



**CITY COUNCIL MEETING**  
***Minutes***  
**Tuesday June 17, 2025**

**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor Dustin Gettel

**COUNCIL MEMBERS:** Council Member Paul Glover  
Council Member Bonnie Billings  
Council Member Denece Mikolash  
Council Member Bryant Brown  
Council Member Heidi Robinson

**STAFF:** Matt Dahl, City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Nate Rockwood, Assistant City Manager; Mariah Hill, Administrative Services Director; Adam Olsen, Community Development Director; Wendelin Knobloch, Planning Director; Elizabeth Arnold, Senior Planner; Jonathan Anderson, Planner II; Taj Carson, Legal Intern; Laura Magness, Communications Director; Chief Jason Mazuran, UPD; Lt. Ken Malone, UPD; and Matt Pierce, IT Director.

**6:00 p.m. – WORKSHOP**

- Discuss Designating Midvale City as A Bolder Way Forward City [***Mariah Hill, Administrative Services Director***]

Mariah Hill introduced A Bolder Way Forward which was presented at the Utah Women Leading Government conference. Midvale will be the first city to be A Bolder Way Forward partner.

Deborah Lin said Dr. Susan Madsen has decided to focus on Utah. This is a statewide movement, they have coalitions in every county.

The graphic features a stylized orange outline of the state of Utah. An orange arrow points from the top right corner of the outline towards the right. The text "A BOLDER WAY FORWARD FOR UTAH" is centered within the outline in white, bold, sans-serif capital letters.

# A BOLDER WAY FORWARD FOR UTAH

## Introduction

- National and statewide studies continue to show that women and girls in Utah are not thriving in critical areas.
- Year after year, Utah continues to have high levels of domestic violence, sexual assault, child sexual abuse, and gender-based discrimination, while also ranking as the worst state for women's equality and having low levels of women's leadership representation in nearly all domains.
- Although the needle has moved slightly in a few areas, with its current trajectory it will take three to four decades to make notable progress.
- It is time for Utah to embrace **A Bolder Way Forward (BWF)**.  
When we lift Utah girls and women, we lift all Utahns!



## Bold Change

- If we are serious about ensuring that Utah women and girls thrive, we need to create change by 2030, with a check point in 2026.
- This includes a shift from *outputs* to *outcomes*.
- **Inspiration:** Crutchfield, L. R. (2018). *How Change Happens: Why Some Social Movements Succeed While Others Don't*. Wiley.



Gay  
Marriage





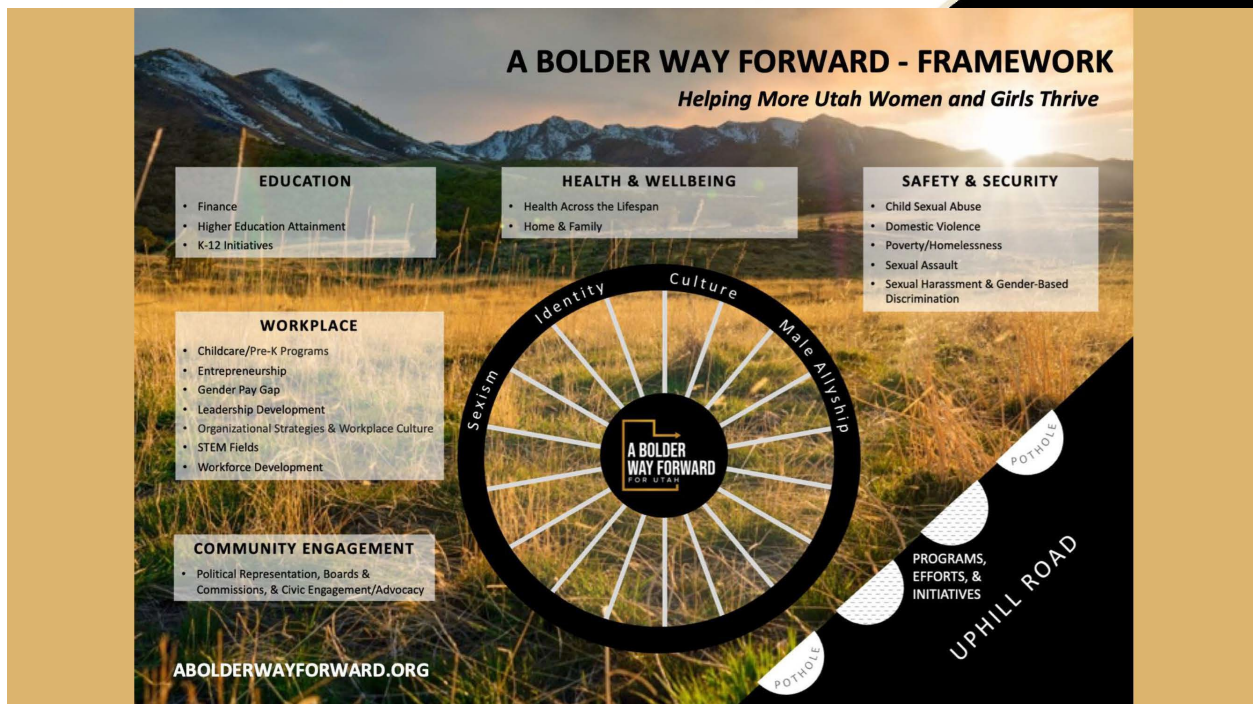
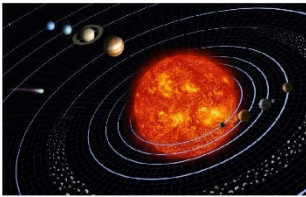
## Systems Thinking

“The whole is greater than the sum of the parts.”

Systems are made of interrelated, interdependent parts, but they cannot be understood as a function of isolated components.

The relationships between the parts is critical—this is the key to more boldly advancing a common cause.

We are great at parts—but now we need to move together as a system (networked leadership).





## Conclusion

- Utah must do better to ensure everyone thrives.
- Our vision is not to lift girls and women at the expense of boys and men—that is the ***scarcity mentality***. Instead, we believe that there is enough for everyone through cooperation and collaboration—the ***abundance mentality***.
- When we strengthen the impact of Utah girls and women, we can strengthen everyone!



### Backbone Organization

The **Utah Women & Leadership Project (UWLP)** at Utah State University is the *backbone organization* for this movement with a mission of strengthening the impact of Utah girls and women. Areas of focus:

1. Producing relevant, trustworthy, and applicable research;
2. Creating and gathering valuable resources; and
3. Convening trainings and events that inform, inspire, and ignite growth and change for all Utahns.

The **UWLP is housed** with Dr. Susan R. Madsen as part of her faculty research and societal impact work at the Huntsman School of Business within Utah State University (designated as a 501(c)(3)). The primary base of support and coordination for a BWF is the UWLP.



“

*Every society has its protectors of status quo and its fraternities of the indifferent who are notorious for sleeping through revolutions. Today, our very survival depends on our ability to stay awake, to adjust to new ideas, to remain vigilant and to face the challenge of change.*

— Martin Luther King Jr.

”



- Commercial Vehicle Parking Policy **[Erinn Summers, Project & Policy Manager]**

Erinn Summers discussed a proposed commercial truck parking policy for the city. Most cities have parking policies. Midvale has an overnight parking policy; however, there are some issues during the day that have not been addressed such as visibility, traffic congestion, pedestrian and bicycle traffic safety. Such parked vehicles can impede



sightlines and contribute to the severity of collisions. What defines an oversize truck? 10.16.150 refers to the overnight parking of certain vehicles. The next piece is defining parking. Having an exception of loading and unloading. (Policy Scope and Applicability) Options were discussed and will be discussed at a future council meeting.

## **Commercial Truck Parking Policy**

### **Background**

Midvale City staff drafting policy options to regulate or limit the parking of commercial trucks and semi-trucks, particularly along busy roads and near residential areas. Concerns have arisen about the safety, visibility, and traffic impacts of trucks parked for extended periods of time on public streets. The goal is to identify enforceable, equitable, and safety-forward options that balance public interest and operational needs.

Tragically, on March 22, a 16-year-old resident of Midvale died after colliding with a semi-truck parked along Fort Union Boulevard, one of Midvale's main throughways. Had the truck not been parked there, the accident might not have been fatal. This event underscores the public safety implications of allowing trucks to park in high-traffic areas—especially where visibility is limited, traffic congestion is common, and pedestrian or bicycle traffic is present. Such parked vehicles can impede sightlines and contribute to the severity of collisions.

### **Current Practices in Surrounding Cities**

Several neighboring jurisdictions in Salt Lake County have implemented commercial vehicle parking restrictions, particularly near residential areas or on public rights-of-way. Common elements include time-based restrictions, weight classifications, exceptions for active loading/unloading, and definitions for commercial/agricultural equipment.

**Salt Lake County (11.20.060), Millcreek, Holladay, Magna, White City:** Prohibit commercial/agricultural trucks and trailers from parking on public streets adjacent to residential lots or within residential subdivisions for more than 3 consecutive hours.

**West Valley City (22-2-116):** Prohibits most commercial trailers, farm/construction equipment, and recreational vehicles from being left on public streets at any time unless actively loading/unloading. Commercial vehicles over 14,000 lbs. GVWR are restricted, with a few specific exemptions.

**West Jordan (7-4-2):** Prohibits truck, trailer, or semi-truck parking on public streets unless actively loading/unloading. Defines "parked" as more than 3 minutes idle.

**Salt Lake City (12.56.465):** Bans parking of restricted vehicles (defined by type, use, and weight) on city streets except for loading/unloading or along designated truck routes. Prohibits parking of such vehicles in residential zones unless allowed by

conditional use.

**Policy Considerations for Midvale City**

The Council may wish to consider the following options when giving policy direction:

**Policy Scope and Applicability:**

- Define truck (which vehicles are parking restricted): You can base the restriction of commercial trucks, trailers, and construction/farm equipment based on gross vehicle weight (e.g., over 10,000 or 14,000 lbs.).
- Define Parking and determine an allowable amount (or completely prohibit): Limit parking duration (e.g., no more than 3 consecutive hours) unless actively loading or unloading.

**Location-Specific Restrictions:**

- Where will the restrictions exist? Does Midvale want parking restricted citywide.
- If we do not prohibit parking citywide:
  - o Midvale can restrict truck parking along major arterials like Fort Union Blvd to improve traffic flow and visibility.
  - o Prohibit parking near intersections, crosswalks, or driveways where sight lines are critical.
  - o Prohibit parking of these vehicles on public streets adjacent to residential homes or within residential subdivisions.

**Exceptions and Accommodations:**

- Allow temporary parking for trucks conducting service work (construction, landscaping, moving).
- Consider different rules for commercial zones, depending on business operations and street capacity.
- Clarify exemptions for emergency vehicles, public works, and government-owned equipment.

**Enforcement Considerations:**

- Policies should be straightforward to enforce with clearly defined time limits and locations.
- UPD has advised that rules based on shorter durations (e.g., one-hour limits) are easier to monitor and enforce, especially compared to nighttime-only restrictions.

- Note, it is preferred to have very short time-frames, as the staffing impact for longer time-frames requires that they chalk and return or that they sit on the parked vehicles.

**Next Steps**

Staff requires policy direction from the City on the desired scope and enforcement of commercial truck parking regulations. Staff can then return with draft ordinance language that reflects these priorities for future review.

- Direct staff on the desired scope of the change.
  - Identify whether proximity to residential properties should be a defining feature.
  - Identify if time limits is desired, and if so the scope of the time limits.
- Discuss potential exemptions or designated parking zones for local businesses and contractors.
- Direct staff to draft ordinance language for review based on selected option.

**Some Options for Council Considerations:**

**1. Option A: Full Ban with Exceptions**

- Prohibit commercial/semi-truck parking on all public streets unless the vehicle is actively loading/unloading.
- Would apply citywide with minimal exemptions.
  - 1. Note that state roads will not apply to this rule. Cities who have citywide bans still have parking along state roads.

**2. Option B: Residential Buffer Restriction**

- Ban truck parking within a certain distance from residential properties or subdivisions.
- May allow parking in commercial areas or along designated corridors.

**3. Option C: Time-Limited Parking**

- Permit commercial vehicle parking for a maximum of 3 hours, regardless of zone, with exceptions for active service.

**4. Option D: Hybrid Approach**

- Combine distance-based residential protections with a short-term citywide parking limit (e.g., 3-hour rule).
- Offers flexibility while maintaining neighborhood protections.



## **7:00 p.m. – REGULAR MEETING**

Mayor Dustin Gettel called the business meeting to order at 7:06 p.m.

Council Member Bonnie Billings discussed the shootings that took place over the weekend. She was at the No Kings Protest when the shootings happened. As a Council Member she values the times when people show up at meetings and speak their minds about issues that are important to them; that is democracy, and it shouldn't be taken for granted. No one should be concerned about their safety while they attend a public meeting or gathering. She expressed her concern and care about all involved in the weekend violence.

### **I. GENERAL BUSINESS**

#### **A. Welcome and Pledge of Allegiance**

**B. Roll Call** - Council Members Heidi Robinson, Denece Mikolash, Bryant Brown, Bonnie Billings, and Paul Glover were present at roll call.

#### **C. Recognition of Lucia de la Cruz Rodriguez as Teacher of the Year for Canyons School District.**

Mayor Gettel asked for a round of applause for Lucia de la Cruz Rodriguez, Teacher of the Year for Canyons School District. He introduced Lucia, she is from Mexico and teaches dual immersion language. She leads by example. He thanked her for all she does for her students and presented her with some Midvale swag.

Council Member Bryant Brown said all three of his daughters look up to her even though only one of them was in her class. He said Lucia is a perfect example of the A Bolder Way Forward coalition that aims to empower women and girls. His mother-in-law is the secretary at the school and really respects and loves Lucia.

Mayor Gettel presented a plant from Cactus and Tropicals and a gift card to The Bambino. He also presented his Mayoral medallion to Lucia.

Lucia de la Cruz Rodriguez thanked everyone. She said the recognition meant a lot to her. When she came to the U.S., she never expected to find a community like Midvale where she feels comfortable and loved. Midvale is a place where everyone feels a sense of belonging.

#### **D. Proclamation recognizing Juneteenth as National Independence Day.**

Mayor Gettel read the proclamation recognizing Juneteenth as National Independence Day.

### **II. PUBLIC COMMENTS**

Luke Maynes, Community Council Secretary, invited everyone to attend the next Community Council meeting on Wednesday June 25<sup>th</sup> at 6 pm at the Ruth Tyler Library. They are also working with the Pearl on Main and starting July 7<sup>th</sup> will be hosting movie

nights there. The first show will be \$1 admission and after that residents can donate what they'd like. As a resident, he suggested that the food trucks included a cold option, especially during the hot summer months. He was also at the protest downtown. He said he attended because he sees ICE violating peoples constitutional rights and would love the city take steps to make sure no one has their constitutional rights violated.

Sue Armitage said she notices when the City Council comes to events with kids or family. She appreciates seeing the people she respects and who are involved in the city being involved in the community. She wishes more people would do it as well.

Shanell Hill, Founder and Senior Officer of Standing Against Fear and Exploitation, a 501c4 non-profit in Utah , said she was there to introduce a legislative initiative they would like Midvale City's support by way of a formal letter in favor of the Sex Offender Register Violation Accountability Act. The proposed legislation aims to strengthen penalties for registered sex offenders that violate terms of the registry or terms of supervision, reclassifying those violations from misdemeanors to felonies. It also includes a one-year transitional halfway housing program.

Grant Johnson said he has been in the area for three years. He loves Midvale and thanks the Council for all they do for the community. There is a nuisance property next to his house. This property is closed to occupancy by the health department due to activities including vandalism, drug use, and squatting. He is looking for help from the city. He has contacted the Salt Lake County Health Department, and they told him that the city needs to enforce the code violations. It's been vacant and closed to occupancy for 5-7 years. There are imminent health hazards, and the property attracts criminal activity. He's tried to contact the property owner, but she is unresponsive. He presented a petition with 30 signatures to the Council to have something done with this property.

Matt Dahl asked Adam Olsen to speak with Mr. Johnson outside the meeting about the best course of action.

### **III. COUNCIL REPORTS**

**A. Council Member Bonnie Billings** – extended congratulations to Ms. Lucia De la Cruz Rodriguez and wished her well in the state competition.

**B. Council Member Paul Glover** – said he had a lot of people comment on the murals and how much they love them. The mural fest was a success. Mosquitoes are out. If you have mosquitoes in your yard, you can get online at the Mosquito Abatement and order services. They will come out and help.

**C. Council Member Heidi Robinson** – thanked city staff and all that participated in the mural festival. The murals look fantastic. She said she knows it's scary right now, but don't let that deter you from getting involved and staying involved.

**D. Council Member Bryant Brown** – also said the mural festival was a success. The Arts Council had an idea to do chalk art. It was a success and looked amazing. He said they got a very talented local artist that participated in the chalk art. He said he appreciates the staff and the community coming together.

**E. Council Member Denece Mikolash** –said she also volunteered at the mural festival. Staff did an amazing job. She was impressed with the turnout. She was amazed at how many people that were not from Midvale came here to see this. She thanked the fire department for everything they do. She had to use their services, and they were so great.

#### **IV. MAYOR REPORT**

A. Mayor Dustin Gettel thanked Council Members Robinson and Billings for their words regarding the shootings that took place. He agreed with Luke Maynes about protecting those that are most vulnerable. The Pearl Presents is our new summer movie event. The Pearl is excited to sponsor an outdoor movie east of state street, which will be later in the summer. Earlier today at the Unified Fire Authority meeting they passed the final budget with no big surprises. The same will take place at the Unified Police Department board meeting on Thursday.

#### **V. CITY MANAGER REPORT**

A. Matt Dahl asked Erinn Summers to discuss the Safety and Security Improvement Reimbursement Program.

Erinn Summers said the program is connected to the reimbursement funding that Midvale receives from the state for hosting the shelter. Midvale received enough money for 10 grants and have reimbursed just over 9. She is just waiting on some receipts to complete the 10 grants reimbursed. The total amount of the grant was \$200,000. This was a pilot program and has been extremely successful. The improvements made a big difference for the businesses involved. Some unexpected results were more engagement with businesses in the community with many of them taking a proactive approach for more involvement in the community.

Mayor Dustin Gettel expressed his appreciation of the relationships this program has helped create in the community.

Matt discussed having one meeting in July by canceling the July 1<sup>st</sup> meeting if the Council approved. The Council agreed. The next meeting will be held on July 15<sup>th</sup>.

#### **VI. PUBLIC HEARING**

**A. PUBLIC HEARING WITH RESPECT TO (A) THE ISSUANCE OF NOT TO EXCEED \$55,000,000 OF SALES AND FRANCHISE TAX REVENUE BONDS AND (B) THE POTENTIAL ECONOMIC IMPACT THAT THE IMPROVEMENTS TO BE FINANCED WITH THE PROCEEDS OF SAID BONDS WILL HAVE ON THE PRIVATE SECTOR.**



Mariah Hill said on June 3, 2025, the City Council adopted the parameters resolution and related bonding documents for the proposed Sales and Franchise Tax Revenue Bonds. This public hearing provides an opportunity for community members to offer comments on the proposed bonds, which will not exceed \$55,000,000. The funds will be used to finance the acquisition of existing park property, as well as the construction and improvement of infrastructure on designated roadways, including the development of a linear park.

**FISCAL IMPACT:**

The City's sales and franchise tax revenue have been evaluated by both city staff and the city's financial advisors and it has been determined the City has appropriate debt service coverage and debt service reserves.

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

There were no public comments.

**MOTION:** Council Member Paul Glover **MOVED** to close the public comment section of the hearing. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Gettel called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously

**VII. CONSENT AGENDA**

**A. CONSIDER MINUTES OF JUNE 3, 2025**

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

Council Member Bonnie Billings	<b>Aye</b>
Council Member Paul Glover	<b>Aye</b>
Council Member Heidi Robinson	<b>Aye</b>
Council Member Bryant Brown	<b>Aye</b>
Council Member Denece Mikolash	<b>Aye</b>

The motion passed unanimously.

**VIII. ACTION ITEMS**

**A. CONSIDER RESOLUTION NO. 2025-R-36 ENCOURAGING AND PROMOTING THE MISSION OF THE STATEWIDE INITIATIVE OF “A BOLDER WAY FORWARD” TO HELP MORE WOMEN, GIRLS, AND FAMILIES THRIVE.**

Mariah Hill said A Bolder Way Forward is a statewide initiative that aims to improve the lives of women, girls, and families across Utah. National and statewide studies continue to show that women and girls in Utah are not thriving in critical areas. Year after year, Utah continues to have high levels of domestic violence, sexual assault, child sexual abuse, and gender-based discrimination, while also ranking as the worst state for women’s equality and having low levels of women’s leadership representation in nearly all domains, including politics and business (<https://www.usu.edu/uwlp/a-bolder-way-forward/overview>).

To accelerate meaningful progress, A Bolder Way Forward is advancing change across multiple sectors, including through active collaboration with local governments. This resolution affirms Midvale City’s formal support for the initiative, acknowledges the persistent challenges faced by women and girls in areas such as health, safety, education, and workplace equity, and highlights the City’s proactive efforts to address these issues at the local level. Midvale City will be the first A Bolder Way Forward City in Salt Lake County and the second in the state.

Mayor Dustin Gettel said Midvale had a very strong woman Mayor of Midvale for many years. People still talk about Mayor Seghini and how much she meant to the city. Seven years ago, there were zero women on the council and now there are three women on the council. The City also has a great mix of men and women as senior staff, and a great woman police chief for Midvale City.

Council Member Denece Mikolash said she was very impressed with the presentation, and is grateful to have this come to the city.

Council Member Heidi Robinson agreed.

Council Member Paul Glover said he is glad to have wonderful women on the council.

Mayor Dustin Gettel thanked Mariah Hill for bringing this to the city. He thanked County Council Member Laurie Stringham who was present, in support of A Bolder Way Forward coalition.

**MOTION:** Council Member Bonnie Billings MOVED to Adopt Resolution No. 2025-R-36 designating Midvale City A Bolder Way Forward City. The motion was SECONDED by Council Member Heidi Robinson. Mayor Gettel called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye

**Council Member Denece Mikolash     Aye**  
**The motion passed unanimously.**

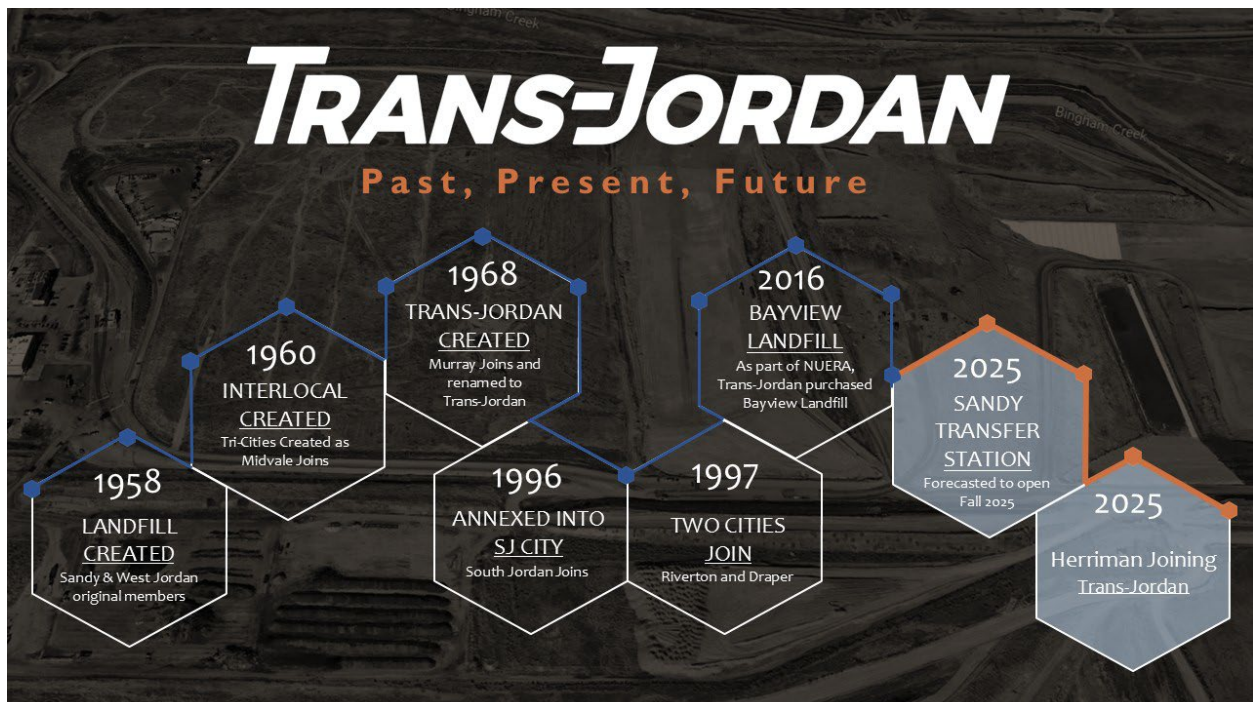
**B. CONSIDER RESOLUTION NO. 2025-R-37 AUTHORIZING THE  
APPROVAL OF THE SECOND AMENDED AND RESTATED INTERLOCAL  
AGREEMENT CREATING TRANS-JORDAN CITIES DATED DECEMBER  
1, 1995.**

Glen Kennedy said Midvale is one of seven city members that make up Trans Jordan Cities which operates a landfill and transfer station to handle member cities solid waste. Herriman City is seeking to become the eighth member city. Herriman City will be required to buy in based on the total amount of what Trans Jordan is valued and will provide economic benefits to the current member Cities by joining. Jaren Scott, Executive Director of Trans Jordan Cities will present on the process for Herriman to become a member, along with information on further benefits to the member cities of their joining.

Jarin Scott, Executive Director of Trans-Jordan Cities, said this is exciting since we have not had a new member since 1997. The addition of Herriman City brings us up to eight cities and makes us a stronger organization. He gave a quick history of the landfill and Trans-Jordan, past, present, and future.







- **Herriman has always taken their solid waste to Trans-Jordan**
  - **Never been a member**
- **Recently, Herriman put out an RFP for solid waste Collection and Disposal options**
- **20,000 curbside tons and 14,000 resident visits per year**
- **Started discussing possibility for Trans-Jordan membership**
  - **Trans-Jordan Board of Directors unanimous support to move forward**

## HERRIMAN SOLID WASTE

- 
- **Loss of 20,000 annual (full commercial rate) tons of revenue**
  - **Does TJ continue to allow 14,000 annual Herriman resident visits if they are taking their curbside waste somewhere else?**
    - **Resident visits are the most costly**

**Both of the above issues would drive up costs for the member cities and their residents**

## **IF HERRIMAN'S WASTE GOES ELSEWHERE**

4

- 
- **Continue to receive Herriman waste now and in the future**
    - **Keeps costs down to ALL members**
      - **Economies of scale**
    - **Gives Herriman residents a place to take their waste**
  - **Both of the above become even more important as Herriman grows**
  - **Reduces pollution-Geographically, Herriman is located next to TJ**
    - **A close haul reduces carbon output and traffic**
  - **An additional city making the total membership 8 strong cities**

## **BENEFITS TO MEMBER CITIES FOR HERRIMAN JOINING**

5



- **Trans-Jordan valuation of: \$44,161,910**
- **Similar to South Jordan, Riverton and Draper joining, Herriman to pay full commercial tipping rate and the difference between the commercial rate and city rate (\$41-\$26=\$15/ton) is put towards the buy-in amount of \$5,520,328 (1/8 of current valuation)**
- **Herriman also to pay four \$100,000 deposits on July 1 of 2026, 2027, 2028, and 2029**

## AGREEMENT AND STEPS FOR HERRIMAN TO JOIN

6

Herriman City Estimated Payment Schedule			
Year	Payment	Balance	Notes
0	-	5,520,328	
1	300,000	5,220,328	
2	409,000	4,811,328	Payment includes \$100,000 installment
3	418,270	4,393,058	Payment includes \$100,000 installment
4	427,818	3,965,240	Payment includes \$100,000 installment
5	437,782	3,527,458	Payment includes \$100,000 installment
6	347,782	3,179,676	
7	358,215	2,821,461	
8	368,962	2,452,499	
9	380,031	2,072,468	
10	391,431	1,681,037	
11	403,174	1,277,863	
12	415,270	862,593	
13	427,728	434,865	
14	434,865	-	Principal sum retired in year 14
15	-	-	

## ESTIMATED PAYMENT SCHEDULE

7

## ■ CURRENT Seven Member Cities (Owners)



- TJ Formed by an Interlocal Agreement
- ALL 7 Current Owner Cities must adopt, by resolution, the SAME Amended and Restated Interlocal Agreement allowing Herriman to join as the 8<sup>th</sup> City

**REQUEST OF THE CURRENT  
MEMBER CITIES**

8

## COMMITMENT TO MEMBER CITIES



9





Council Member Bryant Brown asked what happens once the Sandy transfer station is full.

Jarin Scott explained that eastern cities will use the Sandy facility, the western cities will use the Trans-Jordan facility. They are planning to build a larger facility in South Jordan and limit the size of the vehicles that can use the Sandy facility. Herriman being a member will help pay for the new facility.



Mayor Dustin Gettel asked how Herriman City using the facility will speed up the timeline of the end of life of the landfill.

Jarin Scott said Herriman City has been added to the calculation, it only affects about 3-4 months. There is about seven years before the landfill is full. We own the largest landfill space and have over one hundred years left there.

Kane Loader said Utah has the lowest tipping fees across the country. The rates are low because the landfill is managed by municipal government and not the private sector. He thanked the council for allowing him to stay on the board an additional three years so he could see the transfer station through to completion.

**MOTION: Council Member Bryant Brown MOVED to Suspend the Rules and Adopt Resolution No. 2025-R-37 Authorizing the Mayor to sign a Second Amended and Restated Interlocal Agreement allowing Herriman City to become a member of Trans-Jordan Cities. The motion was SECONDED by Council Member Paul Glover. Mayor Gettel called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Denece Mikolash	Aye

**The motion passed unanimously.**

**C. CONSIDER ORDINANCE NO. 2025-O-11 APPROVING A ZONING CODE TEXT AMENDMENT TO AMEND SECTIONS 17-7-10.12.1 AND 17-7-10.12.5 OF THE MIDVALE CITY MUNICIPAL CODE TO REPLACE FIGURES 1 AND 2 IN THE JORDAN BLUFFS SUBAREAS 1-3 DEVELOPMENT ZONE.**

Jonathan Anderson said this amendment is driven by changes to the concept plan by The Gardner Group for the Jordan Bluffs Development Area. The new figures reflect updates to the organization of the development pods, public road layouts, and the actual location and size of the 15 acre public park area (See Attachment 1).

Public notice has been sent to affected entities as required in 17-3-9.B of the Municipal Code. No comments have been received as of the writing of this report.

A public hearing was held during the June 3, 2025 City Council Meeting with members of the public making comments.

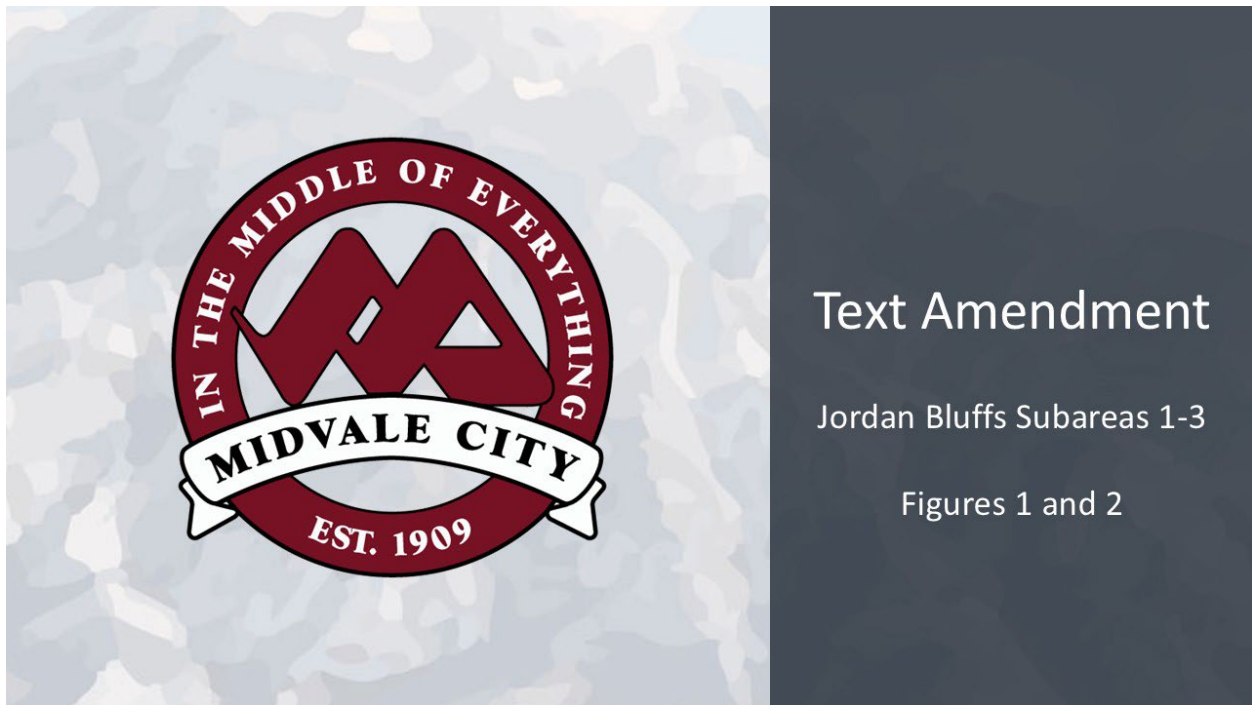
**-AMENDMENTS TO THE ZONING CODE OR MAP-**

Midvale City Code 17-3-1(F) outlines the criteria necessary for amendments to the zoning code. A proposal may only be approved if it demonstrates one or more of the

following:

1. The proposed amendment promotes the objectives of the general plan and purposes of this title;
2. The proposed amendment promotes the purposes outlined in Utah State Code 10-9a-102;
3. The proposed amendment more clearly explains the intent of the original language or has been amended to make interpretation more straightforward; or
4. Existing zoning code was the result of a clerical error or a mistake of fact.

Staff finds that this proposal meets the first criteria listed above as the figures are tied to the associated Master Development Agreement and Plan for the Jordan Bluffs Area identified in the 2016 General Plan as a major redevelopment area in the City.

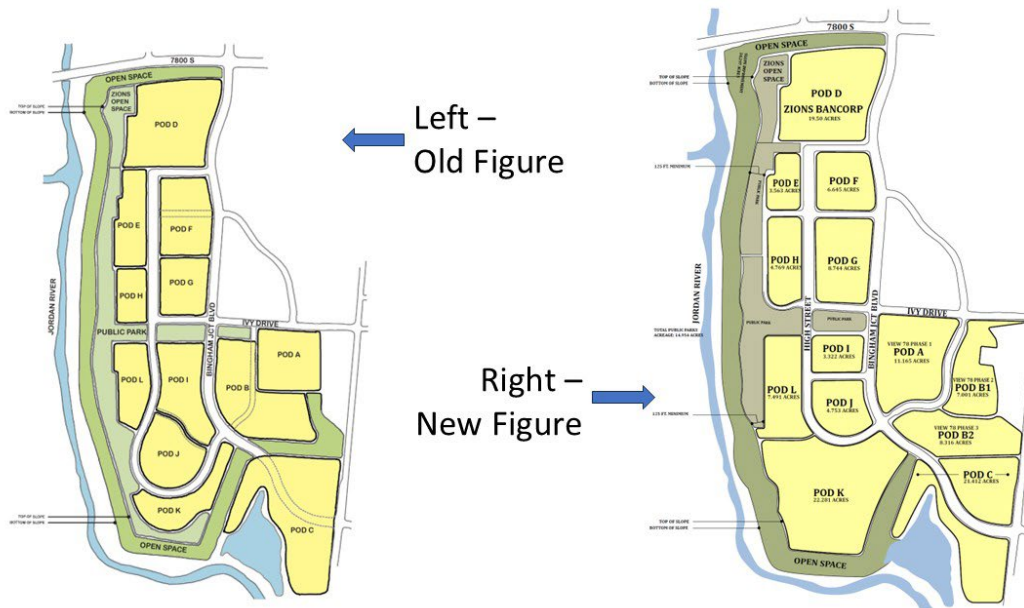


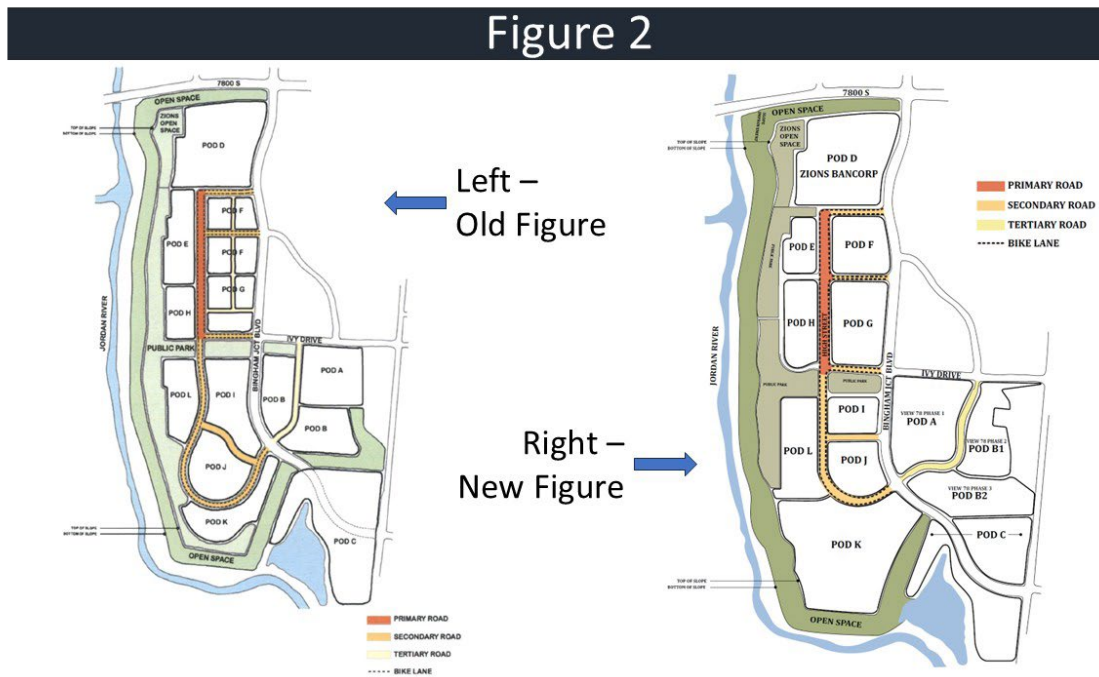
## Text Amendment Criteria

Midvale Municipal Code 17-3-1(F)

- 1. The proposed amendment promotes the objectives of the general plan and purposes of this title;**
2. The proposed amendment promotes the purposes outlined in Utah State Code 10-9a-102;
3. The proposed amendment more clearly explains the intent of the original language or has been amended to make interpretation more straightforward; or
4. Existing zoning code was the result of a clerical error or a mistake of fact.

Figure 1





Dave Dennison, Gardner Group, said he appreciates working the details out and is excited to get this portion done so they can get to work on the master plan.

**MOTION:** Council Member Heidi Robinson **MOVED** to Approve Ordinance No. 2025-O-11 Amending Sections 17-7-10.12.1 and 17-7-10.12.5 of the Midvale City Municipal Code as provided in the attachments, with the finding noted in the staff report. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Gettel called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Denece Mikolash	Aye

The motion passed unanimously.

**D. CONSIDER RESOLUTION NO. 2025-R-38 APPROVING THE FIRST AMENDMENT TO DEVELOPMENT AGREEMENT FOR THE AARON BY SIGNATURE.**

Elizabeth Arnold said a development agreement for The Aaron by Signature was originally approved March 18, 2025. The First Amendment to the Development Agreement for the Aaron by Signature proposes to change the agreement language from requiring a condominium plat to a homeowners' association plat. The implication of this change is that the development is not classified as a condominium anymore even though it retains its characteristics as a community that is made up of owners of their

dwelling units. In the developer's perspective, this change makes the development process more efficient.

**MOTION:** Council Member Bonnie Billings MOVED to Approve Resolution No. 2025-R-38 Approving the First Amendment to the Development Agreement for The Aaron by Signature. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Gettel called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Denece Mikolash	Aye

The motion passed unanimously.

**E. CONSIDER RESOLUTION NO. 2025-R-39 ADOPTING THE FY2026  
MIDVALE CITY MUNICIPAL FEE SCHEDULE & UTILITY RATES.**

Mariah Hill said as a part of the budget process, staff reviews and updates the municipal fee schedule to ensure the City is collecting the appropriate amount in fees. Municipal fees must reflect the actual cost of services provided by the City. Notable changes in this fee schedule are the planned water and sewer rate increases, as well as minor changes to planning, hydrant meter rental, and sanitation fees. A public hearing for these changes was held on June 3, 2025. The FY2026 Fee Schedule will be posted on the Midvale City website upon approval.

**FISCAL IMPACT**

The proposed fees reflect the actual cost of providing specific services to Midvale City residents, businesses, and other patrons. Fees charged are sufficient to provide revenue necessary to operate the City's Enterprise Funds and cover certain costs incurred by the General Fund for Fiscal Year 2026.





## FY 2026 Fee Schedule

### Building Rental & Event Fee Changes

- Remove Dahl Conference Room Rental

## Community Development Fee Changes

- Remove MPD Preliminary and Final Fees
- Adjust small and large scale master plan fees
- Remove administrative conditional use fee for chickens and apiaries
- Remove preliminary site plan fee
- Add development review committee fee
- Add noticing fee per address

## Utility Rate Changes

### WATER

- Updated per Resolution 2021-R-31 and the Water CFSP to help fund capital projects and bond payments
- Base Rates in Area 1, 2, & 3 increased approximately 8%
- Consumption charges increase approximately 8%
- All areas now have the same rates

### SEWER

- Updated per Resolution 2021-R-31 and the Sewer CFSP to help fund capital projects and bond payments
- Base Rates increased approximately 8%
- Consumption charges increased approximately 8%

### SANITATION

- Garbage and recycling increasing 2% respectively
- Include \$75 Can Replacement Fee\*

## Utility Rate Changes - Other

- Hydrant meter deposit increase, due to increased cost of meters
- Adding user-owned hydrant meter deposit fee
- Adding hydrant meter permit application fee
- Adding hydrant meter billing, tracking, and inspection fee

**MOTION:** Council Member Heidi Robinson **MOVED** to Adopt Resolution No. 2025-R-39 Adopting the Fiscal Year 2026 Midvale City Municipal Fee Schedule and Utility Rates. The motion was **SECONDED** by Council Member Paul Glover. Mayor Gettel called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Denece Mikolash	Aye

The motion passed unanimously.

### **F. CONSIDER RESOLUTION NO. 2025-R-40 APPROVING BUDGET AMENDMENTS TO THE FY2025 GENERAL FUND AND OTHER FUNDS AS NECESSARY.**

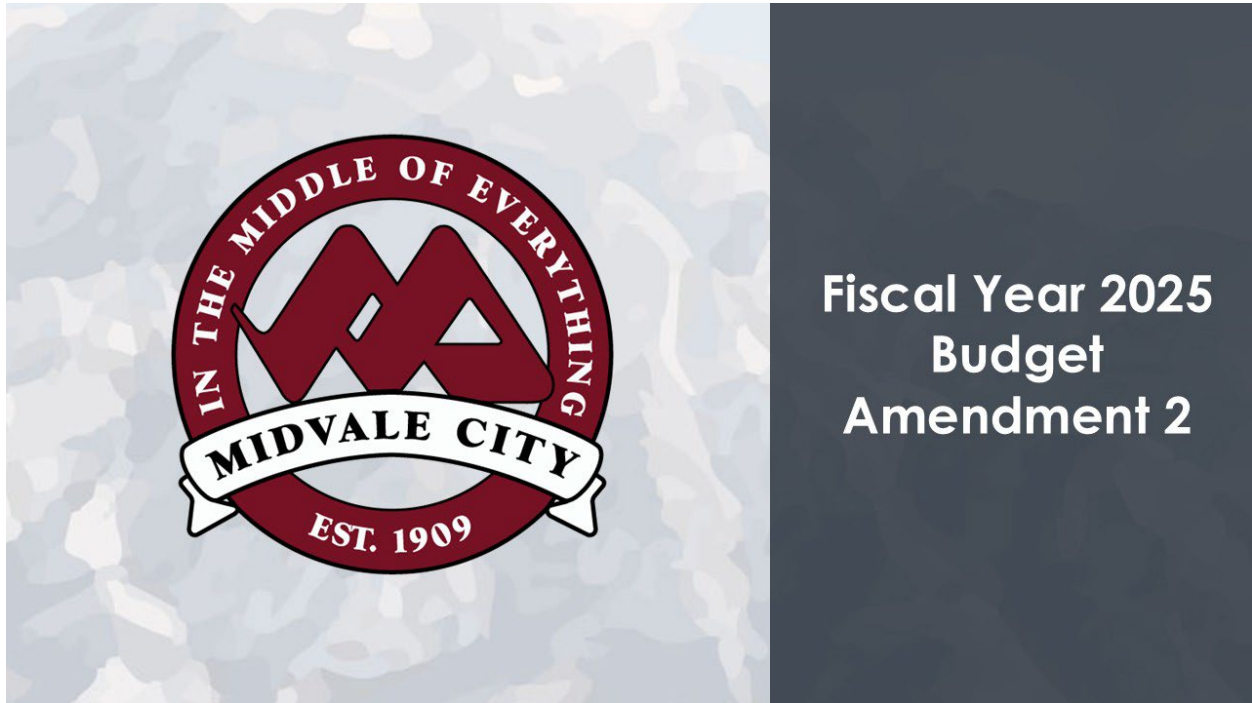
Mariah Hill said staff recommends adjustments to both General Fund revenues and expenditures in the amount of \$156,500, as outlined in the attached document. A summary of the proposed adjustments is provided below:

- **Information Technology – \$48,000** – Unexpected one-time expenses
- **Recorder – \$7,000** – 2025 Municipal Election
- **City Attorney – \$75,000** – Litigation Expenses
- **Harvest Days – \$20,500** – August 2025 Harvest Days
- **Public Safety – \$6,000** – Contract Increase

**FISCAL IMPACT:**

General Fund – Increase in budgeted revenues and expenditures of \$156,500.

Mariah said one change to include \$12,000 increase for harvest days float.





Midvale City Proposed Budget Amendment				
General Ledger Account Description	FY25 Adopted Budget	Proposed Change	FY25 Proposed Amended Budget	Description
<b>General Fund</b>				
<b>Revenues</b>				
Use of Fund Balance	(3,514,952)	(168,500)	(3,683,452)	Increased use of fund balance
<b>TOTAL RECOMMENDED REVENUE BUDGET ADJUSTMENTS - GENERAL FUND</b>	<b>\$ (3,514,952)</b>	<b>\$ (168,500)</b>	<b>\$ (3,683,452)</b>	
<b>Expenditures</b>				
Information Technology - Computer Equipment	15,000	2,000	17,000	Failed Switch Replacement
Information Technology - Software Support	204,480	46,000	250,480	One-Time Unexpected Expenses
Recorder - Election Supplies	500	7,000	7,500	2025 Election
City Attorney - Professional Services	100,000	75,000	175,000	Litigation Expenses
Harvest Days - Equipment	12,000	2,000	14,000	2025 Harvest Days
Harvest Days - Entertainment	21,000	10,000	31,000	2025 Harvest Days
Harvest Days - Parade	5,000	6,000	11,000	2025 Harvest Days
Harvest Days - Other Activities	5,500	2,500	8,000	2025 Harvest Days
Harvest Days - Float	-	12,000	12,000	
Public Safety - Animal Control Contract	406,618	6,000	412,618	Contractual Increase
<b>TOTAL RECOMMENDED EXPENDITURE BUDGET ADJUSTMENTS - GENERAL FUND</b>	<b>\$ 770,098</b>	<b>\$ 168,500</b>	<b>\$ 938,598</b>	

**MOTION:** Council Member Heidi Robinson MOVED to Adopt Resolution No. 2025-R-40 Amending the Fiscal Year 2025 for the General Fund as Presented. The motion was SECONDED by Council Member Paul Glover. Mayor Gettel called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Denece Mikolash	Aye

The motion passed unanimously.

**G. CONSIDER RESOLUTION NO. 2025-R-41 ADOPTING THE CERTIFIED PROPERTY TAX RATE OF MIDVALE CITY FOR CALENDAR YEAR 2025 AND LEVYING MIDVALE PROPERTY TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CORPORATE BOUNDARIES OF MIDVALE CITY, UTAH FOR GENERAL OPERATIONS.**

Mariah Hill said as part of the annual budget approval process, the City must either propose a new property tax rate or adopt the Certified Tax Rate calculated by the Salt



Lake County Auditor. This rate is based on updated 2025 assessed property values in Midvale and is designed to generate the same amount of revenue as the previous year, with adjustments for new growth.

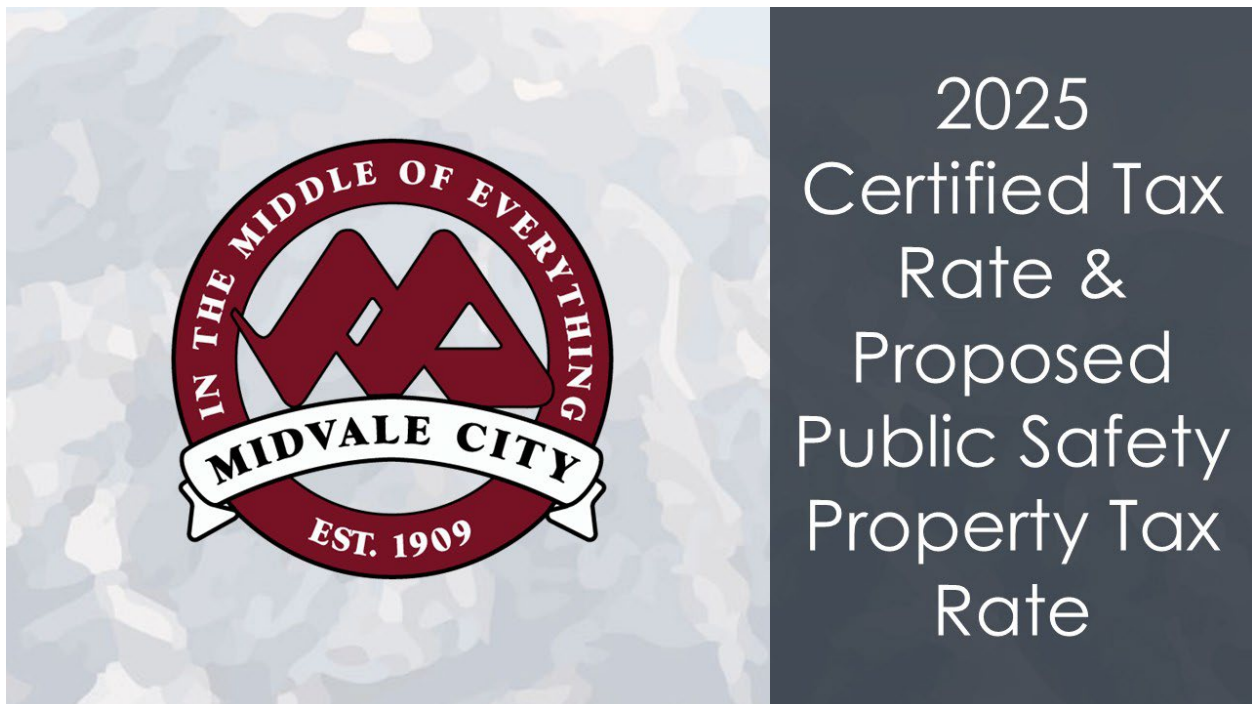
For 2025, Midvale City's Certified Tax Rate for general operations is 0.000918. If the City chooses to adopt this rate, it must do so by June 22.

City staff recommend that the City Council adopt the 2025 Certified Tax Rate as set by the County Auditor for general operations. In addition, staff is proposing a separate public safety property tax, which would fund public safety services. This tax will be introduced through a separate ordinance and will initiate the truth-in-taxation process.

Once the City enters the truth-in-taxation process, the final budget must be adopted by September 1 and submitted to the State Auditor within 30 days. Until then, the City will operate under the tentative budget. The final budget, including the proposed public safety property tax, will be adopted following the truth-in-taxation hearing scheduled for August 19, 2025.

**FISCAL IMPACT:**

The certified tax rate will generate \$3,468,094, which includes \$3,507 in new growth from the FY2025 budgeted property tax revenue.



## FY2026 Budget Timeline



## FY2026 Budget

- No significant changes from tentative budget
- Summary of Changes:
  - Decrease in Homeless Mitigation Funding
  - Certified Tax Rate
  - 3% COLA -> 2.4% COLA (May Western CPI)
  - Actual Insurance Costs (Property, Vehicle, Workers Comp., etc.)
  - Increase in UPD Budget
- Final Budget will include updated revenue projections
- Any truth-in-taxation pushed deadline for adoption of Final Budget to September 1

## 2025 Tax Year Information

- Total Taxable Value - \$3,766,993,293
- Eligible New Growth Value - \$10,887,034
- Average Midvale Residential Value - \$492,000  
(4.5% Increase)
- Average Taxable Residential Value (55%) - \$270,600

## Certified Tax Rate

- Calendar/Tax Year 2025
- Midvale City Property Taxes for General Operations
- Certified Tax Rate - .000918
- FY2026 Property Tax Revenue - \$3,468,094
- New Growth - \$9,994
- No change on the Average Residential Value - \$248.41 annually

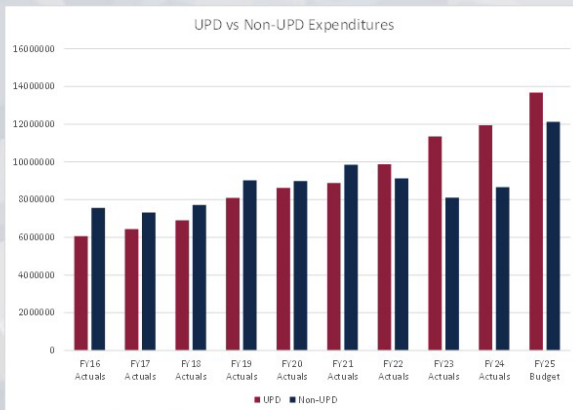


## Public Safety Special Revenue Fund

- Proposing creation of the Public Safety Special Revenue Fund in FY2026 to house all public safety related revenues & expenses
- In FY26 it will be funded by a transfer from the General Fund and a proposed new Midvale Public Safety Property Tax
- Expenditures will include Animal Control Contract, UFA Emergency Manager Contract, UPD, and minimal miscellaneous
- UPD Increases: 3.44% Increase (\$445K) in Tentative, 3.46% Increase currently (\$473K)

Public Safety Service Fund							
	Actual FY2023	Actual FY2024	Amended FY2025	Final FY2026	Difference	Percent Change	
<b>Revenues:</b>							
Property Tax	-	-	-	940,561	940,561	0.0%	
Interest Revenue	-	-	-	-	-	0.0%	
Transfer From General Fund	-	-	-	13,695,603	13,695,603	0.0%	
<b>TOTAL REVENUES</b>	-	-	-	<b>14,636,164</b>	<b>14,636,164</b>	<b>0.0%</b>	
<b>Expenditures:</b>							
Information Technology Equipment (Interfund)	1,488	2,113	1,893	1,837	(56)	-3.0%	
Professional Services	50,618	-	58,457	61,380	2,923	5.0%	
Unified Police Department Contract	11,351,484	11,951,605	13,676,984	14,150,127	473,143	3.5%	
Animal Control Contract	312,197	342,578	406,618	422,820	16,202	4.0%	
Miscellaneous Supplies	-	19,340	300	-	(300)	-100.0%	
Miscellaneous Services	74,514	-	-	-	-	0.0%	
<b>Total Operating</b>	<b>11,790,301</b>	<b>12,315,636</b>	<b>14,144,252</b>	<b>14,636,164</b>	<b>491,912</b>	<b>3.5%</b>	
<b>TOTAL EXPENDITURES</b>	<b>\$ 11,790,301</b>	<b>\$ 12,315,636</b>	<b>\$ 14,144,252</b>	<b>\$ 14,636,164</b>	<b>\$ 491,912</b>	<b>3.5%</b>	

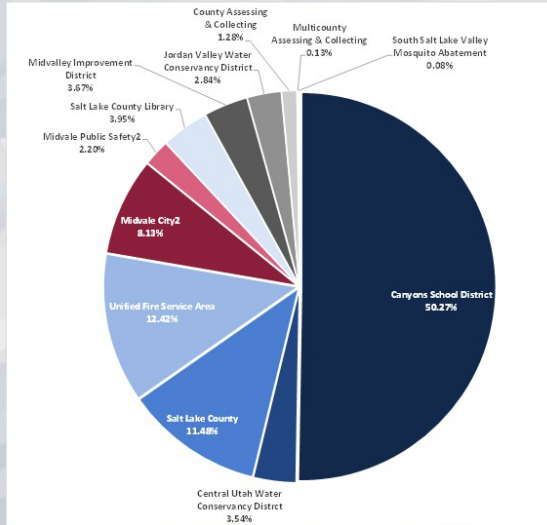
## Proposed Public Safety Property Tax



10-Year Increases: UPD 97%, Non-UPD 14.5%

- Public Safety increases are straining general fund revenue sources.
- Property tax increases have been and may continue to be needed to maintain service levels and fund UPD increases.
- City's can levy a property tax by ordinance for a specified service – Utah Code 10-6-133.4, which will allow tax increases to be public safety specific.
- Revenues will go into a special fund and must be used only for that service.
- Truth-in-Taxation applies; staff must ensure proper wording, notice, and public education
- If the Public Safety Property Tax is not adopted after Truth-in-Taxation, General Fund cuts will be required

## Proposed Public Safety Property Tax



Taxing Entity	2024 Tax Rate	Dollar Amount of
		Taxes <sup>1</sup>
Canyons School District	0.005677	\$1,536.20
Central Utah Water Conservancy District	0.000400	\$108.24
Salt Lake County	0.001297	\$350.97
Unified Fire Service Area	0.001403	\$379.65
Midvale City <sup>2</sup>	0.000918	\$248.41
Midvale Public Safety <sup>2</sup>	0.000249	\$67.38
Salt Lake County Library	0.000446	\$120.69
Midvalley Improvement District	0.000414	\$112.03
Jordan Valley Water Conservancy District	0.000321	\$86.86
County Assessing & Collecting	0.000144	\$38.97
Multicounty Assessing & Collecting	0.000015	\$4.06
South Salt Lake Valley Mosquito Abatement	0.000009	\$2.44
<b>TOTAL</b>	<b>0.011293</b>	<b>\$3,055.89</b>

1 Based of 2025 Average Residential Value

2 Proposed 2025 Tax Rates

- Tentative Budget includes \$940,561
  - FY26 UPD Increase
  - 3% of FY25 UPD Budget
- Proposed \$67.38 annually on 2025 Average Residential Value of \$492,000

## Property Tax Overview

2023 Tax Rates	
Salt Lake City	0.003012
West Valley City	0.002758
Murray City	0.001513
West Jordan City	0.001499
Millcreek City	0.001431
South Jordan City	0.001425
Cottonwood Heights	0.001422
Holladay City	0.001322
Bluffdale City	0.001236
Sandy City	0.001057
Draper City	0.000896
Midvale City	0.000892
Taylorsville City	0.000731
Herriman City	0.000194

2024 Tax Rates (CTR & TNT)	
Salt Lake City*	0.002755
West Valley City*	0.002586
Murray City	0.001722
West Valley City*	0.001428
South Jordan City	0.001367
Cottonwood Heights	0.001357
Millcreek City	0.001344
Holladay City	0.001249
Draper City*	0.001022
Sandy City	0.000988
Midvale City*	0.000948
Bluffdale City	0.000923
Taylorsville City	0.000851
Herriman City	0.000187

\*Cities proposing to move into Truth-inTaxation as of 6/18/2024



## Truth in Taxation Process

- June 17<sup>th</sup> – City consider adopting proposed tax rate.
- Newspaper Publication Notice of Public Hearings (Tentative)
  - Combined Salt Lake County Notice (Usually 2)
    - Deseret News & Salt Lake Tribune – End of July/Early August
  - Midvale City Notice
    - Salt Lake Tribune – August 10
- Ads will also placed on multiple websites (Public Notice website, Utahlegals.com, etc.)
- Public hearing agenda only addresses tax increase, budget, and FY26 pay plan.
- Public hearing prior to adoption of tax rate – August 19 at 6PM

## Public Notice & Communication

- Public Notice
  - Code specific wording – Some changes allowed by State Tax Commission
  - Amount increase on average resident and business
  - Percent increase in overall budget – challenge
  - Public hearing information
- Communication Plan
  - Finalize notice wording
  - Make plan consistent with wording

**MOTION:** Council Member Heidi Robinson MOVED to Adopt Resolution No. 2025-R-41 Adopting the Certified Property Tax Rate of Midvale City for Calendar Year 2025 and Levying Midvale Property Taxes upon All Real and Personal Property within the Corporate Boundaries of Midvale City, Utah for General Operations. The motion was SECONDED by Council Member Paul Glover. Mayor Gettel called for

**discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

<b>Council Member Bonnie Billings</b>	<b>Aye</b>
<b>Council Member Paul Glover</b>	<b>Aye</b>
<b>Council Member Heidi Robinson</b>	<b>Aye</b>
<b>Council Member Bryant Brown</b>	<b>Aye</b>
<b>Council Member Denece Mikolash</b>	<b>Aye</b>

**The motion passed unanimously.**

#### **H. CONSIDER ORDINANCE NO. 2025-O-12 PROPOSING LEVYING A MIDVALE CITY PUBLIC SAFETY PROPERTY TAX FOR CALENDAR YEAR 2025.**

Mariah Hill said as part of the annual budget approval process, the City must either propose a new property tax rate or adopt the Certified Tax Rate calculated by the Salt Lake County Auditor. For 2025, City staff recommends that the City Council adopt the Certified Tax Rate for general operations as provided by the Auditor (Resolution 2025-R-41).

In addition, staff is proposing that the City Council levy a new property tax specifically for public safety services, as authorized under Utah State Code §10-6-133.4. The proposed Midvale City Public Safety Property Tax rate is 0.000249, which is projected to generate approximately \$940,561 in new property tax revenue. These funds will be allocated to a special revenue fund and used exclusively for public safety-related expenses.

The largest portion of the City's public safety budget is dedicated to law enforcement services provided by the Unified Police Department (UPD). For Fiscal Year 2026, the cost of these services is projected at \$14,150,127. The proposed public safety tax will cover the FY2026 cost increase from UPD (\$473,143 or 3.46%) and an additional 3% of the prior year's cost (\$467,418). The remaining public safety expenses will be funded through a transfer from the City's General Fund.

Based on the 2025 average residential home value in Midvale of \$492,000—with a taxable value of \$270,600—the proposed public safety tax would increase the average annual property tax bill by approximately \$67.38.

The implementation of the Midvale City Public Safety Property Tax will initiate the truth-in-taxation process, which includes multiple public notices and a public hearing before the final tax rate and budget are adopted. The public hearing is scheduled for August 19, 2025, at 6:00 p.m. at Midvale City Hall.

#### **FISCAL IMPACT:**

The proposed Midvale City Public Safety property tax will generate \$940,561 in new property tax revenue and will fund a portion of the City's public safety service costs.

Council Member Denece Mikolash thanked Mariah Hill for explaining this property tax so clearly and understandable.

Mayor Dustin Gettel asked what percentage of the public safety property tax is UPD exclusively.

Mariah Hill said the UPD percentage is about 97% of the total percentage that includes UFA and Animal Services.

**MOTION: Council Member Bonnie Billings MOVED to Adopt Ordinance No. 2025-O-12 Proposing Levying a Midvale City Public Safety Property Tax for Calendar Year 2025. The motion was SECONDED by Council Member Heidi Robinson. Mayor Gettel called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Denece Mikolash	Aye

**The motion passed unanimously.**

## **IX. DISCUSSION ITEMS**

### **A. DISCUSS CRIMINAL PENALTIES IN MIDVALE MUNICIPAL CODE.**

Garrett Wilcox introduced Taj Carson. He is a 3L student at BYU, he is receiving school credit in exchange for his service to Midvale City. His goal is to become a prosecutor.

Taj Carson said since Midvale's incorporation in 1909, the City's municipal code has been continuously amended. As a result, the criminal penalties within the Midvale Municipal Code can be confusing and inconsistent. Staff would like to discuss potential solutions with the City Council to make the City Code more accessible.

#### *General Penalty*

The Midvale City Code includes a general penalty provision in section 1.01.070. Currently, a portion of the section states, "Whenever, in this code or in any other ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of this code or any other ordinance of the city shall be punished as a Class B misdemeanor." Staff would like to discuss with the City Council whether the default penalty should be a class B misdemeanor. Additionally, staff would like to discuss whether the language used in this section should be simplified to make it more accessible to the general public.

#### *Location of Penalty Section*

Many chapters of the Midvale Municipal Code have penalty sections. These sections

can come at the beginning, end, or somewhere in the middle of the chapter. This can be confusing for a member of the public to research the penalty for a violation. Staff would like the direction of the City Council on whether the location of the penalty section should be standardized in each chapter.

#### *Redundancy with State Violations*

Midvale City has identified a number of criminal offenses in Title 9 of the Midvale Municipal Code. Many of these offenses are also identified and prohibited under state law. Utah law limits the maximum punishment of city ordinances to class B misdemeanors. Several city ordinances punish offenses at a lower level than state statutes. Staff would like to discuss with the City Council whether these ordinances should be removed to avoid redundancy.

#### *Reclassification of Offenses*

Certain offenses, such as having weeds or grass that exceeds six inches tall, are currently classified as a class B misdemeanor. A class B misdemeanor is punishable by up to six months in jail and up to \$1,000 fine. Staff would like to discuss with the City Council the appropriate classifications of City violations and discuss guiding principles as staff classify current and future violations.

#### *Repeat Offender Provision*

The City Code does not currently punish repeat offenders. All offenses are treated the same under the City Code. Staff would like City Council direction on whether it should consider adopting an ordinance that makes repeat offenders of minor violations subject to more severe criminal penalties.



## Discuss Criminal Penalties in the Midvale Municipal Code

Taj Carson  
Legal Department Intern  
Presented June 17, 2024

### Agenda

1. General Penalty
2. Location of Penalty Section
3. Redundancy with State Violations
4. Reclassification of Offenses
5. Repeat Offenders



## General Penalty

“Whenever in this code or in any other ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful or a misdemeanor where no specific penalty is provided therefore, the violation of any such provision of this code or any other ordinance of the city shall be punished as a Class B Misdemeanor.”

Midvale Municipal Code § 1.01.070.

## Classification of Offenses

<u>Class</u>	<u>Possible Jail Term</u>	<u>Possible Fine</u>
Class B	Up to 180 days in jail	Up to \$1000 or comp. service
Class C	Up to 90 days in jail	Up to \$750 or comp. service
Infraction	No jail time	Up to \$750 or comp. service

Utah Code Ann. § 76 – 3 – 301



## Location of Penalty Section

The image displays three screenshots of municipal code sections, each with a list of sections on the left and the full text of a specific section in the center. The sections are:

- Chapter 8.03 WEED CONTROL**
  - Sections: 8.03.010 Definitions, 8.03.020 Control and removal of weeds—Required, 8.03.030 Maximum height of weeds—Exception, 8.03.040 Notice of violation and corrective measures, 8.03.050 City to clean or secure property when—Costs, 8.03.060 Costs—Collection methods authorized, 8.03.070 Costs—Collection by lawsuit, 8.03.080 Costs—Collection through taxes, 8.03.090 Property examination—Enforcement authority, **8.03.100 Violation—Penalty**, 8.03.110 Designation and publication of state noxious weeds.
  - Section 8.03.100 Violation—Penalty: Designation and publication of state noxious weeds.
- Chapter 8.02 PROPERTY MAINTENANCE**
  - Sections: 8.02.010 General, 8.02.020 Definitions, 8.02.030 Notice of violation and corrective measures, 8.02.040 City to clean or secure property when—Costs, 8.02.050 Costs—Collection methods authorized, 8.02.060 Costs—Collection by lawsuit, 8.02.070 Costs—Collection through taxes, 8.02.080 Property examination—Enforcement authority, **8.02.090 Violation—Penalty**, 8.02.100 Alternative method of enforcement—Administrative code enforcement program, 8.02.200 Storage of personal property, 8.02.300 Property maintenance provisions—General requirements, 8.02.301 Exterior property areas, 8.02.302 Swimming pools, spas and hot tubs, 8.02.303 Exterior structure.
  - Section 8.02.090 Violation—Penalty: Alternative method of enforcement—Administrative code enforcement program.
- Chapter 8.08 SOLID WASTE DISPOSAL AND COLLECTION**
  - Sections: 8.08.010 Definitions, 8.08.020 Collection of garbage, 8.08.030 Rates and fees, 8.08.035 Delinquency—Service discontinuance, 8.08.040 No accumulation of garbage, 8.08.050 Containers, 8.08.060 Containers to be closed, 8.08.070 Time and place of pickup, 8.08.080 Disposal of community refuse, bulky waste and recyclable items, 8.08.090 Burning of refuse prohibited, 8.08.100 Dumping refuse prohibited, 8.08.110 Limitations upon dumping, 8.08.120 Transportation of solid waste, 8.08.130 Adoption of additional regulations, **8.08.140 Violation—Penalty**.
  - Section 8.08.140 Violation—Penalty: Adoption of additional regulations.

## Redundancy with State Violations

Utah Code §76-8-305.5 Failure to stop at the command of a peace officer

- Class A misdemeanor

Midvale Municipal Code §9.15.010 Flight from peace officer

- Class B misdemeanor

## Reclassification of Offenses

### Chapter 8.03 WEED CONTROL

#### 8.03.030 Maximum height of weeds—Exception.

- A. Weeds and grasses shall not exceed a height of six inches, and the cuttings shall be cleared and removed from the property within seventy-two hours after being first cut.
- B. Eradication of weeds by chemicals must occur before the weeds exceed a height of six inches, or they must be cut at a level not exceeding six inches in height.
- C. Weeds which are rototilled or removed by the root must be buried beneath the soil or removed from the property within seventy-two hours after rototilling or removal from the ground.
- D. When the large size of the property makes the cutting of all weeds and grasses impractical, the inspector may, by written order, allow and limit the required cutting of weeds to a firebreak of not less than twenty feet in width cut around the complete perimeter of the property and around any structures existing upon the property.
- E. Only properties of one hundred acres or more are eligible for the exception provided in subsection (D) of this section. (Ord. 6/15/20040-22 (part); Ord. 8/27/2002B (part))

#### 8.03.100 Violation—Penalty.

Any party or entity who shall violate any of the terms of this chapter, and any party who shall do or cause and violates as prohibited in this chapter to be done, shall be guilty of a class B misdemeanor. Each day that a violation of this chapter continues shall constitute a separate offense. (Ord. 8/27/2002B (part))

## Repeat Offenders

The Midvale Municipal Code currently provides that “[e]very day any violation of this code or any other ordinance of the city shall constitute a separate offense.” The Code does not address criminal penalties beyond this for repeat offenders. Would the City Council like to explore establishing enhanced criminal penalties for repeat offenders?

Council Member Bryant Brown asked if anyone has ever been jailed for having weeds? It makes more sense to find another solution before a misdemeanor charge.

Garret Wilcox said jail has been threatened but civil violations will be levied first to prompt compliance. There was a case where misdemeanor charges were charged for non-compliance.

**B. DISCUSS FRAUD RISK ASSESSMENT.**

Mariah Hill said beginning in 2020, all local governments are required to complete a Fraud Risk Assessment/Questionnaire and present it to the governing body each fiscal year. The Assessment assigns an overall risk level of undetected fraud based upon points earned for the implementation of identified best practices. This assessment/questionnaire will also be certified by the CFO (Finance Director) and CAO (City Manager). This assessment was designed by the State Auditor's Office to identify best practices in fraud detection and prevention. It is important to note the following:

- Best practices identified in the Assessment are not required, but highly recommended.
- All of the best practices in the Assessment may be implemented at a low or no cost.
- The Assessment is not a replacement or duplication of an internal control assessment performed by an independent auditor as part of a financial statement audit. his City has maintained their score of 375, which is in the Very Low Risk Level.

**X. ADJOURN**

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

The meeting adjourned at 9:00 p.m.



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



Approved this July 15, 2025