



MIDVALE CITY COUNCIL MEETING AGENDA September 3, 2019

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

5:30 PM – Dinner, Dahl Conference Room

**6:00 PM – Dahl Conference Room
WORKSHOP**

**7:00 PM
REGULAR MEETING – Council Chambers**

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Police Report

II. PUBLIC COMMENTS

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

III. COUNCIL REPORTS

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

IV. MAYOR ROBERT M. HALE REPORT

V. CITY MANAGER REPORT

VI. DEPARTMENT REPORTS

- A. Public Works Report [*Glen Kennedy, Public Works Director*]
- B. Community Development Report [*Matt Dahl, Assistant City Manager/CD Director*]

VII. CONSENT AGENDA

- A. Consider Minutes of August 27, 2019 [**Rori Andreason, H.R. Director/City Recorder**]

VIII. ACTION ITEMS

- A. Consideration and Approval of Resolution No. 2019-R-44 Authorizing the Execution of a Service Agreement between Midvale City and Rocky Mountain Power [**Matt Dahl, Assistant City Manager/CD Director**]
- B. Consideration and Approval of Resolution No. 2019-R-45 Authorizing the Modification Staffing in the Community Development Department [**Matt Dahl, Assistant City Manager/CD Director**]

IX. DISCUSSION ITEMS

- A. Discussion of Process Regarding Council's Approval of Appointed Positions [**Kane Loader, City Manager**]

X. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

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 day notice of the meeting. TTY 711

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

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

DATE POSTED: AUGUST 30, 2019

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



CITY COUNCIL MEETING *Minutes*

Tuesday September 3, 2019
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert M. Hale

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

STAFF: Kane Loader, City Manager; Bryce Haderlie, Asst. City Manager/Admin. Services Director; Matt Dahl, Asst. City Manager/Community Development Director; Rori Andreason, HR Director/City Recorder; Lisa Garner, City Attorney; Glen Kennedy, PW Director; Laura Magness, Communications Director; Alex Murphy, Associate Planner; Chief Randy Thomas, UPD; Chief Brad Laron, UFA; and Matt Pierce, IT Manager.

The pre-meeting workshop began at 5:30 p.m. – Dinner, Dahl Conference Room

Workshop at 6:00 pm – Dahl Conference Room

Kane Loader, staff and the Council discussed future workshop items. Some of those items were as follows:

- Park
- Trees on Main Street – Goals – landscaping
- Look at having hanging baskets on Main Street
- Land use policies, parking and open space requirements
- Look at allowing two story homes in neighborhoods
- Wifi in the Park, specified times during events
- Updates on Unified Police costs

Kane Loader said the Council increases will be taken care of during the next budget opening in December and will be retro-active to July 1st. An ordinance will be brought to the Council to allow adjustments to the elected officials salaries in conjunction with the annual market adjustments.

Council Member Dustin Gettel discussed a dog bite that took place over the weekend. He called Chief Thomas who said the call went into the Salt Lake County Animal Control queue. VECC noted that they tried the phone number and there was no answer. Animal Control does not come out over the weekend unless there is a serious threat. They did come out

after the weekend and followed up with the complainant. Bryce Haderlie said he would follow-up with Animal Control on this issue.

Matt Dahl and Laura Magness discussed updated information put out on social media regarding construction projects. Mr. Dahl reviewed the information and the projects that may impact the community.

The meeting adjourned at 6:45 p.m.

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

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. UNIFIED POLICE DEPARTMENT REPORT

Chief Randy Thomas reported the DEA will be doing a National Take Back on Oct 26th in the Hillcrest High parking lot for unused prescriptions. Chief Thomas said he had been watching the new K-9 dog while the officer owner was on vacation. The case analysis for August was 967 for the month and 990 last year in August. Over the weekend there was a drive by shooting, but there were no injuries or damages from the shooting. The Sheriff has authorized what they are calling the early beard special. Some of the patrol men will have beards. The female officers can use unusual colored hair dye. It is in support of a really good cause. The good landlord stats will be emailed out soon. There was a shooting at the Wasatch Club where a man shot a car in the parking lot; there were no injuries. The man was taken into custody. He said the police will be providing active threat training at the Community Council Meeting, Wednesday, September 4th. He also reported that Walmart security called and said they have a national policy change that prohibits the carrying of concealed guns in the stores.

II. PUBLIC COMMENTS

Dave Lingo and Tim Briquette, St. James Episcopal Church, discussed a fundraiser they are having on October 5th. There will be a pancake breakfast at 8 am, proceeds will go to the 4th street clinic. There will also be a car show, which will be the first annual car show. Its being done by Rock and Rod Productions. They discussed the programs and projects that take place at the St. James Episcopal Church throughout the year. They asked to distribute fliers in the building. The Council agreed and thanked them for everything they do for the community.

Blair Tripoulskiy said she works for the Salt Lake Valley Health Department as a Substance Abuse Counselor. She is a resource and wanted to see what's going on in the City.

III. COUNCIL REPORTS

A. Council Member Bryant Brown – said Wasatch will be closed this weekend due to the freeway expansion.

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

C. Council Member Dustin Gettel – said the art boxes are all completed on Bingham Junction Blvd., and they look amazing. He would like to take a picture with the artist and Council Member Paul Hunt who was on the committee. He discussed people not stopping for the school buses. He recommended more targeted school bus stop enforcement on Tuscany View at 7:50 a.m.

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

E. Council Member Quinn Sperry – said there's no secret there is construction on 1000 East. He appreciated staff getting more information out to the public.

IV. MAYOR REPORT

Mayor Robert Hale – had nothing to report.

V. CITY MANAGER REPORT

Kane Loader had nothing to report.

VI. DEPARTMENT REPORTS

A. PUBLIC WORKS REPORT

Glen Kennedy reported on items approved through the budget process, which included two water positions and one wastewater position. A good candidate from Granger Water Conservancy District was hired for the wastewater position. The back up generators for the sewer lift stations have been ordered. Parts and materials have been purchased for the water valve and hydro replacement programs. The fluoride analyzers have been ordered, which will be hooked up to the SCADA system.

B. COMMUNITY DEVELOPMENT REPORT

Matt Dahl reported that the summer construction continues. In regards to property compliance, staff received phone calls from 35 citizens. They have been related to bulk garbage and weeds. Officer Wayne sent out 22 notice of violations for August. Five of those became compliant. He is currently tracking six major enforcements. He reported that 32 new business license applications were received during the month of August, and 202 rental renewals. It is a busy month for business licensing because it is time for renewals. He said Laura Magness has put information on Facebook regarding construction projects.

Chief Brad Larson said there may be some urban search and rescue deployments for Hurricane Dorian. They are waiting to see what happens and where it hits.

VII. CONSENT AGENDA

A. CONSIDER MINUTES OF AUGUST 27, 2019

MOTION: Council Member Bryant Brown MOVED to approve the consent agenda. The motion was **SECONDED** by Council Member Paul Glover. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The voting was as follows:

Council Member Quinn Sperry Aye
Council Member Paul Glover Aye
Council Member Paul Hunt Aye
Council Member Bryant Brown Aye
Council Member Dustin Gettel Aye

The motion passed unanimously.

VIII. ACTION ITEMS

**A. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 2019-R-44
AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT
BETWEEN MIDVALE CITY AND ROCKY MOUNTAIN POWER**

Matt Dahl said as part of the Jordan Bluffs development, Midvale City (City) is requiring the installation of traffic signals at the intersection of 8415 S 700 W. The City will own and operate the traffic signals upon acceptance of Bingham Junction Boulevard from the site developer and will be responsible for paying for the electrical service provided by Rocky Mountain Power.

Rocky Mountain Power requires the execution of General Services Contract (Contract) in order to provide power to the new traffic signals. The Contract includes, among other things, the following:

- A description of the power that will be supplied by Rocky Mountain Power.
- A requirement that the City pay a Customer Advance of \$6,360.72 for the installation of equipment.
- A minimum billing formula based on a Rocky Mountain Power fee schedule and a \$28.36 monthly facilities charge.
- A description of obligations for the preparation of the site for installation.
- An indication that the Rocky Mountain Power will design, construct, own, and operate the equipment that they install.

The Contract is a standard form for all similar service installations. The costs are determined by the specific site requirements and established Rocky Mountain Power rates and fees.

Fiscal Impact: A one-time cost of \$6,360.72 will be paid from grant funding provided by Salt Lake County for the construction of Bingham Junction Boulevard. The on-going fees for services will be paid through the Street Department's Electric Signals Account. The on-going monthly fee will be the greater of the service charge (an amount based on the use of power and Rocky Mountain Rate Schedule No. 15) or \$28.36 plus 80% of the service charge.

MOTION: Council Member Dustin Gettel **MOVED** to suspend the rules and adopt Resolution No. 2019-R-44 Authorizing the Execution of General Services Contract between Midvale City and Rocky Mountain Power. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The voting was as follows:

Council Member Quinn Sperry Aye
Council Member Paul Glover Aye
Council Member Paul Hunt Aye
Council Member Bryant Brown Aye
Council Member Dustin Gettel Aye

The motion passed unanimously.

**B. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 2019-R-45
AUTHORIZING THE MODIFICATIONS STAFFING IN THE COMMUNITY
DEVELOPMENT DEPARTMENT**

Matt Dahl said staff is requesting that the City Council consider adding a new Community Support Technician to the Community Development Department in order to provide additional customer support in the administration of the City's licensing, permitting, and related community services.

Building and Business Licensing services are currently being provided by a combination of Sunrise Engineering and five City staff members. Over the course of the last three months, staff has been evaluating the efficiency and effectiveness of the current system and has determined that additional staffing is required. The reasons for this proposed change are as follows:

- The majority of staff members providing Building and Business Licensing services have added these responsibilities to those they were originally hired to do. Allowing these individual to focus on their core areas of responsibility (e.g. plan review) will improve the overall effectiveness of the Community Development Department.
- Responsibilities are currently spread across too many people, which can lead to confusion, miscommunication, and inefficiencies. In July, the Community Development Department hired its first Community Development Support Technician, who is dedicated to Building and Business Licensing services. This addition has been key to improving our service provision. However, due to the volume of permitting, licensing, inspections, and other related tasks, additional dedicated support is warranted. The addition of another Community Development Support Technician will allow the primary responsibilities for Building and Business Licensing to be addressed by two staff members rather than five.

Staff is proposing the following for the requested position:

Title: Community Development Support Technician

Status: Full-Time

FLSA: Non-Exempt

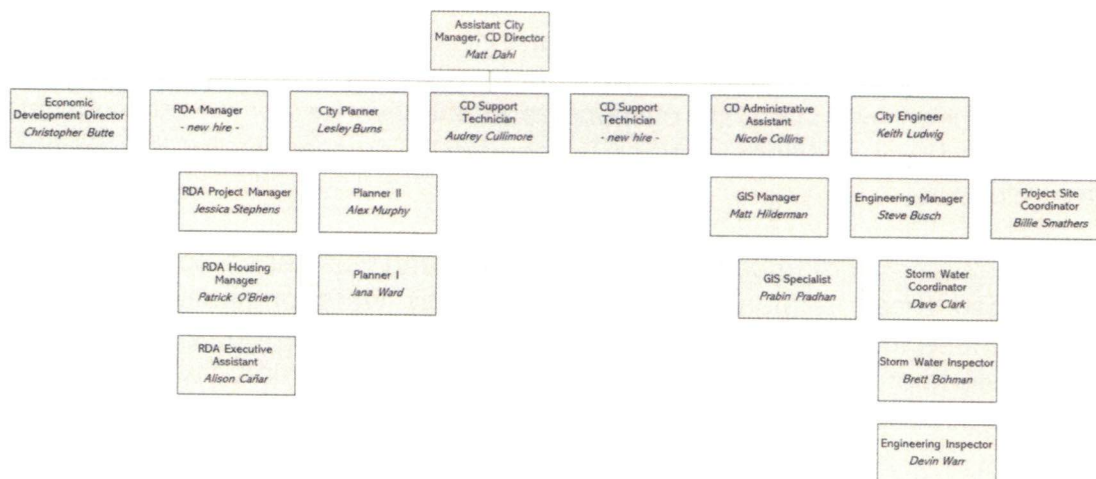
Pay Grade: 20

Pay Range: \$19.98 - \$29.92 Per Hour

Hiring Range: \$19.98 - \$24.95 Per Hour

General Purpose: Under the direction of the Community Development Director, the Community Development Support Technician is responsible for various record keeping and clerical duties with an emphasis on the overall coordination, review, and issuance of business licenses and building permit applications within Midvale City. Provides assistance to all subsections of the Community Development department as needed.

Proposed Community Development Organization Chart:



Fiscal Impact: The proposed position would be funded through the General Fund and will require a future budget amendment to fund the position. The position has a proposed pay range of \$19.86-\$29.92 per hour (\$41,562-\$62,226 annually) and would receive full benefits. The total expense for this position (pay plus benefits) in the first year would not exceed \$73,000. The proposed position, if approved, would be hired approximately 1/3 of the way through the current fiscal year, which will proportionally reduce the impact on the current budget.

Council Member Paul Glover asked what happens if it slows down in the winter time?

Matt Dahl said there are periods of times where things do slow down. In the last few years it has been less pronounced than in prior years. There are policies that need to be addressed and could be during that time. One of the reasons he is looking at a higher pay grade is that he wants them to be flexible enough with the down time that they could address some of the issues and proactive things. They will also provide support to the administrative areas.

Council Member Gettel asked if these positions will be opened or closed.

Matt Dahl said they would open to inside and outside the organization for about two weeks.

Council Member Dustin Gettel asked if he anticipated current employees apply and get the position? If so, then a replacement would be needed for that position. He said the City had a reduction of force in similar areas of work. He asked why he was now hiring new people for positions that were just reduced.

Matt Dahl said there were concerns of safety for the code enforcement officers. Officer Wayne was hiring for those positions, and it was a cost savings because he replaced two code enforcement officers. It was becoming very difficult to hire and keep people in the plans and inspector positions for the Building Department. There were four people in that department. The majority of those services are now being handled by Sunrise Engineering.

Council Member Quinn Sperry said he felt his concerns have been comforted and he was okay with moving forward with the proposal.

MOTION: Council Member Bryant Brown **MOVED** to approve Resolution No. 2019-R-45, Authorizing the Hiring of additional staffing in the Community Development Department. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The voting was as follows:

Council Member Quinn Sperry Aye
Council Member Paul Glover Aye
Council Member Paul Hunt Aye
Council Member Bryant Brown Aye
Council Member Dustin Gettel Aye

The motion passed unanimously.

IX. DISCUSSION ITEMS

A. DISCUSSION OF PROCESS REGARDING CITY COUNCIL APPROVAL OF APPOINTED POSITIONS

Kane Loader said it's been brought up by a couple of council members in regard to how the advice and consent process works. He suggested scheduling an interview during a workshop session for the Council to interview the candidate. He will get the information

on the candidate to the Council as quickly as possible. The candidate should not think they have the position until the Council has approved the appointment.

Council Member Bryant Brown asked if the council could have a committee of two council members sit in during the interviewing process with staff.

Council Member Dustin Gettel said that the council is very much involved in the hiring process of the candidates. We have the complete power to hire or not hire them.

Council Member Paul Glover said his concern is that it is the Mayor's obligation and duty to give the council the names of the candidates. It is not the responsibility of the council to choose the candidates. It is not our right or responsibility to help with the process of choosing the candidates.

Council Member Bryant Brown said it is hard to vote with the candidates family members at the meeting.

Council Member Paul Glover suggested swearing in the candidate the next day in the Mayor 's office and then maybe having a ceremony at the next meeting.

Council Member Paul Hunt said he agreed with Council Member Paul Glover, in that the Mayor is chiefly responsible for the interviewing process of choosing the candidates for the appointments. He doesn't feel that it is the responsibility of the council to choose the candidates. In our form of government, we have delegated the Mayor, City Manager, and senior staff to staff the city.

Council Member Bryant Brown asked if the Assistant City Manager is the same as the City Manager.

Kane said no, the Mayor votes on the position of the City Manager, but not the Assistant City Manager.

Council Member Dustin Gettel said a lot of the time they don't have time to check the references. It would be beneficial to the council if the Mayor chose candidates that the council knows and feels comfortable with. He would like to eliminate the council having to question the appointments during a council meeting when the candidate's family members are present.

Mayor Hale said that it is not the council's responsibility to interview the candidates. It is the responsibility of the Mayor. The Mayor reviews and selects the candidates. He said the council can review the candidate resumes, but it is not the responsibility of the council to make the selections.

Council Member Paul Glover said the Mayor recommends a candidate to the City Council. However, hHe agreed with Council Member Dustin Gettel with allowing more time to look at the candidate resumes.

Council Member Dustin Gettel asked what the law is on this process.

Kane Loader said it is the state code and city code.

Council Member Dustin Gettel asked about changing city code.

Kane Loader said the City follows the state code on advice and consent. Your job as a council is to review the mayor's appointment and agree or don't agree with it.

Lisa Garner said she has been working on Title 2 of the code and fixing the inconsistencies.

Kane Loader asked if the council is alright with the process where an interview is scheduled in the workshop prior to the council meeting, then present the individual for advice and consent. If the council gives advice and consent, then a swearing in ceremony would be scheduled.

The Council agreed.

MOTION: Council Member Paul Glover MOVED to adjourn into the Redevelopment Agency meeting. Council Member Quinn Sperry SECONDED the motion. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council recessed at 8:08 pm

MOTION: Council Member Dustin Gettel MOVED to reconvene into Council meeting. Council Member Quinn Sperry SECONDED the motion. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council reconvened 8:17 pm

X. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

MAYOR: Mayor Robert M. Hale

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

STAFF: Kane Loader, City Manager; Bryce Haderlie, Asst. City Manager/Admin. Services Director; Matt Dahl, Asst. City Manager/Community Development

Director; Rori Andreason, HR Director/City Recorder; Lisa Garner, City Attorney; and Glen Kennedy, Public Works Director.

MOTION: Council Member Dustin Gettel **MOVED** to go into closed session to discuss the character, professional competence or physical or mental health of an individual. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the Motion. There being none he called for a roll call vote. The voting was as follows:

Council Member Paul Hunt	Aye
Council Member Dustin Gettel	Aye
Council Member Paul Glover	Aye
Council Member Quinn Sperry	Aye
Council Member Bryant Brown	Aye

The motion passed unanimously.

The Council went into closed session at 8:18 pm

MOTION: Council Member Paul Glover **MOVED** to reconvene into open session. Council Member Dustin Gettel **SECONDED** the motion. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Board reconvened at 9:01 pm

XI. ADJOURN

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

The meeting adjourned at 9:02 p.m.


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

Approved this 1st day of October 2019.



[illegible]

Tuesday, September 3, 2019

[illegible]

Infrastructure Construction Schedule Update (as of 9/3/19)

We appreciate everyone's patience and cooperation during the many construction projects occurring throughout Midvale City. As you can see, contractors have been very busy this year and are working hard to finish projects before winter arrives.

We wanted to provide you with some updates. Please note that these dates are tentative. Schedules are dependent on contractor availability, so dates may change:

1000 E project (South Union to 7800 S)

We understand that this extensive project has impacted residents and businesses. This important project includes updates to storm drains, waterline, curb and gutter, and mill and paving. In addition, we are upgrading all of the pedestrian curb ramps on 1000 E, including around Jordan Valley School, to be ADA compliant.

Manholes and valve boxes are being lowered today, and mill and pave will follow. Lastly, crews will follow up with restriping and raising the manholes and valve boxes as pavement cures out.

7800 S (1000 E to 1200 S)

Our contractor will be installing curb and sidewalk on the northside starting today.

Main Street (Center to Holden)

Manholes and valve boxes are being lowered on 9/7.

Main Street will be closed for mill and pave on 9/14 and 9/15.

Crews will follow up with restriping and raising the manholes and valve boxes as pavement cures out.

In addition, on 9/11 and 9/12 crews will be trimming trees on Main Street. Therefore, temporary no parking signs will be placed on sections of Main Street.

Grant to Catalpa, Cottonwood, California, Arizona, Cypress and Colorado

Mill and pave will start on 9/9.

Princeton (Hoover to State)

The waterline replacement project started today and will have a heavy impact on Princeton traffic, along with the UDOT I-15 Northbound project on Adams. We advise local traffic only.

UTA buses will detour down Foxbridge for the duration of the project. This will not affect any bus stop locations.

For information about the UDOT I-15 Northbound project visit

www.udot.utah.gov/i15northbound/

Thank you for your patience as we continue to improve infrastructure throughout Midvale City.