



7505 South Holden Street
Midvale, UT 84047
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www.midvalecity.org

MIDVALE CITY COUNCIL MEETING AGENDA DECEMBER 7, 2021

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold an electronic and in-person meeting on the **7th day of December 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 December 6th. 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

- **Communications Update** [*Laura Magness, Communications Director*]
- **Legislative Update** [*Matt Dahl, City Manager*]

6:30 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Fire 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 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. Community Development/RDA Report *[Nate Rockwood, Community Development Director]*

VII. PUBLIC HEARINGS

- A. Consider an Amendment to the Midvale City Municipal Code Relating to Fencing of Solar Arrays, Chapter 17-7-10.12 *[Adam Olsen, Planning Director]*

ACTION: Approve Ordinance No. 2021-O-23 An Ordinance Amending Chapter 17-7-10.12 of the Midvale City Municipal Code Relating to Fencing of Solar Arrays

- B. Consider an Amendment to the Midvale City Municipal Code Relating to Landscaping Setbacks, Chapter 17-7-10.11 *[Adam Olsen, Planning Director]*

ACTION: Approve Ordinance No. 2021-O-24 An Ordinance Amending Chapter 17-7-10.11 of the Midvale City Municipal Code Relating to Landscaping Setbacks

- C. Consider New Starr LLC, Bruce McMullin, Request Minor/Final Subdivision Approval to Subdivide a Duplex Located at 495-497 Acoma Rd in the Single Family Residential/Duplex Overlay (SF-1/DO) Zone *[Elizabeth Arnold, Planner II]*

ACTION: Approve New Starr LLC, Bruce McMullin, Request Minor/Final Subdivision Approval to Subdivide a Duplex Located at 495-497 Acoma Rd in the Single Family Residential/Duplex Overlay (SF-1/DO) Zone (21-004

- D. Consider Maria Paredes Request Minor/Final Subdivision Approval to Subdivide a Duplex Located at 7531 South Birch Street in the Single Family Residential/Duplex Overlay (SF-1/DO) Zone *[Elizabeth Arnold, Planner II]*

ACTION: Approve Maria Paredes Request Minor/Final Subdivision Approval to Subdivide a Duplex Located at 7531 South Birch Street in the Single Family Residential/Duplex Overlay (SF-1/DO) Zone

VIII. CONSENT AGENDA

- A. Consider Minutes of November 16, 2021 *[Rori Andreason, H.R. Director/City Recorder]*
- B. Approve **Resolution No. 2021-R-39** A Resolution Establishing a Time and Place for Holding Regular City Council Meetings, Designate the Mayor Pro Tempore Schedule, and Adopt the Holiday Schedule for the 2022 Calendar Year *[Rori Andreason, H.R. Director/City Recorder]*

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: DECEMBER 2, 2021

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



MIDVALE CITY COUNCIL SUMMARY REPORT

December 7, 2021

Request to amend Chapter 17-7-10.12 (Jordan Bluffs Subareas 1-3) of the Midvale City Municipal Code. (TXT-21-13; Adam Olsen).

PROJECT SUMMARY:

Applicant: Midvale City
Assigned Planner: Adam Olsen
Property Address: NA
Existing Parcel: NA
Existing Zone: Jordan Bluffs Subareas 1-3
Related Applications: NA

BACKGROUND:

The City proposes an amendment to Chapter 17-7-10.12 (Jordan Bluffs Subareas 1-3) of the Municipal Code. The requested amendment would allow non-obscuring, open fencing around solar energy systems located within open space areas of Jordan Bluffs Subareas 1-3. Any fencing would be limited to 7' in height.

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

The Planning Commission reviewed the request at their November 10, 2021 meeting and recommended approval of the amendment to the City Council.

STAFF ANALYSIS:

-AMENDMENTS TO THE ZONING CODE OR MAP-

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;

Response: The request is not for a rezone; rather, an amendment to allow non-obscuring, open fencing material around solar arrays within the JB 1-3 zone.

2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or,

Response: This criterion is not applicable as the underlying, existing zone designation is appropriate to the site and overall area.

3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area;

Response: This criterion is not applicable. The area is undergoing development and the requested amendment allows a safety feature for solar arrays.

STAFF RECOMMENDATION:

Based on the requirements of Chapter 17-3-1.E of the Midvale City Municipal Code Staff recommends approval of the amendment. A finding is offered for consideration:

1. Non-obscuring, open fencing of solar energy systems located within open space areas of Jordan Bluffs Subareas 1-3 will allow a measure of safety for the systems while keeping the intended open space for such areas.

POTENTIAL MOTION:

I move that we approve Ordinance No. 2021-O-24 amending Chapter 17-7-10.12 of the Midvale City Municipal Code with the finding noted in the staff report.

ALTERNATIVE ACTIONS:

The following is a list of possible motions the City Council can take. If the action taken is inconsistent with the potential findings in this summary report, the City Council should state new findings.

1. Continue to a Date Certain. This action can be taken if the City Council needs additional information before making a decision, if there are issues that have not been resolved, or if the application is not complete.
2. Deny. This action can be taken if the City Council finds that the proposal does not warrant approval.

ATTACHMENT:

- Draft Ordinance

ORDINANCE NO. 2021-O-23

**AN ORDINANCE AMENDING CHAPTER 17-7-10.12 JORDAN BLUFFS
SUBAREAS 1-3 DEVELOPMENT OF THE MIDVALE CITY MUNICIPAL
CODE.**

WHEREAS, pursuant to Utah Code Annotated Sections 10-8-84 and 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance 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 City Municipal Code (the “Code”), became effective and is subject to amendments from time to time pursuant to Section 17-3-1 the Code; and

WHEREAS, pursuant to Section 16-04-010 of the Code, the City desires to promote the protection of public health, life and safety; protect the character and social and economic stability of all parts of the city; protect and preserve the value of land throughout the municipality; guide public and private policy and action; establish responsible standards; prevent pollution and degradation of air, streams, and ponds; preserve the natural beauty and topography; and provide for open spaces through the most effect design and layout of the land;

WHEREAS, pursuant to Section 17-1-1 of the Code, the City desires to promote coordinated development, redevelopment, effective use of land, and site planning; protect and promote public safety, health, and general welfare by providing adequate light and air, water and sewage control, police, fire and wetlands protection; and secure economy in governmental expenditures; and

WHEREAS, the city desires to amend Chapter 17-7-10.12 to address fencing of solar arrays; and

WHEREAS, the Planning Commission held a public hearing on November 10, 2021, to review the request for a text amendment and, after considering all the information received, made a recommendation to approve the text amendment request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on December 7, 2021; and

WHEREAS, after taking into consideration citizen testimony, planning analysis, and the Planning Commission’s recommendation as part of its deliberations, the City Council finds it is appropriate and within the best interest of the city to make changes to the Code.

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

Section 1. The following sections of the Midvale City Municipal Code are hereby amended as included in the following attachments to this document:

- Attachment A: Amending Chapter 17-7-10.12 Jordan Bluffs Subareas 1-3 Development

Section 2. This ordinance shall take effect upon the date of first publication.

PASSED AND APPROVED this 7th day of December, 2021.

Robert Hale, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council
Quinn Sperry
Paul Glover
Heidi Robinson
Bryant Brown
Dustin Gettel

“Aye”

“Nay”

Date of first publication: _____

Attachment A:
Chapter 17-7-10.12
JORDAN BLUFFS SUBAREA 1-3 DEVELOPMENT

Sections:

- 17-7-10.12.1 Purpose.
- 17-7-10.12.2 Development Review Process
- 17-7-10.12.3 Use Table.
- 17-7-10.12.4 Large Scale Master Planned Development Submittal.
- 17-7-10.12.5 Development Requirements.
- 17-7-10.12.6 Parking and Access Standards.
- 17-7-10.12.7 Landscaping and Irrigation Standards.
- 17-7-10.12.8 Fencing and Screening Standards.
- 17-7-10.12.9 Outdoor Lighting Standards.
- 17-7-10.12.10 Residential Developments.
- 17-7-10.12.11 Commercial Developments.
- 17-7-10.12.12 Additional Standards for Specific Uses.
- 17-7-10.12.13 Signage.

17-7-10.12.1 Purpose.

[No changes in this section.]

17-7-10.12.2 Development Review Process.

[No changes in this section.]

17-7-10.12.3 Use Table.

[No changes in this section.]

17-7-10.12.4 Large Scale Master Planned Development Submittal.

[No changes in this section.]

17-7-10.12.5 Development Requirements.

[No changes in this section.]

17-7-10.12.6 Parking and Access Standards.

[No changes in this section.]

17-7-10.12.7 Landscaping and Irrigation Standards.

[No changes in this section.]

17-7-10.12.8 Fencing and Screening Standards.

All development must comply with the following fencing and screening standards:

A. Fencing. Fencing, if any, shall be part of the landscape plan, shall be designed and constructed to be compatible with the project site architecture and character, and shall comply with the following:

1. Fences or walls shall not be located within the landscape setback along a public or private right-of-way, within thirty feet of the park depicted in Figure 1 of this chapter, within the open space depicted in Figure 1 of this chapter, or used to block pedestrian and bicycle facilities. **Solar energy systems, located within an open space area depicted in Figure 1 and approved as part of a Large Scale Master Plan or subsequent site plan, may be enclosed by non-obscuring, open fence materials, not to exceed 7' in height.**
2. Fences may be used for private recreational amenities provided nonobscuring open materials are used; private yard space for individual residential units; along project perimeters to separate uses; and to screen trash collection areas, service areas, and mechanical equipment.
3. Where allowed, fences and walls shall not exceed seven feet in height and shall be limited to four feet in height in a front yard. An exception to this fence height is allowed for a fence up to eight feet in height in a side or rear yard, provided the fence is not adjacent to a public or private road, to provide a buffer between a residential use and a commercial use, or for a warehouse or data center storage use provided the fence is in a side or rear yard and is not adjacent to a public or private road.
4. Athletic Facilities. Fencing around athletic facilities, including, without limitation, tennis courts, may be fourteen feet in height provided all portions of the fence above seven feet in height are constructed with at least fifty percent nonopaque materials and are not located within the landscape setback along a public or private right-of-way.
5. All fencing and screening walls shall be constructed to comply with sight distance and clear view requirements at road intersections and driveways.
6. All fences shall be constructed of quality materials that are specifically manufactured for fencing and shall not be constructed with any material that was originally made for other intentions. Fencing in a residential area shall not be constructed from any material that was manufactured for an agricultural use such as chicken wire, deer fencing, hog wire, wire strands, t-stakes grape stakes, barbed wire or other sharp, pointed, or electrically charged material.

7. All fences shall be maintained in a good condition by the property owner including compliance with the following standards:

- a. The fence must be free of damage, breaks or missing components or parts.
- b. Areas of the fence that are leaning more than twenty degrees from vertical, buckling, sagging or deteriorating must be repaired or replaced with materials and color similar to its original construction.
- c. All metal style fences shall be treated in a manner to prevent rust.
- d. Plant materials growing on fences within sight distance and clear view areas shall be maintained at a maximum height of three feet.

8. Conformance with This Section. No person shall construct, alter, or maintain a fence, hedge, wall, or any similar structure, any combination of such structures, or any portion of such structures except in conformance with all of the requirements of this section.

B. Screening. Trash collection and recycling areas, service areas, loading docks, mechanical and electrical equipment, and other building operation devices shall be screened on all sides so that no portion of such areas is visible from public and private roads and adjacent properties. Solar energy systems are exempt from this screening requirement. Required screening may include new and existing plantings, walls, fences, screen panels, doors, topographic changes, buildings, horizontal separation, or any combination thereof.

1. Screening and retaining walls shall be of materials complementary to the building's materials.
2. All building equipment shall be sited to minimize its visibility and impact, and screened and enclosed as to appear to be an integral part of the architectural design of the building. Measures shall be taken to mitigate noise impacts on adjacent properties.
3. Refuse containers shall be screened from view on all sides. Required screening may include new and existing plantings, walls, fences, screen panels, doors, topographic changes, buildings, horizontal separation, or any combination thereof. Screening fences, walls and/or plantings shall be one foot higher than the object to be screened. An opaque gate shall be included where required to complete screening.
4. Off-street loading docks and/or service areas shall be located to the side or rear of buildings. Where they are directly visible from streets and nearby residential buildings, they shall be screened by walls at least eight feet high, or densely and continuously massed landscaping that maintains its screening capabilities in the winter. Raised planters, berms or other landforms may also be used in conjunction with landscaping or walls. A combination of dense, continuous landscaping and walls may allow the use of lower walls, but no lower than four feet high from finished grade. (Ord. 2020-09 § 1 (Att. A)(part); Ord. 2019-03 § 1 (Att. A) (part))

17-7-10.12.9 Outdoor Lighting Standards.

[No changes in this section.]

17-7-10.12.10 Residential Developments.

[No changes in this section.]

17-7-10.12.11 Commercial Developments.

[No changes in this section.]

17-7-10.12.12 Additional Standards for Specific Uses.

[No changes in this section.]

17-7-10.12.13 Signage

[No changes in this section.]



MIDVALE CITY COUNCIL SUMMARY REPORT

December 7, 2021

Request to amend Chapter 17-7-10.11 (Jordan Bluffs Subarea 4) of the Midvale City Municipal Code. (TXT-21-12; Adam Olsen).

PROJECT SUMMARY:

Applicant: Wasatch Residential Group
Assigned Planner: Adam Olsen
Property Address: NA
Existing Parcel: NA
Existing Zone: Jordan Bluffs Subarea 4
Related Applications: NA

BACKGROUND:

The applicant, Wasatch Residential Group, requests an amendment to Chapter 17-7-10.11 (Jordan Bluffs Subarea 4) of the Municipal Code. The requested amendment would reduce the required landscape setback area/build-to line along Seghini Drive from thirty feet (30') to twenty feet (20'). The applicant requests this change as they propose a residential product with front porch entrances along Seghini Drive. A 20' setback, they feel, will create a better streetscape by bringing the structures closer to the road. The applicant has an adjacent development (ParcView), along the northeast portion of Seghini Drive, with a 20' landscape setback. Per the Code, this area consisting of ParcView (Area A in the Code) is exempt from the 30' landscape setback requirement (see map in Exhibit A). However, another adjacent development, directly east across Seghini Drive (Reserve at View 78) has adhered to the 30' setback as it falls outside of the exempt "Area A" as identified in the Code.

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

The Planning Commission reviewed the request at their November 10, 2021 meeting and recommended approval of the amendment to the City Council.

STAFF ANALYSIS:

-AMENDMENTS TO THE ZONING CODE OR MAP-

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;

Response: The request is not for a rezone; rather, an amendment to allow residential structures to be placed closer to Seghini Drive.

2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or,

Response: This criterion is not applicable as the underlying, existing zone designation is appropriate to the site and overall area.

3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area;

Response: Adjacent residential development to the northeast has been constructed with a 20' landscape setback/build-to line. Adjacent residential development to the east has been constructed with a 30' landscape setback/build-to line. Both adjacent developments adhere to Code requirements for their respective sites. A 30' landscape setback/build-to line will remain along Bingham Junction Boulevard and Ivy Drive.

STAFF RECOMMENDATION:

Based on the requirements of Chapter 17-3-1.E of the Midvale City Municipal Code and existing development patterns found directly east and northeast of the site, Staff can support amending the Code by reducing the landscape setback/build-to line to 20'. A finding for approval is offered below:

1. Adjacent development to the northeast, along Seghini Drive, has been constructed with a 20' landscape setback/build-to line. Amending the Code to allow a reduction along the remainder of Seghini Drive will create a cohesive development pattern of structures closer to the street.

POTENTIAL MOTION:

I move that we approve Ordinance No. 2021-O-24 amending Chapter 17-7-10.11 of the Midvale City Municipal Code with the finding noted in the staff report.

ALTERNATIVE ACTIONS:

The following is a list of possible motions the City Council can take. If the action taken is inconsistent with the potential findings in this summary report, the City Council should state new findings.

1. Continue to a Date Certain. This action can be taken if the City Council needs additional information before making a decision, if there are issues that have not been resolved, or if the application is not complete.

2. Deny. This action can be taken if the City Council finds that the proposal does not warrant approval.

ATTACHMENT:

- Draft Ordinance

ORDINANCE NO. 2021-O-24

**AN ORDINANCE AMENDING CHAPTER 17-7-10.11 JORDAN BLUFFS
SUBAREA 4 RESIDENTIAL DEVELOPMENT OF THE MIDVALE CITY
MUNICIPAL CODE.**

WHEREAS, pursuant to Utah Code Annotated Sections 10-8-84 and 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance 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 City Municipal Code (the “Code”), became effective and is subject to amendments from time to time pursuant to Section 17-3-1 the Code; and

WHEREAS, pursuant to Section 16-04-010 of the Code, the City desires to promote the protection of public health, life and safety; protect the character and social and economic stability of all parts of the city; protect and preserve the value of land throughout the municipality; guide public and private policy and action; establish responsible standards; prevent pollution and degradation of air, streams, and ponds; preserve the natural beauty and topography; and provide for open spaces through the most effect design and layout of the land;

WHEREAS, pursuant to Section 17-1-1 of the Code, the City desires to promote coordinated development, redevelopment, effective use of land, and site planning; protect and promote public safety, health, and general welfare by providing adequate light and air, water and sewage control, police, fire and wetlands protection; and secure economy in governmental expenditures; and

WHEREAS, the City desires to amend Chapter 17-7-10.11 to address landscaped setback areas along Seghini Drive; and

WHEREAS, the Planning Commission held a public hearing on November 10, 2021, to review the request for a text amendment and, after considering all the information received, made a recommendation to approve the text amendment request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on December 7, 2021; and

WHEREAS, after taking into consideration citizen testimony, planning analysis, and the Planning Commission’s recommendation as part of its deliberations, the City Council finds it is appropriate and within the best interest of the City to make changes to the Code.

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

Section 1. The following sections of the Midvale City Municipal Code are hereby amended as included in the following attachments to this document:

- Attachment A: Amending Chapter 17-7-10.11 Jordan Bluffs Subarea 4 Residential Development

Section 2. This ordinance shall take effect upon the date of first publication.

PASSED AND APPROVED this 7th day of December, 2021.

Robert Hale, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council
Quinn Sperry
Paul Glover
Heidi Robinson
Bryant Brown
Dustin Gettel

“Aye”

“Nay”

Date of first publication: _____

Attachment A:
Chapter 17-7-10.11
JORDAN BLUFFS SUBAREA 4 RESIDENTIAL DEVELOPMENT

Sections:

- 17-7-10.11.1 Purpose.
- 17-7-10.11.2 Uses.
- 17-7-10.11.3 Development Review Process.
- 17-7-10.11.4 Residential Development Standards.
- 17-7-10.11.5 Landscaping Standards.
- 17-7-10.11.6 Architectural Standards.
- 17-7-10.11.7 Parking and Access.
- 17-7-10.11.8 Utilities.
- 17-7-10.11.9 Signage.
- 17-7-10.11.10 Home Occupation Standards.
- 17-7-10.11.11 Institutional Controls.

17-7-10.11.1 Purpose.

[No changes in this section.]

17-7-10.11.2 Uses.

[No changes in this section.]

17-7-10.11.3 Development Review Process.

[No changes in this section.]

17-7-10.11.4 Residential Development Standards.

The following development standards apply to all new development:

- A. Lot Size. No minimum lot size is required, but the lot size must be sufficient to accomplish the development standards of this chapter and the building code.
- B. Setbacks. All setbacks are measured from the property line. There are no minimum setbacks except as required by the building code, required landscape setbacks, residential landscape buffers, and the residential setback.
- C. Residential Setback. The minimum setback from the property line to a new residential structure when adjacent to a property with a residential use is twenty feet.
- D. Build-to Line. When adjacent to Main Street, Ivy Drive or an interior public or private road, a thirty-foot landscape setback, measured from the property line adjacent to said road, is

required. In the case of Main Street, the landscape setback shall be measured from the new right-of-way line created per Section [17-7-10.11.3\(A\)\(6\)\(e\)](#). These setbacks shall serve as the build-to line for residential structures. At least fifty percent of the front elevations must be built within five feet of the build-to line. The planning commission may modify this requirement for changes in wall plane due to architectural features or if the site is encumbered by curvilinear roads and/or property lines. Residential structures in “Area A” identified in Figure 1 of this chapter, **and along the entirety of Seghini Drive**, shall not be subject to the build-to line requirement. At grade patios and porches may extend into the thirty-foot landscape setback up to eight feet.

E. Residential Density. The maximum residential density is thirty units per acre averaged over Subarea 4.

F. Except for ordinary repairs and maintenance of lighting approved and installed after January 2, 2002, all new development must comply with the following outdoor lighting standards:

1. Light Source.

- a. Light sources shall be at least as efficient as LED and no greater than four thousand K in correlated color temperature (CCT).
- b. Light levels shall be designed such that light trespass measured at the property line does not exceed 0.01 foot-candles.
- c. Light fixtures shall use a cutoff luminaire that is fully or partially shielded with no light distributed above the horizontal plane of the luminaire or into nearby residential structures.
- d. In no case shall the total lumens emitted for a single site exceed one hundred thousand lumens per acre.

2. Parking Lot Lighting. Parking lot lighting shall be designed and constructed to comply with the following standards:

a. Pole Height/Design.

- i. Luminaire mounting height is measured from the parking lot or driveway surface and may range from ten feet to thirty feet, based on review of site plan, proposed land uses, surrounding land uses, parking area size, building mass, topography of site, and impacts on adjacent properties.
- ii. Poles and fixtures shall be black, dark brown, or another neutral color approved by the community development director.
- iii. All attempts shall be made to place the base of light poles within landscape areas.

- iv. Light poles in parking areas shall not exceed thirty feet in height. Poles exceeding twenty feet in height are appropriate only for parking areas exceeding two hundred stalls and not in close proximity to residential areas.

3. Other Outdoor Lighting Standards.

- a. Wall-mounted lighting fixtures shall not be located above eighteen feet in height unless being used as building accent lighting. Fixture styles and finishes shall complement the building exterior.
- b. Lighting located along pedestrian pathways or in areas primarily dedicated to human activity shall be bollard style lighting or down-directed lighting not to exceed twelve feet in height. Pedestrian lighting shall be coordinated through each project and shall complement adjacent projects to the greatest extent practical.
- c. In order to avoid light pollution, backlit awnings, up-light spotlights, and floodlights are prohibited.
- d. Street lighting shall either be chosen from the city's approved streetlight list or installed to match a theme set by developments within the zone or neighborhood.
- e. Lighting for outdoor athletic facilities may be mounted on a roof or wall at a height above the typical eighteen-foot maximum provided it is demonstrated by the applicant through submittal of appropriate documentation and light studies showing that the facility cannot otherwise be properly lighted. This lighting shall comply with the following requirements:
 - i. Light fixtures and necessary supports shall not extend more than four feet above the roof line;
 - ii. Light fixtures shall include appropriate shields to ensure no light trespass off the site;
 - iii. Light fixtures shall include appropriate shields and louvers to minimize, to the greatest extent possible, any point source light pollution;
 - iv. Light fixtures and supports shall be painted to blend with the color scheme of the structure to which they are mounted;
 - v. Light fixtures shall be dimmable to address any possible unforeseen light impacts once they are constructed and operable; and
 - vi. The planning commission shall review the hours of light usage and shall approve an appropriate usage schedule depending on the specific situation and impacts on the surrounding area.

4. Upgrading Preexisting Lighting. An applicant must bring preexisting lighting into compliance with this code upon application with the business license department for a change in ownership, new business in a stand-alone structure or in a multi-tenant structure in which the new business utilizes more than fifty percent of the building square footage on the site, in conjunction with an application for a building permit for any alteration, remodel or expansion of any structure on the site, or in conjunction with changes to the approved site plan.

5. Lighting Plan Submission Requirements. A lighting plan is required for all developments and must contain the following:

- a. Plans indicating the location on the premises and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;
- b. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices that may include, but is not limited to, manufacturer catalog cuts and drawings, including section where required, and photometric data, such as that furnished by manufacturers, or similar showing the angle of the cutoff or light emission; and
- c. A point-by-point light plan to determine the adequacy of the lighting over the site.

6. Exceptions. The following requirements are intended to provide exceptions to specific lighting regulations set forth herein:

- a. Up to two thousand five hundred lumens of upward-directed lighting per acre is permitted for landscape, architecture, and artistic uses provided no measurable light trespass occurs beyond property lines.
- b. Street lights installed along public and private rights-of-way are exempt from the lumen-per-acre limit.
- c. String or bistro lighting is exempt from the cutoff, down-directed, and shielded requirements. (Ord. 2020-15 § 1 (Att. A) (part); Ord. 2019-06 § 1 (Att. B) (part); Ord. 2017-17 § 1 (Att. A) (part))

17-7-10.11.5 Landscaping Standards.

The following landscaping standards apply to all new residential development:

A. Required Open Space, Landscaping and Recreational Amenities. The applicant shall professionally landscape the project property, in accordance with an approved landscape plan. The landscape plan shall include details for the open space, landscape and recreational amenity areas required in the approved large scale master plan for the specific development area. The amount of open space, landscaping and recreation amenity area for a specific development within Subarea 4 shall not be less than that included in the approved large scale master plan.

Landscape plan approval is a condition precedent to issuance of a building permit for the project property. All landscaping shall be in place prior to issuance of a certificate of occupancy for a structure, unless seasonal conditions make installation unfeasible, in which case the applicant shall provide cash security or its approved alternative for all landscaping, which landscaping shall be installed by the following May 31st.

B. Landscaped Setback from Edge of Public or Private Right-of-Way. The landscaped setback from the edge of a public right-of-way or private right-of-way shall be a minimum of thirty feet, **except along Seghini Drive, where the landscape setback shall be a minimum of twenty feet.**

C. Residential Landscape Buffer. New development adjacent to a property with a single-family use shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a minimum six-foot and a maximum eight-foot screening wall along the residential property boundary. The screening wall shall be constructed of precast concrete, SimTek Ecostone Plus (or equivalent), brick, masonry or other permanent materials, and shall have a finish that complements the development along all property boundaries adjacent to single family residential use.

D. Planting Standards. Landscape plans shall address the following standards:

1. Building Foundation Landscaping. The ground adjacent to the building foundation must be landscaped if it is visible from public vantage points. Building foundation landscaping shall consist of a combination of small and medium sized deciduous and evergreen shrubs, grasses and perennials.

2. Street Frontage Tree Requirements. An applicant shall provide at least one street tree for each forty lineal feet of frontage along all public and private roads. Street frontage trees may be clustered or spaced linearly near the sidewalk as provided in an approved landscape plan.

3. Minimum Number of Trees. A minimum of one tree for every four hundred square feet of required landscaping is required for all landscaped areas. Street trees may be included in calculations to meet this requirement.

4. Plant Materials. Areas requiring landscaping shall be planted with substantial live plant material including: plants, shrubs, trees, sod, etc., for the purpose of buffering, screening, and improving the visual quality of the site. Plants selected for landscape areas shall consist of plants that are well suited to the microclimate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible. Landscaped areas less than four feet wide shall be landscaped with water conserving plants.

- a. Types of Vegetation. At least fifteen percent of the landscaping must be evergreen. Up to twenty-five percent of the landscape area may include specialty paving, street furniture, and outdoor seating areas. Trees that are planted in the park strip shall meet the specifications described in the standard construction specifications of Midvale City.

b. Size of Trees. The following standards apply to the use of plant and tree material:

i. Deciduous Trees. All deciduous trees shall have a minimum caliper size of one and one-half inches.

ii. Ornamental Trees. All ornamental trees shall have a minimum caliper size of one and one-half inches.

iii. Evergreen Trees. All evergreen trees shall have a minimum height of six feet.

5. Mulch. After completion of all planting, all irrigated nonturf areas shall be covered with a minimum four-inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Nonporous material shall not be placed under the mulch.

6. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six inches and amending the soil with organic material as per specific recommendations of the landscape designer based on the soil conditions.

7. Planting Plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:

a. Location of all plant materials and ground covers, a legend with botanical and common names, and size of plant materials;

b. Property lines and street names;

c. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;

d. Existing trees and plant materials to be removed or retained;

e. Designation of landscape zones; and

f. Details and specification for tree staking (trees less than a two-inch caliper must be double-staked until the trees mature to two-inch caliper), soil preparation, and other planting work.

8. Crime Prevention Through Environmental Design (CPTED). The plan must demonstrate how CPTED principles will be used in the design and layout of buildings, streets, accesses and open space areas. Design shall promote natural surveillance, access control, territorial reinforcement, sense of ownership, and maintenance. CPTED landscaping guidelines shall be used, including planting shrubs so as not to impede natural

surveillance and trees with a proper ground clearance of six feet above walkways and sidewalks and eight feet above vehicular travel and parking lanes. To encourage public safety through natural surveillance, natural access control, and territorial reinforcement, blank walls are discouraged adjacent to streets, pedestrian areas, and open space amenities. Symbolic barriers, such as low-lying fences/walls, landscaping and signage, shall be used to discourage crime and to promote safety. Ground floor parking garages are discouraged immediately adjacent to streets. Developments shall have street-side building elevations, with windows, and with balconies, decks or landscape terraces encouraged.

9. Plan Review and Construction Inspection.

- a. As part of the site plan approval process, a copy of the landscape plan documentation package shall be submitted to the city for review and approval.
- b. Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the planning department to verify compliance with the approved landscape plans.
- c. The city reserves the right to perform site inspections at any time before, during or after the irrigation system and landscape installation, and to require corrective measures if requirements of this chapter are not satisfied.

10. Removal. No required landscaping shall be removed without replacement of equal or better quality. This shall include the installation of healthy plant materials as well as a tree-for-tree replacement as governed by this chapter.

E. Irrigation Standards. Irrigation plans shall be designed to accompany the landscape plan and shall address the following standards:

1. A pressure-regulating valve shall be installed and maintained by the consumer if the static service pressure exceeds eighty pounds per square inch (psi). The pressure-regulating valve shall be located between the meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer's recommended pressure for the sprinklers.
2. All irrigation systems shall include an electric automatic controller with multiple program and multiple repeat cycle capabilities and a flexible calendar program. All controllers shall be equipped with an automatic rain shut-off device, and the ability to adjust run times based on a percentage of maximum ETO.
3. On slopes exceeding thirty-three percent, the irrigation system shall consist of drip emitters, bubblers or sprinklers with a maximum precipitation rate of 0.85 inches per hour and adjusted sprinkler cycle times to eliminate runoff.

4. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and nonturf areas shall be irrigated on separate valves. Drip emitters and sprinklers shall be placed on separate valves.
5. Drip emitters or a bubbler shall be provided for each tree unless located in a turf area. Bubblers shall not exceed one and one-half gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the city due to the limited number of trees on the project site.
6. Sprinklers shall have matched precipitation rates with each control valve circuit.
7. Check valves shall be required where elevation differences will cause low-head drainage. Pressure-compensating valves and sprinklers shall be required where a significant variation in water pressure will occur within the irrigation system due to elevation differences.
8. Filters and end flush valves shall be provided as necessary for drip irrigation lines.
9. Valves with spray or stream sprinklers shall be scheduled to operate between six p.m. and ten a.m. to reduce water loss from wind and evaporation.
10. Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.
11. Spacing of irrigation heads shall not exceed fifty-five percent of coverage diameter.
12. Backflow preventer device is required and shall be located between the water meter and stop and waste valve.
13. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:
 - a. Layout of the irrigation system and a legend summarizing the type and size of all components of the system;
 - b. Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;
 - c. Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers; and
 - d. Installation details for irrigation components.

F. Fencing. Fencing shall be part of the landscape plan and shall comply with the following:

1. Perimeter Fencing.

a. Fences or walls constructed of sight-obscuring solid materials shall not be located within the landscape setback along a public or private right-of-way.

b. Fences up to six feet in height constructed of non-sight-obscuring, open materials, such as wrought iron, picket with gaps greater than the width of the slats, etc., may only be located in the landscape setback along 7800 South, Le Page Street and Holden Street.

c. Screening walls up to eight feet in height are allowed along property boundaries adjacent to existing development located outside Subarea 4. The screening wall shall be constructed of precast concrete, SimTek Ecostone Plus (or equivalent), brick, masonry or other permanent materials, and shall have a finish that complements the development.

2. Interior Fencing. Fences shall not be used to delineate individual developments within Subarea 4. Interior fencing shall only be used as needed for recreational amenities.

3. All fencing and screening walls shall be constructed to comply with sight distance requirements at road intersections and driveways. (Ord. 2017-17 § 1 (Att. A) (part))

17-7-10.11.6 Architectural Standards.

[No changes in this section.]

17-7-10.11.7 Parking and Access.

[No changes in this section.]

17-7-10.11.8 Utilities.

[No changes in this section.]

17-7-10.11.9 Signage.

[No changes in this section.]

17-7-10.11.10 Home Occupation Standards.

[No changes in this section.]

17-7-10.11.11 Institutional Controls.

[No changes in this section.]



MIDVALE CITY COUNCIL SUMMARY REPORT

December 7, 2021

Bruce McMullin, representing New Starr LLC, requests Minor/Final Subdivision approval to subdivide a duplex located at 495-497 Acoma Rd in the Single Family Residential/Duplex Overlay (SF-1/DO) zone.

PROJECT SUMMARY:

Applicant: Bruce McMullin

Assigned Planner: Elizabeth Arnold

Property Address: 495-497 Acoma Rd

Existing Parcel: 0.17 acres

Existing Zone: SF-1/DO

Related Applications:

1. [Minor/Final Subdivision](#) – recommended for approval on November 10, 2021 by Planning Commission.
-

BACKGROUND:

The applicant, Bruce McMullin, requests minor/final subdivision approval to subdivide a duplex located at 495-497 Acoma Rd in the SF-1/DO zone. The project would allow for individual ownership of the two units. Public notice has been sent to property owners within 500 feet of the subject parcel. No objections have been received as of the writing of this report.

Midvale City Code 16.04.050 outlines the procedure for a minor subdivision and details that they may be subdivided in the same manner as the major subdivision. The criteria for a major subdivision are outlined in 16.04.040.

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.

STAFF RECOMMENDATION:

Approve with the following findings:

Findings:

1. The application is for a minor/final subdivision to subdivide a duplex.
2. The subject property is on a total of 0.17 acres.
3. The project area is in the SF-1/DO zone.
4. The subdivision of the property will allow for individual ownership of the two units.
5. The project complies with the minor subdivision procedure outlined in Midvale City Code 16.04.040.
6. The applicable review departments have reviewed the project and forwarded the item on for a decision by the City Council.

POTENTIAL MOTION:

“I move that we approve the Final Subdivision located at 495-497 Acoma Rd consistent with the findings noted in the summary report.”

ALTERNATIVE ACTIONS:

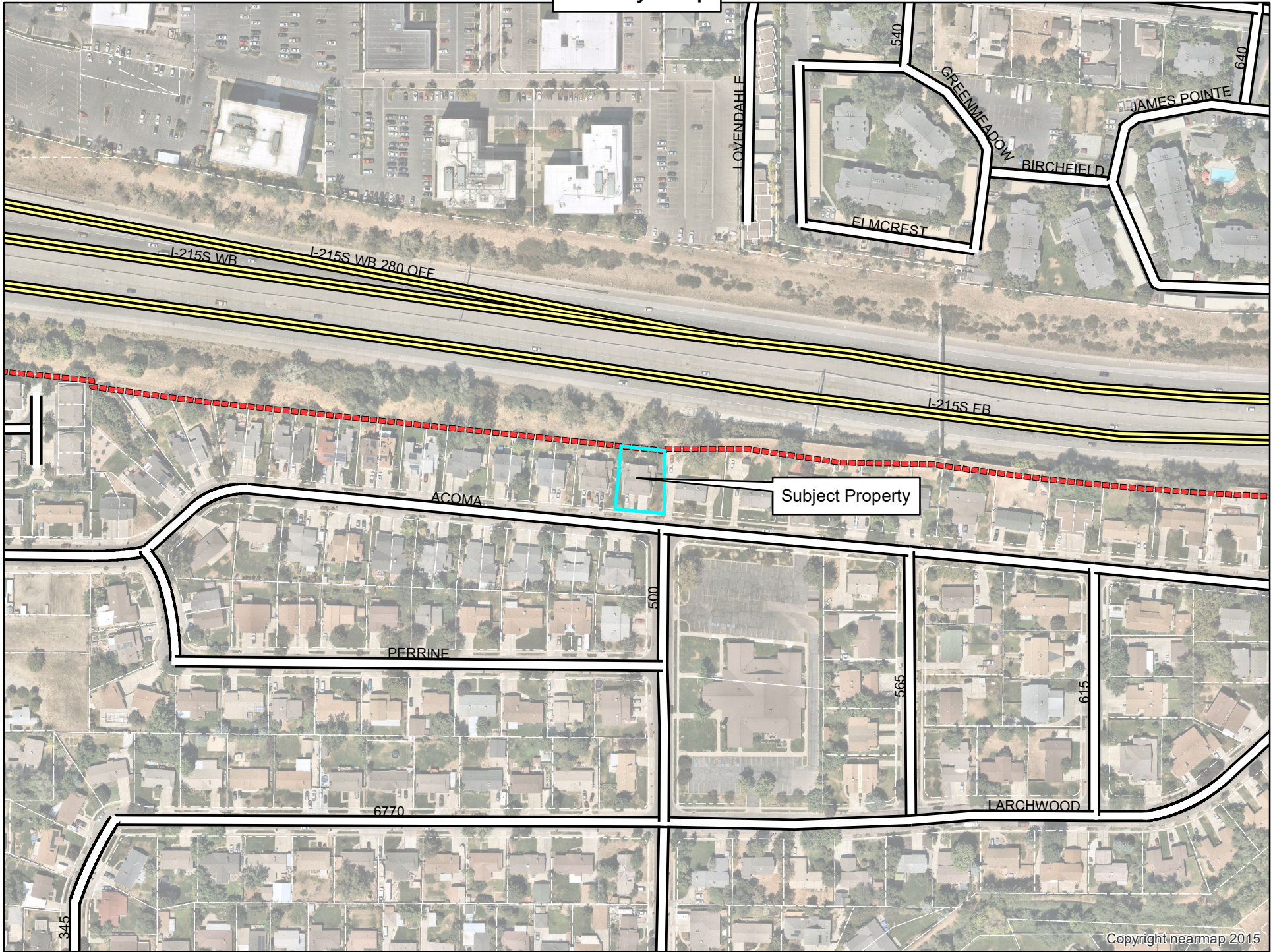
The following is a list of possible motions the City Council can take. If the action taken is inconsistent with the potential findings in this summary report, the City Council should state new findings.

1. Approve. This action may be taken if the City Council finds that the Final Subdivision request is compliant as proposed with Midvale City Code and all other applicable ordinances. ***This action would be consistent with staff analysis***
2. Approve with Conditions. This action can be taken if the City Council finds that issues can be resolved subject to the conditions noted.
3. Continue to a Date Certain. This action can be taken if the City Council needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can be taken if the City Council finds that the proposal does not meet applicable codes and/or ordinances.

ATTACHMENTS:

- Vicinity Map
- Site Plan
- Public Comment

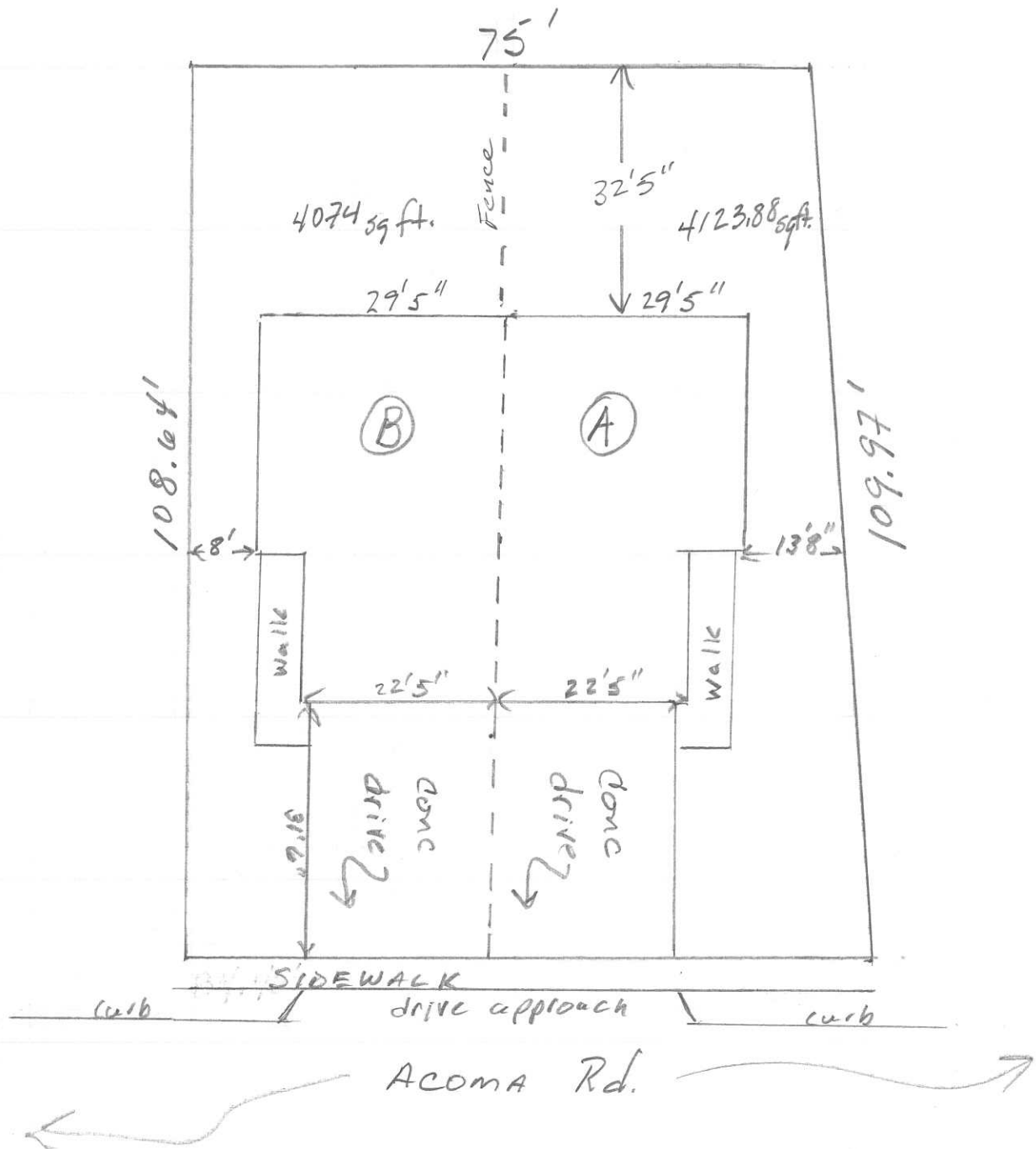
Vicinity Map





I - 215

Sept 22, 2021



495 - 497 Acoma Rd
Lot 34 Prestige Est.
(split)

Dear Planner Arnold,

We are reaching out regarding the subdivision of the duplex at 495-497 Acoma Road in Midvale. My husband and I, along with our family have been residents of this neighborhood for 30+ years. We initially lived on the East end of Larchwood Drive, then on Acoma Road, as renters in both locations. We purchased a single family home on Larchwood Drive over 20 years ago and still reside in the home. Thus, we are very familiar with the neighborhood as renters and as home owners.

We wish to express our non-support, and specific opposition to the subdivision of any duplex in the neighborhood due to the lack of parking for the residents of currently existing duplexes on Acoma Road. The roads are congested with cars parked curbside. If the property is subdivided to accommodate more residents the congestion will increase. We feel it is likely that if one property is subdivided others will pursue the same cycle of expansion with additional duplexes. We formally oppose the subdivision to prevent this cycle from beginning.

We are not available to attend the hearing due to business travel. I, therefore, request your consideration of this opposition to the subdivision at 495-497 Acoma Road in Midvale, Utah.

May I, at this time, make a second and duplicate request on behalf of the residents at 566 East Larchwood. The single family home at 566 is also owned by my husband and I and is in a lease to own arrangement. The current residents of that home asked to be included in this request and submit an additional voice of opposition.

Thank you for considering our opinions and non-support in conjunction with the hearing scheduled for December 7.

Nannette and Gregg Johnson
552 East Larchwood Drive
Midvale, Utah 84047



MIDVALE CITY COUNCIL SUMMARY REPORT

December 7, 2021

Maria Paredes requests Minor/Final Subdivision approval to subdivide a duplex located at 7531 S Birch St in the in the Single Family Residential/Duplex Overlay (SF-1/DO) zone.

PROJECT SUMMARY:

Applicant: Maria Paredes

Assigned Planner: Elizabeth Arnold

Property Address: 7531 S Birch St

Existing Parcel: 0.23 acres

Existing Zone: SF-1/DO

Related Applications:

1. [Minor/Final Subdivision](#) – recommended for approval on November 10, 2021 by Planning Commission.
-

BACKGROUND:

The applicant, Maria Paredes, requests minor/final subdivision approval to subdivide a duplex located at 7531 S Birch St in the SF-1/DO zone. The subject property is considered a “pre-existing lot”, which Midvale City Code defines in §17-2-16. However, the subdivision does not increase the degree of nonconformity, it simply allows for individual ownership of the two units. Public notice has been sent to property owners within 500 feet of the subject parcel. No objections have been received as of the writing of this report.

Midvale City Code 16.04.050 outlines the procedure for a minor subdivision and details that they may be subdivided in the same manner as the major subdivision. The criteria for a major subdivision are outlined in 16.04.040.

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.

STAFF RECOMMENDATION:

Approve with the following findings:

Findings:

1. The application is for a minor/final subdivision to subdivide a duplex.
2. The subject property is on a total of 0.23 ACRES.
3. The project area is in the SF-1/DO zone.
4. The subject property is considered a “pre-existing lot”.
5. The subdivision of the property does not increase the degree of nonconformity.
6. The subdivision of the property will allow for individual ownership of the two units.
7. The project complies with the minor subdivision procedure outlined in Midvale City Code 16.04.040.
8. The applicable review departments have reviewed the project and forwarded the item on for a decision by the City Council.

POTENTIAL MOTION:

“I move that we approve the Final Subdivision located at 7531 S Birch St consistent with the findings noted in the summary report.”

ALTERNATIVE ACTIONS:

The following is a list of possible motions the City Council can take. If the action taken is inconsistent with the potential findings in this summary report, the City Council should state new findings.

1. Approve. This action may be taken if the City Council finds that the Final Subdivision request is compliant as proposed with Midvale City Code and all other applicable ordinances. ***This action would be consistent with staff analysis***
2. Approve with Conditions. This action can be taken if the City Council finds that issues can be resolved subject to the conditions noted.
3. Continue to a Date Certain. This action can be taken if the City Council needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can be taken if the City Council finds that the proposal does not meet applicable codes and/or ordinances.

ATTACHMENTS:

- Vicinity Map
- Final Plat

Vicinity Map



FEM DE LIZ SUBDIVISION PLAT
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 25, T2S, R1W, SLB&M, SALT LAKE
COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, JAMES V. HEINRITZ, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, LICENSE NO. 11072412-2201, DO HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME, OR UNDER MY DIRECT SUPERVISION, OF THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

FEM DE LIZ SUBDIVISION FINAL

JAMES V. HEINRITZ, PLS 11072412-2201
FOR AND ON BEHALF OF VARA 3D, INC

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS 856.58 FEET SOUTH 00°00'00" WEST ALONG THE SECTION LINE AND 361.75 FEET WEST FROM THE EAST ONE QUARTER CORNER OF SAID SECTION 25, SAID POINT BEING THE REAL POINT OF BEGINNING; THENCE WEST 80.00 FEET; THENCE SOUTH 133.42 FEET; THENCE EAST 80.00 FEET; THENCE NORTH 133.42 FEET TO THE POINT OF BEGINNING.

SITUATE IN SALT LAKE COUNTY, STATE OF UTAH

CONTAINS 10,673 SQUARE FEET OR 0.245 ACRES.

OWNERS' DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS , BLOCKS, STREETS AND EASEMENTS, AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE SET OR HANDS THIS _____ DAY OF _____, A.D. 2021

MARIA PAREDES

ACKNOWLEDGEMENT:

STATE OF UTAH | S.S.
COUNTY OF SALT LAKE |

ON THE _____ DAY OF _____, A.D. 2021, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

ACKNOWLEDGEMENT:

STATE OF UTAH | S.S.
COUNTY OF SALT LAKE |

ON THE _____ DAY OF _____, A.D. 2021, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

UTILITY NOTE:

PUBLIC UTILITIES, INCLUDING ELECTRICAL, NATURAL GAS, CABLE T.V., WATER METER(S), AND TELEPHONE SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE UTILITY EASEMENTS AND LOT AREA IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE EASEMENT. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE EASEMENTS.

CONTAINED WITHIN THE EASEMENTS AND LOT AREA ARE PRIVATE SANITARY SEWER, STORM SEWER, AND WATER FACILITIES, THE INSTALLATION, OPERATION, MAINTENANCE, AND/OR REPLACEMENT OF PRIVATE SANITARY SEWER, STORM SEWER, AND WATER FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS. SUCH FACILITIES ARE NOT OFFERED TO, NOR ARE THEY ACCEPTED FOR DEDICATION BY, MIDVALE CITY.

NOTES

1. ALL DIMENSIONS SHOWN ARE IN US SURVEY FEET AND DECIMALS THEREOF.

2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY VARA 3D. ALL INFORMATION REGARDING RECORD EASEMENTS, BOUNDARIES, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON CAN BE OBTAINED FROM THE COUNTY OFFICES. THIS DRAWING DOES NOT GUARANTEE THE EXISTENCE OR ABSENCE OF ADDITIONAL EASEMENTS OR BOUNDARIES WITHIN THE PROJECT AREA.

3. BENCHMARK IS A FOUND RING AND LID AT THE INTERSECTION OF 7200 S AND STATE STREET NAVD 88 ELEVATION OF 4380.97 PER COUNTY TIE SHEET

DOMINION ENERGY NOTE

DOMINION ENRGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THIS PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES. CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532

APPROVED THIS _____ DAY OF _____, 20____

DOMINION ENERGY
BY _____, TITLE _____,



VICINITY MAP

PLANNING COMMISSION:

APPROVED THIS _____ DAY OF _____, 20____
BY _____, TITLE _____,
PLANNING COMMISSION CHAIRMAN

SALT LAKE COUNTY
BOARD OF HEALTH

APPROVED THIS _____ DAY OF _____, 20____
BY _____, TITLE _____,

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

DATE _____, CITY ENGINEER _____,

APPROVAL AS TO FORM

APPROVED THIS _____ DAY OF _____, 20____
MIDVALE CITY ATTORNEY

MIDVALE CITY COUNCIL

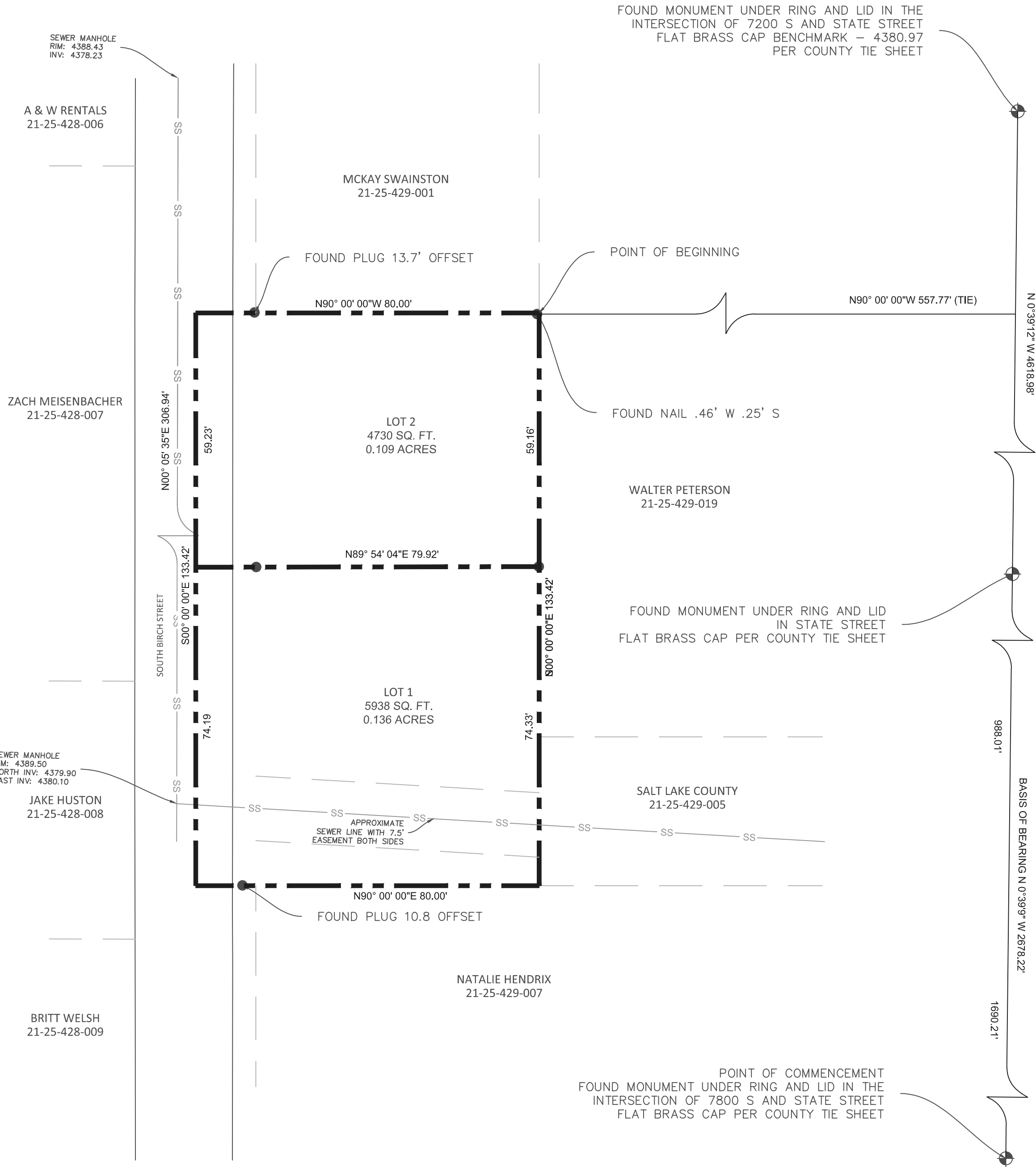
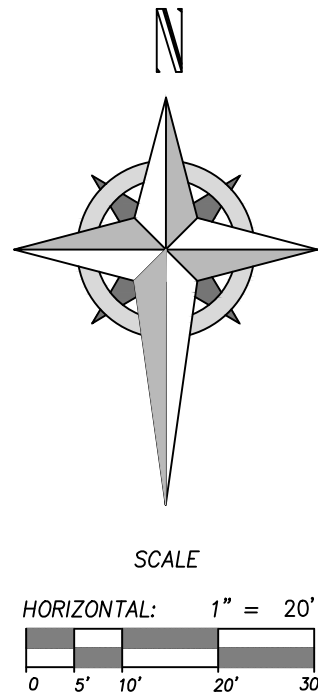
PRESENTED TO THE MIDVALE CITY COUNCIL THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: CITY RECORDER _____ MIDVALE CITY MAYOR _____

RECORDED# _____

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____, TIME _____, BOOK _____, PAGE _____

FEE \$ _____ SALT LAKE COUNTY RECORDER



LEGEND:

- BOUNDARY LINE
- NEIGHBOR BOUNDARY LINE
- PROPERTY CORNER 5/8" REBAR AND CAP UNLESS OTHERWISE NOTED

PROJECT INFORMATION

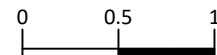
MARIA PAREDES
7531 S BIRCH ST, MIDVALE UT
SUBDIVISION PLAT

REV.#	REVISION NOTES	DATE

CLIENT INFO



PROJECT NO. 2020-115	Sheet 1
DATE MAY 2021	1
HORIZONTAL SCALE 1" = 20'	1



SCALE MEASURES 1-INCH ON FULL SIZE(36x24) SHEETS
ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS



COUNCIL MEETING *Minutes*

Tuesday November 16, 2021
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert M. Hale

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

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; Wendolin Knowlden, Senior Planner; Elizabeth Arnold, Planner II; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; Jake Shepherd, Network Administrator; and Josh Short, IT Technician.

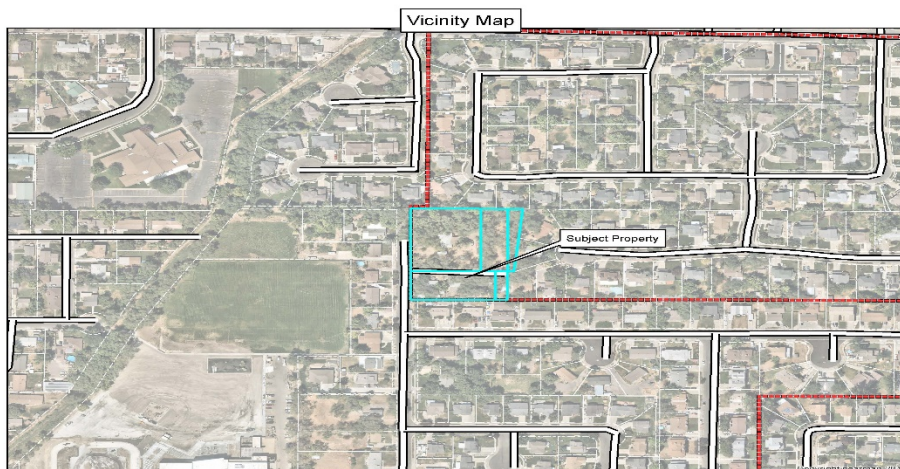
WORKSHOP at 6:00 PM

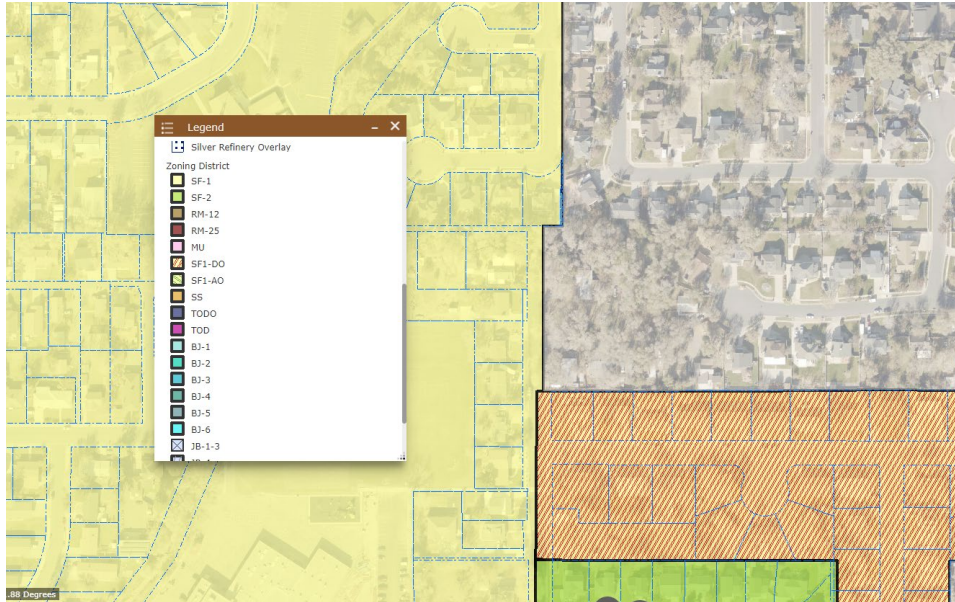
7613 SOUTH 300 EAST BOUNDARY LINE ADJUSTMENT DISCUSSION

Matt Dahl introduced Brandon Fry who is interested in a boundary line adjustment with property that is currently in Sandy City.

Adam Olsen reported the following:

Potential Boundary Line Adjustment





Process for Adjustment

Utah Code 10-2-419

- Each City adopts a resolution of intent of boundary adjustment
- Public Hearing 60 days after adoption of resolution
- Adoption of ordinance approving boundary adjustment
- File with Lieutenant Governor within 60 days
- Boundary adjustment takes effect either July 1st or January 1st of following year

Process for Development (if in Midvale)

Designation of Zone (done concurrent with Boundary Adjustment)

-Adjacent zone districts in Midvale are SF-1 and SF1-DO (Duplex Overlay)

-If zoned SF1-DO, the following must occur (Title 17 Zoning):

- (1) Small Scale Master Plan
- (2) Conditional Use Permit
- (3) Preliminary Subdivision Plan
- (4) Final Subdivision Plat

The Council approved staff to proceed with the process.

Mayor Hale updated the Council on the UFA Five Years of Progress report.

Mayor Robert Hale called the business meeting to order at 6:36 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 reported on the October statistics. He thanked the Violent Crime Unit, Metro Gang Unit and the Major Investigation Unit, as well as shared services for assisting the police on a tragic event of a homicide at a wedding. He said Choose Gang Free is sponsoring a fundraiser with a goal of 150 holiday meals at \$40.00 per family. He said he is looking forward to the December 3rd for the Light the Tree event. He said with the time change it is dark outside so look out for pedestrians. He thanked the Mayor and Council for the support they give to the Unified Police.

Council Member Dustin Gettel asked about the recent house fire.

Chief Brad Larson discussed the recent fire that occurred last Sunday morning. The fire was in a detached garage on 3rd Avenue. A relative was living in the garage. The garage was in-between two homes and fully engulfed. The fire crew was able to save both homes and there were no injuries. The cause of the fire is still under investigation.

II. PUBLIC COMMENTS

Lorene Butler said the side loaders are still going down Birch Street. She said the entrance signs for Midvale are awful. Also, as you're coming off the 7200 South I-15 off-ramp there is trash everywhere and it's a mess. She said she is excited about the removal of the dip on 300 W 7200 S. However, the parking at the Moda Apartment complex is bad. She said Modo charges the residents fees to park and that does not work.

Council Member Dustin Gettel agreed about the Midvale signs. He said he would like them to be cleaned up and replaced if needed.

Council Member Bryant Brown said Birch street needs traffic calming or enforcement to keep the loaders and big trucks off the street.

Steven Brazansky said he would like a nuisance ordinance to be adopted. He said a light trespass ordinance similar to what has been adopted by several other cities.

III. COUNCIL REPORTS

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

B. Council Member Dustin Gettel – acknowledged those who ran for office this year. He said the election was interesting for candidates with ranked choice voting. He said he felt it was a success. He thanked Wayne Sharp, his opponent, for running a good campaign.

C. Council Member Quinn Sperry – said there is an issue with racing cars on 7800 South, which start racing in Sandy City. He said Sandy City will start enforcing on those cars that are racing. He said there is a traffic issue on 700 to 900 East, and he is concerned about serious accidents taking place there. He said Hillcrest football is still having issues with racial slurs. He said he would like to reach out to the community for awareness.

D. Council Member Bryant Brown – said he would like to leverage our lobbyists for money for the homeless shelter. He said construction on 7200 South is weird where construction is at the intersection; it does not give any warning it's closed. You can drive right up to it without any signs, so people are cutting through the gas station. The parking lot at Moda Apartments is mostly empty. The Ordinance needs to say the parking is provided at no cost, so it doesn't force people to park on the street.

E. Council Member Heidi Robinson – had nothing to report.

IV. MAYOR REPORT

Mayor Robert Hale reported on the Utah Homelessness Council meeting. Wayne Niederhauser is going to request \$5.7 Million dollars for the homelessness services. Midvale will receive 20% from sales tax for homelessness. South Salt Lake will receive double that. The remaining 40% will be divided up with the cities that have homeless shelters. Midvale is receiving 17% less than what was received in 2020. The City was using those funds for police force in the area of the shelter. Midvale was excluded from the grant funds because of seeking funds for police force only. The Utah Homelessness Council has a goal to average less than 50 days of stay in homeless shelters. The current average is 66 days stay in the homeless shelter. Non-recurring stay is another goal. The main goal is to reduce returning homelessness of 29%. The state made this goal so in some cases we are winning and some cases we are losing. The intent is to make the visits rare, brief, and non-recurring. He said he also attended the UFA (Unified Fire Authority) meeting. Member fees will be increased 5.5% for the next year. UFA is currently hiring and training 16 new fire fighters. UFSA will likely have a property tax increase because the revenues will fall below the minimum 15% retention in their budget by FY2024. He congratulated election winners Bryant Brown, Dustin Gettel and Marcus Stevenson.

V. CITY MANAGER REPORT

Matt Dahl had nothing to report.

VI. DEPARTMENT REPORTS

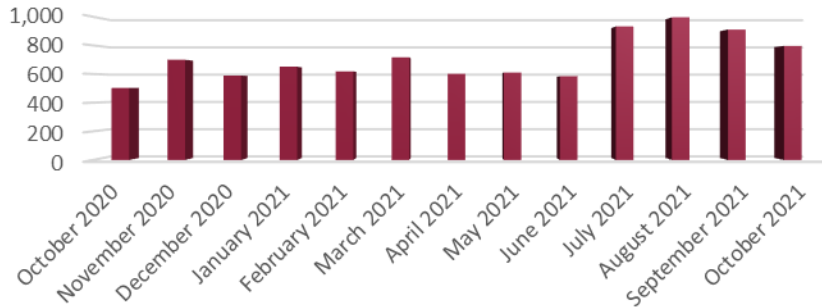
A. ADMIN SERVICES REPORT

Mariah Hill reported on Administrative Services.

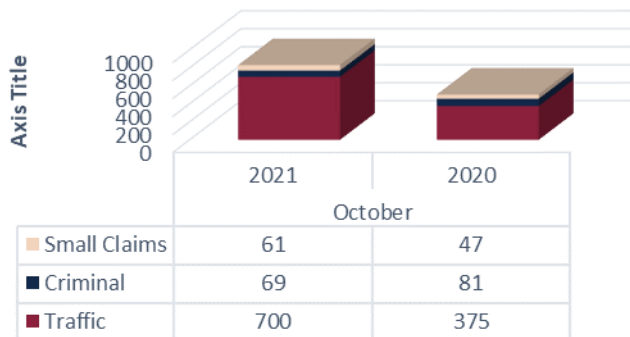
Justice Court

- **October Claims Filed** – 796 (58% increase from October 2020).
- New Judicial Assistant

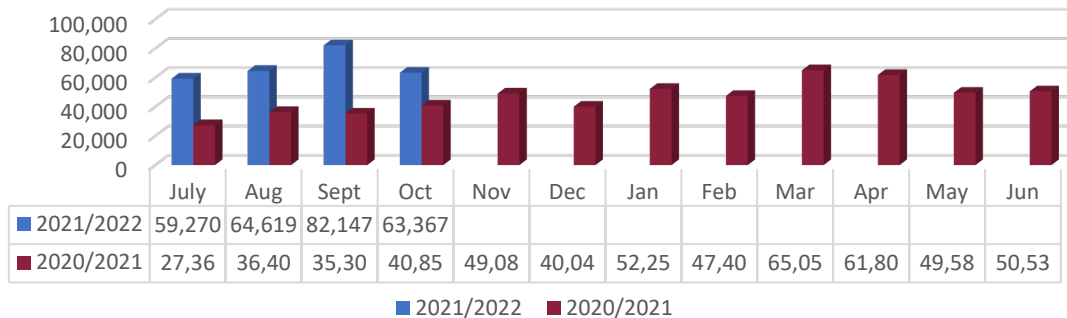
Midvale City Justice Court Total Cases Filed October 2020 - October 2021



Midvale City Justice Court Cases Filed by Type



Midvale City Justice Court Fine and Forfeiture Revenue



Information Technology/Finance

INFORMATION TECHNOLOGY

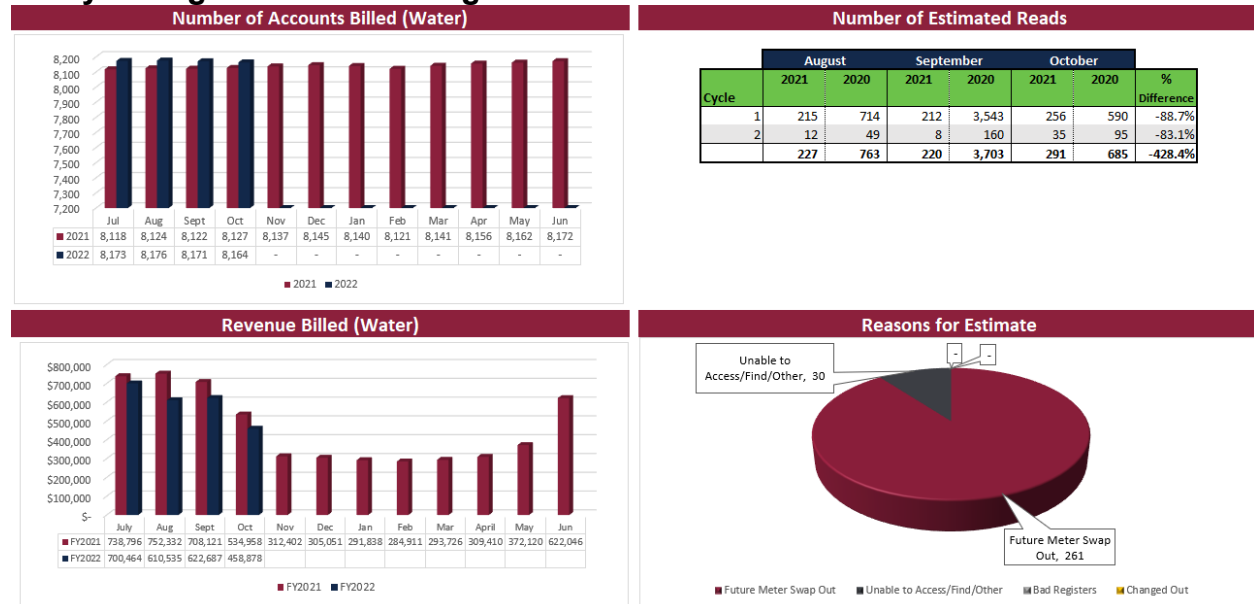
- Offsite storage completed
- Security cameras at parks installed
- New IT Technician
- Electronic GRAMA Request form is live

- Completed 94 Help Desk tickets in October

FINANCE

- Equal Pay enrollment currently open
- Year 3 meter changeout list
 - About 170/1000
- First U3P RFP closes Thursday
- Year End Work

Utility Billing Dashboard – August 2021



MOTION: Council Member Quinn Sperry **MOVED** to open a public hearing. The motion was **SECONDED** by Council Member Paul Glover. 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 HEINER LAND COMPANY REQUEST FOR A FINAL SUBDIVISION APPROVAL FOR THE HEINER TOWNHOMES, A PROPOSED 5-UNIT RESIDENTIAL DEVELOPMENT ON 0.29 ACRES LOCATED AT 51 WEST ALABAMA DR IN THE TRANSIT-ORIENTED DEVELOPMENT (TOD) ZONE

Elizabeth Arnold said The Heiner Land Company, LLC requests final subdivision approval to subdivide a 5-unit townhome development. The subdivision would allow for private ownership of each 3-story townhome. No new streets, landscaping, infrastructure, or lighting is proposed. The proposed lot lines will overlay the existing building.

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 17-7-8.

Public notice has been sent to property owners within 500 feet of the subject parcel. No objections have been received as of the writing of this report.

STAFF RECOMMENDATION:

Approve with the following findings and conditions:

Findings:

1. The project is 0.29 acres and includes 5 townhomes.
2. The project complies with Midvale City Municipal Code 16.04.040 and 17-7-8.
3. The project is consistent with preliminary plans.
4. Planning Staff, the City Engineer, the Fire Marshall, and Public Works have reviewed the project and have provided a favorable recommendation.

Conditions:

1. The applicant shall comply with all requirements from the Planning Staff, City Engineer, Fire Marshall, Public Works, and Building Official. Any conditions raised shall be resolved prior to plat recording.

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

MOTION: Council Member Dustin Gettel **MOVED** to close the 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.

ACTION: **APPROVE HEINER LAND COMPANY REQUEST FOR A FINAL SUBDIVISION FOR THE HEINER TOWNHOMES A PROPOSED 5-UNIT RESIDENTIAL DEVELOPMENT (TOD) ZONE**

MOTION: Council Member Heidi Robinson **MOVED** to approve move that we approve with conditions the Final Subdivision for the Heiner Townhomes located at 51 W Alabama Dr consistent with the findings and conditions noted in the summary report. 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 the 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 PLAT FOR JORDAN BLUFFS 2ND AMENDED SUBDIVISION LOCATED AT APPROXIMATELY 7860 SOUTH BINGHAM JUNCTION BLVD

Adam Olsen said the Gardner Company requests Final Subdivision approval for Jordan Bluffs 2nd Amended Subdivision. The property is in the Jordan Bluffs zone consists of approximately 178 acres. The preliminary plan and an associated right-of-way vacation were approved in July 2020. The right-of-way vacation allowed a realignment of portions of Binary Way and Ivy Drive, west of Bingham Junction Blvd. Notes on the plat indicate required approval processes for all future development.

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, 17-7-3 (Administration) and 17-7-10 (Jordan Bluffs Zone) with some conditions of approval.

STAFF RECOMMENDATION:

Approve with the following findings and conditions:

Findings:

1. The project complies with Midvale City Municipal Code 16.04.040, 17-7-3 and 17-7-10.
2. The project is consistent with the approved preliminary plan, and right-of-way vacation of Binary Way and Ivy Drive.
3. Planning Staff, the City Engineer, the Fire Marshall, and Public Works have reviewed the project and have provided a favorable recommendation.

Conditions:

1. Any conditions raised by the Planning Staff, City Engineer, Fire Marshall, or Public works shall be resolved prior to plat recording.
2. Prior to recording the final plat, the applicant shall complete any remaining grading work on the north camp slope according to applicable ordinance requirement. (This was also a condition of approval at the preliminary plan stage.)

Howard Cook, Representing Gardner & Company, said they are working every day in terms of getting this underway.

Council Member Bryant Brown said the longer they take to build this park, the less the funding will purchase.

Matt Dahl said staff has been working with Gardner to determine the best timeframe to build the park and not have to maintain something that isn't being used.

Council Member Bryant Brown would like an update in the next couple of months.

Council Member Dustin Gettel asked if they had a dust mitigation plan?

Mr. Howard said he would get with the construction team and will provide an update.

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

MOTION: Council Member Dustin Gettel **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: **APPROVE FINAL PLAT FOR JORDAN BLUFFS 2ND AMENDED SUBDIVISION LOCATED AT APPROXIMATELY 7860 SOUTH BINGHAM JUNCTION BLVD**

MOTION: Council Member Dustin Gettel **MOVED** that we approve the final plat for the Jordan Bluffs 2nd Amended Subdivision located in the vicinity of 7860 S. Bingham Junction Blvd with the findings and conditions as noted in the summary report. 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

VIII. CONSENT AGENDA

A. CONSIDER MINUTES OF NOVEMBER 9, 2021

MOTION: Council Member Paul Glover **MOVED** to Approve the Consent Agenda. The motion was **SECONDED** by Council Member Quinn Sperry. 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. ACTION ITEMS

A. CONSIDER RESOLUTION NO. 2021-R-35 A RESOLUTION CANVASSING THE 2021 GENERAL MUNICIPAL ELECTION

Rori Andreason said the Mayor and City Council are the legislative body for Midvale City and comprise the Board of Municipal Canvassers pursuant to Utah Code §20A-4- 301. Utah Code requires the Board of Municipal Canvassers to meet to canvass the returns of the Municipal General Election no sooner than 14 days and no later than 14 days after the election.

Salt Lake County has prepared the election results report for your review and approval. Any valid ballots received by noon on the day of the official canvass and postmarked before election day will be opened and added to the election results. The final canvass report will be distributed and reviewed at the meeting.

2021 General Election Canvass Statistics

Midvale City

Offices: Mayor, Council District 4, Council District 5

Eligible Registered Voters	15,868	
Ballots Counted	4,484	28.26%
By Mail Ballots Counted	59	1.34%
By Mail Ballots Not Accepted (not counted)		

Returned Unsigned 5

**** Signatures Did Not Match the Voter Record 6***

**** Two ballots in One Envelope -***

**** Empty Envelopes 2***

Deceased Voter 1

Ballots Postmark Invalid/Received Late 45

Cure Letters

Cure Letters Sent 27 0.61%

Cure Letters Returned 16 59.26%

Voted in Person	75	1.67%
Provisional Ballots Issued	2	.04%
Provisional Ballots Counted	2	100.00%
<i>Same Day Registration (No Prior Registration)</i>	1	

Provisional Ballots Not Accepted

Voted an Absentee Ballot or Early -

Not Eligible for Ballot Issued -

Incomplete/Invalid Registration -

No ID Provided -

No Proof of Residency -

Vote Centers and Workers

Number of Election Day Vote Centers **22**

Number of Early Voting Locations **6**

Number of Vote Center Workers **83**

Number of ICX machines deployed 107

***Voters were notified and provided an opportunity to rectify their ballots.**

FINAL ELECTION RESULTS 2021 GENERAL ELECTION SALT LAKE COUNTY UTAH

MIDVALE CITY COUNCIL DISTRICT 4 (Vote for 1)

Times Cast	862 / 2,578	33.44%
BRYANT S. BROWN	706	100.00%
Total Votes	706	

MIDVALE CITY COUNCIL DISTRICT 5 (Vote for 1)

Times Cast	909 / 3,802	23.91%
DUSTIN GETTEL	672	74.92%
WAYNE SHARP	225	25.08%
Total Votes	897	

Midvale City Mayor

Candidate	Round 1			Round 2	
	Votes	Percentage	Transfer (Elimination)	Votes	Percentage
MARCUS STEVENSON	2,040	45.72%	269	2,309	52.28%
AMANDA HOLLINGSWORTH	481	10.78%	-481	0	0.00%
ROBERT M HALE	1,941	43.50%	167	2,108	47.72%
Continuing Ballots Total	4,462			4,417	
Blanks	22		0	22	
Exhausted	0		45	45	
Overvotes	0		0	0	
Non Transferable Total	22			67	
Threshold	2,232			2,209	

Salt Lake County

*** Tie resolved in accordance with election law.**

STAFF RECOMMENDATION:

Staff recommended the Board of Canvassers approve Resolution No. 2021-R-35 Accepting and Approving the Results of the Municipal General Election held November 2, 2021 as shown on the Canvass Report. The Board of Canvassers was requested to sign the official canvass results indicating their approval.

MOTION: Council Member Quinn Sperry MOVED to Approve Resolution No. 2021-R-35 Accepting and Approving the Results of the Municipal General Election held on November 2, 2021 as shown on the Canvass

Report. The motion was **SECONDED** by Council Member Paul Glover. 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.

B. CONSIDER ORDINANCE NO. 2021-0-22 AN ORDINANCE APPROVING AND ADOPTING THE AMENDMENTS MAKE TO THE PROJECT AREA PLANS FOR THE BINGHAM JUNCITON RDA, JORDAN BLUFFS RDA, AND MAIN STREET CDA

Kate Andrus said during the previous Redevelopment Agency Board Meeting, the Agency Board adopted amendments to the three project area plans, Bingham Junction RDA, Jordan Bluffs RDA, and Main Street CDA. The amendments to the project area plans, however, do not take effect until the amendments are also adopted by the city council by ordinance. The proposed ordinance would simply adopt the amendments to the plans that have already been adopted by the RDA Board. All the amendments to the project area plans do is allow transferring funds between project areas to fund the Midvale City Main Street Revolving Loan Program.

The proposed resolution is to permit the Agency to transfer \$1,500,000 from the Bingham Junction RDA to the Main Street CDA in order to fund the Midvale City Main Street Revolving Loan Program. This is a legal requirement outlined in Utah State Code Section 17C-1-409.

FISCAL IMPACT: The Agency will transfer \$1,500,000 in fund balance from the Bingham Junction RDA to the Main Street CDA in order to fund the Midvale Main Street Revolving Loan Program.

Once implemented, the program will increase the tax base within the Main Street CDA. These additional revenues and businesses repaying the loans to the Agency will ensure repayment of the intra-loan from the Main Street CDA to the Bingham Junction RDA.

MOTION: Council Member Dustin Gettel **MOVED** to Adopt Ordinance No. 2021-O-22 an Ordinance Approving and Adopting the Amendments made to the Project Area Plans for the Bingham Junction RDA, Jordan Bluffs RDA, and Main Street CDA. 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.

**C. CONSIDER RESOLUTION NO. 2021-R-36 A RESOLUTION APPROVING
THE TRANSFER OF FUNDS FROM THE BINGHAM JUNCTION RDA TO
THE MAIN STREET CDA FOR FUND THE REVOLVING LOAN
PROGRAM**

Kate Andrus said During the previous Redevelopment Agency Board Meeting, the Agency Board adopted amendments to the three project area plans, Bingham Junction RDA, Jordan Bluffs RDA, and Main Street CDA. The amendments to the project area plans, however, do not take effect until the amendments are also adopted by the city council by ordinance. The proposed ordinance would simply adopt the amendments to the plans that have already been adopted by the RDA Board. All the amendments to the project area plans do is allow transferring funds between project areas to fund the Midvale City Main Street Revolving Loan Program.

The proposed resolution is to permit the Agency to transfer \$1,500,000 from the Bingham Junction RDA to the Main Street CDA in order to fund the Midvale City Main Street Revolving Loan Program. This is a legal requirement outlined in Utah State Code Section 17C-1-409.

FISCAL IMPACT: The Agency will transfer \$1,500,000 in fund balance from the Bingham Junction RDA to the Main Street CDA in order to fund the Midvale Main Street Revolving Loan Program.

Once implemented, the program will increase the tax base within the Main Street CDA. These additional revenues and businesses repaying the loans to the Agency will ensure repayment of the intra-loan from the Main Street CDA to the Bingham Junction RDA.

MOTION: **Council Member Dustin Gettel MOVED to Approve Resolution No. 2021-R-36 a Resolution Approving the Transfer of Funds from the Bingham Junction RDA to the Main Street CDA to fund the Revolving Loan Program. The motion was SECONDED by Council Member Quinn Sperry. 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.

**D. CONSIDER RESOLUTION NO. 2021-R-37 A RESOLUTION
IDENTIFYING AND APPROVING THE IMPLEMENTATION OF
EMPLOYEE RETENTION MEASURES**

Rori Andreason said the past year has been challenging at best in regard to COVID and economic conditions. Over the past year, the city has experienced a 33% turnover rate, which greatly affects the service level to our Midvale residents.

Needless to say, other cities are experiencing the same issues and are taking measures to hire and retain employees. Therefore, in an attempt to slow the “great resignation” certain employee retention measures have been identified that staff believes might help slow the turnover issue. Staff is proposing the implementation of the following employee retention measures:

1. Two days of Personal Time Off (PTO) to be used no later than May 1, 2022. Employees must work with their department heads to schedule the time off.
2. Employees who have been in their positions for at least four years will be moved to the mid-point of their pay range. This policy will take effect as of January 1, 2022, requiring a \$97,200 budget allocation for salary and benefits. Funds are available to implement this strategy due to personnel cost savings.
3. A \$1,000 retention bonus will be awarded to those employees who are fully employed with the city as of June 1, 2022. Only employees hired prior to this retention measure being approved by Council will be eligible for the retention bonus.
4. POLICY – All full-time employees not operating under an employee performance improvement plan or other disciplinary proceedings shall achieve mid-point of their pay range within 4 years in a position.
5. Employees who are assigned to be on-call during a week where there is a holiday shall count the holiday as time worked for overtime purposes.

A Resolution has been prepared outlining the above-mentioned employee retention measures for Council's consideration. Staff recommends approval and implementation of the identified employee retention measures.

FISCAL IMPACT: Funding for the (4 year) mid-point policy is \$97,200, allocated through personnel savings. Funding for the retention bonus will be \$85,000.

Council Member Dustin Gettel enquired about bringing in employees that are currently in the URS system. Is there any negotiation with new hires on the URS system.

Rori Andreason said currently there have not been any negotiations.

Council Member Dustin Gettel feels it is reasonable for those employees coming from URS to URS to get an increased vacation accrual amount.

Matt Dahl said he would continue to work on this issue. It does cost come issues with current employees and fairness.

Rori Andreason said currently staff is able to negotiate upfront vacation for incoming employees.

MOTION: Council Member Dustin Gettel **MOVED** to Approve Resolution No. 2021-R-37 A Resolution identifying and approving the employee retention measures. 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.

E. CONSIDER RESOLUTION NO. 2021-R-38 A RESOLUTION AUTHORIZING A BOARD MEMBER TO RECEIVE COMPENSATION FOR SERVICE ON THE BOARD OF DIRECTORS OF THE UTAH LOCAL GOVERNMENTS TRUST

Matt Dahl said currently Mayor Robert Hale is serving as a member of the board of directors for the Utah Local Governments Trust (the Trust). After a legal review of section 11-13-403(1)(e) of the Utah State Code regarding the duties and responsibilities of a Board Member's service on an interlocal Board it has determined that a Board Member's receipt of compensation for services rendered to the Board are appropriate if approved by the board member's governing body.

11-13-403(1)(e. A governing authority member who is appointed by a public agency may not receive compensation for governing authority service unless the public agency annually approves the governing authority member's receipt of the compensation after an analysis of the duties and responsibilities of service on the governing authority.)

In the past the City Council determined that, because the Mayor's position and compensation is considered part-time, that additional compensation for time, travel and expenses was warranted and allowed. The Trust is requesting that each entity that has representation on their board of directors adopt a resolution authorizing this compensation.

STAFF'S RECOMMENDATION:

The Staff recommends approval of Resolution No. 2021-R-38.

MOTION: Council Member Bryant Brown **MOVED** to Adopt Resolution No. 2021-R-38 a Resolution Authorizing a board member to receive compensation for service on the Board of Directors of the Utah Local Governments Trust. 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.

X. DISCUSSION ITEM

A. DISCUSS 2022 MEETING SCHEDULE

Rori Andreason said the Midvale City Council hereby gives notice of the time and place for holding its regular council meetings for the 2022 Calendar Year as follows:

City Council meetings are scheduled to be conducted on the first and third Tuesday of each month unless otherwise posted. City Council meetings shall begin at 6:00 p.m. with a pre-meeting workshop. The regular meeting will begin at 7:00 p.m. If needed, the City Council will schedule workshop meetings, the time and place of which will be designated by the City Council. The exception to the above schedule will be as follows:

- August Council Business meetings will be held August 9th and 23rd
- December Council Business meetings will be held December 6th and 13th

Midvale City may call an emergency meeting to consider matters of an emergency or urgent nature. In accordance with Section 52-4-202 (5) UCA, notice requirements may be disregarded and the best notice practicable given. In accordance with Section 10-3-502 UCA, the Council may call a special meeting providing at least a three-hour notice.

Location of Meetings: All meetings described above, except those meetings for which notice is given that the meeting will be held at a different location, will be held at City Hall, 7505 South Holden Street, Midvale, Utah.

The Midvale City Council desires to designate the following members of the governing body to automatically succeed to the position of Mayor Pro-Tempore when the Mayor is absent:

Councilmember Quinn Sperry	January and February
Councilmember Dustin Gettel	March and April
Councilmember Quinn Sperry	May and June
Councilmember Bryant Brown	July and August
Councilmember Heidi Robinson	September and October
Councilmember Paul Glover	November and December

The City Council desires to observe certain Holidays in which the City Offices will be closed. The following Holiday schedule is hereby adopted for full-time and qualified part-time employees:

New Year's Day (Observed).....	Dec 30/Jan 3
Martin Luther King, Jr.'s Birthday	January 17

Presidents' Day	February 21
Memorial Day	May 30
Juneteenth.....	June 19
Independence Day	July 4
Pioneer Day (Observed).....	July 25
Labor Day	September 5
Veterans' Day	November 11
Thanksgiving Day.....	November 24
Day after Thanksgiving.....	November 25
Christmas Day (Observed).....	December 26
Day after Christmas (Observed).....	December 27

The City Council directs the City Recorder to publish the 2022 City Council meeting schedule in at least one newspaper of general circulation in Midvale City, State of Utah. This Resolution shall take effect immediately.

The City Council agreed to add this item to the consent agenda for approval.

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 8:07 p.m.

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

Approved this 7th day of December



MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: December 7, 2021

SUBJECT: **Establish Time and Place to hold Regular City Council Meetings, Designate the Mayor Pro Tempore Schedule, and Adopt the Holiday Schedule for the 2022 Calendar Year**

SUBMITTED BY: **Rori L. Andreason, H.R. Director/City Recorder**

SUMMARY:

Section 2.36 of the Midvale Municipal Code outlines the City Council meeting scheduled as required by state statute. The Council is scheduled to meet the first and third Tuesdays of each month for a City Council meeting. Workshop meetings will be scheduled as needed at a date and time designated by the City Council. The City Council meetings scheduled in months of July, August, November, and December may differ from the above schedule. The proposed holiday schedule for calendar year 2022 has also been included for Council consideration as well as the Mayor Pro-Tempore schedule. A resolution has been prepared for Council consideration.

FISCAL IMPACT: N/A

RECOMMENDED MOTION:

I move that we adopt Resolution No. 2021-R-39 Establishing a Time and Place for Holding Regular City Council Meetings, Designate the Mayor Pro Tempore Schedule, and Adopt the Holiday Schedule for the 2022 Calendar Year.

Attachments: **Proposed Resolution**

**MIDVALE CITY, UTAH
RESOLUTION NO. 2021-R-39**

**A RESOLUTION ESTABLISHING A TIME AND PLACE
FOR HOLDING REGULAR CITY COUNCIL MEETINGS,
DESIGNATE THE MAYOR PRO TEMPORE SCHEDULE, AND
ADOPT THE HOLIDAY SCHEDULE FOR THE 2022 CALENDAR YEAR**

WHEREAS, pursuant to Section 52-4-2 of the Utah Code Annotated and the Midvale Municipal Code, Section 2.36, the Midvale City Council hereby gives notice of their 2022 City Council meeting schedule; and

WHEREAS, the City Council desires to encourage residents of Midvale City to attend City Council meetings; and

WHEREAS, the City Council desires to have a designated member of the governing body automatically succeed the position of Mayor Pro Tempore whenever the Mayor is absent; and

WHEREAS, the City Council desires to observe certain Holidays throughout the year in which the City Offices will be closed,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, UTAH:

Section 1. The Midvale City Council hereby gives notice of the time and place for holding its regular Council meetings for the 2022 Calendar Year as follows:

City Council meetings are scheduled to be conducted on the first and third Tuesday of each month unless otherwise posted. City Council meetings shall begin at 6:00 p.m. with a Pre-Meeting Workshop. The regular meeting will begin at 7:00 p.m. If needed, the City Council will schedule Workshop Meetings, the time and place of which will be designated by the City Council. The exception to the above schedule will be as follows:

- August Council Business meetings will be held August 9th and 23rd
- December Council Business meetings will be held December 6th and 13th

Midvale City may call an emergency meeting to consider matters of an emergency or urgent nature. In accordance with Section 52-4-202 (5) UCA, notice requirements may be disregarded and the best notice practicable given. In accordance with Section 10-3-502 UCA, the Council may call a special meeting providing at least a three-hour notice.

Location of Meetings: All meetings described above, except those meetings for which notice is given that the meeting will be held at a different location, will be held at City Hall, 7505 South Holden Street, Midvale, Utah.

Section 2. The Midvale City Council desires to designate the following members of the governing body to automatically succeed to the position of Mayor Pro-Tempore when the Mayor is absent:

Councilmember Quinn Sperry	January and February
Councilmember Dustin Gettel	March and April
Councilmember Quinn Sperry	May and June
Councilmember Bryant Brown	July and August
Councilmember Heidi Robinson	September and October
Councilmember Paul Glover	November and December

Section 3. The City Council desires to observe certain Holidays in which the City Offices will be closed. The following Holiday schedule is hereby adopted for full-time and qualified part-time employees:

New Year's Day (Observed).....	Dec 30/Jan 3
Martin Luther King, Jr.'s Birthday	January 17
Presidents' Day	February 21
Memorial Day	May 30
Juneteenth.....	June 19
Independence Day	July 4
Pioneer Day (Observed).....	July 25
Labor Day	September 5
Veterans' Day (Observed).....	November 10
Thanksgiving Day.....	November 24
Day after Thanksgiving.....	November 25
Christmas Day (Observed).....	December 26
Day after Christmas (Observed).....	December 27

Section 4. The City Council directs the City Recorder to publish the 2022 City Council meeting schedule in at least one newspaper of general circulation in Midvale City, State of Utah.

Section 5. This Resolution shall take effect immediately.

APPROVED AND ADOPTED this 7th day of December 2021.

Robert M. Hale, Mayor

ATTEST:

Rori L. Andreason, MMC
City Recorder

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