



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

MIDVALE CITY COUNCIL MEETING AGENDA NOVEMBER 9, 2021

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold an electronic and in-person meeting on the **9th day of November 2021** as follows:

Electronic & In-Person City Council Meeting

This meeting will be held electronically and in-person. Midvale City no longer requires masks and social distancing; however, Midvale City recommends following the CDC guidelines. **Public comments may be submitted electronically for City Council consideration at www.Midvalecity.org/government/contact-us by 5:00pm on November 8th. Please indicate if you would like your comment addressed in the City Council meeting.**

The meeting will be broadcast on the following:

You Tube: www.MidvaleCity.org/YouTube

6:00 PM – WORKSHOP

- Discuss Redistricting [*Matt Dahl, City Manager*]
- Discuss Traffic Control Policy [*Keith Ludwig, City Engineer*]

7:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Fire Report
- D. Proclamation Honoring Fausto Rivas

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 Paul Glover
- B. Councilmember Dustin Gettel
- C. Councilmember Quinn Sperry
- D. Councilmember Bryant Brown
- E. Councilmember Heidi Robinson

IV. MAYOR ROBERT M. HALE REPORT

V. CITY MANAGER REPORT

VI. DEPARTMENT REPORTS

- A. Public Works Report [*Jerimie Thorne, Deputy Public Works Director*]

VII. CONSENT AGENDA

- A. Consider Minutes of October 19, 2021 [*Rori Andreason, H.R. Director/City Recorder*]

VIII. ACTION ITEM

- A. Consider Ordinance No 2021-O-21 An Ordinance Adopting a Road Cut Moratorium and Restoration Standards for Qualifying Streets within Midvale City [*Nate Rockwood, Community Development Director/Keith Ludwig, City Engineer*]

IX. 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.

DATE POSTED: NOVEMBER 4, 2021

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



COUNCIL MEETING *Minutes*

Tuesday October 19, 2021
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert M. Hale

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

STAFF: Matt Dahl, City Manager; Kyle Maurer, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Lisa Garner, City Attorney; Glen Kennedy, Public Works Director; Nate Rockwood, Community Development Director; Adam Olsen, Planning Director; and Chief Randy Thomas, UPD.

WORKSHOP at 6:00 PM

DISCUSS EMPLOYEE RETENTION AND COMPENSATION

Matt Dahl discussed employee retention and compensation:

Employee Information

- Total Full Time Non-Elected Work Force – 89
- October Starts: 6
- Vacancies: 3
- New Employees in FY22: 17 19%
- Employees with less than 1 year of service: 25 (28%)
- Employees with less than 2 years of service: 35 (39%)
- Employees with less than 5 years of service: 60 (67%)

Identified Issues

- Identified Retention Issues Vary by Position Type and Tenure
- Identified issues:
 1. Workload/Constant Connection
 2. Upward Mobility
 3. Being Heard/Appreciated/Supported
 4. Money
- Comprehensive Survey of Employees

Retention Proposals

- Responsive vs. Academic
- Immediate proposals:
 1. 4/10 Work Schedule
 2. 2 Days Paid Time Off (PTO) that must be used in 6 months
 3. Address Specific Employee Compensation Issues
 4. Management Strategies:
 1. Emphasize the importance of taking time off
 2. Working with staff to better understand City priorities and emergencies
 3. Support new opportunities for team building events

Retention and Recruitment Proposals

- Retention Proposals Under Consideration:
 1. Compensation Policy – Years to achieve midpoint (3,4, or 5 years)
 2. Compensation Policy – Years to top out
 3. Retention Bonuses
- Recruitment Proposals Under Consideration
 1. Vacation Accrual Matching and Advancement

Mayor Robert Hale called the business meeting to order at 7:08 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. UNIFIED POLICE REPORT

Chief Randy Thomas thanked city staff for attending Officer Wayne's retirement party. He said Shelter Resource Officer Dalin Thompson has also given his notice to retire. UPD had an open recruitment and only had 30 officers apply. He reported on an accident on 180 West 7200 South where the young man is in critical condition. He said with upcoming Halloween festivities, watch for children out trick or treating. He asked staff and Council to make sure they report emergencies to 911 before texting or calling him to make sure the emergency gets handled quickly. VECC has two emergency numbers which are 801-743-7000 and 801-840-4000. VECC plans to move to one emergency number in near future, which will be 801-840-4000. He reminded everyone to drop off old or expired prescriptions on Saturday at the police precinct. He mentioned that Fausto Rivas passed away and services will be on Saturday. They will block Center Street, Allen Street, and Locust Street to assist with the funeral services.

II. PUBLIC COMMENTS

Matt Dahl discussed continuing electronic emails for public comment. Staff received the first electronic email that was sent to the Council yesterday.

Council Member Dustin Gettel said he felt all emails sent to the Council should be read in the meeting.

Council Member Paul Glover said to make sure and keep it within the three minutes time limit.

Council Member Bryant Brown said he recollected that the individual had to say they wanted it to be read in the Council meeting.

Matt Dahl read the electronic public comment received:

Lynette Phillips said she has lived at 731 West Wasatch Street for the past 23 years. I am one of the individuals that will be affected by item b on the agenda. As someone who lives on the one block on Wasatch, I am very much in favor of installing a raised traffic divider turning Wasatch Street to right in and right out intersection. Since moving into my home, three of my family members vehicles have been rear ended attempting a left from north bound 700 West onto Wasatch. One was totaled. There have been countless accidents in this busy and poorly aligned intersection with multiple auto pedestrian accidents. Years ago, the city's plan to aligning the intersection included extending Wasatch into the Bingham Junction aligning all of Wasatch at 8000 South. This plan entailed demolishing my home and the rest on the south side of Wasatch between 700 West and Holden. When this option proved to expensive, discussion turned to converting West Wasatch into a cul-de-sac blocking access at 700 West. This seemed a more reasonable and physically responsible approach than purchasing and demolishing multiple single family homes and apartments. The cul-de-sac option right in right out seemed the safest and most effective solution without the cost of legal battle domain. If a left turn is needed, it takes a few seconds to make a safer turn on Lennox Street. I would strongly encourage the council to consider the positive impact that this small modification could have on preventing injury and further property damage. I would respectfully ask the council to move this to a vote at the next opportunity and vote to approve.

Senator Rebe thanked staff and Council for their service. She said it's been difficult the last 18 months with all that has been going on. She said she is advocating for Midvale for redistricting. This community is tight and close nit, with very unique needs. Items the Council has been discussing are being discussed at the capitol and shared across the state in order to look for solutions. Utah has one of the best economies. It is unfortunate that police retention is struggling as well as teachers, which is being discussed at the state level. Accessory dwelling units is something that is being looked at. She said she is advocating and looking for solutions for schools and homelessness.

Wayne Sharp said he uses Main Street and Wasatch Street several times a day and is very interested in that topic that evening.

Council Member Dustin Gettel asked if Mr. Sharp encountered traffic problems or trends.

Wayne Sharp said it's worse in the mornings traveling westbound on Wasatch trying to make a left turn onto Main Street. It is a nightmare. If traffic backs up, no one can make a right hand turn either. Years ago, the city did a traffic study that concluded a traffic light would not be effective. He said he agreed with that because with no light, people tend to look for pedestrians and vehicles with caution rather than focusing on lights. He said he was hesitant to put a light there; however, it he would like to hear the discussion before he decides. He said it is also very dangerous for the snowplow trucks.

Jose Artero said he has a problem with neighbor who has big trees that are dangerous. He said he is worried about someone getting hurt. He and his wife are older. He called to find out how much it would cost to remove the tree and it was \$1500. He said he loves living in Midvale. He asked for some assistance with the issue.

III. COUNCIL REPORTS

A. Council Member Heidi Robinson – reminded everyone that Halloween on Main is on the 30th from noon to 5 pm. There will be trick or treating and haunted houses on the street.

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

C. Council Member Dustin Gettel – reminded everyone that the election ballots had been mailed and should be in the mailboxes. He said residents do not have to put a stamp on it, they can just put it in the voting box in front of city hall. Ballots must be postmarked by November 1st. If its postmarked on election day, it won't be counted. Elections in Midvale are held every two years and he is proud of how the candidate have dealt with the elections. He said it is important to vote.

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

E. Council Member Bryant Brown – said the Moda apartment's parking is causing a dangerous situation. On the south side there is a red curb. Now that the building is complete, there should be red on the corner of the 7200 South driveway. There is no room for parking between the driveway and Chevron driveway. He said to remove the paint on the south side of bldg. There is no way to widen the road, so the red curb is needed.

Council Member Paul Glover said there needs to be no parking from 7200 South all the way to the end of the building.

Council Member Dustin Gettel said it also needs to be enforced as well as red curbed.

IV. MAYOR REPORT

Mayor Robert Hale reported that he attended the memorial at Hillcrest High School for the staff sergeant that was brutally murdered in Afghanistan. This was his opportunity to meet with representatives with the Hazara Association which is an ethnic community

within Afghanistan. Many of them have come to Utah for the climate and friendliness. He said they are looking for space in Midvale to hold association meetings.

V. CITY MANAGER REPORT

Matt Dahl reported that staff from Information Technology would not be attending the meeting due to COVID issues. He reviewed the Council priorities and the progress being made on each item.

VI. DEPARTMENT REPORTS

A. COMMUNITY DEVELOPMENT REPORT

Nate Rockwood reported that all vacant positions in his department have been filled and those individuals will be starting soon. There is a lot of training that goes along with that. The current staff have really stepped up and helped where needed. He said it looks like they will be great employees. There are parking issues with several areas that have been discussed and they have solutions for areas. Staff is finishing the updates on the Main Street Redevelopment Plan. They have been working on a plan and strategy to put in place on how to make the redevelopment happen. It takes a while to put it into place. At a point now where over the next year or two you will start to see things happen. Cody Hill met with the Salt Lake County Council regarding place making and funding for art. He is excited to get full support from the Salt Lake County Council and received funds for the arts. There will be a lot of decisions that need to be made. There will be studies and agreements for Council to approve soon. A Main Street Business Alliance was formed and is doing well. The basketball RFP is out and getting good responses. Small business loans are in place. The housing program and mural program have a lot of interest. They met with local artists that have good ideas and hope to implement their ideas. In the end he thinks the locals and Salt Lake County will be proud of. Exciting to get funding for the plans. Will give Midvale a sense of pride.

Council Member Dustin Gettel thanked Nate and Cody and staff for their hard work. Community members noticing that things are happening on Main Street.

MOTION: Council Member Quinn Sperry MOVED to open a public hearing. The motion was SECONDED by Council Member Quin Sperry. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

VII. PUBLIC HEARINGS

A. CONSIDER A TEXT AMENDMENT TO THE MIDVALE MUNICIPAL CODE REGARDING CHAPTER 13.16 STORM WATER ORDINANCE

Keith Ludwig said since 2003 the city has been under the requirements of Phase II of the Clean Water Act. This required that we get a discharge permit from Utah Department of Environmental Quality (UDEQ) with all its requirements, including creating a storm water management plan.

Each year the State (UDEQ) conducts audits of various cities' and counties' storm water programs to evaluate how well they are performing their storm water duties.

Early last March staff had the opportunity to spend two days being interviewed by the Division of Water Quality personnel. These meetings were held virtually. Prior to those interviews, staff sent them records, reports, and other paperwork regarding our storm water program.

They also came out and did site inspections at our Public Works facility and the cemetery. There were also two construction sites inspected. The Moda Union project on Cottonwood and Millenium Way, and the Holmes project at 700 West and Bingham Junction Blvd.

On May 12th of this year, the city received their report of our audit outlining the deficiencies that needed to be corrected. We then had 30 days to respond with a corrective action plan and a timeline in which to complete them. Most of the items had to do with creating standard operating procedures (SOP) for our activities, documenting our activities, or doing more inspections. There were several that dealt with our storm water ordinance and changes or additions that needed to be made.

After reviewing their report, staff worked up a corrective action plan with some items being taken care of by August 30th and others by December 1st.

All items required by the August 30th deadline were submitted well before that date and have been acknowledged as being complete by the State. Eight of the remaining twelve items deal with the storm water ordinance.

The following deficiencies have been addressed with the indicated section in the ordinance that was added or changed to deal with each one:

1. Update the ordinance to restrict non-stormwater discharges. Section 13.16.120 Dumping and Illicit Discharge was changed to more explicitly define allowed and prohibited discharges into the storm drain system.
2. Ordinance must be updated to include the requirement for the use of sediment an erosion control practices for construction. Section 13.16.100 C was added to require this.
3. Ordinance did not include sanctions to ensure compliance with erosion and sediment control measures. With the additions made to Section 13.16.100 enforcement can now be done through the ordinance.
4. Ordinance did not apply to construction projects greater than 1 acre or projects less than one acre that were part of a larger common plan of development. Section 13.16.100 C now defines these construction projects.
5. Ordinance did not require construction operators to prepare a Storm Water Pollution Prevention Plan (SWPPP). Section 13.16.100 D now requires a SWPPP to be prepared.

6. Ordinance did not contain provisions for City personnel to access and inspect construction storm water Best Management Practices (BMPs). Section 13.16.160 C was added to allow for this.
7. Ordinance did not require the use of BMPs in a projects Long Term Storm Water Management Plan (LTSWMP). Section 13.16.150 C was modified to require BMPs in the LTSWMP.
8. City did not have written requirements for allowable discharge rates into the storm drain system. Section 13.16.100 B now outlines the City's requirements.

A draft of the ordinance was sent to Lisa Stevens with the Division of Water Quality for her review. Ms. Stevens is the city's point person at the State level that staff has have been dealing with during the audit. He said he wanted to make sure the revisions to the ordinance would cover the deficiencies prior to Council approval.

FISCAL IMPACT:

None

Mayor Hale opened the hearing to public comment. There were no comments.

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

ACTION: **ADOPT RESOLUTION NO. 2021-R-20 APPROVING A TEXT AMENDMENT TO THE MIDVALE MUNICIPAL CODE REGARDING CHAPTER 13.16 STORM WATER ORDINANCE**

MOTION: Council Member Dustin Gettel **MOVED** to Adopt Ordinance No. 2021-0-20 Amending the Stormwater Utility Ordinance Chapter 13.16 of the Midvale Municipal Code. 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 Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

MOTION: Council Member Paul Glover **MOVED** to open a public hearing. The motion was **SECONDED** by Council Member Bryant Brown. Mayor

Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

B. CONSIDER FINAL SUBDIVISION APPROVAL FOR THE MILL PHASE ONE, A PROPOSED 24-UNIT SINGLE FAMILY RESIDENTIAL PHASE ON 3.54 ACRES LOCATED AT 236-264 E 8000 S IN THE MULTIFAMILY RESIDENTIAL MEDIUM DENSITY (RM-12) ZONE, JACOB BALLSTAEDT, REPRESENTING MIDVALE MILL INVESTMENTS LC

Elizabeth Arnold said Jacob Ballstaedt is requesting final subdivision approval for The Mill Phase 1. The property is in the RM-12 zone and the first phase is 3.54 acres in size and includes 24 single family units, new private streets, and one of the required common areas. A total of 6 floor plans were approved in the Small Scale Master Plan, with each floor plan having multiple options for exterior design and finishes. It is the applicant's intent to allow future buyers of the lots to determine which unit type is built on each lot. This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes.

Staff finds the proposed subdivision complies with requirements outlined in Midvale City Municipal Code 16.04.040 and 17-7-3 with some conditions of approval.

STAFF RECOMMENDATION:

Approve with the following findings and conditions:

Findings:

1. The project is 3.54 acres and includes 24 buildable lots.
2. The project complies with Midvale City Municipal Code 16.04.040 and 17-7-3.
3. The project is consistent with preliminary plans, small scale master plan, and large scale master plan.
4. Planning Staff, the City Engineer, the Fire Marshall, and Public Works have reviewed the project and have provided a favorable recommendation.

Conditions:

1. Remove the existing house located at 264 E 8000 S.
2. Any conditions raised by the Planning Staff, City Engineer, Fire Marshall, or Public works shall be resolved prior to plat recording.

Jacob Ballstaedt said their plans are to start as soon as they receive approval.

Mayor Hale opened the hearing to the public.

John Bruder at 8033 Tapp Lane, said the initial proposal was from 236 East to 300 East. Since the proposal, they purchased back portions of properties that are adjacent to his home. If homes are built, the entrances will be from 300 East going west and 8000 South going south. He asked if more homes are built if the entrances will be the same. He asked if there was a traffic plan. He said he was concerned with the traffic if more homes are

considered. The maximum size lot is 1.74 acres, just barely over an 1/8 of an acre. The majority of the lots are 0.18 that is barely above 1/16 of an acre. He said he was concerned with the size of the homes and lots. He was also concerned that the proposed homes are starter homes and feels there will be a high turnover of selling these homes. Parking is also a concern. Where do the visitors park? They will end up on 8000 South and 300 East, which is dangerous. He said he would like to see larger homes and lots that will attract buyers that want to lay down roots.

Council Member Bryant Brown said the cost of a 3,000 foot home is probably close to half a million dollars. He said he does not think there will be a high turnover of sales. He said he agreed with the parking issues and was concerned with public parking.

Jacob Ballstaedt said the lot sizes are 1/10 of an acre. He also said the guest parking has been met and exceeded on the plan.

Council Member Bryant Brown said he still has concerns with parking.

Council Member Dustin Gettel said he likes this project. It will be a benefit to the community. He said 72 single family homes instead of high-density apartments is what people have asked for.

Floyd Tarbet at 207 E 8135 S., said at first there were concerns about the subdivision but those have been addressed. He said they are now in favor of the subdivision.

Zachary Webb said he is a new homeowner in Midvale City. He came here from Idaho where there is a lot of land to grow things. Moving into a city, there are a lot of concerns such as sacrificing potential growing land by allowing people to populate.

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

ACTION: APPROVE THE FINAL SUBDIVISION FOR THE MILL PHASE ONE, A PROPOSED 24-UNIT SINGLE FAMILY RESIDENTIAL PHASE ON 3.54 ACRES LOCATED AT 236-264 E 8000 S IN THE MULTIFAMILY RESIDENTIAL MEDIUM DENSITY (RM-12) ZONE

MOTION: Council Member Paul Glover moved to reopen the public comment. The motion was seconded Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

John Bruder thanked Council Member Paul Glover and Council Member Bryant Brown who spent a lot of time on the phone with him. He asked about a stubbed out road.

Jacob Ballstaedt said it is not in phase 1; it is in phase 2 at the very south end.

MOTION: Council Member Paul Glover moved close public comment. The motion was seconded Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

Council Member Quinn Sperry said this project may not be perfect but it's a better project than what was originally proposed.

Council Member Dustin Gettel said he felt those people who buy these homes will be very happy with the home and lot size.

Council Member Bryant Brown said it's on the owners to not use their garage as a storage unit, so they have more parking. He said the project has come a long way and he is very pleased.

MOTION: Council Member Dustin Gettel MOVED to approve with conditions the 24-lot final subdivision at 236-264 East 8000 South consistent with the findings and conditions as noted in the summary report. The motion was SECONDED by Council Member Heidi Robinson. 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 Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VIII. CONSENT AGENDA

A. CONSIDER MINUTES OF OCTOBER 5, 2021

MOTION: Council Member Paul Glover MOVED to approve the Consent Agenda. 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 Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

IX. DISCUSSION ITEMS

A. DISCUSS STREET CUT MORATORIUM

Nate Rockwood said he and Keith Ludwig have worked on this and feel it would be a good idea. He said over the last several years the city has seen an uptake in the amount of road cuts. These can have a detrimental effect on the longevity of the lifetime of the pavement. It is especially frustrating when these cuts happen in recently rebuilt, overlaid or slurry sealed roads.

Staff has drafted and is recommending implementation of a road cut moratorium policy. This will help keep our roads not only looking good but will also help with the longevity. Road cut moratoriums are common and have been implemented in several surrounding communities. The road cut moratorium policy will be ongoing.

The proposed moratorium is summarized below:

- For new and reconstructed streets and overlaid streets, no road cut permits will be allowed for three years after the date of completion.
- For those streets recently slurry sealed, no road cuts will be allowed for one year after the date of construction.
- For an emergency situation the City Engineer will allow road cuts, but the special restoration standard will apply.
- The special restoration standard will be in effect following the moratorium.
 - For new street, reconstructed streets, and overlaid streets, this standard will be in effect for three years after the moratorium ends.
 - For streets that have been slurry sealed, this standard will be in effect for one year after the moratorium ends.
 - This special restoration standard will require the asphalt surface to be restored by milling out and then overlaying the area that was impacted. This mill and overlay will be 2" in thickness, extend to 15' either side of the excavated area, and will correspond with lane widths. Those dimensions can be increased if deemed appropriate. For those streets that have been slurry sealed, the area 15' either side of the excavation will be re-slurried.
- There is also a winter emergency provision in place between November 15th and March 15th. This will require temporary asphalt in the patch that will need to be replaced and then the special restoration standards will apply once weather conditions are suitable.

Staff is recommending the Road Cut Moratorium which will be presented for adoption during the next City Council meeting.

Council Member Paul Glover asked about new development.

Nate Rockwood said there is a provision for that, but it will have a higher-level standard.

B. DISCUSS INTERSECTION IMPROVEMENT AT 700 WEST AND WASATCH

Keith Ludwig said there have been concerns regarding the Main Street/Wasatch Street/West Wasatch Street intersection, especially with the development on Jordan Bluffs.

The city has hired Parametrix Engineering to study this intersection and develop some options on what can or should be done at this intersection.

There are several options available. The staff recommended option and the option recommended by Parametrix, is to make West Wasatch Street a right turn in and right turn out (RIRO). This can be done by placing a raised curb in 700 West from Wasatch Street north for 150'.

This recommendation is also the most economical. Staff recommends this as the first step in addressing the intersection issues. Once installed, staff will continue to evaluate the effectiveness of this solution. If the problems are not sufficiently addressed or new issues arise, staff will recommend if further actions are needed.

Staff would like City Council's input on the recommended option.

FISCAL IMPACT:

\$35,000 (est.)

Keith Ludwig said a signal situation would cost approximately \$150,000-\$200,000. A round about situation could run into a million dollars plus. He said that would also require the purchase of 4-6 properties.

Council Member Dustin Gettel asked about the cul-de-sac option.

Mr. Ludwig said he would need to look at purchasing two properties to make the necessary turn around. He said he could possibly have a hammerhead at the end of Wasatch that would require some strips, but the city would probably still need to purchase properties.

Council Member Dustin Gettel said he was concerned with safety of the curbs and what was the data indicating a reduction in traffic was needed.

Charles Allen, Parametrix, said one of the options was the average delay per vehicle. Another option is safety with crash diagrams of crashes within the last three years. In the past there have been northbound crashes.

Matt Dahl said do you see a learning curve with this kind of improvement.

Mr. Allen said it is hard to say because every situation is different.

Mr. Ludwig said the first step will be to continue to monitor the situation and take steps that are warranted.

Council Member Dustin Gettel said this is a good first step. What is the final step?

Mr. Ludwig said the final step remains to be seen. A signal light similar to 9th Avenue Colosseum Way is set up. They can realign the intersection and buy property to accomplish that.

Council Member Paul Glover said what are people going to do if they need to turn right? He said he was concerned with people making U-turns.

Wayne Sharp said if the option is a cul-de-sac, the city would need to purchase properties including a 4-plex, which would be millions of dollars. Most of the traffic that uses that intersection are apartment people which will take time to learn with new people moving in and out of the apartments. He said he feels the option that was presented is the best option. The intersection of Lennox to Main Street is dangerous because of parking and needs to be addressed.

Nate Rockwood said staff will move forward with the option presented in the spring.

Council Member Heidi Robinson asked staff to include no U-turn signage.

C. UPD COMPENSATION UPDATE

Kyle Maurer said as discussed in multiple previous City Council meetings, the Unified Police Department is discussing possible mid-year compensation adjustments. These adjustments are necessary due to compensation adjustments made by competing agencies (such as Salt Lake City, West Valley City, South Salt Lake City, West Jordan City, South Jordan City, Sandy, Herriman, Cottonwood Heights, *etc.*). Currently, Unified Police Department's pay is in the last or second to last position for most positions.

Timeline

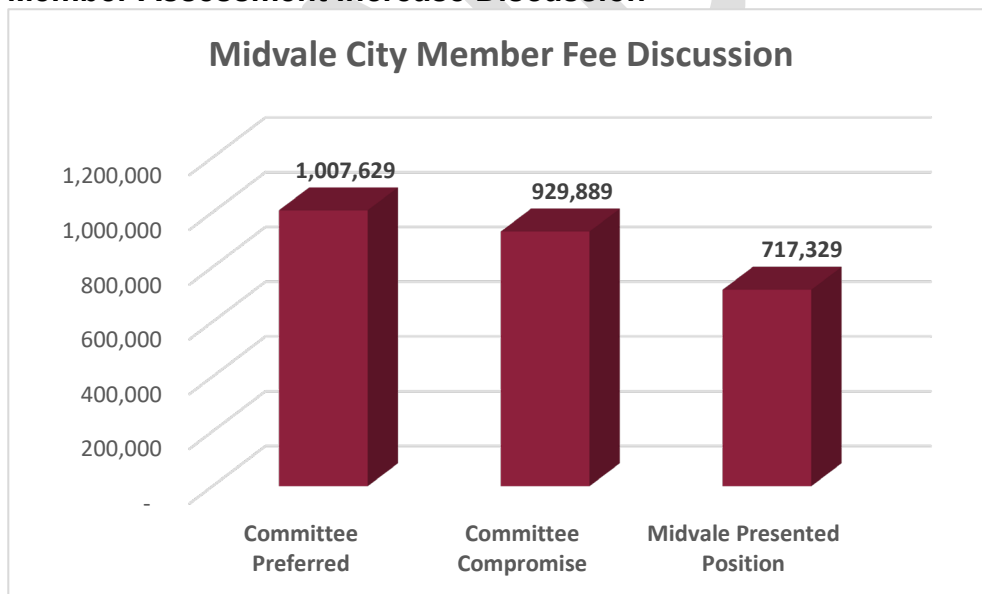
- September 16 – UPD Board meeting.
 - September 21 – Midvale City Council meeting.
 - October 5 – Midvale City Council meeting.
 - October 12 – UPD Budget & Finance Committee Meeting.
 - October 19 – Midvale City Council meeting.
-
- October 21 – UPD Board adopts resolution “stating its intent to approve a mid-year sworn compensation market adjustment for the remainder of fiscal year 2021-2022.”

- November 18 – UPD Board holds public hearing and considers Resolution adopting market adjustments.
- Intent – Market adjustments would be retroactive to November 1st.

October 6, 2021 Finance Committee Meeting

- Midvale's presented position – City Council proposal of \$755,000.
 - This is between UPD's position of \$717,329 and \$929,889 (UPD presented options in terms of "position.")
 - UPD-wide increase of \$4,458,817 to \$5,766,221.
- Holladay and Millcreek spoke in favor of position relating to a total UPD increase of \$6,243,305 (\$1,007,629 increase to Midvale); willing to accept position relating to a UPD increase of \$5,766,221 (\$929,889 increase to Midvale).
- SLVLESA (Salt Lake Valley Law Enforcement Service Area) – If 16.5% property tax increase is approved (all member agencies have passed resolutions supporting); can afford position requested by Holladay and Millcreek.
 - Have available fund balance to cover current year; tax rate will be at legal maximum.
- Committee members were understanding of Midvale's position, but worried about ramifications of not making "bold" move now.
- Sherriff suggested discussing position between Committee's compromise position and Midvale's position.
- Wide gap (\$213K) between Midvale's preferred position and Committee compromise position.

Member Assessment Increase Discussion



Pay Range % Increase by Position

Position	\$1,007,629 Increase	\$929,889 Increase	\$717,329 Increase
Officer	18%	16%	13%
Sergeant	12%	11%	10%
Lieutenant	8%	7%	6%
Captain	7%	7%	0%
Precinct Chief	8%	8%	6%
Chief	6%	5%	0%

1,007,629 Increase (Committee Preferred)

\$1,007,629 Increase (Full Year); \$697,589 (Part Year)	FY2022 (Current)	FY2023	FY2024	FY2025	FY2026
Additional Revenue	\$739,608	\$641,425	\$619,712	\$641,132	\$663,304
UPD Assessment Increase	\$697,589	\$410,040*	\$413,487	\$430,027	\$447,228
Increase Outside of UPD	\$0	\$426,125	\$438,113	\$454,402	\$471,863
TOTAL BUDGET INCREASE	\$697,589	\$836,165	\$851,600	\$884,429	\$919,091
Expenses Over/(Under) Revenues	\$42,019	(\$194,740)	(\$231,888)	(\$243,297)	(\$255,787)
Property Tax Increase %	0%	7%	8%	8%	7%

Average Dollar Increase	\$0	\$13	\$15	\$14	\$13
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Property Tax as a % of UPD Assessment (FY2021=29%)	27%	28%	29%	31%	33%
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929,889 Increase (Committee Compromise)

\$929,889 Increase (Full Year); \$643,769 (Part Year)	FY2022 (Current)	FY2023	FY2024	FY2025	FY2026
Additional Revenue	\$739,608	\$695,245	\$618,546	\$639,920	\$662,019
UPD Assessment Increase	\$643,769	\$386,120*	\$410,378	\$426,793	\$443,864
Increase Outside of UPD	\$0	\$426,125	\$438,113	\$452,824	\$470,221
TOTAL BUDGET INCREASE	\$643,769	\$812,245	\$848,491	\$879,617	\$914,085

Expenses Over/(Under) Revenues	\$95,839	(\$117,000)	(\$229,945)	(\$239,697)	(\$252,066)
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Property Tax Increase %	0%	4%	8%	8%	7%
Average Dollar Increase	\$0	\$8	\$15	\$14	\$14

Property Tax as a % of UPD	27%	27%	29%	30%	32%
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Assessment (FY2021=29%)					
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823,609 Increase (Middle of Compromise and Presented Position)

\$823,609 Increase (Full Year); \$570,191 (Part Year)	FY2022 (Current)	FY2023	FY2024	FY2025	FY2026
Additional Revenue	\$739,608	\$768,823	\$616,952	\$638,262	\$660,263
UPD Assessment Increase	\$570,191	\$353,419*	\$406,126	\$422,371	\$439,266
Increase Outside of UPD	\$0	\$426,125	\$438,113	\$452,824	\$470,221
TOTAL BUDGET INCREASE	\$570,191	\$779,544	\$844,239	\$873,038	\$907,244
Expenses Over/(Under) Revenues	\$169,418	(\$10,720)	(\$227,287)	(\$234,776)	(\$246,981)
Property Tax Increase %	0%	0%	8%	8%	7%
Average Dollar Increase	\$0	\$0	\$15	\$14	\$14
Property Tax as a % of UPD Assessment (FY2021=29%)	27%	27%	28%	30%	31%

Next Year FY2023) Budget Considerations

- Employee merit/COLA increases (CPI index increase 5.3% for September).
 - Keeping current employees.
 - High employee turnover.
 - Possible future “wage war” for Public Works employees and other areas.
- Increase in funding for high workload departments.

- General budget expansion requests (ex: Inflation).
 - Fuel prices and supply chain issues are putting pressure on prices.
- UPD assessment increase outside of personnel.
- Service level discussions.

Council/Mayor/public requests.

Summary

- **Additional sales tax revenue can cover first year of costs.**
- **Both Committee Preferred and Committee Compromise will require additional revenue streams or expense cuts in FY2023.**
- **Will need to have additional discussions on avenues to fund after current year.**
 - Historically, sales tax % increases have covered public safety cost increases – City has also economized and cut where possible.
 - Property tax presented here, but all options need to be discussed and vetted.
 - “Low hanging fruit” has been extinguished.
 - Difficult to cut funding at this point without affecting service levels.

Council Member Dustin Gettel said he was concerned with a mid-fiscal year paid increase. If same thing happens next fiscal year, then these numbers won't mean anything, and it sets a precedent to happen again.

Council Member Dustin Gettel suggested to listen to Millcreek and Holladay and tell them what Midvale City can afford to pay.

Council Member Paul Glover said the city needs to pay the police for safety of the community, but compromise if you can. If you can't compromise, then just present to them what Midvale City can afford. Council Members Heidi Robinson and Quinn Sperry agreed with Council Member Paul Glover.

XI. ADJOURN

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

The meeting adjourned at 9:59 p.m.

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

Approved this 9th day of November



MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: October 19, 2021

SUBJECT: Road Cut Moratorium

**SUBMITTED BY: Nate Rockwood, CD Director & Keith Ludwig, P.E.,
City Engineer**

SUMMARY:

Over the last several years the City have seen an uptake in the amount of road cuts. These can have a detrimental effect on the longevity of the lifetime of the pavement. It is especially frustrating when these cuts happen in recently rebuilt, overlaid or slurry sealed roads.

Staff has drafted and is recommending implementation of the attached road cut moratorium policy. This will help keep our roads not only looking good, but will also help with the longevity. Road cut moratoriums are common and have been implemented in several surrounding communities. The road cut moratorium policy will be ongoing.

A copy of our proposed moratorium has been included in your council packet and is summarized below:

- For new and reconstructed streets and overlaid streets, no road cut permits will be allowed for three years after the date of completion.
- For those streets recently slurry sealed, no road cuts will be allowed for one year after the date of construction.
- For an emergency situation the City Engineer will allow road cuts but the special restoration standard will apply.
- The special restoration standard will be in effect following the moratorium.
 - For new street, reconstructed streets, and overlaid streets, this standard will be in effect for three years after the moratorium ends.
 - For streets that have been slurry sealed, this standard will be in effect for one year after the moratorium ends.
 - This special restoration standard will require the asphalt surface to be restored by milling out and then overlaying the area that was impacted. This mill and overlay will be 2" in thickness, extend to 15' either side of the excavated area, and will correspond with lane widths. Those dimensions can be increased if deemed appropriate.

For those streets that have been slurry sealed, the area 15' either side of the excavation will be re-slurried.

- There is also a winter emergency provision in place between November 15th and March 15th. This will require temporary asphalt in the patch that will need to be replaced and then the special restoration standards will apply once weather conditions are suitable.

Staff is recommending the attached Road Cut Moratorium be adopted.

Recommended Motion:

“I move that we adopt Ordinance No. 2021-O-21, authorizing the use of the Road Cut Moratorium.”

FISCAL IMPACT: None

Attachments:

Road Cut Moratorium Standards
Ordinance No. 2021-O-21

MIDVALE CITY, UTAH

ORDINANCE NO. 2021-O-21

AN ORDINANCE ADOPTING A ROAD CUT MORATORIUM AND RESTORATION STANDARDS FOR QUALIFYING STREETS WITHIN MIDVALE CITY.

WHEREAS, Midvale City spends considerable staff time and several hundred thousand dollars a year on street reconstruction and maintenance; and

WHEREAS, Midvale City desires to keep their city streets in the best condition possible for as long as possible; and

WHEREAS, road cuts, coring, and other activities that cause damage to the road surface and underlying materials have a negative effect on the road structure and rideability, causing premature aging of the road and an overall increase in maintenance costs; and

WHEREAS, in an effort to keep City streets in a well-maintained condition, the City wishes to adopt a plan to eliminate, except for in certain circumstances, any work that would have a negative impact to the City's newly constructed or overlaid road network and apply reconstruction standards.

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

The Midvale City Roadcut Moratorium be formally adopted, and the standards, limitations, and procedures contained therein be enforced.

APPROVED AND ADOPTED this 9th day of November 2021.

Robert M. Hale, Mayor

ATTEST:

Rori L. Andreason,
City Recorder

Voting by the City Council	"Aye"	"Nay"
Dustin Gettel	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____

Date of first publication: _____

Midvale City Roadcut Moratorium Standards

This standard applies to the following:

New Streets/Reconstructed streets – New streets/reconstructed streets shall not be cut/cored for three (3) years from the date of completed construction.

Overlaid Streets - Overlaid streets shall not be cut/cored for three (3) years from the date of the overlay.

Slurry Sealed Streets – Streets that have had a slurry seal application shall not be cut/cored for one (1) year from date of the slurry seal.

If an emergency utility cut is absolutely required within the moratorium period, the 'Special Restoration Standard' will apply. The Special Restoration Standard will continue for three (3) years after the moratorium ends for all new/reconstructed streets and overlaid streets and one (1) year for slurry sealed streets. *The city engineer reserved the right to require an overlay or a mill and overlay over the full width of the street to if necessary to restore the roadway to the original condition.*

Any new development that requires a road cut into any qualifying roads will be required to use the 'Special Restoration Standard' for restoration efforts.

Special Restoration Standard

This standard applies to new/reconstructed street, overlaid streets, and slurry sealed streets. Prior to any mill, overlay or slurry, the trench will be restored to Midvale City's 'T' patch requirements.

New Streets/Reconstructed Streets – (For three years after moratorium ends), the asphalt surface shall be milled down a minimum of two (2) inches, fifteen (15) feet each way of the edge of the cut. Milling shall be done in widths equivalent to existing striped traffic lanes. Milling to be followed by a corresponding depth of asphalt overlay. City Engineer reserves the right to require a distance greater than 15 feet each way of the cut or a depth greater than two inches if deemed appropriate to restore the roadway to original conditions.

Overlaid Streets – (For three years after moratorium ends), the asphalt surface shall be milled down a minimum of two (2) inches, fifteen (15) feet each way of the edge of the cut. Milling shall be done in widths equivalent to existing striped traffic lanes. Milling to be followed by a corresponding depth of asphalt overlay. City Engineer reserves the right to require a distance greater than 15 feet each way of the cut or a depth greater than two inches if deemed appropriate to restore the roadway to original conditions.

Slurry Sealed Streets – (For one year after placement of slurry), an area of not less than fifteen (15) feet from the edge of the cut (full traffic lane width) shall be re-slurry sealed with an approved Type II slurry.

Winter Emergency Permits Only

Between November 15th and March 15th, Road Cut/Excavation Permits will only be issued for emergency utility repairs and will be reviewed on a case-by-case basis. Any exceptions will need to be approved by the City Engineer and Community Development Director. It is the responsibility of the applicant/utility company to comply with any special conditions imposed by the City regarding restoration of the roadway for these emergency cuts. Asphalt placed between November 15th and March 15th will be considered temporary and will need to be replaced when weather conditions are suitable. The Special Restoration Standards will apply to those streets that qualify.