Lake City does their campaign contributions limits.

C. Council Member Paul Glover – Had nothing to report.

D. Council Member Quinn Sperry – thanked the people in District 1 who supported him for re-election.

E. Council Member Bryant Brown – said in traveling north on Holden Street on the east side there is a road construction sign that is in the shoulder. He asked if the sign could be moved over. He said he would like to put an activated cross walk in front of city hall to cross Holden Street next spring.

Matt Dahl said it is being looked into.

IV. MAYOR REPORT
Mayor Robert Hale – reported that the Canyons School District is seeking funding to assist mental health issues with students in the district. In December the District will hold its annual Gathering for Goods campaign and silent auction for employees. The Gathering for Goods committee has offered some of the funds raised from the event to go towards the mental health support for students along with helping students who are experiencing homelessness. Website: Foundation.canyondistrict.org/index/donate. This time of year, there are a lot of remembrances for those that have less. He said he hoped everyone will open up their wallets this time of the year and all year. He said there is a 2020 Homeless Point and Time Count coming up. He will get more information on this soon. He said if anyone was interested in participating in that, to give their contact information to him.
V. CITY MANAGER REPORT
Kane Loader reported that he attended the Homeless Coordination Committee meeting last Wednesday at the State Capitol, which Mayor Hale serves on as one of the members of the committee. He presented the City’s 2021 budget request for the Homeless Services Grant. He requested $1.7 million dollars. However, the City won’t get that amount because there are other cities asking for money out of that fund as well. The City’s request was reduced by about $400,000.00. In 2020 the City received $1.3 million and will receive the same in 2021. He said the Legislators are working on this issue. The City has an additional grant through the state for $210,000.00. It is concerning that that money is getting a little thin. He also announced that Matt Minkovich, Director of the Road Home, is no longer with the organization. They are looking for someone to take his place.

Matt Dahl reported that at the last Planning Commission meeting they had a discussion on the Form-Based Code. The Planning Commission did not make a decision at that meeting. They will continue that discussion at the December 11th meeting. Of the parties who have shown interest on this process, he’s had good conversations.

Kane Loader thanked Patrick O’Brien and Chief Thomas for the work they did on the grant submitted for 2021. They put a lot of work and effort into the grant.

Kane Loader asked if the Council wanted him to see if there were funds available for the Boys and Girls Club roofing project. The Council said yes.

VI. DEPARTMENT REPORTS
A. PUBLIC WORKS REPORT
Glen Kennedy reported that the leaf bags had been delivered. They also received the second half of the Christmas Lights in and are creating new brackets to hang them so they will be preserved. He reported on a few water leaks as well as the staff gearing up for the snow plow season. The streets and plow crews now have radios so they can communicate in the trucks legally. He said there are two trucks that did not have salters so a budget amendment will be needed to purchase those. They are working on preventing the snow from being thrown up on the sidewalks.

Council Member Paul Glover asked about salt and whether there is enough. Mr. Kennedy said there is a sufficient amount for the current situation; however, next year they will need to find a spot to store more salt.

Council Member Quinn Sperry asked what the requirements are to store salt. Mr. Kennedy said it just needs to be covered and in an area large enough to get a back hoe in.

MOTION: Council Member Paul Glover MOVED to go into a public hearing. 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.
VII. **PUBLIC HEARING**

A. **PUBLIC HEARING TO CONSIDER ORDINANCE NO. 2019-O-10 AMENDING THE MIDVALE CITY GENERAL PLAN 2016 TO INCLUDE THE MIDVALE CITY HOUSING PLAN**

Patrick Obrien said on October 23, 2019, the Midvale City Planning Commission made the following motion:

“In order to comply with the Moderate-Income Housing Strategy Requirements as set forth in UCA 10-9a-408 of the Utah Code and to meet the current and future housing needs of Midvale’s residents, I move that we forward a recommendation to the City Council to amend the 2016 Midvale City General Plan to include the Midvale City Housing Plan as proposed.”

Based on the recommendation for approval by the Midvale City Planning Commission, staff will bring forth a draft version of the Midvale City Housing Plan for approval.

The Midvale City Housing Plan establishes a vision for the future of Midvale’s housing needs. The Housing Plan serves as a policy document for decision making related to Midvale’s current and future housing needs over the next five years. The Plan seeks to identify and address housing related issues that will impact the housing market in Midvale, in both the immediate and distant future.

The Housing Plan is based on the current vision, values and data established through engagement with residents, service providers and other stakeholders, as well as through the utilization of the Housing Goals from the 2016 General Plan and current market research. Many of the issues presented in this plan have been identified through a robust public engagement program during the fall of 2018. These issues encompass all areas of housing and impact current and future residents of Midvale. Many of the issues such as growth, neighborhood stability, and housing affordability impact City-wide needs, whilst some issues such as quality of housing stock and home ownership impact specific neighborhoods.

The City needs to update housing policies to meet the current and future housing needs of its residents. Midvale is expected to experience significant growth in the next 20 years, and the City must be able to provide for this future growth in a strategic and sustainable manner. The Kem C. Gardner Policy Institute at the University of Utah has prepared growth models that indicate Midvale will grow by an average of 730 new residents each year from now until 2040. By planning for growth, the City can make proactive and thoughtful policy decisions to ensure that Midvale maximizes the opportunities that growth provides, while mitigating its negative impacts.

**Moderate-Income Housing Strategy Requirements**

The State of Utah (State) has required that all cities include a five-year moderate-income housing strategy as part of their general plans. Municipal governments without this strategy are required to prepare one by December 1, 2019.
Proceedings of City Council Meeting  
November 19, 2019

Updating or creating a new moderate-income housing strategy is a critical step for our community to prepare for the needs of current and future residents. A moderate-income housing strategy requires the gathering of demographic and housing market data and determining where current and future housing unit supply is insufficient to meet the demand for households making less than 80% of the area median income (AMI). State code requires that the moderate-income housing strategy includes a minimum of three policies, from a list of approximately two dozen options, that address the needs of moderate-income households. These requirements have been addressed in the Housing Plan.

**Annual Review Reports on Moderate-income Housing**

Effective May 8, 2018, all affected municipalities must report the findings of an annual review of the moderate-income housing strategy and its implementation to the State of Utah’s Department of Workforce Services Housing and Community Development Division.

On an annual basis from the date of the last update to the moderate-income housing strategy, the City Council must:

- Conduct a thorough review of the municipality’s moderate-income housing element and its implementation, which must:
  - Show efforts made to reduce, mitigate, or eliminate local regulatory burdens to moderate-income housing or to encourage preservation or development of moderate-income housing
  - Analyze and publish data about the number of housing units that are at or below 80%, 50%, and 30% of adjusted median income and the number of housing units that are subsidized or deed-restricted
  - Include how a city is using the moderate-income housing set-aside, money the city expends to pay or waive construction-related fees, and any city usage of Utah Housing Corporation programming
  - Revise its five-year moderate-income housing needs estimates
  - Report the findings of the annual review to the Housing and Community Development Division of the Utah Department of Workforce Services and the Association of Government to which the municipality belongs
  - Post the review’s findings report on its website

The reporting criteria which Midvale must comply with is set forth in UCA 10-9a-103(b) and UCA 10-9a-408 of the Utah Code. This proposed Midvale City Housing Plan meets the requirements set forth by the State of Utah and is in accordance with the criteria set forth in UCA 10-9a-103(b) and UCA 10-9a-408 of the Utah Code.

**Housing Plan Implementation Resources**

The policies and programs identified in the Housing Plan document will require a significant financial investment to develop and implement certain proposals. Midvale City does not have enough financial resources to fund these policies and proposals on its own. The funding for the policies and programs set out in the Housing Plan will come from other resources such as the Community Development Block Grant (CDBG) operated by Salt Lake County, State funding through the Department of Workforce Services, and
through the Bingham Junction and Jordan Bluffs Project Areas. The Midvale City Redevelopment Agency will act as the primary funding resource through the finances that it controls under the established housing set-asides from its Project Areas. The City will work with housing partners who work in Midvale to partner on additional funding opportunities.

**General Plan Housing Goals**

The 2016 Midvale City General Plan establishes a vision for the future of Midvale and serves as a policy document for decision-making for the development of the city for the next 8-10 years. In preparing the Housing Plan, the housing goals of the 2016 General Plan have been identified as the guiding principles, or foundation, upon which the Housing Plan is to be built. The proposed policies in the attached Midvale City Housing Plan have been informed by the following General Plan goals:

**Goal 1:** Maintain and strengthen stable neighborhoods. This goal includes preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhood.

**Goal 2:** Maintain and improve the quality of existing housing stock in Midvale and revitalize the physical and social fabric of neighborhoods that are in decline.

**Goal 3:** Expand the variety of housing opportunities to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.

**Goal 4:** Support the development of more affordable housing in appropriate locations, i.e. near transit, retail, commercial, schools and recreational amenities.

**Goal 5:** Encourage higher density residential in appropriate locations in opportunity areas to create the market needed for viable commercial development.

**Goal 6:** Continue to encourage a variety of housing types, sizes, and pricing with new developments.

Council Member Bryant Brown asked if these are guidelines or is this what has to be done.

Patrick O’Brien said these are more guidelines. The important thing is that the state is asking municipalities to address the affordable housing. This is a 5-year plan and all municipalities are required to have this moderate income housing plan adopted in their general plan.

Matt Dahl said for the last number of years, they already had a certain amount of reporting that was required regarding how the City is addressing moderate income housing.
Council Member Bryant Brown said he doesn’t know what modernized parking looks like, but the Council needs to take a look at it.

Council Member Paul Glover said if there is not going to be enough parking, he won’t approve it.

Matt Dahl said in many of the developments there are going to be parking problems; however, there are developments that have open parking stalls. The more space that is dedicated to parking is less space that is being dedicated to housing. Housing in the end is supply and demand. Parking does not generate income for the city. The public cost to the city is high relative to the amount of revenue that is generated from that. He also wants to make sure the City is not creating a public burden.

Council Member Bryant Brown said he felt the City has to maintain parking requirements because parking is always an issue.

Council Member Paul Glover agreed.

Matt Dahl said the City needs to modernize the parking policy. For every parking stall that is wasted, that is opportunities lost for the city. Seas of parking do not make great communities. The City needs to have a parking policy that eliminates unnecessary parking requirements.

Patrick O’Brien said the City has current parking requirements in specific areas that are far to excessive and they are a barrier to proper sustainable development. In Transit-Oriented Development (TOD) areas and other central locations which are served by good transportation links, parking requirements should be reduced. In TOD zones, significantly reduced parking requirements will help development functions as it is supposed to through the utilization of the available mass transit linkages.

Council Member Paul Glover said he doesn’t mind looking at an individual project and approve for less parking. However, as an overall statement that the city will have a policy to reduce parking, he could not agree to.

Council Member Dustin Gettel said the point of TOD zones is to have less cars. If parking requirements for these areas are not reduced, there will be the same number of cars. If the language is limited to just TOD development, the T, is for transit, which means no cars; it is using more public transportation. Those areas are designated that way for a reason.

Council Member Paul Hunt said he takes trax every day and has done this for several years, but he does not live in a TOD zone.

Patrick O’Brien said nowhere in the proposed document does it say to eliminate parking. We just don’t want parking where it is not needed.

Mayor Hale opened the public hearing for public comment.
Jay Hill said he never received a notice in the mail and did not see a copy of the plan. He said a comment was made that there will be 50% growth. He asked where that would take place. Does this plan take into account the percentage of Midvale that is already moderate income? Midvale probably is already 50% or more moderate income already. How is that relative to other cities in the state. He felt Midvale has a higher moderate income percentage compared to other cities in the state.

Patrick O’Brien said the plan is available online on the Midvale City website.

Mr. Hill said he supported the comments about parking. He too did not know what modernized parking means. He said he does support the Council that are not willing to just approve? He said he and his friends feel the same way.

Council Member Bryant Brown said the Council approved some high-density housing already even though he did not vote for it.

Council Member Dustin Getter said the state is experiencing the growth; it’s not just in Midvale.

Patrick O'Brien said some of the growth coming to Midvale will be from internal growth not just coming from outside of the city.

**MOTION:** Council Member Dustin Gettel 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 for a vote. The motion passed unanimously.

Council Member Bryant Brown said he got a little opinionated on the parking, but he realizes there is a need for affordable housing within the state.

Council Member Quinn Sperry asked if the language regarding parking needed to be modified to approve the plan.

Matt Dahl said when the plan says eliminate or reduce the parking, they are talking about un-used or excess parking that is needed in those developments. The policy would zero in on what the needed parking is.

Council Member Bryant Brown said he still struggled with that because the developers just want to maximize their profit. People are having to park in the street where it is dangerous.

Council Member Quinn Sperry suggested to strike G-O3, the first sentence or all of sentence one, and strike “to eliminate or” in the second sentence. Then the rest of it would read fine.
ACTION: APPROVAL OF ORDINANCE NO. 2019-O-10 AMENDING THE MIDVALE CITY GENERAL PLAN 2016 TO INCLUDE THE MIDVALE CITY HOUSING PLAN

MOTION: Council Member Quinn Sperry MOVED to approve the proposed housing plan by striking first sentence of G-03 and second sentence strike “to eliminate or”. 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  Nay

MOTION: Council Member Paul Hunt MOVED in order to comply with the Moderate Income Housing Strategy Requirements as set forth in UCA 10-9a-408 of the Utah Code and to meet the current and future needs of Midvale’s residents, I move that we Approve Ordinance No. 2019-O-10 as amended. 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

MOTION: Council Member Quinn Sperry MOVED to adjust the agenda and bring item ix-B up as a public hearing. 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.

MOTION: Council Member Paul Glover MOVED to go into 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. CONSIDER APPROVAL OF A PRELIMINARY SUBDIVISION PLAT APPROVAL REQUEST FOR A 4-LOT SUBDIVISION LOCATED AT 423-433 EAST FORBUS AVENUE

Jana Ward said the applicant, Carl Andreason, is requesting preliminary subdivision plat approval to subdivide two existing parcels located at 123-133 E Forbush Avenue into four lots: two base lots and two flag lots. The combined property includes approximately 0.86 acres with 181 feet of frontage along Forbush Avenue. These properties are zoned Single
Family Residential (SF-1). There is an existing single-family home on each base lot. It is the intent of the applicant to retain the existing home along with the detached garage on each base lot, all other detached accessory structures will be removed. A new single-family residential home will be allowed on each flag lot once the subdivision plat is approved and recorded.

All major subdivisions require a review and recommendation from the Planning Commission and approval from the City Council of a preliminary and final subdivision plat. Public hearings are required to be held by each body on the preliminary subdivision plat. The Planning Commission conducted a public hearing on this preliminary subdivision plat on October 9, 2019. 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 preliminary subdivision plat for the Lewis and Laura Lane 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. All new development on the flag lots shall comply with the flag lot requirements, i.e. setbacks, height (single story), parking, and 20-foot wide paved driveway. A note indicating these requirements shall be included on the final subdivision plat.

3. A minimum six-foot high screening fence shall be constructed and maintained around the exterior of the flag lots unless adjacent property owners agree in writing that a fence is not necessary. This fence shall comply with the fence requirements of the zone and shall be completed prior to any certificates of occupancy being issued for the structures on the flag lots. The owner should work with the neighboring property owners in replacing or enhancing the existing fences as needed. A note indicating this requirement shall be included on the final subdivision plat.

4. A minimum of two (2) additional street trees are required to be planted along Forbush Avenue on Lot 1. These trees shall be planted or guaranteed by a cash bond prior to recording of the final plat.

5. The flag lot driveway shall remain clear of overhanging vegetation and be posted with “No Parking” signs every fifty feet (50’). A note to this effect shall be included on the final subdivision plat.

6. The applicant shall obtain duty to serve letters for water and sewer prior to the approval of the final subdivision plat.

7. 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.

8. The existing accessory buildings on the proposed flag lots will need to be removed prior to recording the plat. Upon City Council approval of the preliminary plat, the
applicant will be required to prepare a final plat accurately reflecting any conditions of approval imposed by the City Council. The subdivision shall not be considered approved until final action by the City Council on the final plat at a future date.

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

MOTION: Council Member Quinn Sperry MOVED to close the 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.

ACTION: APPROVAL OF A PRELIMINARY SUBDIVISION PLAT APPROVAL REQUEST FOR A 4-LOT SUBDIVISION LOCATED AT 423-433 EAST FORBUSH AVENUE

MOTION: Council Member Paul Hunt MOVED to approve “Based on demonstrated compliance with the requirements of Chapter 17-7-1, Single Family Residential zone and Title 16, Subdivisions, I move that we approve the preliminary subdivision plat for the Lewis and Laura Lane 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. All new development on the flag lots shall comply with the flag lot requirements, i.e. setbacks, height (single story), parking, and 20-foot wide paved driveway. A note indicating these requirements shall be included on the final subdivision plat.

3. A minimum six-foot high screening fence shall be constructed and maintained around the exterior of the flag lots unless adjacent property owners agree in writing that a fence is not necessary. This fence shall comply with the fence requirements of the zone and shall be completed prior to any certificates of occupancy being issued for the structures on the flag lots. The owner should work with the neighboring property owners in replacing or enhancing the existing fences as needed. A note indicating this requirement shall be included on the final subdivision plat.

4. A minimum of two (2) additional street trees are required to be planted along Forbush Avenue on Lot 1. These trees shall be planted or guaranteed by a cash bond prior to recording of the final plat.

5. The flag lot driveway shall remain clear of overhanging vegetation and be posted with “No Parking” signs every fifty feet (50’). A note to this effect shall be included on the final subdivision plat.
6. The applicant shall obtain duty to serve letters for water and sewer prior to the approval of the final subdivision plat.

7. 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.

8. The existing accessory buildings on the proposed flag lots will need to be removed prior to recording the plat.

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.

VIII. CONSENT AGENDA
A. CONSIDER MINUTES OF NOVEMBER 12, 2019

Quinn Sperry said he had a couple of corrections on the minutes. On page 8 where it is talking about the Veterans Day, it says 11 p.m. and should be 11:00 a.m. and on page 11 where Matt Dahl is talking about the funds for the parking structure it says reappreciate and it should say re-appropriate.

MOTION: Council Member Quinn Sperry MOVED to approve the minutes of November 12, 2019 as amended. 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.

MOTION: Council Member Paul Glover MOVED to approve Item B on the consent agenda. The motion was SECONDED by Council Member
Proceedings of City Council Meeting
November 19, 2019

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.  ACTION ITEM
A. CONSIDER RESOLUTION NO. 2019-R-50 APPROVING THE OFFICIAL CANVASS OF THE MIDVALE CITY MUNICIPAL GENERAL ELECTION

Rori Andreason said the Mayor and City Council are the legislative body for Midvale City and comprise the Board of Municipal Canvassers pursuant to Utah Code §20A-4-301. Utah Code requires the Board of Municipal Canvassers to meet to canvass the returns of the Municipal General Election no sooner than 14 days and no later than 14 days after the election.

Salt Lake County has prepared the election results report for your review and approval. Any valid ballots received by noon on the day of the official canvass and postmarked before election day will be opened and added to the election results. The final canvass was distributed and reviewed.

STAFF RECOMMENDATION:
Staff recommended the Board of Canvassers approve Resolution No. 2019-R-50 Approving and Approving the Results of the Municipal General Election held November 5, 2019 as shown on the Canvass Report.

Rori Andreason reviewed the final canvass report. The results were as followed:

Council District No. 1          Votes Received
Quinn Sperry                  432
Alan Anderson                 197

Council District No. 2          Votes Received
Paul Glover                   519
Sophia Hawes-Tingey           382

Council District No. 3          Votes Received
Heidi Robinson                400
Bart Benson                   382
Council Member Dustin Gettel said if the ballots postmarked on election day were invalid. Rori Andreason stated yes. He said he felt this law needed to be revisited.

Council Member Bryant Brown said as a father of three girls. He thinks that it is wonderful to have a girl on the council. She will be a great addition to the city council.

Rori Andreason said the swearing in ceremony for the new Council members will be held on January 7, 2020.

Council Member Dustin Gettel congratulated the new council member and re-elected council members.

MOTION: Council Member Paul Hunt MOVED to Approve Resolution No. 2019-R-50 Accepting and Approving the results of the Midvale City Municipal General Election held November 5, 2019 as shown on the Canvass Report. 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.

C. CONSIDER RESOLUTION NO. 2019-R-51 APPROVING THE MIDVALE CITY MURAL PROGRAM PILOT

Jessica Hoyne said in recent years there has been an increase in interest for public art installations across Midvale. Public Art has been an important part of the beautification and revitalization of neighborhoods in the State and Nation. The City has had success in providing several pieces of art within the Bingham Junction project area with the Bingham Junction Public Art Program however there is no current program to address the demand city-wide.

On October 15th, Staff and Council discussed the proposed Midvale Murals Program. The proposed program’s goal would be to allow the City to partner with private property owners to increase the number of public art installations in Midvale. Council asked that a pilot of the program be created to test its efficacy.

Staff has designed a pilot of the Midvale Murals Program with the goal of creating three new murals by the end of the fiscal year.

Proposed Process:

1. A property owner will submit an application with the following:
   • Property owner’s affidavit,
• Detailed mural description including drawings, dimensions, materials, and artist information,
• A photo of the wall the mural will be painted on,
• A timeline for the installation of the mural.

2. Applications will be reviewed by the Mural Selection Committee consisting of:
   • Council Member
   • RDA Representative
   • City Planner
   • City Communications Representative
   • Assistant City Manager

3. If approved, a property owner can submit proof of costs (receipts, invoices, etc.) for reimbursement after the mural is successfully installed.

4. The City will reimburse up to the lower of $30 per square foot of mural or $1,500 per mural.

5. The property owner must maintain the mural for five years.

FISCAL IMPACT:
Staff recommended allotting $4,500 from the special development fund in the Community Development account to fund this pilot.

Council Member Dustin Gettel asked how we got past some of the issues we discussed before with limiting these types of messages.

Jessica Stephens said because the City will be funding the program, it is a form of government speech and which doesn’t have to follow the same rules and guidelines as regular speech.

Council Member Paul Glover asked if it will come out of this year’s budget.

Jessica Stephens said yes, it will come out of the current budget.

MOTION: Council Member Dustin Gettel MOVED to Adopt Resolution No. 2019-R-51 Authorizing the Implementation of the Pilot of the Midvale City Mural Program. 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

X. DISCUSSION ITEM
A. DISCUSS MIDVALE MUNICIPAL CODE AMENDING MAYOR AND CITY COUNCIL COMPENSATION TO ALLOW FOR AN ANNUAL COST OF LIVING ADJUSTMENT

Lisa Garner said the compensation for the Mayor and the City Council is set by ordinance and codified as Midvale Municipal Code 2.12.040 and 2.16.430. As written, the Mayor’s and the City Council’s compensation remains the same until the City Council passes an ordinance amending these sections. Even minor changes, such as a cost of living adjustment, would require an ordinance to change the Mayor’s and City Council’s salaries.

The City Council requested that the staff review this matter and draft an ordinance that would permit the City Council to provide minor cost of living adjustments to the Mayor’s and City Council’s salaries without having to amend the Midvale Municipal Code. Other Utah cities, including Ogden and South Salt Lake, permit similar adjustments.

The proposed ordinance permits the City Council to make annual cost of living adjustments to the Mayor’s and City Council’s salaries beginning this fiscal year. These adjustments may not exceed the 12-month percent change of the Consumer Price Index for all Urban Consumers as published by the United States Bureau of Labor Statistics for the West Region.

Additionally, the proposed ordinance repeals Midvale Municipal Code 2.16.430 establishing the Mayor’s compensation. Since the compensation of the Mayor and City Council have been centralized in Section 2.12.040, Section 2.16.430 is redundant and unnecessarily confusing.

FISCAL IMPACT:
Variable from year to year. As an example, FY 2020 assuming the CPI-U has increased 2% over the last year and the Council decides to raise the Mayor and City Council’s salaries by the maximum amount permissible, the fiscal impact would be a total of $2,490.

Council Member Dustin Gettel said the market survey conducted indicated the Mayor and Council salaries were out of market and needed to be adjusted.

Kane Loader said the plan would be to make the market adjustments retro back to July 1st.

Council Member Paul Glover said the Mayor and Council salaries were not adjusted for many years.

Kane Loader suggested putting the ordinance amendment on the consent agenda for the next meeting and the salaries would be adjusted in the budget opening on December 10th.

Rori Andreason asked for clarification. Do you want to the market adjustments and the cost of living?
Kane Loader said the market adjustments are effective July 1, 2019 and the 4% merit increase, which is given in December, would be effective December 1, 2019.

B. DISCUSS WINDOW AND DOOR BOARDING POLICY
Matt Dahl said The City Council has expressed concerns about the use of plywood boards to secure doors and windows in vacant buildings. During the October 1, 2019 City Council meeting, council members directed staff to develop a policy proposal to establish uniform methods of boarding windows and doors in Midvale that would reduce the negative effects of the practice.

Midvale does not currently have a policy for the boarding of windows and doors in vacant buildings or in cases of property damage. Staff has reviewed boarding policies from cities throughout Utah to develop policies that achieve the following objectives:

- Establish a uniform practice.
- Ensure that the policy is clear and specific so that it is easy for property owners to implement and for the City to enforce.
- Ensure that the policy does not undermine the ability of property owners to secure vacant buildings.
- Minimize the negative aesthetic impacts of boarding.

The following are the proposed policies for boarding windows and doors:

A. The following are allowed methods for boarding all openings on the first two (2) floors of a building, as well as other openings easily accessible from the ground and openings with broken glass:

1. Openings may be secured either by erecting a single one-half inch (1/2") thick layer of plywood sheathing, or exterior grade chipboard, overlapping the opening on every edge by no more than three inches (3"), nailed along the edges by eightpenny common nails spaced every six inches (6");

2. Openings may be secured by conventional wood frame construction. The frames shall use wood studs of a size not less than two inches by four inches (2" x 4") (nominal dimension) placed not more than twenty four inches (24") apart on center. The frame stud shall have the four inch (4") sides or the wide dimension perpendicular to the face of the wall. The outside facing side of the frame shall be covered with plywood or chipboard sheathing of at least one-half inch (1/2") thickness or equivalent lumber nailed over the opening by using eightpenny common nails spaced every six inches (6") on the outside edges and every twelve inches (12") along intermediate stud supports;

B. All coverings shall be painted with the same color as the building or its trim.

C. DISCUSS WINTER PARKING POLICY
Matt Dahl said During the November 12th City Council meeting, councilmembers expressed an interest in exploring potential changes to Midvale’s winter parking policy.
Midvale’s winter parking policy, City code 10.16.120, reads: “It is an infraction for any vehicle to be parked on any street in the municipality between the first day of November of each year and the first day of March of the following year, for a period of time longer than three minutes when loading or unloading passengers and for a period of time longer than thirty minutes when loading, unloading or delivering property between the hours of one a.m. and six a.m. on all streets within the city. (Ord. 2019-07 § 1 (Exh. A) (part): prior code § 11-345)”

City staff reviewed the winter parking policies of Sandy, West Jordan, Murray, Cottonwood Heights, Salt Lake City, Ogden, and Park City. Four cities restrict parking during and 24 hours after a snow storm, and the remaining three cities allow for street parking to be restricted in a snow storm as needed. An example snow storm parking restriction from Cottonwood Heights, “It is unlawful for any person who owns or has possession, custody or control of any vehicle to park any vehicle on any street after any snow accumulation, until 24 hours after the end of such accumulation.” An example of a flexible snow storm parking restriction from Ogden city, “In order to permit the removal of accumulations of snow, the mayor, or the mayor’s designee, shall have the authority to designate and post streets for a temporary period so that parking or allowing a vehicle to remain on such posted street is prohibited.” Additionally, some communities include policies that make it a parking violation to have a car parked on the road that has been covered by snow as a result of snow plowing operations.

Several cities also limit street parking to 24-48 consecutive hours while Sandy is the only other city to restrict all overnight parking during the winter months: “No person shall park a vehicle on any street from November 1 to April 30 for a period of time longer than one hour between the hours of 12:00 midnight and 7:00 a.m. of any day, except during emergency calls. Overnight parking on any street, during the period herein specified, is hereby prohibited.”

The evaluation of potential winter parking policies will require consideration of the following:

- Residents – Is the policy easy to understand and communicate?
- Law Enforcement – Does the policy create a clear framework for enforcement (i.e., is it subjective)?
- Street Maintenance – Does the policy support snow plowing operations and provide for a safe environment?

Chief Randy Thomas, Unified Police said that he would refer to Glen Kennedy, Public Works Director, because the enforcement is so that the streets can get cleared off. The police will use common sense and discretion. He would like to give out warnings indicating what the restrictions are.

Lisa Garner said there are no real issues in enforcing the current policy; however, it is not clearly written.
Council Member Bryant Brown said he would like it to be simple, understandable and safe.

Council Member Paul Glover said the current policy really does work in most cases. It always has; however, the language could be cleaned up.

Council Member Quinn Sperry said lack of enforcement is what is causing part of the confusion. His main concern is for public works to be able to remove the snow.

Council Member Dustin Gettel felt that it would be easier to tie the parking to a combination of what is in the current policy and snowfall.

Chief Randy Thomas said the issue with that is he felt it would be reacting instead of preventing.

Council Member Dustin Gettel said consistency in the message will go a long way.

Glen Kennedy said he doesn’t have a problem plowing cars in as long as they are on the same side of the road. It’s when you have cars on both sides of the roads it becomes dangerous. He suggested coming up with standardized criteria on what would be safe and not safe. If there are cars parked on the road, the road will not be plowed.

Kane Loader said the people will not stand for us to not plow the roads.

Council Member Paul Glover said his opinion is to keep it the way it is and clean up the language.

Matt Dahl said he would come up with some options and bring it back to the Council.

XI. ADJOURN

MOTION: Council Member Paul Hunt MOVED to adjourn the meeting. 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.

The meeting adjourned at 9:40 p.m.

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

Approved this 3rd day of December 2019.
SUBJECT: Amending the Mayor and City Council compensation to allow for an annual cost of living adjustment.

SUBMITTED BY: Lisa Garner, City Attorney

SUMMARY: The compensation for the Mayor and the City Council is set by ordinance and codified as Midvale Municipal Code 2.12.040 and 2.16.430. As written, the Mayor’s and the City Council’s compensation remains the same until the City Council passes an ordinance amending these sections. Even minor changes, such as a cost of living adjustment, would require an ordinance to change the Mayor’s and City Council’s salaries.

The City Council requested that the staff review this matter and draft an ordinance that would permit the City Council to provide minor cost of living adjustments to the Mayor’s and City Council’s salaries without having to amend the Midvale Municipal Code. Other Utah cities, including Ogden and South Salt Lake, permit similar adjustments.

The proposed ordinance permits the City Council to make annual cost of living adjustments to the Mayor’s and City Council’s salaries beginning next fiscal year. These adjustments may not exceed the 12-month percent change of the Consumer Price Index for all Urban Consumers as published by the United States Bureau of Labor Statistics for the West Region.

Additionally, the proposed ordinance repeals Midvale Municipal Code 2.16.430 establishing the Mayor’s compensation. Since the compensation of the Mayor and City Council have been centralized in Section 2.12.040, Section 2.16.430 is redundant and unnecessarily confusing.

FISCAL IMPACT: Variable from year to year. For FY 2020-2021, assuming the CPI-U has increased 2% over the last year and the Council decides to raise the Mayor and City Council’s salaries by the maximum amount permissible, the fiscal impact would be a total of $2,490.

Attachments:  Proposed Ordinance 2019-O-12
Proposed Amendment to Midvale Municipal Code
2.12.040 ‘Compensation of Mayor and City Council’
Proposed Repeal of Midvale Municipal Code 2.16.430
‘Compensation’
WHEREAS, the City Council desires to amend Midvale Municipal Code Section 2.12.040 Compensation of mayor and city council; and

WHEREAS, the City Council recognizes that the mayor and city council’s compensation was last adjusted by ordinance in 2017; and

WHEREAS, the City Council recognizes that in order to properly perform the responsibilities of the mayor of Midvale City, the mayor must generally spend a minimum of 20 hours per week performing his or her responsibilities; and

WHEREAS, the City Council, after conducting research regarding the compensation of local mayors, believes that so long as an elected mayor of Midvale generally spends a minimum of 20 hours per week performing his or her responsibilities that the mayor should be compensated as a salaried part-time employee similar to other mayors of neighboring communities; and

WHEREAS, the City Council also desires to make the city council’s compensation more competitive with the compensation of neighboring city council members and accounts for inflation over the last several years.

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

Section 1. The City Council desires to amend Midvale Municipal Code Section 2.12.040 Compensation of mayor and city council as set forth in Exhibit A.

Section 2. This Ordinance shall be effective upon date of first publication.

PASSED AND APPROVED this 3rd day of December 2019.

MIDVALE CITY

By: ____________________________________________
Mayor Robert M. Hale

VOTING:
Robert M. Hale Yea ___ Nay ___
Quinn Sperry Yea ___ Nay ___
Paul Glover Yea ___ Nay ___
Paul Hunt Yea ___ Nay ___
Bryant Brown Yea ___ Nay ___
Dustin Gettel Yea ___ Nay ___

ATTEST:

Rori L. Andreason, MMC
City Recorder

Published this ____ day of December 2019.
2.16.430 Compensation. The mayor shall be paid an annual salary of eighteen thousand five hundred dollars and an annual car allowance in the amount of four thousand eight hundred dollars. (Ord. 2013-08 § 1 (Exh. A) (part); Ord. 2/16/2010 O-2 § 1 (Exh. A) (part), 2010; Ord. 4/21/2009 O-7 § 1 (Exh. A) (part), 2009; Ord. 10/02/2007 O-14 § 1 (Exh. A) (2.4.404), 2007. Formerly 2.16.460)
2.12.040 Compensation of **mayor** and **city council**.

A. **Beginning with the fiscal year starting July 1, 2019**, each member of the **city council** other than the mayor shall be paid an annual salary of fifteen thousand dollars $16,016. The mayor shall be paid an annual salary of forty-five thousand dollars $52,219.50 and an annual car allowance in the amount of three thousand dollars $4,800.

B. **Beginning with the fiscal year starting July 1, 2019**, the City Council may authorize an annual cost of living adjustment to the Mayor’s and City Council’s salaries. The cost of living adjustment may not exceed the 12-month percent change of the United States Bureau of Labor Statistics’ Consumer Price Index for all Urban Consumers, West Region, for the month of May. As required by Utah Code Annotated § 10-3-818, any cost of living adjustment must be preceded by a public hearing.

C. In addition to the salary paid, the elected officials shall be authorized to receive health and dental benefits at the same level as city employees.

D. In addition to all other compensation or salaries, elected officials may receive travel expenses and per diem established by the city for attending any meeting, conference, seminar or training session, provided attendance has been approved by the governing body.

2.12.040  Compensation of Mayor and City Council.

A. Beginning with the fiscal year starting July 1, 2019, each member of the City Council, other than the Mayor, is paid an annual salary of $16,016. The Mayor is paid an annual salary of $52,219.50 and an annual car allowance in the amount of $4,800.

B. Beginning with the fiscal year starting July 1, 2019, the City Council may authorize an annual cost of living adjustment to the Mayor’s and City Council’s salaries. The cost of living adjustment may not exceed the 12-month percent change of the United States Bureau of Labor Statistics’ Consumer Price Index for all Urban Consumers, West Region, for the month of May. As required by Utah Code Annotated § 10-3-818, as amended, any cost of living adjustment must be preceded by a public hearing.

C. In addition to the salary paid, the elected officials shall be authorized to receive health and dental benefits at the same level as city employees.

D. In addition to all other compensation or salaries, elected officials may receive travel expenses and per diem established by the city for attending any meeting, conference, seminar or training session, provided attendance shall have been approved by the governing body.

SUBJECT: Discussion regarding Budget Opening #1 for Fiscal Year 2020

SUBMITTED BY: Kane Loader, City Manager

SUMMARY:
Staff proposes amendments to the FY 2020 Budget for the General Fund and other funds. These amendments cover new revenues available, adjustments in the current year operations, the allocation of salary and benefit adjustments and carryover of FY 2019 projects.

Budget details are attached.

FISCAL IMPACT:

General Fund - $433,400 reduction in Fund Balance
Capital Projects Fund - $7,845,605 carryover funds for FY 2019 projects
Water Fund - $1,062,050 carryover funds for FY 2019 projects
Sewer Fund - $2,566,300 carryover funds for FY 2019 projects
Storm Water Fund - $166,000 carryover funds for FY 2019 projects
Fleet Fund - $33,000 reduction in Fund Balance

STAFF RECOMMENDATION: N/A

RECOMMENDED MOTION: N/A
## GENERAL FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Revenue</th>
<th>A/C #</th>
<th>Expenditure</th>
<th>A/C #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contribution from fund balance</td>
<td>$433,400</td>
<td>10-3890-000-000</td>
<td>$-</td>
<td></td>
</tr>
<tr>
<td>Mayor market adjustment - salaries</td>
<td>7,400</td>
<td>10-4111-110-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mayor market adjustment - benefits</td>
<td>2,000</td>
<td>10-4111-130-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee safety rewards program</td>
<td>5,000</td>
<td>10-4152-620-200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in UPD contract</td>
<td>252,000</td>
<td>10-4215-311-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase Admin SVCS Director salary and benefits</td>
<td>34,000</td>
<td>10-4140-110-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase Admin SVCS Director salary and benefits</td>
<td>11,000</td>
<td>10-4140-130-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase Administration salaries for Asst. City Mgr</td>
<td>84,000</td>
<td>10-4131-110-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase Administration benefits for Asst. City Mgr</td>
<td>38,000</td>
<td>10-4131-130-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carryover TIGER grant</td>
<td>158,600</td>
<td>10-3314-000-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carryover TIGER grant</td>
<td>(158,600)</td>
<td>10-3890-000-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAG grant carryover</td>
<td>6,600</td>
<td>10-3312-100-002</td>
<td>6,600</td>
<td>10-4830-910-200</td>
</tr>
<tr>
<td>New JAG grant</td>
<td>14,400</td>
<td>10-3312-100-002</td>
<td>14,400</td>
<td>10-4830-910-200</td>
</tr>
<tr>
<td>Carryover SL County grant for BJ Blvd</td>
<td>1,523,805</td>
<td>10-3340-000-000</td>
<td>1,523,805</td>
<td>10-4830-910-100</td>
</tr>
<tr>
<td><strong>TOTAL GENERAL FUND</strong></td>
<td>$1,978,205</td>
<td>$1,978,205</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### MIDVALE CITY CORPORATION - BUDGET OPENING # 1 - FY 2020

<table>
<thead>
<tr>
<th>Description</th>
<th>Revenue</th>
<th>A/C #</th>
<th>Expenditure</th>
<th>A/C #</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CAPITAL IMPROVEMENT PROJECTS FUND</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carryover SL County grant for BJ Blvd</td>
<td>1,523,805</td>
<td>41-3840-000-000</td>
<td>1,523,805</td>
<td>41-4983-750-963</td>
</tr>
<tr>
<td>Carryover unfinished CIP projects from FY 2019</td>
<td>6,321,800</td>
<td>41-3890-000-000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk/curb/gutter replacement</td>
<td>36,000</td>
<td>41-4983-705-007</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7th East to Union Park Ave improvements</td>
<td>134,800</td>
<td>41-4983-710-005</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Midvale City Park improvements</td>
<td>400,000</td>
<td>41-4983-713-014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amphitheater improvements</td>
<td>30,000</td>
<td>41-4983-713-019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Splash Pad improvements</td>
<td>55,500</td>
<td>41-4983-715-001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>50/50 sidewalk program</td>
<td>20,000</td>
<td>41-4983-717-002</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Road CIP</td>
<td>1,314,000</td>
<td>41-4983-717-004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Hall overflow parking</td>
<td>55,000</td>
<td>41-4983-718-001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing Trust Fund</td>
<td>100,000</td>
<td>41-4983-718-004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Space acquisition</td>
<td>25,000</td>
<td>41-4983-718-005</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Center/Bowery remodel</td>
<td>1,302,000</td>
<td>41-4983-718-006</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crosswalk improvements</td>
<td>165,000</td>
<td>41-4983-718-007</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7200 S Gateway project</td>
<td>166,000</td>
<td>41-4983-718-009</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Main/Wasatch intersection study</td>
<td>20,000</td>
<td>41-4983-719-005</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pavement Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL CAPITAL IMPROVEMENT PROJ FUND</strong></td>
<td>$ 7,845,605</td>
<td>$ 7,845,605</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## MIDVALE CITY CORPORATION - BUDGET OPENING # 1 - FY 2020

<table>
<thead>
<tr>
<th>Description</th>
<th>Revenue</th>
<th>A/C #</th>
<th>Expenditure</th>
<th>A/C #</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PUBLIC UTILITIES FUND - WATER</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carryover unfinished capital projects from FY 2019</td>
<td>$1,062,050</td>
<td>51-3880-000-000</td>
<td>$-</td>
<td></td>
</tr>
<tr>
<td>JVWCD pipeline connections</td>
<td>990,200</td>
<td>51-5100-791-001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UJ Retail area meter swaps</td>
<td>71,850</td>
<td>51-5100-791-002</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL PUBLIC UTILITIES FUND - WATER</strong></td>
<td>$1,062,050</td>
<td>51-3880-000-000</td>
<td>$1,062,050</td>
<td>51-3880-000-000</td>
</tr>
<tr>
<td><strong>PUBLIC UTILITIES FUND - SEWER</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carryover unfinished capital projects from FY 2019</td>
<td>$2,566,300</td>
<td>52-3880-000-000</td>
<td>$-</td>
<td></td>
</tr>
<tr>
<td>Infrastructure improvements</td>
<td>71,000</td>
<td>52-5200-791-006</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major sewerline projects</td>
<td>769,500</td>
<td>52-5200-791-001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SVWRF phosphorous/grit treatment</td>
<td>1,575,800</td>
<td>52-5200-791-002</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCADA system</td>
<td>150,000</td>
<td>52-5200-791-002</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL PUBLIC UTILITIES FUND - SEWER</strong></td>
<td>$2,566,300</td>
<td>52-3880-000-000</td>
<td>$2,566,300</td>
<td>52-3880-000-000</td>
</tr>
<tr>
<td><strong>STORM WATER UTILITY FUND</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carryover unfinished capital projects from FY 2019</td>
<td>$166,000</td>
<td>52-3880-000-000</td>
<td>$-</td>
<td></td>
</tr>
<tr>
<td>Infrastructure improvements</td>
<td>100,000</td>
<td>54-5400-790-500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Series 2014 Bonds - remaining funds available for capital projects</td>
<td>66,000</td>
<td>54-5400-790-500</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL STORM WATER UTILITY FUND</strong></td>
<td>$166,000</td>
<td>52-3880-000-000</td>
<td>$166,000</td>
<td>54-5400-790-500</td>
</tr>
<tr>
<td><strong>INTERNAL SERVICE FUND - FLEET</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two salters for Streets</td>
<td>$23,000</td>
<td>62-3898-000-000</td>
<td>$23,000</td>
<td>62-4971-760-101</td>
</tr>
<tr>
<td>Four wheeler for Parks</td>
<td>10,000</td>
<td>62-3898-000-000</td>
<td>10,000</td>
<td>62-4971-760-109</td>
</tr>
<tr>
<td><strong>TOTAL INTERNAL SERVICE FUND - FLEET</strong></td>
<td>$33,000</td>
<td>62-3898-000-000</td>
<td>$33,000</td>
<td>62-4971-760-109</td>
</tr>
</tbody>
</table>
**SUBJECT:** Winter Parking Policy

**SUBMITTED BY:** Matt Dahl, Assistant City Manager/Community Development Director

**SUMMARY:** During the November 12th City Council meeting, councilmembers expressed an interest in exploring potential changes to Midvale’s winter parking policy. A subsequent discussion occurred on November 19th, during which time there was a difference of opinion among council members as whether the current policy should be rewritten for clarity only or if the policy should include weather related conditions to parking. This memo is intended to facilitate further discussion on the topic.

Midvale’s winter parking policy, City code 10.16.120, reads: “It is an infraction for any vehicle to be parked on any street in the municipality between the first day of November of each year and the first day of March of the following year, for a period of time longer than three minutes when loading or unloading passengers and for a period of time longer than thirty minutes when loading, unloading or delivering property between the hours of one a.m. and six a.m. on all streets within the city. (Ord. 2019-07 § 1 (Exh. A) (part): prior code § 11-345)”

City staff reviewed the winter parking policies of Sandy, West Jordan, Murray, Cottonwood Heights, Salt Lake City, Ogden, and Park City. Four cities restrict parking during and 24 hours after a snow storm, and the remaining three cities allow for street parking to be restricted in a snow storm as needed. Additionally, some communities include policies that make it a parking violation to have a car parked on the road that has been covered by snow as a result of snow plowing operations.

Several cities also limit street parking to 24-48 consecutive hours, while Sandy is the only other city to restrict all overnight parking during the winter months.

The evaluation of potential winter parking policies will require consideration of the following:

- Residents – Is the policy easy to understand and communicate?
- Law Enforcement – Does the policy create a clear frame work for enforcement (i.e., is it subjective)?
Street Maintenance – Does the policy support snow plowing operations and provide for a safe environment?

Given these considerations and the feedback received by the City Council at the November 19th meeting, staff has provided the following policies to facilitate discussion:

- *It is unlawful for any vehicle to be parked on any street in the municipality for more than 10 minutes between 12:00 am and 7:00 am during the 4 months between November 1st and March 1st.*

- *During the four months between November 1st and March 1st it is an infraction for any vehicle to be parked on city streets where snow has accumulated.*

- *During the four months between November 1st and March 1st it is unlawful for any vehicle to be parked on a city street in a manner that obstructs snow removal if that street has an accumulation of snow.*