



7505 South Holden Street
Midvale, UT 84047
(801) 567-7200
www.midvalecity.org

**MIDVALE CITY COUNCIL REGULAR MEETING
AGENDA
OCTOBER 3, 2023**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **3rd day of October 2023** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

Electronic & In-Person City Council Meeting

This meeting will be held electronically and in-person. **Public comments may be submitted electronically to the City Council at www.Midvalecity.org/government/contact-us by 5:00pm on October 2nd and will be included in the record.**

The meeting will be broadcast on the following: You Tube: www.MidvaleCity.org/YouTube

6:00 PM - WORKSHOP

- Midvale Center and Midvale Ft. Union Station Area Plans Presentation [*Adam Olsen, Community Development Director*]
- EPA Lead and Copper Rule Update [*Glen Kennedy, Public Works Director*]

7:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Fire Department Report
- D. Mayor Stevenson Next Generation Initiative Youth Program Report
- E. Proclamation – National Hispanic Heritage Month

II. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for a 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. MAYOR REPORT

- A. Mayor Marcus Stevenson

IV. COUNCIL REPORTS

- A. Councilmember Heidi Robinson
- B. Councilmember Paul Glover
- C. Councilmember Dustin Gettel
- D. Councilmember Quinn Sperry

E. Councilmember Bryant Brown

V. CITY MANAGER REPORT

VI. PUBLIC HEARING

- A. Public Hearing to receive input from the public with respect to (a) the issuance of approximately \$11,200,000 of General Obligation Bonds and (b) the potential economic impact that the improvements, facilities, or properties to be financed in whole or in part with proceeds of said bonds will have on the private sector **[Matt Dahl, City Manager]**

VII. CONSENT

- A. Consider Minutes of September 19, 2023 **[Rori Andreason, H.R. Director/City Recorder]**

VIII. ACTION ITEMS

- A. Consideration and Approval of **Resolution No. 2023-R-41** Confirming the Appointment of Molly Signoretty as the 2024 Chair of the Harvest Days Festival Committee **[Matt Dahl, City Manager]**
- B. Consider **Ordinance No. 2023-O-13** Adopting Midvale Municipal Code Chapter 12.18 Parks **[Glen Kennedy, Public Works Director]**

IX. CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY

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 days advance 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 posted in the City Hall Lobby, the 2nd Floor 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.

DATE POSTED: SEPTEMBER 28, 2023

**RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER**

Whereas, National Hispanic Heritage Month, known as “Mes de Herencia Hispana”, is celebrated nationwide from September 15th through October 15th each year; and

Whereas, originally Hispanic Heritage Week was established by legislation sponsored by Rep. Edward Roybal of Los Angeles and was signed into law by President Lyndon B. Johnson in 1968; and

Whereas, in 1988 the commemorative week was expanded to a month by legislation sponsored by Rep. Esteban Torres, and signed into law by President Ronald Reagan; and

Whereas, September 15th was chosen as the starting point for the commemoration, because it is the anniversary of the Cry of Dolores, wherein the early morning of September 16, 1810 marked the start of the Mexico War of Independence, and thus resulted in independence for the New Spain Colony, now Mexico, Guatemala, Belize, el Salvador, Costa Rica, Honduras and Nicaragua in 1821; and

Whereas, we celebrate the histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America; and

Whereas, Hispanic Americans are the largest minority group in the United States today, and the largest minority group in Midvale, representing nearly one in five residents, according to the 2020 Census; and

Whereas, the diversity of the Hispanic and Latino community is consistently a source of strength and resilience, spanning generations, reflecting a wide range of backgrounds, languages, and cultures that have helped shape our nation’s identity; and

Whereas, Hispanic and Latino Americans have made significant contributions to every facet of American life, from arts and culture to science, technology, business, and public service; and

Whereas, we encourage all Midvale residents to celebrate our unique and vibrant history and recommit ourselves to a shared future of healthy, peaceful, safe, and sustainable communities for all.

Now, Therefore, let it be resolved that Mayor Marcus Stevenson and the City Council of Midvale City, do hereby proclaim that from September 15 through October 15, 2023, Midvale City will recognize and participate in the celebration of Hispanic Heritage Month.

ADOPTED on this 3rd day of October 2023.

Marcus Stevenson, Mayor

Heidi Robinson, Council Member

Dustin Gettel, Council Member

Bryant Brown, Council Member

Paul Glover, Council Member

Quinn Sperry, Council Member

Attest:

*Rori L. Andreason, MM C
City Recorder*



MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: October 3, 2023

SUBJECT: Public hearing to receive input from the public with respect to (a) the issuance of approximately \$11,200,000 of General Obligation Bonds and (b) the potential economic impact that the improvements, facilities, or properties to be financed in whole or in part with proceeds of said bonds will have on the private sector.

SUBMITTED BY: Matt Dahl, City Manager

SUMMARY:

On July 18, 2023, the Midvale City Council adopted Resolution No. 2023-R-32 approving a special bond election on November 21, 2023 that, if successful, would generate \$11.2 million to finance a portion of the costs to construct a new recreation center, including a community pool, and active transportation trails.

State law outlines an in-depth process of public notice and hearings that must be followed prior to the election. The following is a summary of those requirements.

- September 7 – Deadline for Bond Election Resolution to be delivered to Lt. Governor and Election Officer
- September 18 – Deadline for notice of intent to file arguments against the bond
- September 19 – Deadline for Midvale City to notice public hearing on bond election
- September 22 – Deadline for arguments for and against the bond to be submitted to the Election Officer
- October 3 – Midvale City to hold public hearing on bond election
- October 9 – Deadline for submission of rebuttal arguments
- October 23 – Deadline for arguments to be posted on state website
- October 31 – Deadline for Midvale City to post election notice
- November 6 – Deadline for voter information pamphlet to be mailed to registered voters
- November 14 – Hold Public Meeting regarding ballot proposition
- November 21 – Election
- December 6 – Election canvass

This public hearing is required by state code and is intended to provide the public an opportunity to speak on the record with respect to the issuance of the recreation bond and the potential economic impact that the recreation improvements will have on the private sector. In addition to the public hearing, Midvale City will also host a public meeting regarding the ballot proposition on November 14.

CITIZEN AGENDA SUMMARY:

The public hearing is an opportunity for members of the community to speak on the record regarding the recreation bond election.



COUNCIL MEETING *Minutes*

Tuesday September 19, 2023
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

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

STAFF: Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Aaron McKnight, Deputy City Attorney; Glen Kennedy, Public Works Director; Adam Olsen, Community Development Director; Laura Magness, Communications Director; Wendelin Knobloch, Planning Director; Meggie Troili, RDA Project Manager; Kate Andrus, RDA Project Manager; Cody Hill, Economic Development Manager; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Juan Rosario, Systems Administrator.

6:00 PM – WORKSHOP

• UNIFIED POLICE DEPARTMENT PRESENTATION

Mayor Marcus Stevenson discussed SLVLESA and how the Metro Townships fund their policing. There is proposed legislation to change the metro townships into towns or cities, which he is in support of. That will allow the townships to be full cities where they can collect taxes and fees; so they will be able to cover the costs for policing that are not covered by SLVLESA. He said the SLVLESA Board will be meeting with the Sheriff regarding the future funding of the organization.

Chief Jason Mazuran, Chief Justin Hoyle, Rick Moon and Debbie Sanchez were present to discuss where unified police is headed. Chief Mazuran said they will be going out to all the councils with this presentation. The organization chart and costs are changing and evolving daily in order to give the most service possible within parameters set by Board.

The Council discussed their concerns and possible issues in Midvale.

7:00 PM – REGULAR MEETING

Mayor Marcus Stevenson called the business meeting to order at 7:05 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Killian?

B. ROLL CALL - Council Members Heidi Robinson, Dustin Gettel, Bryant

Brown, Quinn Sperry, and Paul Glover were present at roll call.

C. AMERICAN FOUNDERS CONSTITUTION PRESENTATION

The Boys and Girls Club assisted in recognizing American Founders and Constitution Month presentation. Presenters: Killian Cole, Bella Shephard, Presley Austin, and Haize.

D. AMERICAN FOUNDERS CONSTITUTION MONTH PROCLAMATION

Haize, Boys & Girls Club, read the American Founders Constitution Month Proclamation.

E. UNIFIED POLICE DEPARTMENT REPORT

Chief Randy Thomas said he is proud and humbled to say he is losing some of his top guns at the precinct; however, Aaron Bartholemew is coming back to UPD. He recognized Public Works for their help with Colosseum Way with red curbing. He also said he wanted to recognize a rockstar in community, McKaela Cundick, graffiti removal team. Over the Labor Day holiday, the City got slammed with graffiti. When he arrived on Tuesday, it had all been cleaned up. He said McKaela single handedly cleaned up 70+ sites. Chief Mazuran read the following recognition.

“On Monday, September 4, 2023, McKaela Cundick, a graffiti abatement technician with Residents Against Graffiti, single-handedly cleaned a grand total of 76 graffiti sites in Midvale City. It was Labor Day, which was a holiday for McKaela, but she decided to come to work instead of taking the day off. 66 of the total 76 sites cleaned were gang related graffiti. All 66 gang related sites were in Midvale City boundaries. McKaela took care of more graffiti in one shift than she and her co-worker normally do on any given day. McKaela accomplished this alone, on a holiday, and proactively with no supervisory direction.

We wish to recognize, commend, and applaud McKaela's initiative, good judgment, determination, and work ethic. McKaela works hard every day. Her outstanding performance, on what should have been a day off, is just another example of her hard work and dedication to the Salt Lake Area Gang Project and the Residents Against Graffiti program. The work they do has a visible impact in the neighborhood of Midvale City and throughout Salt Lake County.

Chief Thomas expressed his utmost appreciation for these efforts on a holiday weekend. Midvale fell victim to a spree of tagging which had the residents of the city expressing frustration and aggravation on social media and to city officials. The Tuesday after the holiday Chief Thomas went to assess the damage on his way to his office and was shocked to see the damage had been covered and the issues remediated. He understands the problems this type of vandalism can bring to a neighborhood if it is not addressed quickly. The Residents Against Graffiti program is highly successful because the people who do this work, like McKaela, are dedicated, hardworking, and take great pride in the communities they serve.

Thank you McKaela!
Sincerely,
Paul Malouf
Graffiti Program Manager”

II. PUBLIC COMMENTS

There was no one who desired to speak.

III. MAYOR REPORT

Mayor Stevenson said he did a ride along with a law enforcement unit and was fascinated to see the work they do. So much of their focus is getting drugs off the street. They do great work. He said the Classic Midvale Main Street Car Show is on Sept 30th from 11:00am to 6:00pm on Midvale Main. Saturday October 7th is the second “Skate with the Mayor” event at the Copperview Skate Park. He said he has several organizations participating and will have a free skateboard giveaway. He also mentioned that the NextGen Initiative starts October 3rd.

IV. COUNCIL REPORTS

A. Council Member Heidi Robinson – said she attended Coffee with the Mayor and the Walk and Talk Down Main Street. There was a lot of support and attendance from the residents. She thanked staff for their hard work and support.

B. Council Member Paul Glover – had nothing to report.

C. Council Member Dustin Gettel - thanked Chief Thomas for his help with some parking issues he assisted with. He said a resident living behind Top Golf is asking if they can park their car in the Bingham junction park overnight due to the paving on their street on October 5th.

Matt Dahl said he would follow-up to make sure nothing is scheduled in the park at that time; however, he noted that there is risk with vandalism issues that could happen.

Council Member Dustin Gettel acknowledged the City has dealt with large issues and appreciates staff in all the departments.

D. Council Member Quinn Sperry – had nothing to report.

E. Council Member Bryant Brown – said Millennial Way has just been repaved and while it’s coned off, he would like to think about painting halfway in front of the karate place red, so no one parks there. If people can get into the righthand turn lane, it would cut down on the backed-up traffic tremendously. He also said there needs to be quadruple the amount of messaging on the GO Bond and the process.

Matt Dahl said staff is making sure to not be involved in the politics, which is a challenge. Residents need to be educated and directed to go to the City's website where the correct information is.

V. CITY MANAGER REPORT

Matt Dahl said Council Member Bryant Brown asked if there could be a presentation and or a proclamation on the American Founders Constitution. He thanked Council Member Brown for suggesting this and thinks everyone should be educated on this subject. He thanked the Boys & Girls Club for their presentation on the American Founders Constitution.

He said there are windows that have been damaged at city hall. Wendelin Knobloch was working late and became aware of someone damaging the windows. He asked them to stop and also called the police. He thanked Wendelin Knobloch for his efforts. The microburst storm yesterday caused some standing water issues in different areas throughout the city, which Public Works attended to. The RFP for the Storm Water Master Plan just closed, and staff will start the process of choosing someone from the RFP and start on the long-term plan of updating and improving the storm water system throughout the city. The water bond will be closing on Thursday. Mirah Hill has done great work on this bond so the City can move forward with the project. He thanked the developers with Court Partners and staff who worked on this project. He said there will be a Candidate Forum on October 4th at 7:00 p.m. at City Hall. Ben Winslow will be the moderator.

VI. CONSENT

A. CONSIDER MINUTES OF SEPTEMBER 5, 2023

MOTION: Council Member Paul Glover MOVED to Approve the Consent Agenda. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VII. ACTION ITEMS

A. CONSIDER ORDINANCE NO. 2023-O-12 PROHIBITING THE NEGLIGENT DISCHARGE OF FIREWORKS

Aaron McNight said Midvale City Council members have expressed concern about the use of fireworks in the City. Some interest was expressed in prohibiting the use of fireworks on City property. However, in 2018, the Utah State Legislature passed a law significantly limiting what prohibitions a municipality can impose on the use of fireworks. That law prevents the City from outright prohibiting the use of fireworks on City property.

However, state law allows a municipality to impose a prohibition against the negligent discharge of fireworks, which allows the City to enact policy regarding firework safety. Staff has drafted the attached proposed ordinance. The proposed ordinance would make it a class B misdemeanor to negligently or improperly discharge fireworks in the City.

While any negligent use or discharge of fireworks would violate the ordinance, the proposed amendment identifies several specific scenarios that would violate the ordinance. Those specific scenarios are (1) using or discharging a firework in such a manner that the firework projects over or onto someone else's property without their consent, (2) using or discharging a firework from or into any motor vehicle, or at or near any person, and (3) using or discharging a firework in such a manner as to cause any building, structure, or other property to catch fire.

This proposed ordinance is intended to incentivize responsible and safe use of fireworks. It also will help the City and law enforcement to hold people accountable who are negligent or reckless in their use of fireworks and who start fires as a result of their use of fireworks. The penalty of a class B misdemeanor gives prosecutors and judges sufficient leverage to order and enforce restitution orders, which often becomes an issue in fireworks cases.

STAFF'S RECOMMENDATION: Staff recommended adopting Ordinance 2023-O-12 to prohibit negligent use or discharge of fireworks and to provide law enforcement with a greater ability to prosecute cases where fires are started due to fireworks.

MOTION: Council Member Dustin Gettel MOVED to Adopt Ordinance No. 2023-O-12 adopting Midvale Municipal Code Section 8.06.280 Negligent Discharge of Fireworks. The motion was SECONDED by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

B. CONSIDER RESOLUTION NO. 2023-R-38 TO APPROVE THE ACQUISITION OF PROPERTY AND AN EASEMENT TO SUPPORT THE INSTALLATION OF WATER LINES AND A WATER METER VAULT LOCATED AT 6813 S 700 W AND 6821 S 700 W IN MIDVALE

Cody Hill said In September 2021, approval was given to the task order to begin the design work for a water line along 700 West and a water meter vault near the border with Murray. To enable the City to construct and maintain a water line and water meter vault, the owner of two parcels, 6813 S 700 West and 6821 S 700 West, will transfer the City portions of his property and provide an easement. The quit claim deeds and easement

have already been signed by the property owner. In return for the property and the easement, the City will construct sidewalk, curb, and gutter in front of the owner's property.

PLAN COMPLIANCE: Acquisition of the easement and portions of the properties is critical to the infrastructure project, which is part of the City's long-term infrastructure improvement plans.

FISCAL IMPACT: The cost of the sidewalk, curb, and gutter is estimated to be about \$44,000.

STAFF RECOMMENDATION: City staff recommended approving the acquisition of property and easement.

MOTION: Council Member Heidi Robinson **MOVED** to Suspend the rules and adopt Resolution No. 2023-R-38 to approve the acquisition of property and an easement to support the installation of water lines and a water meter vault located at 6813 S 700 West and 6821 S 700 West in Midvale. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

C. CONSIDER RESOLUTION NO. 2023-R-39 AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY RELATING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, HOME INVESTMENT PARTNERSHIP PROGRAM, AND EMERGENCY SOLUTIONS GRANT PROGRAM

Nate Rockwood said on June 20, 2023, the City Council approved a resolution authorizing the Mayor to sign an interlocal agreement with the County for the Community Development Block Grant Program, Home Investment Partnership Program, and Emergency Solutions Grant Program. Due to population growth and a change in CDBG entitlement status, Herriman City has requested to be removed from the interlocal agreement. The County has requested all entities readopt a resolution approving the interlocal agreement with the removal of Herriman City and with additional language detailing that withdrawal by an entity from the agreement will terminate the agreement and require all entities to readopt a new interlocal agreement. Therefore, the proposed resolution authorizes the Mayor to sign an interlocal cooperation agreement with Salt Lake County to allow the County to conduct the administration of the Community Development Block Grant Program (CDBG), Home Investment Partnership Program, and

Emergency Solutions Grant program for Midvale and other cities and towns in Salt Lake County.

The interlocal agreement covers federal fiscal year 2024 – 2026 and each successive three-year period thereafter to a maximum term of 50 years. The City may terminate the agreement by providing notice to the County at the beginning of any three-year period. Salt Lake County receives federal grant funds through the Housing and Community Development Act of 1974, Cranston-Gonzales National Affordable Housing Act, and McKinney-Vento Homeless Assistance Act. The funds are administered by the U.S. Department of Housing and Urban Development (HUD). The County administers the distribution and reporting of these grant funds throughout the county. 2 Midvale typically receives CDBG funds annually. Past projects have included funding for ADA sidewalk improvements, Jordan River Parkway Trail repairs, Art House improvements and the current funding for the Midvale City Home Repair Loan Program

MOTION: Council Member Dustin Gettel MOVED to Approve Resolution No. 2023-R-39 authorizing the Mayor to enter into an Interlocal Cooperation Agreement with Salt Lake County relating to the Community Development Block Grant Program, Home Investment Partnership Program, and Emergency Solutions Grant Program. The motion was SECONDED by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

D. CONSIDERATION OF RESOLUTION NO. 2023-R-40 APPROVING AN ARGUMENT IN SUPPORT OF THE RECREATION BOND FOR INCLUSION IN THE 2023 VOTER INFORMATION PAMPHLET

Matt Dahl said On July 18, 2023, the Midvale City Council adopted Resolution No. 2023-R-22 approving a special bond election on November 21, 2023 that, if successful, would generate \$11.2 million to finance a portion of the costs to construct a new recreation center, including a community pool, and active transportation trails. State law outlines an in-depth process of public notice and hearings that must be followed prior to the election. The following is a summary of those requirements.

- September 7 – Deadline for Bond Election Resolution to be delivered to Lt. Governor and Election Officer
- September 18 – Deadline for notice of intent to file arguments against the bond
- September 19 – Deadline for Midvale City to notice public hearing on bond election
- September 22 – Deadline for arguments for and against the bond to be submitted to the Election Officer

- October 3 – Midvale City to hold public hearing on bond election
- October 9 – Deadline for submission of rebuttal arguments
- October 23 – Deadline for arguments to be posted on state website
- October 31 – Deadline for Midvale City to post election notice
- November 6 – Deadline for voter information pamphlet to be mailed to registered voters
- November 14 – Hold Public Meeting regarding ballot proposition
- November 21 – Election • December 6 – Election canvass

City staff has already submitted the Bond Election Resolution to the Lt. Governor and Salt Lake County. Staff is currently working on the format of the voter information pamphlet and has prepared a draft copy of the argument in support of the recreation bond. The argument of support was provided to the City Council on September 5th for discussion and must be approved by the City Council and submitted to the State by September 22nd. The argument in support of the recreation bond will be included in the voter information pamphlet that will be mailed to voters by November 6th. The City Council is being asked to consider resolution 2023-R-40 and approve the proposed draft argument of support.

MOTION: Council Member Dustin Gettel **MOVED** to Approve Resolution No. 2023-R-40 as amended earlier this evening approving an amendment in support of the recreation bond for inclusion in the 2023 voter information packet. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VIII. DISCUSSION ITEMS

A. DISCUSS COMMUNITY COUNCIL REVITALIZATION

Matt Dahl said following the outbreak of the COVID-19 pandemic in 2020, Midvale's Community Council declined in membership and met less frequently. During 2022, City Staff worked with residents to explore options for reforming and revitalizing the Community Council. Broadly, the options included becoming a formal committee of the City, reorganizing as a non-profit, or simply being an informal group. No conclusion was reached by the end of 2022, though staff was asked to provide more information on the process of making the Community Council a formal city committee, similar to the Harvest Days Committee. Given the importance of having an active Community Council and the benefits it can provide for the community and the City, staff would like to discuss the issue with the City Council and receive guidance on how to proceed with reengaging with the public on this issue.

Matt Dahl said one of the concerns of a more formal community council is that it may not be seen as independent from Midvale City. He suggested having less formal meetings with an invite on a social media post to attend, creating a venue that is less formal. Though this process there may be residents who are interested on serving on the community council committee.

Council Member Dustin Gettel said there is great value in having a community council. When it became more formal by using Roberts rules of order, it was unsuccessful.

Matt Dahl said if they become a non-profit 501C3, they can figure out what and how they organize. However, if they are a formal committee of the City, there are legal requirements that come into play.

Council Member Bryant Brown said it makes him nervous if no one from the community council is driving or in charge. He said they should definitely not become a 501C3 because it is so much work to comply with all of the nonprofit organization rules. He said residents want a beautification committee. He suggested maybe once a year give a \$25 gift card to a resident from the community council. He said direction needs to be given to the community council and maybe the City can give them funds to have an event once a year or something like that.

Matt Dahl said that might be a challenge and he would have to work through that.

Council Member Quinn Sperry asked what the requirements are for setting them up as a subcommittee of the City.

Garrett Wilcox said the Roberts rules of order and open meeting act means they have to have an agenda, minutes, and public notices must be posted and noticed. There would be a lot of formal things. If you keep it informal, the City will need to maintain certain things at the City level.

Council Member Quinn Sperry said he doesn't want to put extra burden on the City and staff. He recommended keeping the committee informal with City direction.

Matt Dahl suggested maybe start off with less formal meetings with an agenda from the City, also direction from the City and also have them volunteering in City events etc....

Council Member Paul Glover said service is the way to go. It could be a service to the City and community such as volunteering, beautification, and service type activities.

Council Member Heidi Robinson said she likes the idea of informal meetings and doing service projects within the City. She said if it is too formal, it will fall apart and fail. She said she likes the idea of informal meetings with City direction.

Council Member Dustin Gettel asked to bring back what it would look like if the community council functions solely on their own.

Matt Dahl said one of the issues is that if there are funds involved, the City would regulate the funds for an informal committee. If the committee is a formal committee separate from the City, there becomes issues with tax reporting. He suggested holding an open house to identify members that may be interested in attending informal community council meetings, and possibly send out surveys asking questions that may help staff to determine what to bring back to the Council regarding a community council.

**B. DISCUSSION REGARDING A CURFEW TO BE SET BY ORDINANCE
FOR ALL CITY PARKS**

Glen Kennedy said there has been a significant increase in vandalism, graffiti, and camping, along with other crimes in Midvale City parks over the last year. The negative impacts of these activities include increased costs and time spent repairing, replacing, and cleaning, and in some cases having to take park assets and facilities out of service for periods of time. As a result, the parks and amenities are less inviting to patrons pertaining to safety. To assist in reducing these negative activities, and to help the Unified Police Department with enforcement and policing activities in the parks, staff are proposing a seasonal curfew to be established by ordinance.

The proposed curfew is as follows: PARKS; SEASONAL CURFEWS: Except for an individual in attendance or participating in a City-permitted event, it is unlawful for any person:

1. From April 1st through September 30th each year, to be at any City Park between the hours of 10:00 P.M. and 6:00 A.M. the following morning.
2. From October 1st through March 31st each year, to be at any City Park between official sunset and sunrise the following day per the official sunrise/sunset table placed on the City's website.

Any person who is in violation of the provisions of this Section is guilty of a class C misdemeanor.

Council Member Dustin Gettel said he would prefer closing the parks at 10 pm or a set time.

Council Member Bryant Brown said likes the idea of closing at 10:00pm; however, it will push the homeless people to other parts of the City.

City Council agreed to set a standard year round time of 6 am to 10 p.m.

X. ADJOURN

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

The meeting adjourned at 8:43 p.m.

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

Approved this 3rd day of October, 2023

PENDING



MIDVALE CITY COUNCIL SUMMARY REPORT

October 3, 2023

SUBJECT:

Consideration and Approval of Resolution 2023-R-41 Confirming the Appointment of Molly Signoretty as the 2024 Chair of the Harvest Days Festival Committee.

SUBMITTED BY:

Matt Dahl, City Manager

BACKGROUND AND OVERVIEW:

The Harvest Days Festival Committee was established on March 15, 2022, to provide leadership, planning, and staffing for the Annual Harvest Days Festival. The Committee consists of up to 5 members, appointed by the mayor. The chair appointment also requires approval from the City Council. The term of each Committee member is one year.

FINDINGS AND ALTERNATIVES:

Molly Signoretty served as the Harvest Days Festival Committee Chair in 2022 and 2023, having been appointed by Mayor Stevenson and approved by the City Council each year. Mayor Stevenson's original decision to select Ms. Signoretty was based on her professional experience working with government agencies, and leading committees of similar size and responsibility.

The 2022 Harvest Days Festival was unique, because it was the first year that the Harvest Days Festival Committee lead the planning for the event. Due to the timing of the creation of the Committee, the timeline to organize the event was compressed. Even with these challenges Ms. Signoretty, as Chair, provided the leadership that was needed to make the 2022 Harvest Days Festival a success. The 2023 Harvest Days Festival had significant changes in programming and an expansion in community involvement. These changes have been seen as improvements and also resulted in a successful festival. Ms. Signoretty has showed herself to be a creative, strategic, and hardworking leader who worked well with her colleagues on the Harvest Days Festival Committee, as well as community volunteers and city staff.

Given Ms. Signoretty's experience and proven leadership as the Harvest Days Festival Committee Chair, Mayor Stevenson has chosen to appoint Molly Signoretty to the position of

Harvest Days Festival Chair for 2024. City Council approval of Mayor Stevenson's appointment is required to confirm the appointment.

CITIZEN AGENDA:

The City Council will consider approving the appointment of Molly Signoretty to serve as the Harvest Festival Committee Chair for 2024.

STAFF RECOMMENDATION:

It is recommended that the City Council approve Mayor Stevenson's appointment of Molly Signoretty to serve as chair of the Harvest Days Festival Committee.

RECOMMENDED MOTION:

I move to approve Resolution 2023-R-41 confirming Mayor Stevenson's appointment of Molly Signoretty to serve as the Chair of the Harvest Days Festival Committee.

**MIDVALE CITY CORPORATION
RESOLUTION 2023-R-41**

A resolution confirming Mayor Stevenson’s appointment of Molly Signoretty as the Chair of the Harvest Days Festival Committee.

WHEREAS, the Harvest Days Festival Committee was established by the City Council on March 15, 2022, to provide leadership, planning, and staffing for the annual Harvest Days Festival; and

WHEREAS, the committee consists of up to 5 members, appointed by the mayor for a one-year term; and

WHEREAS, the appointment of the Harvest Days Festival Committee Chair requires confirmation from the City Council; and

WHEREAS, Mayor Stevenson desires to appoint Molly Signoretty to the position of Harvest Days Festival Committee Chair for the 2024 Harvest Days Festival; and

WHEREAS, the City Council desires to confirm the appointment of Molly Signoretty to the position of Harvest Days Festival Committee Chair for the 2024 Harvest Days Festival.

NOW, THEREFORE, be it resolved by the Midvale City Council as follows:

1. The City Council hereby confirms Mayor Stevenson’s appointment of Molly Signoretty to serve as the Harvest Days Festival Committee Chair for the 2024 Harvest Days Festival.
2. This resolution shall take effect immediately.

APPROVED AND ADOPTED this 3rd day of October 2023.

Marcus Stevenson, Mayor

ATTEST:

Rori L. Andreason, City Recorder

	<i>(Signatures appear on separate page)</i>	
Voting by the City Council	“Aye”	“Nay”
Quinn Sperry	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____



MIDVALE CITY COUNCIL SUMMARY REPORT

October 3, 2023

SUBJECT: Discussion and Action Regarding an Ordinance to Create Chapter 12.18 PARKS Within the Midvale Municipal Code and to Create Section 12.18.010 Within that Ordinance Setting a Curfew for City Parks.

SUBMITTED BY:

Glen Kennedy, Public Works Director

CITIZEN AGENDA SUMMARY:

City staff proposed a seasonal curfew for City parks in an effort to mitigate vandalism, graffiti, overnight camping, and other criminal activities. The City Council requested the curfew be modified to be consistent year-round and not seasonal.

BACKGROUND AND OVERVIEW:

There has been a significant increase in vandalism, graffiti, and camping, along with other crimes in Midvale City parks over the last year. The negative impacts of these activities include increased costs and time spent repairing, replacing, and cleaning, and in some cases having to take park assets and facilities out of service for periods of time. As a result, the parks and amenities are less inviting to patrons pertaining to safety.

To assist in reducing these negative activities, and to help the Unified Police Department with enforcement and policing activities in the parks, City staff proposed a seasonal curfew for City parks. The City Council requested the curfew be modified to be consistent year-round and not seasonal. In addition, Midvale Municipal Code currently does not include a specific chapter to govern Parks. This ordinance will create that chapter and the updated curfew section within it.

The updated proposed curfew is as follows:

PARKS; CURFEWS:

Except for an individual in attendance or participating in a City-permitted event, it is unlawful for any person to be at any City Park between the hours of 10:00 P.M. and 6:00 A.M. the following morning. Any person who is in violation of the provisions of this Section is guilty of a class C misdemeanor.

RECOMMENDED MOTION:

I move to adopt Ordinance 2023-O-13 creating Chapter 12.18 within the Midvale Municipal Code and creating Section 12.18.010 within that Chapter to set a curfew for all City parks.

ATTACHMENTS:

Ordinance 2023-O-13

Appendix A

MIDVALE CITY

ORDINANCE NO. 2023-O-13

AN ORDINANCE ADOPTING MIDVALE MUNICIPAL CODE CHAPTER 12.18 PARKS.

WHEREAS, as authorized by Utah Code Ann. § 10-8-9, the City Council is authorized to “establish, maintain, and provide for the supervision of bathhouses, public playgrounds, recreation places and swimming pools;” and

WHEREAS, as authorized by Utah Code Ann. § 10-8-11, the City Council is authorized to “regulate the use of use of streets, alleys, avenues, sidewalks, crosswalks, parks, and public grounds;” and

WHEREAS, as authorized by Utah Code Ann. § 10-8-84, the City Council is authorized to “pass all ordinances and rules, and make all regulations, not repugnant to law, [...] as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city;” and

WHEREAS, Midvale Municipal Code currently does not include a specific chapter to govern parks; and

WHEREAS, the City Council desires to establish reasonable and uniform regulations governing the activities and manner of operating City parks; and

WHEREAS, the regulations in this chapter are designed to provide safe and positive experiences for both the public patrons of City parks and to property owners surrounding City parks; and

WHEREAS, Midvale Municipal Code Chapter 12.18 will contain all the governing rules pertaining to park activities and operations, only a curfew is being adopted at this time; and

WHEREAS, the City Council desires to adopt Midvale Municipal Code Chapter 12.18 to establish regulations that govern the activities and manner of operating City parks.

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

Section 1. The City Council desires to create Midvale Municipal Code Chapter 12.18 Parks including the adoption of a curfew as set forth in Exhibit A.

Section 2. A violation of this ordinance includes the possibility of fines or imprisonment. Midvale City is required, under Utah Code Annotated Section 78B-22-301, to provide for indigent legal defense, as that term is defined in Utah Code Annotated Section 78B-22-102.

Section 3. This ordinance is effective upon publication in accordance with Section 10-3-711 of the Utah Code.

PASSED AND APPROVED this 3rd day of October 2023.

MIDVALE CITY

By: _____
Mayor Marcus Stevenson

[SEAL]

VOTING:

Bryant Brown	Yea ____	Nay ____
Dustin Gettel	Yea ____	Nay ____
Paul Glover	Yea ____	Nay ____
Heidi Robinson	Yea ____	Nay ____
Quinn Sperry	Yea ____	Nay ____

ATTEST:

Rori L. Andreason, MMC
City Recorder

Published this ____ day of ____, 2023.

Chapter 12.18

PARKS

Sections:

12.18.010 Curfew

12.18.010 Curfew

Except for an individual in attendance or participating in a City-permitted event, it is unlawful for any person to be at any City park between the hours of 10:00 P.M. and 6:00 A.M. the following morning. Any person who is in violation of the provisions of this Section is guilty of a class C misdemeanor.