



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

MIDVALE CITY COUNCIL WORKSHOP MEETING AGENDA

June 14, 2016

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a workshop meeting on the **14th Day of June, 2016** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 p.m.

I. DISCUSSION ITEMS

- A. Proposed FY 2017 Budget Wrap Up [*Kane Loader, City Manager; Laurie Harvey, Assistant City Manager/Admin. Services Director*]
- B. Discuss proposed budget amendments to the FY 2016 budgets [*Laurie Harvey, Assistant City Manager/Admin. Services Director*]
- C. Discuss proposed nuisance ordinance for Code Enforcement [*Lisa Garner, City Attorney*]
- D. Discuss the Midvale City Operations Plan [*Jesse Valenzuela, Emergency Operations Manager*]

II. ADJOURN

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

A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2nd Floor City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice Website at <http://pmn.utah.gov>. Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.

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

DATE POSTED: JUNE 09, 2016

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



**MIDVALE CITY
CITY COUNCIL WORKSHOP MEETING**

Minutes

**Tuesday, June 14, 2016
Council Chambers
7505 S. Holden Street
Midvale, Utah 84047**

MAYOR: JoAnn Seghini

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

STAFF: Kane Loader, City Manager; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Danny Walz, Redevelopment Agency Director; Lisa Garner, City Attorney; Jesse Valenzuela, Emergency Operations Manager; Dalin Hackett, Asst. Finance Director/City Treasurer; David Starkey, Senior Accountant; Michelle Henderson, Court Administrator; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:35 p.m.

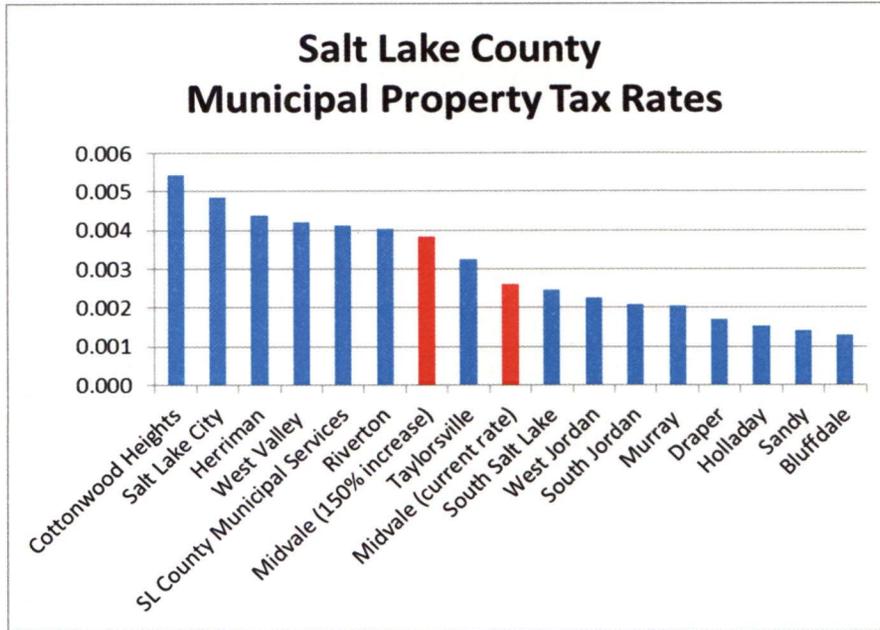
I. DISCUSSION ITEMS

A. PROPOSED FY 2017 BUDGET WRAP UP

Laurie Harvey discussed the proposed FY 2017 Budget

General Fund

- City Management recommends 145% Property Tax Increase
 - 105% increase in Certified Tax Rate (CTR)(approximately \$1 million revenue)
 - 40% increase by assessing G.O. Bond debt service (approximately \$400,000 revenue)
 - Another option would be a 145% increase in the CTR
- Benefits
 - Provides \$400,000 for roads, debt service on new B&C Road Fund Bond, or another capital project
 - Keeps Fund balance at 18% of GF revenue through FY 2019
 - Gets the pain over all at once
- Impact of reducing recommended property tax increase
 - Inadequate funding for future capital projects
 - Fund balance drops below 18% of GF revenues
 - Reduced capacity to service new debt
 - Another substantial tax increase may be necessary in FY 2018

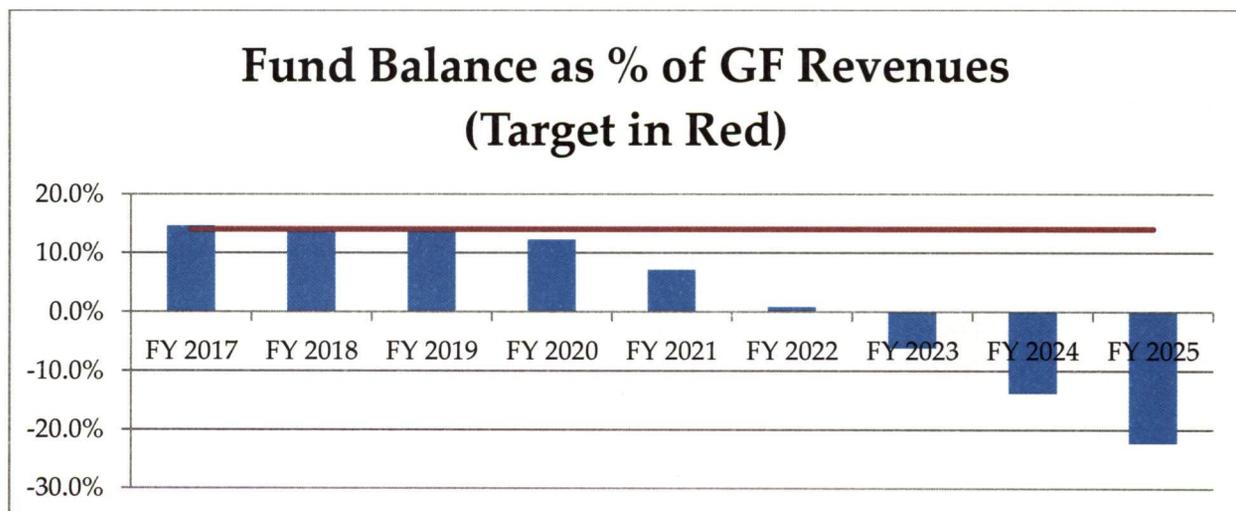


- Issuing bonds for building improvements or road projects
 - Target debt service level built into financial model is 5% of GF revenue
 - Delays bond issuance until FY 2021
 - Midvale’s financial policies adopted in 2012 allow 15% of GF revenue

- Potential future bond issues in model:
 - FY 2021 MBA for building improvements - \$3.5 million
 - FY 2021 Excise tax (B&C Road Funds) - \$2.3 million

- Concerns regarding Court Revenue
 - Almost 40% of revenue collected is from clean-up of old cases
 - Backlog of old cases is diminishing

Dynamic Financial Sustainability Model



Capital Projects Built into Model

- Pavement Management - \$800,000
- Other capital projects - \$450,000
 - FY 2017 included Pickle-ball court and 50/50 sidewalk program
- UTOPIA - \$850,000, increases 2% per year
- Safe “Sidewalks, Curb and Gutter - \$100,000

Unfunded Future Capital Projects

Park Restrooms	\$75,000
Parking lot for Senior Center	\$100,000
Remodel Performing Arts Center	\$850,000
Renovate former Senior Center-Reception Ctr.	\$400,000
Additional Land for Public Works	\$200,000
Remodel Amphitheater	\$300,000
Bowery replacement	\$400,000
Storage in Park	\$100,000
Pickle ball court	\$30,000
Recreational Projects/other	\$1,400,000
Total	\$3,855,000

Water Fund Recommendations

- Reduce all base and overage rates by 5%
- Discontinue inclusion of 4,000 gallons in base
 - Possible increase for resident using only 4,000 per month \$5.23
 - Decrease for resident with zero consumption - \$1.26
- Average user will see a 7% - 9% increase - \$3.32/month
 - Revenue from user fees increases by \$174,500 or 4%
- Savings from refunding 2008B bonds = \$30,000 per year
 - Water – 84% - \$25,200
 - Sewer – 16% - \$4,800
- Equalize rates by 2022 with up to 7% increases
- Request to add benefits to new part/time tech
 - Increase hours to 30 per week
 - Benefit cost estimate is \$13,000

Water Fund Recommendations

Rate Comparison		Off-Peak	Peak
Gallons Used		9,000	30,000
Draper (Zone 3)	205.09	53.94	151.15
Riverton	157.49	37.69	119.80
Draper (Zone 1)	155.95	42.60	113.35
South Jordan (Area C)	141.25	50.27	90.98
South Jordan (Area B)	138.14	49.64	88.50
South Jordan (Area A)	134.99	48.83	86.16
Sandy - SLC Residents	117.79	33.59	84.20
Midvale - SA #3	115.66	35.58	80.08
Sandy	107.27	28.33	78.94
Midvale - SA #2	98.41	29.44	68.97
West Jordan	94.68	32.91	61.77
South Salt Lake	91.25	22.00	69.25
Granger-Hunter	87.23	27.13	60.10
Midvale - SA #1	83.83	24.10	59.73
Murray	76.30	17.89	58.41

Midvale **108.87** **32.19** **76.69**

Sewer Fund Recommendations

- Reduce all base and overage rates by 6%
- Discontinue inclusion of 4,000 gallons in base
 - Possible increase for resident using only 4,000 per month - \$5.54
 - Decrease for resident with zero consumption - \$1.30
- Average user will see 15% increase - \$4.48/month
 - Revenue from user fees increases by \$226,900 or 14%
- Savings from refunding 2007B bonds = \$30,000/year
 - Water – 84% - \$25,200
 - Sewer – 16% - \$4,800
- Rates in both service areas are the same
- No rate increases scheduled for next five years

Sewer Fund Recommendations

Rate Comparison	
Gallons Used	9,000
Murray	34.81
Midvale - SA #1	30.82
Midvale - SA #2	30.82
South Salt Lake	29.70
West Jordan	26.88
South Valley Sewer Dist	25.00
Granger-Hunter	18.00
Sandy Suburban Improv Dist	15.04
Cottonwood Improv Dist	12.00
Midvalley Improv Dist	10.00

Storm Water Utility Fund Recommendations

- Increase rate by 5%
- Residential - \$.38 per month
 - Revenue from user fees increases by \$84,000, or 6%
- Another 5% rate increase scheduled for 2019

Storm Water Utility Fund Recommendations

Rate Comparison	
City	Charge/ERU
South Jordan	8.50
Midvale	8.00
South Jordan - KMS Dvlpmnt	6.50
Sandy	6.00
Draper	5.00
Murray	4.05
West Jordan	4.02
West Valley City	4.00
Riverton	4.00

Other Enterprise Funds

- No increase to Garbage rate
- No increase to Street Lighting rates

Proceedings of the Midvale City Council Workshop
June 14, 2016

- Recommended rate increases provide:
 - Debt service coverage of at least 125%
 - 300 days working capital for Water
 - 60 days working capital for Sewer
 - 30 days working capital for Water

Impact of tax/fee increases

SA 1	2016	2017	% Change	\$ Difference
Property Taxes	67.00	167.50	150%	100.50
Water	393.96	432.00	10%	38.04
Sewer	369.84	429.72	16%	59.88
Storm Water	91.44	96.00	5%	4.56
Total	1,015.11	1,230.18	21%	215.07
SA 2	2016	2017	% Change	\$ Difference
Property Taxes	67.00	167.50	150%	100.50
Water	471.60	511.20	8%	39.60
Sewer	369.84	429.72	16%	59.88
Storm Water	91.44	96.00	5%	4.56
Total	1,102.35	1,319.48	20%	217.13
SA 3	2016	2017	% Change	\$ Difference
Property Taxes	67.00	167.50	150%	100.50
Water	562.12	605.40	8%	43.28
Storm Water	91.44	96.00	5%	4.56
Total	803.80	960.62	20%	156.82

Next Steps

- Public Hearing June 21
- Provide proposed rate to County June 22
- Publish second article in July newsletter
- County tax notices mailed by July 22
- Publish Truth-in-Taxation” public notice August 1
 - Take out our own quarter page ad to explain?
- Truth-in-Taxation Hearing August 9
 - Adopt Budget

Laura Lewis talked about balancing the City revenues with 1/3 property tax, 1/3 sales tax, and 1/3 franchise tax growth. Rating agencies like to see this balance so if there is an economic downturn; the City will still be able to function.

Dave Starkey discussed increasing one of the part-time meter techs to a ¾ time position. He said the position will be posted in accordance with city policies. The Council agreed.

Laurie Harvey discussed the proposed tax increase. The Council agreed to a 100% tax increase plus adding the GO bond.

B. DISCUSS PROPOSED BUDGET AMENDMENTS TO THE FY 2016 BUDGETS

Laurie Harvey reviewed the proposed amendments to the FY 2016 budgets as follows:

General Fund

- Grant from Salt Lake County - \$75,800
 - Boys and Girls Club programs
- Grant from Salt Lake County - \$60,000
- Grant from Midvale Arts Council-\$30,000
- Transfer from Bldgs & Grounds - \$30,000
 - Pass \$120,000 through to CIP for drawings for Outdoor Stage in the Park
- Finance – benefits - \$10,000
- Development Services– salaries - \$12,000
- Intergovernmental - salaries - \$(12,000)
- Sale of assets – generator - \$(10,000)

Fleet Fund

- Vehicle for Emergency Ops - \$26,700
- Vehicle for Facilities Manager - \$27,500
- Vehicle for Water - \$71,700
- Sale of fixed assets - \$32,200
- Contribution from Fund Balance- \$93,700

C. DISCUSS PROPOSED NUISANCE ORDINANCE FOR CODE ENFORCEMENT

Lisa Garner discussed the proposed nuisance ordinance for Code Enforcement.

Code Enforcement

- Current Procedure
- Current Ordinance
- Proposed Changes

Nuisances

- Current Ordinances
- Options

Code Enforcement

- Current Procedure
- Current Ordinance
- Proposed Changes

Nuisances

- Current Ordinances
- Options

Current Procedure

- Notice of Violation – 14 Days
- Notice of Noncompliance – 14 Days
- Notice of Hearing – 14 Days
- Hearing
 - Total Time from Violation to Hearing – 42 Days

Other Procedures

- No courtesy notice for snow or weeds
- Repeat offenders receive a notice of noncompliance and are directed to legal
- Repeat offenders are criminally prosecuted if they are uncooperative

Requirements

- Notice by regular mail is deemed served 7 days after it was mailed
- Notices of Violation must be provided in English and Spanish
- No explanation of what must be included in a Notice of Emergency Abatement
 - Total Time from Violation to Hearing – By citizen's or City's request only

Proposed Changes

- Notice of Violation – 14 Days
- Notice of Noncompliance Hearing – 14 Days
- Hearing
 - Total time from Violation to Hearing – 28 Days

The Council wanted the process shortened as much as possible to include a 14 day notice. and only hold a hearing if the individual requests it.

Procedures/Requirements

- To qualify as a repeat offender, an individual must have gone through the administrative hearing process first
- Repeat offenders are referred to legal
- No requirement for notices to be given in Spanish
- Reduce time period required for notice to be deemed served to 2 days
- Remove administrative citations as an enforcement option
- Use Notice of Violation requirements as benchmark for Notice of Emergency Abatement

Option

- Remove requirement for hearing unless requested by individual

The Council agreed to only hold a hearing if the individual requests it.

Current Ordinances

Under Midvale's current ordinances, the following are defined as nuisances:

- Property Maintenance
 - Storage of Personal Property
 - Lumber
 - Appliance

- Container
- Solid waste
- Vacant Structures
- Exterior Property
 - Unsanitary conditions
 - Exhaust vent
 - Accessory structure
 - Inoperable vehicle
 - Graffiti
- Unkempt Pool, Spa, or Hot Tub
- Exterior Structure
 - Not in good repair
 - Cracked or broken foundation wall
 - Deteriorating wall
 - Defective roof or drainage
 - Decorative feature in poor repair
 - Unsound overhang extension
 - Unsound stairway, deck, porch, or balcony
 - Unsound chimney or tower
 - Handrail or guard in poor repair
- Garbage
- Abandoned Vehicles
- Unreasonable Loud Noises
- Unsafe or Annoying Animals
- Incompatible Uses

Options

Possible Definitions

- Statutory - U.C.A. §78-31-1(1): Anything which is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of Property, so as to interfere with the comfortable enjoyment of life or Property
- Statutory - U.C.A. §76-10-801: Any item, thing, manner, or condition whatsoever that is dangerous to human life or health or renders soil, air, water, or food impure or unwholesome.
- Statutory - U.C.A. §76-10-803: Unlawfully doing any act or omitting to perform any duty, which act or omission:
 - annoys, injures, or endangers the comfort, repose, health, or safety of three or more persons;
 - offends public decency;
 - unlawfully interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any lake, stream, canal, or basin, or any public park, square, street, or highway; or
 - in any way renders three or more persons insecure in life or the use of Property. An act which affects three or more persons in any of the ways specified in this subsection is still a nuisance regardless of the extent to which the annoyance or damage inflicted is unequal.
- Common Law - A condition which:

- wrongfully annoys, injures, or endangers the comfort, repose, health, or safety of others; or
 - unlawfully interferes with, obstructs, or tends to obstruct, or render dangerous for passage, any public park, square, street, highway, or other public place; or
 - in any way renders other persons insecure in life, or in the use of Property, and which affects the rights of an entire community or neighborhood, although the extent of the damage may be unequal.
- Enumerated - Specific nuisances as enumerated throughout the Municipal Code.

Other Cities` Approaches

Exhaustive:

'Nuisance' definition includes statutory and common law definitions, as well as enumerated nuisances.

- Springville
- Taylorsville
- Lehi
- Herriman
- Cedar Hills

Hybrid:

'Nuisance' definition includes common law or statutory definition and enumerated nuisances in city code.

- West Jordan
- Salt Lake
- Holladay
- Bluffdale

Enumerated:

'Nuisance' definition only includes enumerated nuisances in city code.

- Riverton
- Provo
- Murray
- Draper

Process

Period of City Council Involvement

Enforcement

- Prosecution
- Civil
- Administrative

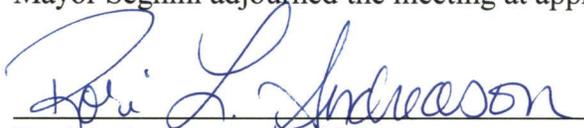
Lisa discussed the ordinance extensively with the Council.

D. DISCUSS THE MIDVALE CITY OPERATION PLAN
Jesse Valenzuela discussed the Midvale City Emergency Operations Plan.

II. ADJOURN

Proceedings of the Midvale City Council Workshop
June 14, 2016

Mayor Seghini adjourned the meeting at approximately 9:20 p.m.



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

Approved this 21st day of June



