



**MIDVALE CITY COUNCIL MEETING
AGENDA
April 07, 2015**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **7th Day of April, 2015** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 PM

INFORMATIONAL ITEMS

I. DEPARTMENT REPORTS

II. CITY MANAGER BUSINESS

7:00 PM

REGULAR MEETING

III. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. Proclamation Declaring April 15, 2015 as Child Abuse Prevention Month

IV. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

V. COUNCIL REPORTS

A. Councilmember Stephen Brown

B. Councilmember Paul Glover

C. Councilmember Paul Hunt

D. Councilmember Quinn Sperry

E. Councilmember Wayne Sharp

VI. MAYOR REPORT

A. Mayor JoAnn B. Seghini

VII. PUBLIC HEARING(S) - 7:00 PM

- A. Consider a Text Amendment to provide an exception to required side yard setback for attached garages in the single family residential (SF-1) zone [*Lesley Burns, City Planner*]

ACTION: Approve Ordinance No. 2015-O-03 Amending the Midvale Municipal Code to provide an exception to required side yard setback for attached garages in the single family residential (SF-1) zone

VIII. CONSENT AGENDA

- A. Approve Minutes of March 17, 2015 [*Rori Andreason, H.R. Director/City Recorder*]
- B. Set date and time (April 21, 2015 at 7:00 PM) for a public hearing to consider a Zoning Ordinance Text Amendment to modify the review process and requirements for Apiaries in the Single Family Residential Zones (SF-1 and SF-2) [*Lesley Burns, City Planner*]

IX. ACTION ITEMS

- A. Approve Resolution No. 2015-R-18 Authorizing the Mayor to enter into an Agreement with Noland Construction for the 2015 Water Projects [*Keith Ludwig, City Engineer*]

X. DISCUSSION ITEMS

- A. Discussion on Zoning Ordinance Text Amendment to modify the review process and requirements for Apiaries in the Single Family Residential Zones (SF-1 and SF-2) [*Lesley Burns, City Planner*]
- B. Discuss Surplus property [*Laurie Harvey, Asst. City Manager/Admin. Services Director*]

XI. ADJOURN

In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working 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://pnn.utah.gov>. Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.

PLEASE MAKE SURE ALL CELL PHONES ARE TURNED OFF DURING THE MEETING

DATE POSTED: APRIL 2, 2015

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



MIDVALE CITY COUNCIL SUMMARY REPORT

April 7, 2015

SUBJECT:

Public Hearing on Zoning Ordinance Text Amendment to provide an exception to the required side yard setback for existing attached garages in the Single Family Residential (SF-1) Zone (Proposed Ordinance No. 2015-O-03)

SUBMITTED BY:

Lesley Burns, City Planner

SUMMARY:

After receiving some comments from the public, the City Council requested that Staff look into changing the setback requirement for attached garages in the SF-1 zone district (single-family residential/7,000 square foot lot) to allow homeowners to expand their attached garages, particularly in older houses that only have single car garages or carports. The Council heard that the inability to expand single car garages in older homes to more usable and practical spaces for today's lifestyles is forcing some people to consider moving from neighborhoods they would otherwise live. Currently, the zoning ordinance requires a minimum eight (8) foot side yard setback. Taking into consideration the intent of the request to the City Council, Building Code requirements, and neighborhood character, Staff prepared a proposed text amendment that would allow the required side yard setback to be decreased for an existing attached single car garage or carport to be expanded with specific standards. The proposed provision included the following:

- Applicable in the SF-1 Zone District for houses with an attached garage/carport that accommodates less than two cars in width.
- Intended to provide a property owner of an older home with an attached single car garage/carport the ability to have a standard attached two car garage where it otherwise would not be allowed because of the eight foot side yard setback.
- Allows garage/carport to be extended within four feet of the property line (current ordinance requires eight feet) if the following standards are satisfied:
 - Eaves may extend one foot into the four foot setback, but no other projections are allowed, i.e. stairs, landings, etc.
 - Extended area is for garage use only, not habitable space;
 - Extended structure cannot exceed one story or above the roofline of the existing house;
 - Width of the garage/carport cannot exceed 24 feet;
 - Depth of the garage/carport cannot exceed 24 feet; and
 - All Building Codes must be satisfied.

In addition to the new provision, there were also some proposed minor changes in the wording for front, side and rear yard setbacks that is currently unclear.

Planning Commission Recommendation

The Planning Commission reviewed this proposed text amendment and held a public hearing on March 11, 2015. The Planning Commission forwarded a positive recommendation to the City Council to amend the language in the SF-1 zone district to provide an exception to the required side yard setback for existing attached garages and to clarify the existing setback language as included in Attachment A of the proposed ordinance.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff agrees with the Planning Commission’s recommendation, and recommends the adoption of Ordinance No. 2015-O-09, which includes the language recommended by the Planning Commission in Attachment A.

RECOMMENDED MOTION:

“I move that we adopt Ordinance No. 2015-O-03, providing for an exception to the required side yard setback for existing attached garages and clarifying the existing setback language in the SF-1 zone district.”

Attachments:

- Proposed Ordinance No. 2015-O-03

ORDINANCE NO. 2015-O-03

AN ORDINANCE CREATING AN EXCEPTION TO THE REQUIRED SIDE YARD SETBACK FOR EXISTING ATTACHED GARAGES AND CLARIFYING THE EXISTING SETBACK LANGUAGE IN THE SINGLE FAMILY RESIDENTIAL (SF-1) ZONE DISTRICT (SECTION 17-7-1.4 A OF THE MIDVALE MUNICIPAL CODE); ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-504 Utah State Code, the City has the authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance (Title 17 of the Midvale Municipal Code) became effective and may be subject to amendments from time to time; and

WHEREAS, since this effective date, Midvale City has found a number of areas that require amendments to the text of the ordinance in order to correct errors and omissions, clarify the intent of the language, and/or include new provisions to further the purpose and intent; and

WHEREAS, it has been determined that some of the older, single-family residential housing stock in Midvale was built with single car garages with no way to expand the garage area because of the required side yard setback; and

WHEREAS, it has been determined that the inability to create a more usable and practical garage space for today's lifestyles is forcing some homeowners to consider moving from neighborhoods they would otherwise live; and

WHEREAS, Midvale City desired to provide opportunities for these homeowners to continue living in these older neighborhoods by providing mechanisms for appropriate home remodeling to occur to accommodate today's lifestyles and needs; and

WHEREAS, the Planning Commission held a public hearing on March 11, 2015 to review proposed text amendment language regarding this issue, with such meeting being preceded by notice through publication in the Salt Lake Tribune and Deseret News on February 25, 2015, and the Planning Commission forwarded a recommendation on such to the City Council on March 11, 2015; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on April 7, 2015, which meeting was preceded by notice through publication in the Salt Lake Tribune and Deseret News on March 24, 2015; and

WHEREAS, the City Council has taken into consideration citizen testimony, planning and building analysis, and the Planning Commission recommendations, and has determined that this text amendment is appropriate and within the best interests of the City as a whole in protecting and promoting the health, safety, welfare and aesthetic quality of Midvale City.

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

Section 1. The following chapter and sections of the Midvale Municipal Code are hereby amended as included in ATTACHMENT A of this document.

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

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

PASSED AND APPROVED this ____ day of _____, 2015.

JoAnn B. Seghini, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Date of first publication: _____

Voting by City Council	“Aye”	“Nay”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____
Quinn Sperry	_____	_____

ATTACHMENT A

SF-1 Zone District – Garage Side Yard Setback Exception

Text Additions

~~Text Deletions~~

17-7-1.4 Development standards.

The following development standards apply to all new development in the zone:

A. Setbacks. The minimum setbacks in the zone are as follows:

1. Front. The minimum front yard setback is thirty feet. If fifty percent or more of the lots on the block are developed with a front yard setback of twenty-five feet or less, the front yard setback shall be twenty feet.
 - a. Corner Lot Rule. Corner lots have two front yards.
 - b. Exceptions. The following exceptions apply to all front yard setbacks in the zone:
 - i. Front Porch. An open, front entry porch may encroach eight feet into the front yard setback.
 - ii. Projections. ~~Skylights, sills~~^{Sills}, cornices, chimneys, flues, eaves and ornamental features may project into the front yard up to two and one-half feet.
 - iii. Impervious Surfaces. A driveway with a width of twenty feet or forty percent of the lot frontage, whichever is greater, and a sidewalk of up to five feet in width from the driveway or street to the front door. The driveway may extend an additional ten feet in width behind the sidewalk.
2. Side. The minimum side yard setback is eight feet, subject to the following exceptions:
 - a. Projection. ~~Skylights, sills~~^{Sills}, cornices, chimneys, flues, eaves and ornamental features may project into the side yard up to two and one-half feet.

b. Stairs and Balconies Landings. Outside stairways and balconies landings required by Building code for exterior doorways may project into the side yard up to three feet.

c. Single Family Attached Structure. In the case of a pre-existing single family attached structure, the structure shall be exempt from the interior side yard setback.

d. Attached Single Car Garages and Carports. In the case where an existing single family residence has an attached garage or carport that accommodates less than two cars because of its width, the garage or carport may be extended to four feet from the side property line provided the following items are satisfied:

i. The extended structure area is for a garage use only; the encroachment into the side yard setback cannot be used as habitable space.

ii. The extended structure shall not exceed one story, and shall not extend above the roofline of the existing residential structure.

iii. The width of the garage shall not exceed twenty-four feet; the depth of the garage shall not exceed twenty-four feet.

iv. Eaves may extend an additional one foot beyond the outside wall of the garage or carport; no other projections, including stairs and landings shall be allowed within the four foot setback.

v. All Building codes shall be addressed.

vi. This exception is intended to provide a property owner of an older home with an attached single car garage or carport the ability to have a standard attached two car garage or carport where it otherwise would not be allowed because of the eight foot side yard setback.

vii. All new home construction shall comply with the eight foot side yard setback.

3. Rear. The minimum rear yard setback is twenty-five feet, subject to the following exceptions:

a. Corner Lot Rule. On corner lots, there is no rear yard.

b. Projection. Skylights, sills, Sills, cornices, chimneys, flues, eaves and ornamental features may project into the rear yard up to two and one-half feet.

c. Stairs and Balconies Landings. Outside stairways and balconies landings required by Building code for exterior doorways may project into the rear yard up to three feet.



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, March 17, 2015
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry
Council Member Wayne Sharp

STAFF: Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community and Economic Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Alan Hoyne, Interim Public Works Director; Stephen Black, Interim Public Works Director; Lisa Gardner, City Prosecutor; Chief Tony Mason, UPD Midvale Precinct; Chief Stephen Higgs, UFA; Danny Walz, RDA Director; and Jarin Blackham, IT Manager.

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

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS

Chief Mason introduced Kim Burgeon the new Lieutenant for Midvale Precinct. He discussed a campaign with texting while driving with Councilmember Sharp.

Chief Mason updated the Council on the COP officers and assigned areas. He also updated the Council on fatal accidents in Midvale.

Chief Higgs said he attended the St Patrick's Parade and thanked the Mayor for the invitation. He inquired on the Veteran's Day Ceremony festivities.

Laurie Harvey discussed the February financials and court revenues. She discussed credit card fees. She said they are charged a percentage of each transaction and proposed 1 1/2 % fee per transaction. She said the utility billing clerk is no longer with the City and the current Purchasing Agent has taken the Utility Billing clerk position. She is opening a position for a Senior Accountant.

Phillip Hill discussed mobile food vending and said in researching other cities found that they are usually licensed elsewhere so he had not pursued charging another fee for Midvale since they

are traveling throughout the valley. The Council agreed that it was not necessary to change the ordinance.

Phillip Hill also reported that the Center Square Apartment's application is on hold. They are seeking legal counsel on open space.

Danny Walz discussed the reimbursement agreement for CHG. He is still working on that with Laura Lewis, and they have a few options to review. He hopes to bring this back on April 7th.

Stephen Black reported on the new cemetery program. The new system has a map to help find the gravesites. Councilmember Hunt suggested scout troops volunteer to help citizens find gravesites with service hours.

Rori Andreason reminded the Council about the ULCT Conference the first week of April. She also reported on the hiring of a facilities maintenance technician, who will be starting on Monday.

II. CITY MANAGERS REPORT

Kane Loader updated the Council on legislative House Bill 362 that passed on transportation. It has a 12 % tax. This means a .05% increase for Midvale City. This becomes effective Jan 1, 2016. The bill was expanded on how the funds can be used and it is by voter approval. The other bill he worked on was House Bill 420, which amended funding for road projects. These two bills were very important to Midvale City. He reported on his discussion with Salt Lake County regarding the City's raccoon problem. Salt Lake County is unable to help because they are a no kill facility. The state requires that when you catch a raccoon that it needs to be killed. He is still working on this situation.

Councilmember Glover asked if Sandy City could charge us to pick up the raccoons.

Kane Loader asked if the Council would agree to buy traps for the raccoons. The Council agreed.

Mayor JoAnn B. Seghini opened the regular meeting at 7:11 p.m.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

B. Roll Call – Council Members Stephen Brown, Paul Glover, Paul Hunt, Wayne Sharp, and Quinn Sperry were present at roll call.

C. Proclamation Declaring March 22nd through March 28, 2015 Boys & Girls Club Week

Mayor Seghini read the proclamation declaring March 22nd through March 28th, 2015 as the Boys and Girls Club for providing excellent service.

IV. PUBLIC COMMENTS

Mike Groth, representing the Ute Conference football for girls and boys ages 7-14 teams, said they would like to use the fields at the park for practices and games.

Kane Loader said he met with league officials. He thinks the sod will be ready by August. He has checked with other cities, and they rent the fields out for practices and games. He has talked with the league about using the facilities. He has been assured that the activities would stay at the south end of the field. He said he would like to see the league use the fields.

Mayor Seghini said the City also offers a youth scholarship program.

Kane Loader requested the City Attorney draw up an agreement for use of the fields. The Council agreed.

Chad Woolley, City Attorney, agreed that the scholarship program is a great program.

Tyler Sharp, Chairperson of Harvest Days, discussed the schedule of events and details for Harvest Days.

Councilmember Sperry asked about having a youth activity that would bring kids as well as the parents for an activity during the day.

Councilmember Brown suggested having Hillcrest Football exhibition games.

Mike Pahl vendor Chair for Harvest Days said he would like to do an activity during the day and bring in some vendors.

Tyler Sharp said he would work on the activities and let the Council know the schedule.

Mike Pahl, Director of Cinco de Mayo, discussed the Cinco de Mayo schedule of events and activities. He proposed to extend the celebration and have a two day Cinco de Mayo celebration and asked for support from the City for this event.

Chief Mason said he would need to have a full staff for the events and activities. He would have to pay a lot of overtime.

Kane Loader said the City did not have the budget to increase the costs for the event.

Mayor Seghini suggested keeping the event for a one day instead of a two day celebration.

Mike Paul asked if Council would consider having a movie in the park and bingo on Friday night. He said he would keep the parade the same as the previous year. The Council agreed.

V. COUNCIL REPORTS

A. Councilmember Stephen Brown – had nothing to report.

B. Councilmember Paul Glover – reported he will be out of town for the next Council meeting on April 7th.

C. Councilmember Paul Hunt – had nothing to report.

D. Councilmember Quinn Sperry – said he was contacted on the blade banners and advertising.

E. Councilmember Wayne Sharp – reported on the mural on 8000 South and 1st East. He said he liked it.

VI. MAYOR REPORT

Mayor JoAnn B. Seghini – had nothing to report.

VII. CONSENT AGENDA

A. APPROVE MINUTES OF MARCH 03 & 10, 2015

MOTION: Councilmember Wayne Sharp moved to approve the consent agenda. The motion was seconded by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

VIII. ACTION ITEMS

A. APPROVE FINAL SUBDIVISION PLAT FOR MONTGOMERY PUD SUBDIVISION LOCATED AT 8000 SOUTH BETWEEN 359 WEST AND 427 WEST

Matt Hilderman reported on February 26, 2014, the Planning Commission approved a master planned development for an 11-unit single-family housing project located at 8000 South between 359 West and 427 West, excluding 399 West and is known as the Montgomery PUD Subdivision [a Master Planned Development]. This property includes approximately 2.52 acres and is located within the SF-1 zone district. It is the intent of the residential developer to create a “for sale” housing product. In order to do this, a subdivision plat designating the individual single-family units is required.

The Final Subdivision plat is consistent with the Final Site Plan that was approved by the Midvale City Staff on December 8, 2014. The plat provides for individual ownership of each single-family unit and adjacent yard space. The remainder of the property will be included in common areas, including the pedestrian sidewalks and private roads. The common areas will be owned and maintained by a homeowners association, with individual owners having an equal ownership interest in the association and these areas. The declaration of covenants, conditions,

and restrictions (CC&R's) will specify the use and maintenance of the private and common areas and this document will need to be recorded concurrently with the final subdivision plat.

The Planning Commission reviewed this request and conducted the required public hearing on November 8, 2013 and also January 8, 2014. Following the public hearing, the Planning Commission moved to table this project requesting the applicant to address particular concerns. On February 26, 2014, the Planning Commission reviewed the revised proposal and forwarded a positive recommendation to the City Council to approve the preliminary subdivision plat. The City Council conducted a public hearing on the preliminary subdivision plat on May 6, 2014.

Based on compliance with the City's subdivision requirements and consistency with the master planned development site plan, the City Council motioned to approve the preliminary subdivision plat for Montgomery PUD Subdivision with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
2. The applicant shall obtain duty to serve letters for water and sewer for the new lots prior to the subdivision plat being recorded.
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, and Qwest Communications regarding the utility easements on the subdivision plat prior to final approval.
4. The applicant shall submit a declaration of covenants, conditions, and restrictions, including the creation of a homeowners association for the development. This document shall be recorded concurrently with the subdivision plat.
5. Prior to the subdivision plat being recorded, the applicant shall obtain final site plan approval for the master planned development.

The applicant has submitted a final subdivision plat which has been reviewed and approved by the City Engineer and Fire Marshall. This final subdivision plat includes the required approvals and notices from all utility companies regarding services and public utility easements and the applicant has provided a copy of the declaration documents that ensures the maintenance of the private and common areas. With these items completed, the proposed final subdivision plat complies with the City's subdivision standards and is ready to be recorded following the appropriate signatures being obtained on the final subdivision plat Mylar.

Councilmember Sperry asked about the limited common areas.

Kent Montgomery, applicant said the limited common areas in the front were by request of the Planning for maintenance purposes. The HOA has jurisdiction over what can be done there. The back yards are for the private areas.

ACTION: APPROVE FINAL SUBDIVISION PLAT FOR MONTGOVERY PUD SUBDIVISION LOCATED AT 8000 SOUTH BETWEEN 359 WEST AND 427 WEST

MOTION: Councilmember Wayne Sharp moved that we approve the Montgomery PUD Subdivision located at 8000 South between 359 West and 427 West with the conditions that the applicant obtains all required signatures on the final subdivision plat Mylar and the declaration of covenants, conditions, and restrictions shall be recorded concurrently with the Subdivision Plat. The motion was seconded by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye
Council member Stephen Brown	Aye

The motion passed unanimously.

B. APPROVE RESOLUTION NO. 2015-R-13 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH KILGORE CONTRACTING, L.L.C. FOR THE CONSTRUCTION OF THE OAK STREET RECONSTRUCTION PROJECT

Keith Ludwig said the City over the last several years has been accumulating CDBG funds for the Oak Street project. We have not got the funds necessary to build this project.

The plans and specifications were finalized and the project was put out to bid last September. A bid opening was held on September 23, 2014 and after evaluating the bids, determined that Kilgore Contracting had won the bid.

The contractor was given the option of starting the project last fall with the condition that the street could not be left in a state of disrepair during the winter or starting this spring with the condition that the irrigation line running under the north end of Oak Street be in service by April 15th. Kilgore opted to wait to start the project now. They are planning on mobilizing the week of March 23rd and be finished by June 1st, weather permitting.

A meeting was held last week with Kilgore and representatives of Canyons School District to discuss the issues this will create for the schools. The District and schools along with Kilgore will provide information regarding vehicular and pedestrian access. Oak Street will be closed to all but local traffic.

As the next regular Council Meeting will not be until April, he asked the Council to suspend the rules so action could be taken on this item that night.

FISCAL IMPACT: Their bid of \$340,402.15 is within the budget for this project.

ACTION: APPROVE RESOLUTION NO. 2015-R-13 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH KILGORE CONTRACTING, L.L.C. FOR THE CONSTRUCTION OF THE OAK STREET RECONSTRUCTION PROJECT

MOTION: Councilmember Wayne Sharp moved that we suspend the rules and approve Resolution No. 2015-R-13, approving the agreement with Kilgore Contracting, L.L.C. for the construction of the Oak Street Reconstruction Project and authorize the Mayor to sign the agreement. The motion was seconded by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye
Council member Stephen Brown	Aye

The motion passed unanimously.

C. APPROVE RESOLUTION NO. 2015-R-14 CONFIRMING THE APPOINTMENT OF BOB DAVIS AS THE DEPARTMENT HEAD FOR THE PUBLIC WORKS DEPARTMENT

Mayor Seghini said over recent months, the City has received several applications for the Public Works Director position. An Interview Committee comprised of Kane Loader, Phillip Hill, Laurie Harvey, Danny Walz, Rori Andreason, Alan Hoyne, Andrea Timmerman and Stephen Black was formed. The Interview Committee focused on finding the candidate that could pick-up where Ken Vance left off and continue in the same direction. It was also very imperative that the candidate was a good fit with the Public Works employees as well as senior staff.

With this focus in mind, interviews were held and two very qualified candidates were selected as the top candidates. Both candidates had experience as a Public Works Director; however, Bob Davis had more hands-on experience in the field as well as leadership qualities. The Committee felt his personality would be a great fit as well. The recommendation of Bob Davis as the top candidate was then forwarded to Mayor Seghini. Mayor Seghini interviewed Bob Davis and is forwarding her recommendation to appoint Bob Davis as the Public Works Director with the advice and consent of the City Council.

Bob Davis' resume showing his vast experience and expertise as a Public Works Director is attached for your review. Bob has served on several boards and committees that deal directly with the City. He will be in attendance at the meeting for the Council to ask questions as desired.

Stephen Black thanked the Mayor and City Manager for letting them get involved with the hiring process for the Department Head of Public Works Department.

Kane Loader said he has known Bob Davis for several years and was excited to bring him on as the Public Works Director. He is very skilled and has a lot of knowledge in this area.

Bob Davis introduced himself and said how excited he was to be a part of Midvale City.

ACTION: APPROVE RESOLUTION NO. 2014-R-14 CONFIRMING THE APPOINTMENT OF BOB DAVIS AS THE DEPARTMENT HEAD FOR THE PUBLIC WORKS DEPARTMENT

MOTION: Councilmember Paul Hunt moved that we approve Resolution No. 2015-R-14, confirming the Mayor's appointment of Bob Davis as the Public Works Director. The motion was seconded by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye
Council member Stephen Brown	Aye

The motion passed unanimously.

Rori Andreason administered the Oath of Office to Mr. Bob Davis.

IX. DISCUSSION ITEMS

A. DISCUSS PLANS FOR THE MIDVALE AMPHITHEATER AND THE PERFORMING ARTS CENTER, AND REPORT ON ARTS COUNCIL ACTIVITIES

Kane Loader discussed the Midvale Amphitheater and Performing Arts Center. He then turned the time over to Suzanne Walker for their report.

Suzanne Walker discussed the financials, plans, and desires for the Midvale City Arts Council.

B. DISCUSSION ON MIDVALE CITY MUSEUM

Kane Loader discussed the Midvale City Museum. He explained it is a 501C3 organization. He met with Bob Miller and discussed a new location and improvements to the Museum.

Bob Miller, Chair of the Midvale Historical Society, suggested using the old Senior Center for the museum. He feels it would get more traffic with that location and room to update and organize the museum.

Councilmember Sharp introduced David Dean who has expressed interest in assisting the Historical Society with the updating of the museum.

David Dean said he feels that a lot of the items in the museum are not related to Midvale City. He felt that the inventory should be stored and rotated, and the items need to be catalogued. He currently works in an archival facility. He said he thinks the museum still has a future.

Councilmember Glover said he feels that the items should be rotated in order for additional foot traffic. He said if Midvale is going to support the museum, the Historical Society needs to do some updating and have activities to get more visitors. He suggested that they apply for a grant.

Councilmember Hunt and Brown like the idea of moving the museum to the old Midvale Senior Center.

Kane Loader suggested he look at moving the museum to the senior center. He would have Jim Childs look at the center and see what needs to be done. The Council agreed.

C. DISCUSS TEXT AMENDMENT TO PROVIDE AN EXCEPTION TO REQUIRED SIDE YARD SETBACK FOR ATTACHED GARAGES IN THE SINGLE FAMILY RESIDENTIAL (SF-1) ZONE

Lesley Burns said after receiving some comments from the public, the City Council requested that Staff look into changing the setback requirement for attached garages in the SF-1 zone district (single-family residential/7,000 square foot lot) to allow homeowners to expand their attached garages, particularly in older houses that only have single car garages or carports. The Council heard that the inability to expand single car garages in older homes to more usable and practical spaces for today's lifestyles, is forcing some people to consider moving from neighborhoods they would otherwise live. Currently, the zoning ordinance requires a minimum eight (8) foot side yard setback. Taking into consideration the intent of the request to the City Council, Building Code requirements, and neighborhood character, Staff prepared a proposed text amendment that would allow the required side yard setback to be decreased for an existing attached single car garage or carport to be expanded with specific standards. The proposed provision includes the following:

- Applicable in the SF-1 Zone District for houses with an attached garage/carport that accommodates less than two cars in width.
- Intended to provide a property owner of an older home with an attached single car garage/carport the ability to have a standard attached two car garage where it otherwise would not be allowed because of the eight foot side yard setback.
- Allows garage/carport to be extended within four feet of the property line (current ordinance requires eight feet) if the following standards are satisfied:
 - Eaves may extend one foot into the four foot setback, but no other projections are allowed, i.e. stairs, landings, etc.
 - Extended area is for garage use only, not habitable space;
 - Extended structure cannot exceed one story or above the roofline of the existing house;
 - Width of the garage/carport cannot exceed 24 feet;
 - Depth of the garage/carport cannot exceed 24 feet; and
 - All Building Codes must be satisfied.

In addition to the new provision, there are also some proposed minor changes in the wording for front, side and rear yard setbacks that is currently unclear.

Planning Commission Recommendation

The Planning Commission reviewed this proposed text amendment and held a public hearing on March 11, 2015. The Planning Commission has forwarded a positive recommendation to the City Council to amend the language in the SF-1 Zone District to provide an exception to the required side yard setback for attached garages and to clarify the existing setback language as included in Attachment A.

A public hearing was scheduled for April 7, 2015.

X. ADJOURN

MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Stephen Brown SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

The meeting adjourned at 9:43 p.m.

**Rori L. Andreason, MMC
CITY RECORDER**

Approved this 7th day of April, 2015.



MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: April 7, 2015

SUBJECT: **Agreement with Noland Construction for the 2015 Waterline and Storm Drain Projects**

SUBMITTED BY: **Keith Ludwig, P.E., City Engineer**

SUMMARY:

As you are aware, we have made many improvements to our water system over the past several years including new transmission lines, storage tanks, well houses, and replacing old and undersized distribution mains.

Continuing in this vain and following the recommendations of our Water Master Plan, we have selected several more water distribution lines to replace. These include replacing lines in 400 West, Jackson Street, Launa Street, Connie Drive, Camel Drive, 85 East, 6890 South, 160 East, and 190 East. This project includes switching over and installing new water services, and fire hydrants.

Along with the water lines, 400 West and 6890 South/85 East also needed some storm drainage improvements. So we will also be installing storm drainage improvements in those areas.

Our consultant, Hansen, Allen, & Luce has designed the project which went out to bid on January 26th, 2015 and we held a bid opening on February 3rd, 2015. The City received 6 bids.

We evaluated the bids based on the criteria outlined in the bid documents, which include the bide price at 40% of the total score, approach to the project at 30% of the total score and past experience, including past work they have done with Midvale City, also at 30% of the total score.

Included is a copy of the bid sheet. There are two components of the bid, the water portion and the storm drain portion. The higher number is for the water line work and the lower amount is for the storm drain work.

We carefully look at the approach that each contractor submits. We are concerned as to how they will handle access into homes and businesses, traffic control, the continuous operation of existing water lines while replacement lines are being installed, their approach to public relations, how they see the construction process progress, and any other aspect to this project that the contractor view as crucial to its success. I have included the approaches submitted by the contractors.

We look at the past experience of the contractor especially on projects they have done for us in the past. I have included a memo that contains information for each bidder.

Also included is the scoring sheet that shows how we ranked each of the bidders in the various areas and how the final ranking came out.

As you can see the low score went to Noland Construction and staff recommends awarding this bid to them. The City has worked with Noland Construction previously, and feels confident they can do the work in a timely and professional manner.

As your next regular Council Meeting will not be until April 21, I am asking for a suspension of the rules so that you can take action on this item tonight.

FISCAL IMPACT: Their bid of \$1,307,034 for the waterline portion is within our budget of \$1,580,000. Their bid of \$248,795 for the storm drain portion will come out of the bond proceeds, of which we have just over \$2.1 million dollars left.

STAFF'S RECOMMENDATION AND MOTION:

I move that we approve Resolution No. 2015-R-18, approving the agreement with Noland Construction for the construction of the 2015 Waterline and Storm Drain Projects and authorize the Mayor to sign the agreement send the Notice of Award.

Attachments:

**Resolution 2015-R-18
Agreement
Bid documents**

Memorandum

To: File
From: Keith Ludwig, P.E., City Engineer
Date: February 19th, 2015
Re: Past experience Midvale City has had with contractors

Silver Spur:

Had a great approach to the project but did not follow it
Air/Vac valve on California and Catalpa is still not complete
Continual issues with storm water pollution
Continual traffic control and pedestrian & traffic safety issues (stockpiling materials on roadways and sidewalks)
Length of pipe left on Washington Street not taken care of, even though City was told it had been. (City crews removed the pipe)
Significantly over on contract time which in turn increase the cost to the City for contract engineering services
Pulled foreman off of a previous job prior to completion causing delays for completing that project
8000 South transmission main installation issues leading to extensive testing and flushing program and year-long probationary status for City's water system from the State

Experience Score = 4*

Rolfe Construction:

New service lines that froze due to shallow installation (City crews had to rectify)
Old service connection leaks due to inadequate removal procedures (City crews had to rectify)

Experience score = 3*

ABC:

No previous experience with City

Experience score = 3

RDJ:

No previous experience with City

Experience score = 3

Noland Construction:

Past experience with the City has been positive.

Well planned and executed work schedule

Complaints immediately dealt with

Work completed on time

Experience score = 1

Whitaker Construction:

Past experience with the City has been positive

Well planned and thought out work schedule

Completed work on time

Very responsive to City's concerns and needs

Experience score = 1

*Both of these scores could have been one point higher but felt that they should be given the benefit of the doubt for the work they have done outside of Midvale City.

PROJECT APPROACH & INSTALLATION WORK PLAN

Silver Spur Construction plans on building the project with the following approach and work plan.

After all contracts and permits are finalized with Midvale City and the Engineer, the project will be blue staked and videotaped so all existing conditions are verified before construction starts.

SUPERVISION/PROJECT MANAGEMENT

We will provide 2 superintendents along with a foreman for each crew. A project manager will be assigned to handle any job issues. We feel it is in our best interest for this project to have someone dealing with the project management as there are different agencies involved. The agencies involved are Midvale City, Engineers UTA and possibly UDOT. We feel it is adequate to have out top personnel on this project.

TRAFFIC CONTROL

We will provide a traffic plan for each phase of the project. We work well with Midvale City and will follow all the city and UDOT requirements. Early warning signs will be on the streets where required. All devices and signs will be maintained twice a day. Flaggers or stop signals will be used where needed.

UTA will be notified to identify what is needed while we are in their right of way.

POTHOLING OF ALL MAJOR UTILITIES

Silver Spur Construction will pothole all major utilities with a vac truck. These utilities will consist of gas mains, water mains, power lines, fiber optics etc. All utilities will be painted on the asphalt and documented in the asbuilts. We will contact all utility conflicts, when digging around high profile lines.

STAGING

We will find staging yards in this area. We will pull permits from Midvale City and have written letters from the land owners. We will also have a site close to the job site to dispose of excess material.

INSTALLATION OF THE WATERLINE

At this time, Silver Spur Construction has the availability to put its top 4 crews on this project along with 2 of our best superintendent/general foreman. The crews would consist of 2 mainline crews and 2 service crews. The mainline crews will have 5 employees on each crew

and the service crew will have 3 employees on each crew. The superintendent will be Russ Taylor and general foreman will be Danny Fonua. Both employees' will be on the ground and not in equipment. They will be able to handle all public relations and the City's needs to assure a safe, well managed project.

400 West water/storm drain: Mainline crew #1 with service crew #3

Silver Spur Construction will provide a mainline crew and service crew on 400 W. to install the water and storm drain. All utilities will be potholed 200 LF ahead of the crews. The service crew will install hydrants, air vacs and services. Once the waterline is complete, we will proceed with the storm drain. The mainline crew will proceed with the mainline as the service crew installs the catch basins etc. After all pipeline and service work is complete, road work and restoration will take place. If the project allows paving to be done in small sections, Silver Spur Construction will pave as each section is complete. All trenches and roadways will be maintained for business owners and residents. All concrete and landscape restoration will be complete in a timely manner. If potential weekend work is needed, due to unforeseen circumstances in this area, we will modify the project schedule. Services that need to be extended or replaced will be missed to try and make the traffic impact as minimal as possible. SWPPP requirements will be enforced daily and maintained.

Jackson St. Waterline: Mainline crew #2 with service crew #4

Silver Spur Construction will provide a second mainline and service crew. For this portion of the project, we will start with the tie in on 8000 S. and proceed south towards Princeton. The mainline crew will install approximately 400 LF of pipe per shift/day. All utilities will be potholed 200 LF ahead of the crews. The service crew will install hydrants, as well as any connections that may be needed. Once the line is pressure and bacteria tested, all service connections will be completed. All traffic will be allowed to flow during the construction. Flaggers will be provided as needed. All paving and restoration will follow after the pipeline is complete. This crew will not proceed to the next phase until paving is complete.

Carmel & Connie Dr.: Mainline crew #2 with service crew #4

Silver Spur Construction will start this area once Jackson St. is complete. All utilities will be potholed 200 LF ahead of the crews. If needed, a UDOT permit will be pulled when the construction 700 E. is started. All traffic will be allowed to flow during construction. If this area of the project permits, we will pave as much as possible as we are going, due to the high residential traffic in this area. The mainline crew will install 350-450 LF per shift/day. The service crew will install hydrants and tie ins. Services will be missed, if possible, to keep the traffic flow going. Paving will take place after all mainline is installed with service connections. Restoration will immediately follow after paving is complete. Trenches will be maintained and swept daily to keep a good and clean surface for residents.

85 E., 160 E. & 6890 S. water/storm drain: Mainline crew #1 with service crew #3

Silver Spur Construction will provide a mainline and service crew to install the waterline and storm drain. With our past experience of this area, the mainline crew should be able to install 300-400 LF per shift/day. All hydrants and connections will be completed by the service crew. Once the pressure test is complete, all service connections and tie ins will be done. Once the waterline is complete, the mainline crew will proceed with the mainline while the service crew completes the catch basins and inlets. While the storm drain is being installed, all paving of the waterline trenches will take place to limit the disturbance. All restoration and will be completed as soon as the paving is complete.

PUBLIC RELATIONS

Silver Spur Construction has set up a public relations process previously used on a project with Salt Lake City. We had great success with is process. One sign will be posted each end of the job site listing a Public Relations person assigned to the job with a separate phone line set up in our office; this allows timely handling of any issues. Our Public relations person is responsible for keeping contact with the local Fire Department, Police Department, School District, Sanitation Company and Emergency access. All residents and business owners will be notified 48 hours in advance before any water shut offs take place. We will also notify residents and businesses of the project in their area before it starts. We will provide business access signs to assure businesses are still open during the construction in the area.

SAFETY PLAN

All of Silver Spur Constructions superintendents and foremen have all completed competent person training. We require all employees and subcontractors to wear safety equipment, hard hats, vests, boots and safety glasses. There will be zero tolerance for not following the safety guidelines. Silver Spur Construction will use all OSHA approved shoring devices to complete this project. All open excavation site will be covered with steel plates at the end of each work day, with proper signs and barricades in place. We have mandatory weekly safety meetings every Monday for all project crew members. We will reinforce any and all hazards specific to this project and evaluate the weekly progress and schedule. All Company Equipment is required to have back up alarms. Any vehicle, in the construction work zone, is required to have flashers on and park a minimum of 150 feet from the work zone.

COMPACTION TESTING

Rocky Mountain QC will be scheduled to test at 10:00 a.m. and 2:00 p.m. every day. All results will be emailed to the city and engineer daily or weekly determined by the owner.

SWPPP PLAN AND APPROACH

After doing a previous project in 2013 with Midvale City, we know what is expected from the City. Silver Spur Construction will follow all SWPPP rules and regulations during this project. We will take all precautions on silt and sand getting into the existing drainage systems. We will perform the following actions to prevent any issues. All storm drain catch basins will have protection with gravel socks and

fabric on all grates that could be distributed by storm water to prevent silt and fines from going down stream. We will have a water truck for dust control and a sweeper to keep all existing roads swept in the construction zone. Additives required to clean any spills such as fuel and hydraulic fluids will be kept in the foreman's truck onsite. All log books for the governing agencies, will be filled out daily. Any and all SWPPP issues will be handled asap when problems occur. We will make sure to stay in compliance with the permit. The SWPPP plan will be posted onsite before construction starts with locations of sediment traps along with locations of curb boxes, drainage ditches etc.

Project Manager: Shawn Hayward – ph: 801-706-9337

Project Superintendent: Russ Taylor – ph: 801-381-4539

Project General Foreman: Danny Fonua – ph: 801-381-9024

Public Relations: Cal Peel – ph: 801-518-6775

Emergency Contact: Sue Fisher – ph: 801-501-8803

Equipment and crews:

Crew #1:

324 Hoe
315 Hoe
928 Loader
Laborer
Pipe Layer

Crew #2:

235 Volvo
200 Volvo
L60G Loader
Laborer
2 – Pipelayers

Crew #3:

160 John Deere
Backhoe Laborer

Crew #4:

305 Mini excavator
Skid steer
Laborer

Water truck – 2,000 gallon
Asphalt Zipper
3 wheel angle broom

APPROACH TO WORK

PROJECT: 2015 WATERLINE AND STORM DRAIN PROJECTS
OWNER: MIDVALE CITY
PROPOSING CONTRACTOR: NOLAND & SON CONSTRUCTION

Noland & Son Construction intends to construct the 2013 Waterline Projects Project with four overall goals in mind:

- 1) Perform the work with SAFETY of the Public, Midvale City staff and Noland & Son Crews as a top priority.
- 2) Provide Midvale City with a HIGH QUALITY construction project meeting their highest standards.
- 3) Perform the work in a PRODUCTIVE manner so that the impact to Local Businesses, Local Residents, the traveling public and Midvale City is at a minimum.
- 4) Pay special attention to customer SATISFACTION in regards to adjacent businesses, homeowners, and Midvale City.

TRAFFIC CONTROL:

Noland & Son will submit traffic control plans meeting MUTCD standards and Midvale City standards prior to performing any of the work. In order to achieve the desired standards, we will utilize the services of a traffic control subcontractor that is a certified UDOT / ATSSA specialist. For this project we intend to perform the work with as little impact to the traveling public as possible. We plan to use a combination of lane shifts, and local traffic only road closures with full detour plans to keep the work zone safe for the traveling public and our construction crews, thru traffic closures only as per spec., local traffic will be allowed. We will use flaggers as necessary to ensure safety and traffic flow. We have worked well in the past with all parties involved and understand the unique challenge of dealing with businesses and local residents alike. Our barricade service contractor (Barricade Services) is located very close to this project, which will ensure prompt and accurate MOT. Noland construction and our barricade supplier have partnered with Midvale city on many projects; therefore we feel we have a higher understanding of the requirements for this project. We have read and understand the traffic control spec. for this job.

BUSINESS ACCESS:

Business access will be maintained for the duration of the project. Should any driveway need to be blocked at businesses, we will speak to the business owner 1 week in advance and work out a mutually agreeable plan for the work at their location. We will also provide a telephone number for the job superintendent and project manager so that any concerns can be voiced and taken care of. We will also

keep businesses informed by weekly flyers handed out with phone numbers we can be reached 24hrs per day. We are aware of several businesses throughout this extensive project that will have at least some impact as part of this project. We plan to work closely with all of these businesses to ensure the impacts to them and their customers are kept to a minimum. Access will be a top priority!

HOMEOWNER ACCESS:

We will maintain homeowner access at all times. Prior to the start of the project, we will print flyers to distribute to each homeowner that will be impacted by the project which explains the schedule, impacts and also provides a phone number for their questions & concerns. We will not leave open holes at properties. We will backfill accesses each night so that no hazards exist for homeowners even if we need to work extended hours to do so. Again access will be a top priority!

MATERIALS STAGING:

Materials will be staged in a safe manner so that pedestrians and the travelling public will not be at risk. We will stage pipe along the gutter of the road for daily pipe laying operation. At the end of each shift we will make sure the material is secure and not left in the way of the travelling public.

CONTINUOUS OPERATION OF EXISTING WATERLINES:

We are aware of the critical nature of the continuous operation of the existing waterlines that are being upgraded as part of this project. We are committed to reducing water service outages as much as feasible. This project has clearly been designed to help ensure continuous operation, with the looping of existing lines to allow the new facilities to come through, and also the hot taps to minimize impact. With the redundant nature of the design it is completely possible to ensure the continuous operation of the existing systems as the new systems are installed, cleaned, tested and readied to be put into service. Obviously there will be need to temporarily shutdown parts of the systems to allow for looping, connections and service transfer. We can however minimize these outages by working with Midvale's water department to schedule shutdown and valve operations. We are committed to keeping property owners and businesses aware of future shutdowns by advanced notification. If needed, we will work with businesses to schedule shutdowns during off peak hours so as not to affect their operations. Most shutdowns in residential areas would happen during the day when most people are out of the house for work. Advanced notice at least 24 hours in advance will give home owner a chance to prepare for the outages. By partnering with Midvale on planning for future shutdowns, advanced notice to owners and proactive planning of construction materials, we are confident we can actively provide continuous operation of the existing system.

CONTINUAL UTILITY SERVICE TO PROPERTY OWNERS:

We understand the need to ensure property owners experience minimal impact during the construction of these new water systems. The design of these systems will help ensure minor impact. Our plan for these systems would be to install the mainline systems, looping existing lines as needed to ensure

continuous service, then clean, flush, and pressure test the systems, make mainline connections and transfer services from the old lines to the new lines in a very timely manner. Again obviously there will be some minor impacts to owners during this process. We are committed to minimizing these impacts as much as possible. We are committed to providing advanced notice to owners, dealing with special circumstances on a case by case basis, ie: working with business owner to make connections during off peak times if necessary, and working closely with the city to schedule system shutdowns. We understand the city's obligation to provide service on a consistent basis and we want to partner with them to provide continual utility service.

PROPERTY RESTORATION:

Any property that is disturbed will be replaced under the direction of the property owner and the city to their satisfaction. In the areas that are outside of the asphalt roadways, we will strip topsoil and replace it after the work has been completed. All properties along the project will be video-taped prior to work taking place so that restoration can be done to match what existed at the start of the project. This video will be available to Midvale City to verify any preconstruction conditions.

PROJECT TESTING:

Waterlines will be disinfected and flushed according to APWA and Midvale City Standards. We will use American Testing to perform compaction testing for backfill, road base & asphalt per APWA, and Midvale City Standards. It is our intent to provide ample documentation to the city and HAL of a quality project that meets or exceeds expectations. We will contact the city prior to testing so that tests can be witnessed if the city so desires.

PUBLIC RELATIONS:

Noland & Son Construction has made public relations and public involvement a top priority on all of our jobs. We handle P.R. and P.I. in house with coordination between the project superintendent, project manager, and office staff. We are committed to partner with Midvale city to ensure public relations are handled delicately and with a timely response. Noland & Son will distribute flyers to impacted businesses and homeowners to keep them informed of upcoming impacts and operations. We pride ourselves on keeping neighboring residents and businesses informed and happy with the necessary inconvenience that the construction may pose.

PROGRESS OF CONSTRUCTION:

- Notice to proceed
- Begin submittal process and start acquisition of materials
- Begin permit process – Midvale city road cut permits
- Partner with Midvale to determine a priority of the construction areas
- Begin Construction, supply construction notices to property owners in work areas
- Multiple crews will be needed to complete this work within the contract time
- Once work commences in an area, continue in the area until completion
- Complete asphalt restoration in a timely manner
- Pothole utilities out in advance of pipeline operation (200 LF)
- After mainline installation and testing, make connections, transfer services and complete all needed restoration
- After substantial completion, work with City and HAL to generate and complete punchlist items on an area by area basis

400 WEST AREA:

We feel this is going to be a challenging area of work. We understand that this area will require some special attention due to the close proximity of the adjacent businesses and the high traffic demand. We are committed to working with the city and the business owners to minimize impact and make this area of work successful.

Thank you for the opportunity to bid this project. We look forward to the opportunity to work with Midvale city. Please see our attached project experience and resumes.



whitaker

construction co.

44 S 1050 W Brigham City, UT 84302 PO Box 430

Phone # (435) 723-2921 Fax# (435) 723-5808

Project Approach

Midvale 2015 Waterline & Storm Drain Projects

Project Approach

Most projects have a unique set of challenges, this one is no exception. Here are some key aspects to meeting these challenges head on to insure a safe, smooth running and successful project.

One of the more critical items is traffic control planning and coordination with property owners for the different phases of the work. In order to maintain access and traffic flow through the project areas, a well thought out and executed traffic plan is needed. We will provide notification to affected property owners for the work performed adjacent to their properties as well as making accommodations throughout the project to allow residents/customers access to their homes/businesses. For work in each of the four locations a comprehensive traffic control plan will be created and adhered to throughout the project to minimize the impact to the traveling public.

Another critical item to insuring a smooth running project is the potholing and verification of the existing utility locations and elevations. As the majority of the new piping installed on this project is in a different location than the existing pipe, getting accurate information well in advance of the pipe installation is very important. We understand that making last minute adjustments to the alignment or elevation of the line due to utility conflicts are very challenging. Because of this we will make potholing the highest priority. Before pipe installation begins in each area, the potholes for that area will all be completed and submitted. Whitaker Construction has one vacuum potholing truck, and two vacuum potholing trailers that can be used to locate the utilities with the least amount of disturbance as possible. Once the pothole data is completed and submitted for a particular segment, Whitaker's project manager and superintendent will sit down with the engineer and city representative to discuss the data and make any changes to the design prior to work beginning in that area. We feel that having this work complete as early as possible in the project will speed installation and allow us to complete the work with the least amount of impact to the public.

Of the four locations where the new utilities are being installed, 400 West will be the most challenging. The installation of new storm drain and the replacement of the waterline will have to be closely coordinated and be installed simultaneously in some locations to insure that water supply is maintained. We anticipate starting our work on this project on 400 West as it is the most challenging of the four locations. We propose using two pipeline crews to help minimize the impact the project will have on businesses in the area. Due to the nature of this project it is critical to maintain flow in the existing waterlines until all services have been connected to the new waterline. All abandonment will take place only once it has been assured that all customers are supplied with water. The other three areas will be completed in succession as determined most critical with the engineer and city. We have several waterline crews that are capable of completing a project of this magnitude and we feel that we can provide the crews necessary to complete this project on time.



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Work Crews

Based on our initial schedule we anticipate having one to two of our pipeline crews onsite to complete the storm and water piping and service work. As work progresses in each area we anticipate having competent subcontractors complete the asphalt paving. If additional crews are needed in order to meet the project schedule, they will be made available.

Experience

Whitaker Construction has extensive experience in complex waterline projects. We own all of the equipment necessary for a project of this size. We have also completed similar projects to this throughout Utah and the surrounding states and have completed several projects for Midvale City. We do almost all of our work with municipalities and have the experience needed to coordinate all the work on a project like this.

Traffic Control Experience

Whitaker Construction also has extensive experience in working in heavily trafficked areas. We have worked on nearly every major roadway in Northern Utah and all of our project managers and superintendents are certified in traffic maintenance. We anticipate following all MUTCD standards of traffic control on this project with a well prepared and executed traffic control plan on all streets especially for the busy roadway areas such as 400 West. It will be critical for us to maintain a constant line of communication between the businesses and us as the project advances on 400 West. We will maintain access to all businesses throughout the duration of the project. We have a in house traffic control manager that will plan and oversee the implementation of our traffic control.

Public Relations Experience

Whitaker Construction prides itself on its good relationships with the project owners and the public and has worked on a number of high profile projects. We expect on this project to work closely with the local property owners to maintain access to their properties, to notify them of project progress and notifications of any required utility outages. Nearly all of our projects require meetings with the property owners, flyers for residents and business owners, maintained access to the properties, utility outage notification and project maintenance and cleanup. Keeping all parties informed and maintaining a good working relationship throughout the project is what we do. We anticipate a similar approach on this project.



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PROJECT ORGANIZATION DESCRIPTION: Midvale 2015 Waterline & Storm Drain Projects

Supervision:

Our management team includes Branson Yantes as the Project Manager and Mike Nebeker as the Project Superintendent (see attached resumes). Each has specific responsibilities toward the success of the project with Mike being directly responsible for field operations. As project manager, Branson will coordinate the work with the owner, our field superintendent and the subcontractors on the project. Mike, as the project superintendent will be onsite throughout the project and direct the operations of all of the crews. Branson will be responsible for project submittals, correspondence and schedule updates. All Whitaker Construction projects are scheduled using SureTrak CPM scheduling software and are updated monthly. This project management team is backed up with a full office staff each with their specific duties, including Brett Nielson as the senior project manager, Ryker Kerbs as estimator, Paul Holmdahl as the safety officer for this project. All work is coordinated between the field personnel and the home office through this management team.

Field personnel are organized into crews, which work within their expertise. We currently have 9 large excavation/pipeline crews, all of which are capable of performing a project of this magnitude. Whitaker Construction will provide as many crews as necessary to meet the project schedule. We currently employ all of the personnel required to complete this work and own all of the equipment necessary for the project.

Personnel:

Whitaker Construction currently employs over 200 field and office personnel that are working on projects throughout the Intermountain West. Each of our large pipeline crews consist of an Excavator Operator (in charge of crew), a Loader Operator, a Compactor Excavator Operator, a Pipelayer and a Laborer.

Equipment:

Whitaker Construction owns all of the equipment that will be necessary to complete this project. A typical pipeline crew's equipment includes a Volvo EC-210 or larger excavator, a Volvo L90 Front End Loader, a Volvo EC-210 Excavator w/ Compaction Attachment, and a Utility Service Truck. A full list of equipment owned is attached.



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Company Profile

Whitaker Construction Company is a Utah corporation with headquarters in Brigham City, Utah. Whitaker Construction, founded in 1953, has been in the underground utility construction industry for Sixty years and has grown into one of the largest utility contractors in the state. Whitaker Construction now has over 200 employees with annual volume of work being over \$50 million. Whitaker Construction currently has 30 crews at work on varying projects throughout the western states.

Whitaker Construction Company performs all types of sanitary sewer, storm drain, culinary water, irrigation, natural gas and telecommunications projects. We specialize in sewer lift stations, water metering and pump stations, horizontal boring, pipe bursting and vacuum excavation. Many of our projects involve extensive dewatering and shoring to complete safely. We work in Utah, Southern Idaho, Northern Nevada and Western Wyoming, all within a 250-mile radius of the home office in Brigham City. Approximately 80% of our work is performed for Municipalities, Sewer and Water Districts, Federal Agencies and Questar Gas constructing sewer, culinary water, storm drain, and natural gas systems.

Operators, Supervisors etc. are trained within the company and wherever possible, advancements are made "In-House". Key personnel average more than 20 years service with the company. We are organized under the "Crew" concept with ten large utility crews, sixteen natural gas/service crews, two excavation crews, and a concrete crew; all of which work under the direction of eight superintendents. We work under an open shop arrangement and the company provides a fringe benefit program including health insurance, vacation and retirement. We try to be aggressive and progressive and also take a great deal of pride in the completion of a well-constructed project. Our motto is: "Over, Under, Around & Through: Whatever it takes that's what we do!"



Const. Inc

P.O. Box 889

Riverton, UT 84065

Phone: (801)254-6032

Fax: (801) 254-5072

Email: rdjconst@gmail.com

Project Approach

At RDJ Construction quality is the priority. When it comes to scheduling, we assure that the project will be completed well within the time frame set forth by the owner. We schedule in such a way that we leave adequate time to deal with any unforeseen circumstances, while maintaining quality and staying within budget.

RDJ is very experienced in installing waterlines and storm drains, and will therefore be completing all of the pipe work. Appurtenant work, such as landscaping, concrete, and asphalt work will be sub-contracted out. When it comes to sub-contractors, we only deal with those companies that have been able to produce the very highest quality product time after time.

The project manager, superintendent, and foreman were involved in all of the projects herein listed, and will be involved in the same capacity for this project. Our superintendent and foreman have been with RDJ Construction for many years, and hold a very personal interest in the success of every project. They will insure that the project will be completed with the same high standard of quality that is shared by every project completed by RDJ Construction.

Project Order

We plan to work on the Midvale projects in the following order: (1) Jackson Street waterline project; (2) 400 West storm drain project; (3) 400 W waterline project; (4) 85 E and 6890 storm drain project; (5) 85 E, 6890 S, 125 E, 160 E, and 190 E waterline project; (6) Launa Drive, Carmel Drive, and Connie Drive waterline project. The replacement will be implemented in phases to limit traffic disruptions and inconvenience to residents and businesses, and to enable erosion and sediment control. Work on one project area will be fully completed before the next begins.

Initial/Project Start

Notice to Proceed, March 2015; schedule preconstruction conference, obtain permits; notification to residents and businesses about project; traffic control set-up; submittals; mobilization of equipment to Jackson Street site; materials testing; staking; pothole utilities 200 ft. Begin work. Once one phase is complete, start with same procedure on each subsequent project. Substantial completion 147 days after Notice to Proceed (August 2015); final completion 161 days after Notice to Proceed (September 2015).

Traffic Control and Public Relations

Set up traffic control signs, equipment.

VMS boards set up at each end of project one week before work begins in that area.

One lane always open for traffic.

Keep at least one access point to businesses open at all times; usual access will be maintained when possible.

Notify emergency response providers near work areas in advance of construction locations, lane closures, and schedule.

Deliver written notice to affected parties (residents, businesses) in advance; door hangers.

Door to door visit to each residence before crossing driveway, minimum of 2 days in advance.

Weekly updates to residents and businesses (about weekly schedule, temporary water shutoffs, driveway access, and contact information).

Driveways will remain open except during immediate timeframe of construction activities in front of residence.

Storm Water Pollution Prevention

Implement SWPP provided by Midvale City; Jared Johnson will be designated person overseeing SWPP and will be 24-hour emergency contact.

Train crew in implementation of SWPP; ensure subcontractors are aware of and compliant with the SWPP as well.

Inlet protection.

Excavated material placed immediately into trucks and hauled off same day

Backfill/compact/asphalt as soon as possible

Water truck and street sweeper all day every day to keep dust down to minimum

Job site clean-up each day

Clean curb and gutter every day where project work is occurring

Perform inspections according to schedule, complete inspection reports and logs.

Work/Ongoing/General

To ensure continuous operation of existing waterlines while replacement lines are being constructed, we will install new waterline in sections, and then flush and test it. We will then connect existing services to the new main and then abandon the old main in sections as we go, as long as it has a two-way feed.

New fire hydrants will be installed and operational before taking old out.

RDJ only has the pipe and material delivered that can be used in a matter of two weeks, instead of having the whole job's worth delivered, since there is no staging area; so we are not stringing pipes along yards.

For safety, trenches will be backfilled with compacted import gravel, to adjacent grade, at the end of each work day.

Hold regular (weekly or monthly) meetings with City and Engineer.

Approach to the Project

Associated Brigham Contractors inc.

ABC is planning on two crews for this project and will be completed in less than 147
Calendar Days

ABC will mobilize the first crew at the first available start Date. ABC will Mobilize and set up traffic control at for the work at 400 West 7200South. ABC will begin with installation waterline from the south to north on the East side of the road. We will install Waterline north on 400 west until we reach 6850 South. We will mobilize the Second crew to begin Services on the waterline from the north to make sure water services will not conflict with new storm Drain. The first Crew will then begin installing Storm Drain at 13+39 where we will be connecting to existing 36" pipe. We will then install Storm Darin South with the Main line. Once the main line is installed the main line crew will tie in remaining catch basins and move to the next location. The Service crew will finish with services fire hydrants and Tie ins. Then will clean and prepare for asphalt. ABC will then have a sub-contractor pave 400 West. The Service crew will then raise valve boxes and manholes to grade and collar.

The Main Line Crew will then mobilize to the second location at 85 East 6940 south and set up traffic control. They will begin laying waterline north up 85 east to 6850 South. When the service crew finishes with 400 west they will begin services on 85 East. The main line crew will begin installing waterline form 6892 south and will head east to 190 East. The main line crew will turn up 190 East, to 6850 south. The main line will then fall back to finish installing main line on 160 east, from 6590 south to 6940 south. The main line will then fall back to 125

East, from 6890 south to sta. 1+41. The service crew will be installing services line and making Tie ins. The Main line crew will tie into existing box at sta. 4+20 and installing south on 85 east to 6940 south. The main line crew will go back to 6890 south and install storm drain east to 190 East. The service crew will then clean and prepare for asphalt. The main line crew will mobilize to next location. ABC will have an asphalt sub-contractor pave this location. The Service crew will then raise valve boxes and manholes to grade and collar.

The main line crew will mobilize 7500 south and Launa Street and will set up traffic control. They will head north to Sta. 14+16 at Launa Circle. The service crew will mobilize and begin services on Launa Street. The Main line Crew will then begin to install the waterline at Carmel Drive to Connie drive. The Main line crew will then begin installing water line at 700 east Connie Drive to the west and tie back into Launa Street. The main line Crew will then mobilize to the next location. The Service crew will clean and prepare for asphalt. ABC will have a sub-contractor pave this location. The Service crew will then raise valve boxes and manholes to grade and collar.

The main line crew will mobilize to Princeton Drive and Jackson and set up traffic control. They will begin laying main line from sta. 0+00 north on Jackson. When the service crew finishes with Launa Street they will Begin with services and hydrants from the south. When the main line is complete with Jackson they will help with tie in's and complete services. ABC will prep for asphalt and have a sub-contractor pave Jackson. The Service crew will then raise valve boxes and manholes to grade and collar.

Rolfe Construction Inc.

PO Box 150, West Jordan, UT 84084
801-255-6710 Fax 801-265-9464

Contractor's Plan and Approach to Project

Since Rolfe Construction has completed three different projects for Midvale City similar to this project in the last three years, which were in very challenging areas i.e. 7th East, State Street at both 8000 S. & 6790 S. and the entrance to Hillcrest High School on 7th east. We believe that our past history with no problems speaks for itself. Our approach to this project is as follows.

Rolfe Construction believes that traffic control is the number one priority to the safe progress of this project. Safety is our number one concern for residents and traffic. Because we have had 52 years working within the public roadway, our approach to the project may vary from other contractors. All of our employees have been trained by Tipton Compliance and Safety and are certified in flagging safety and traffic control.

Next to safety, our public outreach program will be high on the priority list. We provide written notification prior to the projects commencement to everyone within the affected area, business or resident, giving detail of the overall project, time frame and description of the project. As we move into specific areas, there is a physical contact made with each business or resident within the given area, explaining exactly when we will be in front of their property, and the time frame of disturbance. We will cover the open section of trench with steel plate, which we own, at night for safety. We will schedule the work so that we will never impact a driveway overnight. A hydraulic sweeper and water truck are committed to this project to keep all streets free of dust and debris. Asphalt will follow as soon as is practical. It will be easy to schedule, because we do all our own asphalt replacement, making it easy to schedule right behind installation.

Our Company has constructed the largest storm drain project ever done in the Salt Lake Valley at 14.1 million and won two awards for the project and received a public outreach bonus totally more than \$250,000 dollar's that was voted on by a citizens group near the project.

We have had numerous projects throughout the valley. We have found scheduling and construction to go through on a very professional basis. We feel you could not find a finer contractor for this particular project, as you have seen from our attached resume; we can easily handle a project of this size with quality assurance. Thank you for your consideration.

Midvale City
2015 Waterline and Storm Drain Projects
Feb-15

Evaluation:

		CONTRACTORS					
Criteria		Silverspur	Rolfe	Noland	ABC	RDJ	Whitaker
1 Bid Price	40%	3	1	4	2	6	5
2 Experience	30%	4	3	1	3	3	1
3 Approach	30%	1	6	2	5	4	3
		8	10	7	10	13	9

		WEIGHTED SCORES					
Criteria		Silverspur	Rolfe	Noland	ABC	RDJ	Whitaker
1		1.2	0.4	1.6	0.8	2.4	2
2		1.2	0.9	0.3	0.9	0.9	0.3
3		0.3	1.8	0.6	1.5	1.2	0.9
Total		2.7	3.1	2.5	3.2	4.5	3.2

Note: Lowest number obtained gives rating for best overall ranking score.

Ranking	2	3	1	4	5	4
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Recommendation: Award Project to Noland

RESOLUTION NO. 2015-R-18

WHEREAS, Midvale City has in the past has built several projects related to the improvement and expansion of the City’s water system; and

WHEREAS, the City wishes to continue to improve its water system by upgrading and replacing old and undersized water distribution lines; and

WHEREAS, the City has bonded for improvements to the storm drain system; and

WHEREAS, the City’s consultant, Hansen, Allen & Luce, Inc.(HAL), with input from City staff, has identified and designed several waterline and storm drain projects entitled ‘2015 Waterline and Storm Drain Projects; and

WHEREAS, this project was advertised for bid, and bids were received by the City for the construction of this project; and

WHEREAS, the City has evaluated the bids based on the criteria noted in the bid documents, and based on that analysis wishes to award the 2015 Waterline and Storm Drain Projects to Noland Construction; and

WHEREAS, an agreement has been prepared between the City and Noland Construction.

NOW THEREFORE BE IT RESOLVED, that based on the foregoing, the Midvale City Council adopts this resolution authorizing the Mayor to sign the agreement with Noland Construction for the construction of the 2015 Waterline and Storm Drain Projects.

APPROVED AND ADOPTED this _____ day of _____, 2015.

JoAnn Seghini, Mayor

ATTEST:

Rori L. Andreason,
City Recorder

Voting by the City Council	“Aye”	“Nay”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____



MIDVALE CITY COUNCIL SUMMARY REPORT

April 7, 2015

SUBJECT:

Set Public Hearing for April 21, 2015 and Discussion on Zoning Ordinance Text Amendment to modify the review process and requirements for Apiaries in the Single Family Residential Zones (SF-1 and SF-2)

SUBMITTED BY:

Lesley Burns, City Planner

SUMMARY:

After receiving some comments from the public, the City Council requested that Staff prepare some possible modifications to the City's apiary (bee keeping) regulations in the single family residential zones (SF-1 and SF-2). Currently, apiaries are allowed as conditional uses (approved by the Planning Commission) in the SF-1 and SF-2 zones with some specific standards. The Council heard that the City's current ordinance discourages people from keeping bees in Midvale because the minimum lot size requirement is too large, and the time and cost to obtain a permit is too long and too much. Based on these concerns, Staff researched other jurisdictions requirements and prepared a proposed text amendment that would make the following changes to the current provision:

- Change the review process from a conditional use to an administrative conditional use.
- Allow apiaries on all single family residential properties in the SF-1 and SF-2 zones regardless of size, provided the other standards are satisfied. Currently, apiaries are only allowed on properties that are at least 1/3 acre in size in these zones.
- Increase the number of colonies allowed on a property. The current ordinance allows one colony on properties between 1/3 acre to 1/2 acre and two colonies on properties more than 1/2 acre. The proposed amendment would allow two colonies on properties less than or equal to 1/2 acre and five colonies on properties greater than 1/2 acre.

Planning Commission Recommendation

The Planning Commission reviewed this proposed text amendment and held a public hearing on February 11, 2015. The Planning Commission tabled taking action at that time because the Legislature was considering a proposed bill that would prohibit a political subdivision (the City) from enforcing regulations regarding raising or managing bees. By

the close of the 2015 Legislative Session, the proposed bill (HB0224) did not make it out of committee, leaving beekeeping regulations at a local level. On March 25, 2015, the Planning Commission forwarded a positive recommendation to the City Council to amend the language for apiary uses in the SF-1 and SF-2 zone districts as included in Attachment A. This recommendation essentially includes what was originally proposed by Staff, but adds a requirement for applicants to complete a beekeeping class before keeping bees on their property (subsection iv in Attachment A includes the specific language added for this requirement).

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff agrees with the Planning Commission's recommendation.

RECOMMENDED MOTION:

N/A

Attachments:

- Attachment A – recommended text amendment language

**ATTACHMENT A – Planning Commission Recommendation
SF-1 and SF-2 Zone Districts – Apiaries**

Text Additions
Text Deletions

17-7-1.2 Use table.

If a use is not specifically designated, then it is prohibited.

Table 17-7-1.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Agricultural Uses (AO zone only)		X		
Apiary		X	X	
Assisted Living Facility, Group Home			X	X

17-7-2.2 Use table.

If a use is not specifically designated, then it is prohibited.

Table 17-7-2.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Accessory Structure, Unoccupied	X			
Apiary		X	X	
Assisted Living Facility, Group Home			X	X

Eliminate Sections 17-7-1.11 (B) (1) (h) and 17-7-2.11 (B) (1) (h) in the ordinance and add the following language to new Sections 17-7-1.11 (B) (2) (i) and 17-7-2.11 (B) (2) (i):

Apiary. The purpose of this subsection is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.

i. No more than the following number of colonies may be kept on any tract within the city, based upon the size of the tract upon which the apiary is situated:

(A) ~~One-third acre to~~ ~~Less than or equal to~~ one-half acre in size: ~~one colony~~ two colonies;

(B) More than one-half acre in size: ~~two~~ five colonies.

ii. A site plan shall be submitted for review by the ~~planning commission~~ ~~community development department~~ addressing the following:

(A) Any colony situated within twenty-five feet of a public or private property line shall require the establishment of a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof as approved by the ~~planning commission~~ ~~community development department~~. Said barrier shall be parallel to the property line extending ten feet beyond the colony in each direction, forcing a flight pattern elevation of at least six feet above grade.

(B) A water source shall be provided on the property and no nearer than twenty feet to the hive to avoid bees congregating on nearby properties in a search for water.

(C) A sign conspicuously posted setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.

iii. In addition to the aforementioned conditions, the applicant shall ensure compliance at all times with the following conditions:

(A) All honey bee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.

(B) All honey bee colonies shall be registered with the Utah Department of Agriculture and Consumer Services.

(C) Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

(D) All colonies shall be maintained with marked queens. The colony shall be promptly re-queened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Regardless of colony behavior, each colony shall be re-queened on a yearly basis.

(E) Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah Department of Agriculture and Consumer Services.

(F) Notwithstanding compliance with the various requirements of this subsection, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

iv. The applicant shall provide evidence that he/she has completed a beekeeping class through a reputable company or community education organization. If the applicant will be allowing another party to use his/her property to maintain bee colonies, evidence shall be provided that this person has beekeeping experience or has completed a beekeeping class.

Upon receipt of information that any colony situated within the city is not being kept in compliance with the conditions set forth by the planning commission pursuant to the approved conditional use permit, may result in an investigation and subsequent hearing before the city's hearing officer per Chapter [8.05](#) and the planning commission appeal authority per Chapter [17-3](#) of the Midvale Municipal Code may result and may result in the revocation of the conditional use permit.