



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

**MIDVALE CITY COUNCIL MEETING
AGENDA
May 17, 2022**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **17th day of May, 2022** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah 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 May 16th. 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

5:00 PM - WORKSHOP

- Discussion of Council Goals **[Matt Dahl, City Manager]**

6:00 PM

- Utah Election Integrity Presentation
- Discussion of Unified Police Department FY2023 Budget **[Kyle Maurer, Assistant City Manager]**

7:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

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

II. PUBLIC COMMENTS

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

III. COUNCIL REPORTS

- A. Councilmember Quinn Sperry
- B. Councilmember Bryant Brown
- C. Councilmember Heidi Robinson
- D. Councilmember Paul Glover

E. Councilmember Dustin Gettel

IV. MAYOR REPORT

A. Mayor Marcus Stevenson

V. CITY MANAGER REPORT

VI. DEPARTMENT REPORTS

A. Administrative Services Department Report *[Mariah Hill, Administrative Services Director]*

VII. PUBLIC HEARINGS

A. Consider Vacating a Portion of Center Street Right-of-Way at Approximately 100 W Center in the TOD (Transit Oriented Development) Zone to Allow for a 26 Unit Townhome Project *[Adam Olsen, Planning Director]*

ACTION: Consider Ordinance No. 2022-O-10 An Ordinance Vacating a Portion of Center Street Right-of-Way at Approximately 100 W Center in the TOD (Transit Oriented Development) Zone to Allow for a 26 Unit Townhome Project

B. Consider Preliminary Subdivision Plan for C Street Towns, a 26 Unit Townhome Development located at Approximately 100 W Center in the TOD (Transit Oriented Development) Zone *[Adam Olsen, Planning Director]*

ACTION: Consider Preliminary Subdivision Plan for C Street Towns, a 26 Unit Townhome Development located at Approximately 100 W Center in the TOD Transit Oriented Development Zone

C. Consider Request to Amend Section 17-7-1.4 of the Midvale Municipal Code that Proposes to Decrease the Rear Setback from 25 Feet to 15 Feet, Michael Edwards Requestor *[Wendelin Knobloch, Senior Planner]*

ACTION: Consider Ordinance No. 2022-O-11 An Ordinance Amending Section 17-7-1.4 of the Midvale Municipal Code Decreasing the Rear Setback from 25 Feet to 15 Feet

VIII. CONSENT AGENDA

A. Consider Minutes of May 3, and 11, 2022 *[Rori Andreason, H.R. Director/City Recorder]*

B. Consider **Resolution No. 2022-R-20** A Resolution Establishing Effective Date of Midvale City Council District Map *[Lisa Garner, City Attorney]*

IX. ACTION ITEMS

A. Consider Final Plat Approval for C Street Towns, a 26 Unit Townhome Plat located at Approximately 100 W Center in the TOD (Transit Oriented Development) Zone *[Adam Olsen, Planning Director]*

- B. Consider **Resolution No. 2022-R-21** Authorizing the Mayor to enter into a Contract with Quicksilver Concrete for the 2022-2027 Concrete Replacement **[Keith Ludwig, City Engineer]**
- C. Review and Approval of **Resolution No. 2022-R-22** Adopting the Updated Board and Committee Assignments for Midvale City **[Matt Dahl, City Manager]**
- D. Consider **Resolution No. 2022-R-23** A Resolution Restating the ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement for Midvale City Corporation 108748 Plan **[Rori Andreason, H.R. Director/City Recorder]**
- E. Consider **Resolution No. 2022-R-24** A Resolution Restating the ICMA Retirement Corporation 401 Governmental Profit-Sharing and Trust for Midvale City Corporation **[Rori Andreason, H.R. Director/City Recorder]**
- F. Discussion and Consideration of **Resolution No. 2022-R-25** A Resolution Authorizing the Mayor to Enter into an Agreement with Bonneville Asphalt for the Construction of the Jordan River Trail Parkway Repavement Project **[Keith Ludwig, City Engineer]**

X. DISCUSSION ITEM

- A. Discuss 2022-2027 Pavement Preservation Project **[Keith Ludwig, City Engineer]**
- B. Continued Discussion of Unified Police Department FY2023 Budget **[Kyle Maurer, Assistant City Manager]**

XI. ADJOURN

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

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

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

DATE POSTED: MAY 12, 2022

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



MIDVALE CITY COUNCIL MEETING

Minutes

Tuesday May 17, 2022

Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

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

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; Laura Magness, Communications Director; Nate Rockwood, Community Development Director; Adam Olson, Planning Director; Wendelin Knobloch, Senior Planner; Cody Hill, RDA Manager; Kate Andrus, RDA Program Manager; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; Juan Rosario, Systems Administrator; and Matt Pierce, IT Director.

5:00 PM – WORKSHOP

- **DISCUSSION OF COUNCIL GOALS**

Matt Dahl discussed examples of a vision for the city.

Midvale City Vision

City Council Vision and Goals – Why?

1. Resource Allocation
2. Communication
3. Empowerment
4. Accountability

Process

1. Vision
2. Goals
3. Strategy
4. Implementation
5. Accountability

Vision Statement

A vision statement describes the company's purpose, what the company is striving for, and what it wants to achieve.



Vision Statement Examples

- Springfield is a diverse community of vibrant, distinct neighborhoods located in the center of the Salt Lake Valley and connected to the region by a network of transportation systems. Our residents, innovative businesses and forward-thinking leaders work together to ensure a high quality of life for all.
- Elk Grove prioritizes a superior quality of life for all that builds upon the community's diversity and heritage through safe, welcoming, and connected neighborhoods, with a variety of residential, educational, and employment choices and amenities that create a sense of place.
- Pacific Grove will thoughtfully grow as an inclusive seaside community that protects residential character, historic resources, promotes multi-beneficial development, and ensures respect for the environment.
- The City of Durham is dedicated to improving the quality of life in our community by delivering cost-effective, highly responsive services with integrity and friendliness.

Vision Comments from May 3, 2022

1. Transparent
2. Support residents staying in Midvale throughout their lives.
3. Accessible Government

Council Member Heidi Robinson and Dustin Gettel recommended just working on the goals instead of the vision.

The Council asked Mayor Stevenson to come up with a vision.

• UTAH ELECTION INTEGRITY PRESENTATION

Cristy Bokley and Wendy Hart were present from the Utah Election Integrity Group, which they created to educate citizens on the election processes. Wendy Hart discuss the ranked choice voting method and issues regarding this type of voting method.

• DISCUSSION OF UNIFIED POLICE FY2023 BUDGET

Kyle Maurer said on Wednesday, April 20, 2022, the Mayor, City Manager, and Assistant City Manager met with the Salt Lake County Sheriff (UPD CEO) and UPD CFO to discuss tentative budget amounts for fiscal year 2023, along with a significant financial issue (use of fund balance). Based on those discussions, a budget amount of \$11,180,547 was included in Midvale City's fiscal year 2023 tentative budget. On May 3, 2022, the Salt Lake County Sherriff and UPD CFO discussed with the City Council their current revised estimate of

\$11,775,005 (\$594,458 increase). Staff was not made aware of the increased budget amount until the meeting with the City Council and was not able to review the figures beforehand.

He discussed the revised budget amount, along with the “pros” and “cons” of UPD’s recommended solution for lowering the City’s member assessment (use of precinct fund balance).

PLAN COMPLIANCE:

N/A

FISCAL IMPACT:

UPD’s current FY2022 member assessment is \$9,874,517 (after mid-year market adjustments). The current revised estimate is \$11,775,005, a 19.2% increase. The difference between fiscal year 2022’s beginning budget of \$9,229,549 and the current FY2023 proposed amount is 27.6%.

FY2023 Draft Member Assessment - Subject to Change

5% COLA 5% Market - Civilians Surgical Approach - SWORN	Millcreek Fund 22	Holladay Fund 26*	Midvale Fund 28	Total SLVLESA	Total CW - SLCo Fully-Funded	Total UPD Budget
Precinct Direct SWORN Wages	4,871,500	2,749,000	3,856,500	9,236,751	4,614,750	25,328,500
Precinct Direct Civilian Wages (including Advocates)	156,750	79,500	131,250	271,749	1,481,250	2,120,500
Part Time Employees	-	-	23,000	-	48,900	71,900
Precinct Direct Crossing Guard Wages	311,500	119,500	81,650	604,850	-	1,117,500
Overtime	228,000	63,000	235,000	267,400	391,300	1,184,700
Employee Benefits (98% Officers)	3,201,750	1,791,000	2,533,750	6,041,250	3,767,250	17,335,000
FY 2022-23 Precinct / District Wages & Benefits Budget	8,769,500	4,802,000	6,861,150	16,422,000	10,303,450	47,158,100
FY 2022-23 Precinct Direct Operating Costs	1,248,450	574,350	835,950	2,240,880	1,729,335	6,628,965
School District contributions to SRO	(130,000)	(97,500)	(90,000)	(95,500)	-	(413,000)
Records & Civil Processing Fees	-	-	-	-	(62,500)	(62,500)
Gang Conference Registration Fees	-	-	-	-	(120,000)	(120,000)
Choose Gang Free	-	-	-	-	(570,500)	(570,500)
Grants and Other Revenue	(50,000)	-	-	(20,000)	(426,500)	(496,500)
FY 2022-23 Precinct Revenue Totals	(180,000)	(97,500)	(90,000)	(115,500)	(1,179,500)	(1,662,500)
FY 2022-23 Budgetary Use of Prcnct/Dstrct Fund Balance	-	-	-	-	-	-
FY 2022-23 Total Precinct / District Direct Budgets	9,837,950	5,278,850	7,607,100	18,547,100	10,853,285	52,124,565
FY 2021-22 Total Precinct / District Direct Amended Budgets	8,801,248	4,746,167	6,869,787	16,616,936	9,714,835	46,748,973
Difference	1,036,702	532,683	737,313	1,930,444	1,138,450	5,375,592
% Increase	11.78%	11.22%	10.73%	11.62%	11.72%	11.50%
^ Holladay budget omits 1 x exp for FFE (\$197,000)						
Shared Services SWORN Wages	1,002,378	361,031	760,185	1,227,346	819,610	4,170,550
Shared Services Civilian Wages	746,502	268,871	566,134	914,043	500,950	2,996,500
Shared Services Part Time Wages	34,221	12,326	25,953	41,901	28,600	143,000
Shared Services Overtime	161,990	58,345	122,850	198,346	134,820	676,350
Shared Services Employee Benefits	1,064,092	383,259	806,988	1,302,911	810,250	4,367,500
FY 2022-23 Shared Services Wages & Benefits Budget	3,009,182	1,083,831	2,282,110	3,684,546	2,294,230	12,353,899
FY 2022-23 Shared Services Operating Cost	2,626,095	945,853	1,991,583	3,215,480	2,179,855	10,958,865
FY 2022-23 Shared Service Revenues	(139,492)	(50,241)	(105,788)	(170,799)	(106,080)	(572,400)
FY 2022-23 Shared Services Allocation to Members	5,495,785	1,979,442	4,167,905	6,729,227	4,368,005	22,740,364
FY 2022-23 Budgetary Use of General Fund Balance	-	-	-	-	-	-
FY 2022-23 Adj Shared Svcs Allocation to Members	5,495,785	1,979,442	4,167,905	6,729,227	4,368,005	22,740,364
FY 2021-22 Shared Svcs Costs (after mid-yr wage increase)	4,799,207	1,677,712	3,583,561	5,529,584	3,691,051	19,281,115
FY 2021-22 Budgetary Use of General Fund Balance	(775,187)	(270,991)	(578,831)	(893,160)	(629,542)	(3,147,711)
FY 2021-22 Shared Svcs Allocation to Members	4,024,020	1,406,721	3,004,730	4,636,424	3,061,509	16,133,404
Difference	1,471,765	572,721	1,163,175	2,092,803	1,306,496	6,606,961

% Increase	36.57%	40.71%	38.71%	45.14%	42.67%	40.95%
Total FY2022-23 Estimated Member Assessment	15,333,735	7,258,293	11,775,005	25,276,607	15,221,290	74,864,929
FY2021-22 Member Assessment	12,825,268	6,152,888	9,874,517	21,253,360	12,776,344	62,882,377
Difference	2,508,467	1,105,405	1,900,488	4,023,247	2,444,946	11,982,552
% Increase	19.56%	17.97%	19.25%	18.93%	19.14%	19.06%

* - Budgeted at 100% of Wages & Benefits

FY2023 Sharing Formula Allocation	23.93%	8.62%	18.15%	29.30%	20.00%	100.00%
FY2023 Allocation of Budgetary Use of Fund Bal (Shared Svcs)	-	-	-	-	-	- X
FY2021 Ending Fund Balance	1,582,252	677,569	834,063	2,834,734	1,697,918	7,626,536
FY2022 Proj Rev over Exp	689,685	425,920	665,445	1,056,873	384,473	3,222,396
Less: Budgetary Use of Fund Bal (FY2022 Precinct Budget)		(157,000)	(37,500)	(500,000)	(30,000)	(724,500) ^
FY2022 Projected Ending Member Fund Bal	2,271,937	946,489	1,462,008	3,391,607	2,052,391	10,124,432
FY2021 Audited Ending Member Fund Bal - Prepaid	(10,279)				(300)	(10,579)
FY2021 Ending Member Fund Bal - Restricted for Grants	(76,037)				(33,545)	(109,582)
FY2021 Audited Ending Member Fund Bal - Committed	(201,250)	(128,935)	(189,065)	(421,301)	(472,891)	(1,413,442)
FY2022 Projected Ending Member Fund Bal - Available	1,984,371	817,554	1,272,943	2,970,306	1,545,655	8,590,829
FY2023 Allocation of Budgetary Use of Fund Bal (Shared Svcs)	-	-	-	-	-	- X
FY2023 Adjusted Beginning Fund Bal (after allocation)	1,984,371	817,554	1,272,943	2,970,306	1,545,655	8,590,829

Any Budgetary Use of Fund Balance is a reduction to the Member Assessment

e.g., FY 2022 Budgetary Use of Gen Fund Bal	(775,187)	(270,991)	(578,831)	(893,160)	(629,542)	(3,147,711) X
e.g., FY 2022 Budgetary Use of Precinct fund Bal	-	(157,000)	(37,500)	(500,000)	(30,000)	(724,500) ^
FY2022 Reduction to (Discounted) Member Assessment	(775,187)	(427,991)	(616,331)	(1,393,160)	(659,542)	(3,872,211)

Midvale Operation Expenditure Comparison

Account Number Account Title 2021-22 Adopted Beginning Budget 2022-23 Future Year Budget

Difference

28-800-2105	Employee Recognition Awards	500	600	100
28-800-2150	Maint of Bldgs, Grounds, Other	13,500	6,600	(6,900)
28-800-2215	Uniforms - Skaggs Star Card	55,000	55,000	-
28-800-2265	PPE for Evidence Collection	2,600	2,600	-
28-800-2310	Books, Subscriptions, Membrshp	1,000	1,000	-
28-800-2330	Education & Training Reg Fees	10,000	10,000	-
28-800-2380	Printing Charges	1,000	500	(500)
28-800-2383	Community Events	7,500	7,500	-
28-800-2385	LHM Victim Advocate Exp.	4,000	3,650	(350)
28-800-2410	Office Supplies	6,200	6,200	-
28-800-2415	Computer Software	500	500	-
28-800-2416	Computer Components	7,000	7,000	-
28-800-2418	Surveillance Equip& Monitoring	3,600	3,600	-
28-800-2419	Small Equipment (Non-Computer)	12,000	12,000	-
28-800-2420	Postage and Courier Service	2,000	2,000	-
28-800-2430	CHIT Expenditures	3,500	3,500	-
28-800-2440	Meals & Refreshments	1,500	1,500	-
28-800-2470	Maintenance of Office Equip.	1,500	1,500	-
28-800-2510	Gasoline	134,500	186,800	52,300

28-800-2540	Car Wash Contract	4,900	4,750	(150)
28-800-2541	Chrgs for Svcs - Fleet Maint	65,750	71,000	5,250
28-800-2542	SLCo Fleet Management Fee	2,500	2,450	(50)
28-800-2543	UPD Internal Svcs Fund Fee	43,900	53,900	10,000
28-800-2580	Travel & Transportation	3,000	3,000	-
28-800-2600	Transfer to Fund 50 - VRC	302,800	336,800	34,000
28-800-2605	Transfer to Fund 50 - Drop Car	4,000	-	(4,000)
28-800-2610	Heat and Fuel	9,000	9,000	-
28-800-2620	Light and Power	20,000	20,000	-
28-800-2630	Water, Sewer, and Sanitation	7,000	7,000	-
28-800-2640	Telephone, Cable, & Data	5,000	2,000	(3,000)
28-800-2930	Contracted Professional Svcs	1,800	7,000	5,200
28-800-3410	Small Tools & Shop Supplies	1,000	1,000	-
28-800-6100	Miscellaneous Expenditures	1,000	1,000	-
28-800-7000	Midvale JAG Grant Expenditure	13,500	-	(13,500)
28-800-7410	Capital Purchase	5,000	5,000	-
Totals		757,550	835,950	78,400

Member/Precinct Target Fund Balance Levels

FY2022 Projected Change in Fund Balance - by Precinct Member	Millcreek Fund 22	Holladay Fund 26	Midvale Fund 28	SLVLESA	Countywide Services	Total
FY2022 Beginning Fund Balance	1,582,252	677,569	34,063	2,834,734	1, 97,918	7,626,536
FY2022 Budgetary Use of Fund Bal		(157,000)	(37,500)	(500,000)	(30,000)	(24,500)
FY2021 Ending Fund Bal - Prepaid	(10,279)			(300)	(42,029)	(52,608)
FY2021 Ending Fund Bal - Grants	(76,037)			(33,545)		(109,582)
FY2021 Ending Fund Bal - Committed	(201,250)	(128,935)	(189,065)	(421,301)	(472,891)	(1,413,442)
FY 022 Project Rev over (under) Exp	<u>689,685</u>	<u>425,920</u>	<u>665,445</u>	<u>1,056,873</u>	<u>384,473</u>	<u>3,222,396</u>
FY2022 Proj Ending Fund Balance	1,984,371	817,554	1,272,943	2,936,461	1,537,471	8,548,800
FY2022 Projected Revenues	8,884,765	4,786,167	6, 64,204	16,714,184	11, 22,665	48,571,985
Less: Budgetary Use of Fund Bal		(1 7,000)	(7,500)	(5 0,000)	(30,000)	(24,500)
Less: Transfers-in	<u>(3,925)</u>	<u>(2,944)</u>	<u>(4,417)</u>	<u>(9,847)</u>	<u>(55,255)</u>	<u>(76,388)</u>

**MEMBER /
PRECINCT
TARGET FUND
BALANCE LEVELS**

Potential Target Levels for Member / Precinct Fund Balances:

5.0% x FY2022 Proj "New Money" Revenue	444,042	231,311	346,114	810,217	556,871	2,388,555
7.0% x FY2022 Proj "New Money" Revenue	621,659	323,836	484,560	1,134,304	779,619	3,343,977
8.5% x FY2022 Proj "New Money" Revenue	754,871	393,229	588,394	1,377,369	946,680	4,060,543
10.0% x FY2022 Proj "New Money" Revenue	888,084	462,622	692,229	1,620,434	1,113,741	4,777,110

FY2023 Unified Police Department Budget

- Beginning fiscal year 2022 budget - \$9,229,549
- Adjusted fiscal year 2022 mid-year budget - \$9,874,517
- Fiscal year 2022 full year salary increases - \$10,161,169 (amount in FY2023 base budget)
- Fiscal year 2023 Midvale City tentative budget amount - \$11,180,547
- Unified Police 5-3-22 "draft" assessment - \$11,775,005

UPD is comparing FY2022 mid-year (\$9,874,517) and 5-3-22 "draft" (\$11,775,005)

This presentation comparing 2022 full year (\$10,161,169) to 5-3-22 "draft" (\$11,775,005)

Difference between fiscal year 2022 beginning and 5-3-22 "draft" – 27.6% increase

Point of reference – Overall General Fund FY2023 revenue increase – 10.5%.

- "Best practice" of the Government Finance Officers Association (GFOA)
- Structurally Balanced Budget – Ongoing (recurring) revenues = ongoing (recurring) expenditures
 - State law requires a budget to balance; does not have to be structurally balanced
 - Can use one-time funds for ongoing expenditures, such as asset sales or fund balance
 - Satisfying state law ≠ structurally balanced budget
 - Reserve (fund balance) levels
 - Should be definition of minimum amount of funds to hold in reserve.
 - If reserves maintained at desired levels, indication of a structurally balanced budget
- True structural balance may not be possible at all times
 - Can use reserves to balance the budget, but only if a plan is developed to return to structural balance
 - Example: Pandemic of 2020
 - Plan should be clear about the time period over which to return to structural balance

Staff Recommendation – Encourage UPD board to adopt fund balance and structurally balanced policies.

Midvale City work towards structural balance of assessment (if no policy adopted).

Overview of Draft Member Assessment

Midvale City Unified Police Department Draft Member Assessment As of 5-3-2022				
	Current (Mid-Year Adjustment)	5-3-22 Draft	Difference	% Change
Precinct				
Less: Precinct Revenues	\$ (90,000)	\$ (90,000)	\$ -	0%
Precinct Personnel	6,488,887	6,861,150	372,263	6%
Precinct Operating	757,550	835,950	78,400	10%
Total Precinct	7,156,437	7,607,100	450,663	6%
Shared Services				
Shared Services Revenues	(121,257)	(105,788)	15,469	-13%
Shared Services Personnel	2,084,434	2,282,110	197,676	9%
Shared Services Operating*	1,658,886	1,991,583	332,697	20%
Total Shared Services	3,622,063	4,167,905	545,842	15%
Total Member Assessment	\$ 10,778,500	\$ 11,775,005	\$ 996,505	9%
Use of Fund Balance				
Precinct	(38,500)	-	38,500	-100%
Shared Services*	(578,831)	-	578,831	-100%
Total Use of Fund Balance	(617,331)	-	617,331	-100%
Net Member Assessment	\$ 10,161,169	\$ 11,775,005	\$ 1,613,836	16%

Detail of Shared Service Increases

Account	Account Title	2021-22 Current year Budget	2022-23 Future year Budget	Material Differences +/-	Wages	Benefits	Operations	Comments / Budget Notes
								COLA and increases in Mkt and Fuel costs apply to all depts also 3rd year adjustment to right VRC
10-500	Administration (Chief's Budget)	1,083,693	1,258,300	174,607	92,091	36,301	46,215	\$50,000 - OT for Honor Guards / dignitaries / UPD-wide emergencies \$40,000 - Increased wages and benefits for Sheriff & US (paid by contract w/ SLCo)
10-502	Community Relations / PIO	280,102	295,400	15,298	2,847	951	11,500	\$5,000 - OT for secondary assignments (Dept reduced to only one FTE for FY2022)
10-504	Internal Affairs	227,084	247,600	20,516	11,996	7,370	1,150	\$2,500 - Increased wages for benefits for graphic artist (pd by contract w/ SLCo)
10-510	Insurance	2,021,100	2,299,000	277,900	-	-	277,900	No material changes Increase in prof service fees (outside attorneys & contracted risk management) and insurance premiums
10-550	Finance / HR / Legal	2,180,341	2,544,850	364,509	110,912	62,647	190,950	\$55,000 - Increase in # of employees reaching 20 years w/ URS (pymt in lieu of OPEB) \$35,000 - Surviving Spouse Trust Fund (\$100 x eligible employees) - new in FY2022 \$11,500 - New recruitment strategies
10-610	Training	538,288	786,750	248,462	133,621	82,691	32,150	\$30,000 - Compensation study \$20,000 - Policy review and codification \$175,000 - Add 1 FTE - reinstate Training Sgt
10-620	Range	587,585	666,150	78,565	24,504	14,711	39,350	\$ 23,000 - Anticipation of increase in # of new hires \$40,000 - Increase in purchase of firearms/weapons and ammunition (due to supply shortages in current year)
10-650	SOB & Special Ops Campus	515,200	584,200	69,000	-	-	69,000	\$40,000 - Capital Outlay project - move generator from Oxbow to Special Ops (shared proj w/ SLCo)
10-700	Prop & Evicence	745,506	819,860	74,354	29,942	15,452	28,960	\$18,000 - Capital Outlay for shelving
10-702	Records (40%)	730,479	777,940	47,461	23,144	16,627	7,690	\$4,000 - Replace desk chairs in division \$184,000 - Increase in VECC contract
10-703	Communication / IS	4,123,393	4,707,000	583,607	-	-	583,607	\$292,000 - Axon contract (body camera contract) \$ 38,000 - increase in active directory unit costs \$ 99,000 - Increases in software contracts
10-704	Radio Shop	618,887	912,050	293,163	14,825	9,438	268,900	\$202,000 - get back on rotation schedule for MDTs and Radios \$ 60,000 - Replace NICE system (shared project w/ SLCo)
10-721	Shared Services - MHU	-	56,265	56,265	32,250	20,500	3,515	Shared Services support of MHU Administration
10-726	SVU / VCU	3,180,941	3,539,300	358,359	190,449	100,710	67,200	No material changes
10-728	Forensics	1,174,421	1,174,700	279	39,121	21,387	(60,229)	Flat overall budget reflects FY2022 contributed Cellbrite software (donated by Operation Underground Railroad)
10-740	Crossing Guard Admin	154,929	164,400	9,471	4,603	3,018	1,850	No material changes
10-745	Public Order Unit	-	199,950	199,950	76,600	7,750	115,600	New Unit / Division beginning FY2023
10-746	SWAT	862,117	1,007,500	145,383	45,679	17,404	82,300	\$23,500 - Drone program \$10,000 - SWAT ammo and munitions
10-747	K9	913,595	1,044,650	131,055	54,839	28,066	48,150	\$32,000 - Capital Outlay for Avatar Robot & Long Range Night Vision
10-748	Motors Administration	201,870	226,900	25,030	10,759	6,671	7,600	No material changes
10-999-9000	Transfer to Other Funds	78,351	-	(78,351)	-	-	(78,351)	CY transfer was for precincts' share of PEPH Rebate
		20,217,882	23,312,765	3,094,883	898,182	451,694	1,745,007	

Precinct Fund Balance Availability

	FY2021	FY2022
Unrestricted	\$ 644,998	\$1,272,943
Less: 5% Minimum Fund Balance*	(304,373)	(347,989)
Less: Amount Used in Future Years' Budget	(37,500)	-
Less: Potential Capital Requests ("ARPA" Funds)	-	(99,989)
Total Available for Appropriation	\$ 303,125	\$ 824,965

Potential Use of Precinct Fund Balance

"Best Practice"	
	Midvale Portion
Compensation Study	\$ 5,445
Generator move to Special Ops	7,260
Shelving	3,267
Desk chairs	726
NICE system replacement	10,890
Avatar robot & long-range night vision	5,808
Total "Best Practice" Use	\$ 33,396
"Acceptable" (recurring capital)	
	Midvale Portion
Vehicle Replacement Charge (Precinct)	\$ 336,800
MDTs/Radios (recurring charge)	\$36,663
Total "Acceptable" Use	\$ 373,463

Scenarios with Fund Balance Use

Fund Balance - "Best Practice"					Fund Balance - "Best Practice" and "Acceptable"				
Current (Mid-Year Adjustment)					Current (Mid-Year Adjustment)				
FULL YEAR	5-3-22 Draft	Difference	% Change		FULL YEAR	5-3-22 Draft	Difference	% Change	
Precinct					Precinct				
Less: Precinct Revenues	\$ (90,000)	\$ (90,000)	\$ -	0%	Less: Precinct Revenues	\$ (90,000)	\$ (90,000)	\$ -	0%
Precinct Personnel	6,488,887	6,861,150	372,263	6%	Precinct Personnel	6,488,887	6,861,150	372,263	6%
Precinct Operating	757,550	835,950	78,400	10%	Precinct Operating	757,550	835,950	78,400	10%
Total Precinct	7,156,437	7,607,100	450,663	6%	Total Precinct	7,156,437	7,607,100	450,663	6%
Shared Services					Shared Services				
Shared Services Revenues	(121,257)	(105,788)	15,469	-13%	Shared Services Revenues	(121,257)	(105,788)	15,469	-13%
Shared Services Personnel	2,084,434	2,282,110	197,676	9%	Shared Services Personnel	2,084,434	2,282,110	197,676	9%
Shared Services Operating*	1,658,886	1,991,583	332,697	20%	Shared Services Operating*	1,658,886	1,991,583	332,697	20%
Total Shared Services	3,622,063	4,167,905	545,842	15%	Total Shared Services	3,622,063	4,167,905	545,842	15%
Total Member Assessment	\$ 10,778,500	\$ 11,775,005	\$ 996,505	9%	Total Member Assessment	\$ 10,778,500	\$ 11,775,005	\$ 996,505	9%
Use of Fund Balance					Use of Fund Balance				
Precinct	(38,500)	(33,396)	5,104	-13%	Precinct	(38,500)	(406,859)	(368,359)	957%
Shared Services*	(578,831)	-	578,831	-100%	Shared Services*	(578,831)	-	578,831	-100%
Total Use of Fund Balance	(617,331)	(33,396)	583,935	-95%	Total Use of Fund Balance	(617,331)	(406,859)	210,472	-34%
Net Member Assessment	\$ 10,161,169	\$ 11,741,609	\$ 1,580,440	16%	Net Member Assessment	\$ 10,161,169	\$ 11,368,146	\$ 1,206,977	12%

Funding Options – Ongoing Fund Deficit

	Midvale Tentative Budget	5-3-22 "Draft" UPD Budget	5-3-22 "Draft" \$33K Fund Balance	5-3-22 "Draft" \$407K Fund Balance	5-3-22 "Draft", \$407K fund balance, move Midvale vehicle replacement to one-time (\$161K)
Ongoing funds deficit	\$245,073	\$698,549	\$665,153	\$291,690	\$130,073
if funded through property tax (average):	\$17 (9.1%)	\$48 (26.0%)	\$45 (24.7%)	\$20 (10.8%)	\$9 (4.83%)

FY2023 Midvale City Budget Increases

Largest Ongoing Items	Cost
UPD assessment	\$1,613,836
Employee merit, market, & COLA	701,250
Full-time prosecutor	132,073
Fleet replacement contribution	161,617
Parks technician (1/2 year)	50,393
"Mandates"	89,727

Additional park maintenance funds	25,000
Public Works operating cost increases	28,686
Additional community engagement	10,000
Additional GIS supplies	6,000

Mayor Marcus Stevenson called the business meeting to order at 7:08 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. UNIFIED POLICE REPORT

Chief Randy Thomas said it's national police week this week. He said Morgan Matthews was the officer involved in the McDonalds incident. Morgan participated in a Police Unity bike ride that is for three days and averages 100 miles per day. The officers stopped at townships and malls. He also reported that Officer Yagman, school resource officer, conducted several DARE graduations last week. He said they installed new cubicles in the Midvale precinct, and they look great.

II. PUBLIC COMMENTS

Craig Riddle – Electronic Submission

Mayor and City Council Members my name is Craig Riddle and unfortunately, I am unable to attend the May 17th council meeting and voice my concerns during the public hearing. I am writing this email to address the parking along the east side of Center Square Street. My 88-year-old mother, Donna Riddle, owns a log cabin on West Park Street in Midvale. This is the property just north of the existing apartment complex just north on Center Square Street. Although the apartment complex has been a good neighbor and they keep the property immaculate, there has been a continuing issue with parking on Center Square Street with cars and trucks parked in the wrong direction. Trucks taking up too much of the road and cars continually parking in front of the fire hydrant. She has called the police numerous times to report violators but unfortunately the problem is a daily occurrence with no remedy even with the law enforcement intervention. Moreover, even if the people park correctly the number of cars and trucks parked on the road along with the narrow size it leaves only inches with oncoming traffic to pass if at all. This situation has gotten so bad that my mother is afraid to drive down the street in fear she may have to back up into oncoming traffic. Not only is this a dangerous hazard that could result in an accident, reversing on a tight crowded road is uncomfortable for many drivers particularly the elderly. I am not in a position of a new complex being built however I believe the parking issues need to be addressed before construction or this problem will only get increasingly worse with additional housing. I see only two possible remedies for this problem. - 1. Center Square Street to allow parking on both sides with adequate room for two-way traffic or close the east

side to parking. When the apartment complex was built, we were assured that there would be adequate parking in the complex and with street parking along the west side of the street. Obviously, this was not true. Every evening the east lane side of the street is full of cars and trucks. Unless these parking issues can be addressed, I do not believe the new project should go forward and recognize people in the area and oppose any new construction as well.

Donna Riddle – Electronic Submission

I am concerned about parking on both sides of the street on Center Square by my apartment complex. Weekends are really congested and dangerous. If you are trying to turn east off of Center Square you cannot see cars coming because of the trees that need to be trimmed from the bottom.

III. COUNCIL REPORTS

- A. Council Member Quinn Sperry** – had nothing to report.
- B. Council Member Bryant Brown** – said he heard from both election groups, and he did not take any money from any big conglomerate in deciding to use ranked choice voting.
- C. Council Member Heidi Robinson** – had nothing to report.
- D. Council Member Paul Glover** – had nothing to report.
- E. Council Member Dustin Gettel** – thanked UPD and the Midvale Precinct for all they do for the city and recognized Police Week. He also thanked Glen Kennedy for their work and recognized Public Works Week. He thanked Kyle for the job he's done over the past two years for the city; he will be missed greatly. He wished him good luck with his position in Herriman.

IV. MAYOR REPORT

Mayor Stevenson also expressed appreciation to Kyle Maurer for his service for the city. He said Happy Police Week and Happy Public Works Week to the employees. He said there's always some week to celebrate. He discussed the UFA finance committee meeting. He said they are proposing a 6% COLA for the employees, and they wanted \$2 million for a training center. The Committee said not this year to the training center. He said they also wanted to bring on a mechanic and a new truck, which the committee also did not approve. He said he attended the Unified fire school last week. It was a great experience putting on the full gear and climbing the fire ladder. He said he got to use an infra-red camera to see through the smoke and got to extract people from a car using technical and human skills.

V. CITY MANAGER REPORT

Matt Dahl said the third Harvest Days Committee Meeting is on Thursday at 5:30 p.m. He discussed a community garden in an effort to get a larger local community garden. He is looking at potential sites. If county funds are used, they need to look at county locations. A

small community garden in front of the police station has also been discussed. He is having the soil sampled for safety. He reported that this is Kyle Maurer's last council meeting. He has been instrumental with the city and has done a lot to improve Midvale's organization. He wished Kyle luck and said he is always welcome back.

VI. DEPARTMENT REPORTS

A. ADMINISTRATIVE SERVICES DEPARTMENT REPORT

Mariah Hill reported on the Administrative Services Department.

Justice Court

- **April Cases Filed**— 570 (5% decrease from April 2021).
- **April 2022 Revenue**— 18.5% decrease
- **Recruitment**
 - Two full-time positions vacant
 - Part-time will become vacant in August
 - Spanish Job Descriptions/Flyers/WideSpread Posting



Midvale City Justice Court
Cases Filed by Type



INFORMATION TECHNOLOGY/FINANCE

Information Technology

- GIS moved to IT
 - All servers and equipment are upgraded and working properly
 - Re-training for surveyors in all departments
- Windows Hello fully implemented
- Completed 90 Help Desk tickets in April
- Security
 - Block 60,000 malware attacks per week
 - Block 1.3 million risky URLs per week

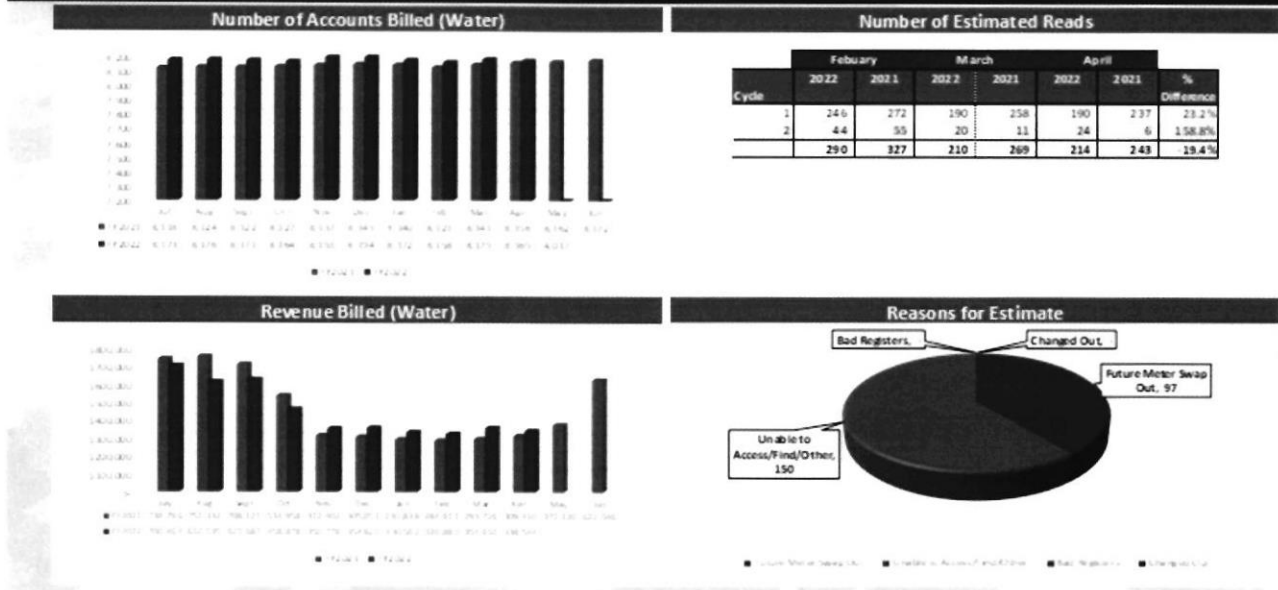
Block 338 phishing emails per week

FINANCE

- New City Treasurer

- Year 3 Meter Changeout – Supply Chain
- City Meter Fixes & Changeouts
- Budget & Final Budget Amendment
- Purchasing – 7 Processed/In-Process RFPs

Utility Billing Dashboard – April 2021



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

VII. PUBLIC HEARINGS

A. **CONSIDER VACATING A PORTION OF CENTER STREET RIGHT-OF-WAY AT APPROXIMATELY 100 W CENTER IN THE TOD (TRANSIT ORIENTED DEVELOPMENT) ZONE TO ALLOW FOR A 26 UNIT TOWNHOME PROJECT**

Adam Olsen said this report will consider three requests: right-of-way vacation, preliminary subdivision plan, and final plat. The preliminary and final subdivision portions of the report will review the project as if the right-of-way vacation is granted. The concept plan illustrates a 26-unit townhome project. Included with the staff report are renderings and landscape plans for the project. In addition, included is an ordinance for Council consideration regarding the right-of-way vacation.

The Planning Commission recommended approval of both the right-of-way and preliminary subdivision applications and approved a Conditional Use Permit (CUP), conditioned on Council approval of both the right-of-way vacation and preliminary subdivision plan.

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

RIGHT-OF-WAY VACATION PROCEDURE:

Midvale City Code 12.16.050 outlines the criteria necessary for vacating rights-of-way (staff responses in **bold**):

The governing body may dispose of city-owned properties and rights-of-way to private interests at such time as the requirements of this section have been satisfied, as such authority has been given to the city per Section 10-8-2 of Utah Code Annotated 1953.

A. The requestor will submit a request in writing to the Midvale City planning department with information that will include the property address, parcel number, legal description, and current appraised value of the property to be vacated. A fee of one hundred dollars will be submitted with the request to cover processing and review costs.

Response: A written request for a partial vacation of Center Street (.09 ac) was submitted with the application for Preliminary Subdivision and CUP. All applicable fees were paid.

B. The request shall be reviewed by the affected city departments to determine impact to the city. Following the review each department will make a recommendation of approval or denial or conditions on which approval might be made.

Response: The request was reviewed in conjunction with the Preliminary Subdivision and CUP applications. No comments in opposition to the request for vacation were received.

C. Public notice of the public hearing shall be made as follows: All public hearings to consider an application for a street vacation/closure/name change or the declaration of any other city-owned property as surplus shall be published in a newspaper of general circulation fourteen days prior to the hearing. If all adjacent property owners of a street proposed for vacation/closure/name change have not filed jointly, the public notice shall run in the newspaper once a week for four consecutive weeks prior to the hearing date with the city council per Utah Code Sections 10-8-8.3 and 10-8-8.4.

Response: Public notice was published in the Salt Lake Tribune. Receipt of notice for publication was sent to staff from publication staff at the Tribune. In addition, per 17-3-9.D of the Midvale City Zoning Ordinance, notice was posted on the Utah Public Notice website, the City's website, by mail to each affected entity, by mail to the record owner of each parcel within 500' of the subject area for vacation and posted on the property to alert the public.

D. Upon final review by the planning department the applicant will submit a written offer for the purchase of the property. The planning department will then schedule a public hearing and submit the request to the planning commission with a final recommendation for their review and recommendation to the city council.

Response: The Planning Department has not required a written offer for the purchase of the property; largely, because (1) vacating the right-of-way will absolve responsibility for ongoing maintenance and costs associated with such maintenance from the City, (2) the area requested for vacation is in excess of the Center Street right-of-way that is typical of nearby properties and (3) the TOD (Transit Oriented Zone) requires that a portion of all buildings be within 3' of a build-to line, 15' from the curb. As currently constituted, the property line is within 19-20' from the curb; thereby rendering the Code impractical-if not impossible-to follow.

E. Upon review by the planning commission a public hearing will be scheduled with the city council and the request submitted for action with final recommendations from the planning staff and commission.

Response: The Planning Commission held a public hearing on April 27, 2022. A recommendation of approval was made to the City Council. The City Council will hold a public hearing on May 17, 2022 and act on the request for vacation.

F. The city council shall retain the discretion to either approve the request, approve the request subject to conditions, or deny the request.

Response: The City Council will retain this discretion.

G. If the request is approved the new prospective owner(s) will prepare all legal documents for the transfer or sale of the property. The documents are then submitted to the city for final review and approval. The new owner(s) shall assume any costs incurred in this process.

Response: This will be done, if approved.

H. After all the documents are properly signed the necessary documents will be recorded with the Salt Lake County recorder by the city.

Response: This will be done, if approved.

PRELIMINARY SUBDIVISION PLAN

Midvale City Code 16.04.040.B outlines requirements for Preliminary Plan submittal. The standards are as follows (Staff response in **bold**):

16.04.040.B Preliminary Plan Review

1. Scale must be indicated on the plat. (Minimum scale: one-inch equals fifty feet);

2. All proposed streets, alleys, parks, open spaces, and other offers of public dedications, showing widths and pertinent dimensions of each;
3. North arrow facing the top or right margin;
4. Date;
5. Boundary dimensions and legal description;
6. Street stubs into the subdivision;
7. Location, width, and other dimensions of all existing or platted streets and other important features such as rail lines, water lines, exceptional topography, and structures within the proposed area and within a two-hundred-foot perimeter of the subdivision;
8. Proposed subdivision name;
9. Name and address of the applicant, engineer or surveyor for the subdivision, owners of the land to be subdivided as well as the owners of land immediately adjacent to the subdivision.

Response: All above listed criteria have been addressed on the Preliminary Plan.

FINAL SUBDIVISION PLAT

Midvale City Code 16.040.G outlines requirements for Final Plat review. The standards are as follows (Staff response in **bold**):

16.04.040.G Final Plat Review

1. Scale must be indicated on the plat. (Minimum scale: one-inch equals fifty feet);
2. One linen/mylar and four paper copies with dimensions of twenty-two inches by thirty-four inches, with one-half-inch border on each side and one eight-and-one-half-by-eleven-inch copy;
3. All proposed streets, alleys, parks, open spaces, and other offers of public dedications, showing widths and pertinent dimensions as well as points of intersection of each;
4. North arrow facing the top or right margin;
5. Date on each sheet;
6. Boundary dimensions and legal description of the subdivision and each lot therein which close within 0.010 with point of beginning clearly labeled;
7. Legend of symbols;
8. All survey monuments and proposed hydrant locations;
9. Streets indicating numbers and/or names and lots numbered consecutively;
10. Location, width, centerlines bearings and curve data (including delta angle, radius, length, tangent, and the long chord on curves) and other dimensions of all existing proposed or platted streets and easements;
11. Similar description of important features such as rail lines, water lines, exceptional topography, and structures within the proposed area and within a two-hundred-foot perimeter of the subdivision. Water system features must appear on the plat;
12. Streets, lots, and properties within two hundred feet surrounding the subdivision shown in ghost lines;
13. Proposed subdivision name;
14. Standard approved as to form letters for:

- a. Surveyor's stamped certificate with subdivision boundary legal description;
 - b. Owner's dedication signed by all owners;
 - c. Salt Lake Valley health department approval;
 - d. Planning and zoning commission approval;
 - e. City council approval and acceptance;
 - f. City attorney approval as to form;
 - g. City engineer's approval; and
 - h. County recorder's certificate;
15. Name and address of the applicant, engineer or surveyor for the subdivision, owners of the land to be subdivided as well as the owners of land immediately adjacent to the subdivision;
16. A note indicating the existence of institutional controls or other environmental regulations in areas where such controls or regulations are in effect.

Response: All above listed criteria have been addressed on the Final Plat.

PLANNING COMMISSION RECOMMENDATIONS:

RIGHT-OF-WAY VACATION

The Planning Commission recommended approval of the vacation request with the following findings and condition:

Findings:

1. The area requested for vacation is in excess of the Center Street right-of-way typical of nearby properties.
2. The vacation will allow greater compliance with the TOD zone as it relates to a required build-to line of 15' from the curb along Center Street.

Condition:

1. If the right-of-way vacation is approved by the City Council, the applicant shall prepare all legal documents for the transfer of the property. The documents shall be submitted to the city for final review and approval. The applicant shall assume any and all costs incurred in this process.

PRELIMINARY SUBDIVISION PLAN

The Planning Commission recommended approval of the preliminary plan with the following finding and conditions:

Finding:

1. The proposal meets the requirements outlined in Midvale City Code 16.04.040.B.

Conditions:

1. Preliminary Subdivision Plan approval is granted on the condition that the City Council approves a right-of-way vacation for that portion of Center Street as noted on the accompanying exhibits.
2. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshall, and City Council.

3. The applicant shall obtain duty to serve letters for water and sewer prior to final plat approval.
4. The applicant shall provide evidence that courtesy notices have been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding any utility easements prior to final plat approval.

Council Member Paul Glover said developer needs to be charged for the property. Not fair to the citizens of Midvale to not get a reimbursement for the property.

Council agreed with Council Member Paul Glover.

Mayor Stevenson opened the hearing to public comment.

Darren Nate, developer, said initially they looked at this site to do the TOD overlay. He realized the concern and impact on the neighborhood. He said he is exceeding the parking requirement by 25%. The property vacation is to reduce impact. He said previous planning staff said that there was no charge for the property. It meets code and is over in open and active space. He said the development does not have any residential neighbors and flows into Center Street not neighborhoods.

Council Member Paul Glover said he was concerned with the parking.

Lorene Butler thanked Kyle for his great work for the city. She said she's been very grateful for the conversations with Nate Rockwood. She said she was very happy this will be townhomes and not apartments. She told Nate Rockwood that her main concern is parking. What happens when guests are invited over. She is very concerned about parking because of what's going on east of the tracks.

There were no other comments.

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

The Council discussed charging for the property that would be dedicated to the property owner.

Lisa Garner said it depends on whether the property had been dedicated to the city by the original property owner, then it would be given back. If it is city property, then the city could charge for it.

MOTION: Council Member Dustin Gettel MOVED to reopen the public hearing. The motion was SECONDED by Council Member Paul Glover. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

Darren Nate said he wasn't able to find out what had been done with the property. One legal description had it in it and the next one did not. He said he would acquiesce to an appraisal and just pay for it.

JJ Jenkins said as a developer, these bureaucracies, he has so much and putting this on hold for another 30 days. He said delays cost a lot of money.

Council Member Paul Glover said the council needs to look out for the citizens. There is value in the property.

Council Member Bryant Brown said we have citizens that have lived here for 30 plus years that we owe it to.

Council Member Dustin Gettel said the point in tabling the motion is to research if the city has charged in the past. He said the developer has agreed to an appraisal, so he can move on.

Andy Muehler said what he cares is if the land was taken, it should be given back to the owner. If want to give it to him for free, should be given back to original owner.

MOTION: Council Member Dustin Gettel MOVED to close the public hearing. The motion was SECONDED by Council Member Bryant Brown. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

ACTION: CONSIDER ORDINANCE 2022-O-10 AN ORDINANCE VACATING A PORTION OF CENTER STREET RIGHT OF WAY AT APPROXIMATELY 100 W CENTER IN THE TOD (TRANSIT ORIENTED DEVELOPMENT) ZONE TO ALLOW FOR A 26 UNIT TOWNHOME PROJECT

MOTION: Council Member Dustin Gettel MOVED to Adopting Ordinance 2022-O-10 approving the right of way vacation Preliminary Subdivision Plan located at 100 W Center pending the appraised value of the land to be paid for by the developer with the owner following finding and conditions."

Finding:

1. The proposal meets the requirements outlined in Midvale City Code 16.04.040.B.

Conditions:

1. Preliminary Subdivision Plan approval is granted is granted on the condition that the City Council approves a right-of-way vacation for that portion of Center Street as noted on the accompanying exhibits.

2. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshall, and City Council.
3. The applicant shall obtain duty to serve letters for water and sewer prior to final plat approval.
4. The applicant shall provide evidence that courtesy notices have been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding any utility easements prior to final plat approval.

The motion was **SECONDED** by Council Member Paul Glover. Mayor Stevenson 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.

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

B. CONSIDER PRELIMINARY SUBDIVISION PLAN FOR C STREET TOWNS A 26 UNIT TOWNHOME DEVELOPMENT LOCATED AT APPROXIMATELY 100 W CENTER IN THE TOD (TRANSIT ORIENTED DEVELOPMENT) ZONE

Adam Olsen said there is a condition on a potential motion on a preliminary plan that if the council acts to approve it, it is conditioned on the right-of-way vacation. Realize that motioned for approval with the condition of an appraisal.

Council Member Bryant Brown asked if landscape would mirror the other side.

Adam Olsen said there will be some kind of landscape.

Mayor Stevenson opened the hearing to public comment.

Darren Nate said the code doesn't say he needs to do that. He said If the city subtracts the costs from the appraisal, he would be willing to do it.

MOTION: Council Member Dustin Gettel **MOVED** to close the public hearing. The motion was **SECONDED** by Council Member Paul Glover. Mayor

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

Council Member Bryant Brown said he thought the landscaping was added to the TOD zone. He said he would like to look into that.

Council Member Dustin Gettel said thinks the rendering looks better than the other side of the street, and he would not want to make him do that.

ACTION: CONSIDER PRELIMINARY SUBDIVISION PLAN FOR C STREET TOWNS A 26 UNIT TOWNHOME DEVELOPMENT LOCATED AT APPROXIMATELY 100 W CENTER IN THE TOD (TRANSIT ORIENTED DEVELOPMENT) ZONE

MOTION: Council Member Dustin Gettel MOVED to approve the Preliminary Subdivision Plan located at 100 W Center with the findings and conditions included in the staff report. The motion was SECONDED by Council Member Paul Glover. Mayor Stevenson 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.

MOTION: Council Member Paul Glover MOVED to open the public hearing. The motion was SECONDED by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

C. CONSIDER REQUEST TO AMEND SECTION 17-7-1.4 OF THE MIDVALE MUNICIPAL CODE THAT PROPOSES TO DECREASE THE REAR SETBACK FROM 25 FEET TO 15 FEET, MICHAEL EDWARDS REQUESTER

Wendelin Knobloch said the applicant proposes to decrease the rear setback in the Single Family Residential (SF-1) zone from 25 to 15 feet and introduces a well-reasoned argument regarding why this reduction may be desirable.

In Midvale City's context there are two existing conditions I would like to underscore that set the stage for this request:

1. The Single Family Residential (SF-2) zone already allows a 15-foot rear setback, which means the concept and its implications for the urban environment are familiar and exist on many residential properties.

2. The areas within the city that are currently zoned Single Family Residential (SF-1) are largely built up and will only experience any change that will make use of the potential additional building footprint area created by the decreased setback if a homeowner chooses to do so by adding on to their home. The ordinance amendment will thus provide an opportunity for those who desire to expand their home but will otherwise have very little impact.

The Planning Commission discussed the proposed amendment in detail and exchanged opinions with the applicant directly during the public meeting. The resulting final motion unanimously recommended denial after a previous motion to recommend approval failed with only one vote in favor. The planning commission motion states that the “proposed text amendment would provide changes that would affect more residents than those currently affected by this request” and “find[s] that it may not be in the best interest of the city.”

Public notice was sent to affected entities, advertised on the Midvale City Website, and the Utah Public Notice Website as required in Section 17-3-9 of the Midvale Municipal Code. No public comments apart from the petitioner’s statements during the public meeting have been received at the time of the writing of this report.

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 the municipal code to decrease the rear setback in the Single-Family Zone (SF-1).

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.

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.

STAFF RECOMMENDATION:

Based on the requirements of Chapter 17-3-1.E of the Midvale City Municipal Code staff recommends approval of the amendment with the following finding for your consideration:

1. This ordinance amendment will create potential additional building footprint area by decreasing the rear setback in the Single-Family Residential Zone (SF-1).

Council Member Bryant Brown said this adds value to the home.

Council Member Dustin Gettel asked the difference in S-1 and S-2 setback requirements.

Wendelin Knobloch said each zone has different zoning, conditions, and lot sizes.

Mayor Stevenson opened the hearing to public comment.

Rori Andreason read public comments received by email:

Brook Edwards – I am writing to support the Midvale Municipal Code text amendment decreasing the rear setback for SF-1 zoned properties from 25 feet to 15 feet. Allowing residents, such as myself, to build within 15 feet of my rear property line gives me the opportunity to continue to grow my home and family in Midvale instead of needing to consider moving to neighboring cities. I urge you to consider voting in favor of reducing the rear setback to 15 feet. Thank you.

Rachael Hadley – This is a reasonable proposal and as our population grows, it is important to allow people to maximize use of their own property.

Samuel Johnson – I am writing to support the Midvale Municipal Code text amendment decreasing the rear setback for SF-1 zoned properties from 25 feet to 15 feet. Allowing residents, such as myself, to build within 15 feet of my rear property line gives me the opportunity to continue to grow my home and family in Midvale instead of needing to consider moving to neighboring cities. I urge you to consider voting in favor of reducing the rear setback to 15 feet. Thank you.

JJ Jenkins said going to 15 feet would make a huge difference to homeowners wanting to expand.

Alex Bunnell said he grew up in the house JJ owns. This would give people the opportunity to grow and stay in the house they have in the city. He said it adds value to the city.

Michael Edwards, Applicant, handed out materials to the Council. He said he had taken photos in the neighborhood that are in violation of the code. He said the Planning Commission was concerned about the neighbors being concerned. He said his vote was in favor of the change.

Council Member Bryant Brown said he appreciated him bringing this up. He was wanting to do the same thing. Most people that want to stay in their homes and would like to expand.

Cortney Garth said he has been a resident for seven years. She would like to have the flexibility to make adjustments when his family is ready to grow. He loves Midvale and would hate to have to go to Daybreak.

Adam Olsen said staff did research on current cities nearby and the proposed is standard. Typically, the bigger the lots the larger setbacks. Our lot is 7000 sq ft, cities nearby with comparable 15, 20 and 25 ft setbacks are comparable. He recommended approval because did not see negative to this. This allows people to expand their homes and stay where they're at.

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

**ACTION: CONSIDER ORDINANCE 2022-O-11 AN
ORDINANCE AMENDING SECTION 17-7-1.4 OF THE MIDVALE
MUNICIPAL CODE DECREASING THE REAR SETBACK FROM
25 FEET TO 15 FEET**

Council Member Bryant Brown asked about the Planning Commission's vote.

Council Member Dustin Gettel said the Planning Commission vote doesn't make sense with one vote for the request and all other members vote against.

Adam Olsen said there was no negative public comment. He has seen other Planning Commission's with same type of vote. He said he feels the commissioner voted to approve it and was then voted against it with the next motion was showing support of the other members. He said they had public comment in favor. Staff recommended approval.

Council Member Quinn Sperry said one person told him they don't like it because of privacy issues.

MOTION: Council Member Bryant Brown MOVED to Approve Ordinance 2022-O-11 amending section 17-7-1.4 of the Midvale City Municipal Code to decrease the rear setback in the Single Family Residential Zone (SF-1) from 25 to 15 feet, with the finding noted in the staff report. The motion was SECONDED by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VIII. CONSENT AGENDA

A. CONSIDER MINUTES OF MAY 3, and 11, 2022

B. CONSIDER RESOLUTION NO. 2022-R-20 A RESOLUTION ESTABLISHING EFFECTIVE DATE OF MIDVALE CITY COUNCIL DISTRICT MAP

MOTION: Council Member Paul Glover MOVED to Approve the Consent Agenda. The motion was SECONDED by Council Member Dustin Gettel. Mayor Stevenson 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 FINAL PLAT APPROVAL FOR C STREET TOWNS, A 26 UNIT TOWNHOME PLAT LOCATED AT APPROXIMATELY 100 W CENTER IN THE TOD (TRANSIT ORIENTED DEVELOPMENT) ZONE

Adam Olsen said this report will consider three requests: right-of-way vacation, preliminary subdivision plan, and final plat. The preliminary and final subdivision portions of the report will review the project as if the right-of-way vacation is granted. The concept plan illustrates a 26-unit townhome project. Included with the staff report are renderings and landscape plans for the project. In addition, included is an ordinance for Council consideration regarding the right-of-way vacation.

The Planning Commission recommended approval of both the right-of-way and preliminary subdivision applications and approved a Conditional Use Permit (CUP), conditioned on Council approval of both the right-of-way vacation and preliminary subdivision plan.

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

RIGHT-OF-WAY VACATION PROCEDURE:

Midvale City Code 12.16.050 outlines the criteria necessary for vacating rights-of-way (staff responses in **bold**):

The governing body may dispose of city-owned properties and rights-of-way to private interests at such time as the requirements of this section have been satisfied, as such authority has been given to the city per Section 10-8-2 of Utah Code Annotated 1953.

A. The requestor will submit a request in writing to the Midvale City planning department with information that will include the property address, parcel number, legal description, and current appraised value of the property to be vacated. A fee of one hundred dollars will be submitted with the request to cover processing and review costs.

Response: A written request for a partial vacation of Center Street (.09 ac) was submitted with the application for Preliminary Subdivision and CUP. All applicable fees were paid.

B. The request shall be reviewed by the affected city departments to determine impact to the city. Following the review each department will make a recommendation of approval or denial or conditions on which approval might be made.

Response: The request was reviewed in conjunction with the Preliminary Subdivision and CUP applications. No comments in opposition to the request for vacation were received.

C. Public notice of the public hearing shall be made as follows: All public hearings to consider an application for a street vacation/closure/name change or the declaration of any other city-owned property as surplus shall be published in a newspaper of general circulation fourteen days prior to the hearing. If all adjacent property owners of a street proposed for vacation/closure/name change have not filed jointly, the public notice shall run in the newspaper once a week for four consecutive weeks prior to the hearing date with the city council per Utah Code Sections 10-8-8.3 and 10-8-8.4.

Response: Public notice was published in the Salt Lake Tribune. Receipt of notice for publication was sent to staff from publication staff at the Tribune. In addition, per 17-3-9.D of the Midvale City Zoning Ordinance, notice was posted on the Utah Public Notice website, the City's website, by mail to each affected entity, by mail to the record owner of each parcel within 500' of the subject area for vacation and posted on the property to alert the public.

D. Upon final review by the planning department the applicant will submit a written offer for the purchase of the property. The planning department will then schedule a public hearing and submit the request to the planning commission with a final recommendation for their review and recommendation to the city council.

Response: The Planning Department has not required a written offer for the purchase of the property; largely, because (1) vacating the right-of-way will absolve responsibility for ongoing maintenance and costs associated with such maintenance from the City, (2) the area requested for vacation is in excess of the Center Street right-of-way that is typical of nearby properties and (3) the TOD (Transit Oriented Zone) requires that a portion of all buildings be within 3' of a build-to line, 15' from the curb. As currently constituted, the property line is within 19-20' from the curb; thereby rendering the Code impractical-if not impossible-to follow.

E. Upon review by the planning commission a public hearing will be scheduled with the city council and the request submitted for action with final recommendations from the planning staff and commission.

Response: The Planning Commission held a public hearing on April 27, 2022. A recommendation of approval was made to the City Council. The City Council will hold a public hearing on May 17, 2022 and act on the request for vacation.

F. The city council shall retain the discretion to either approve the request, approve the request subject to conditions, or deny the request.

Response: The City Council will retain this discretion.

G. If the request is approved the new prospective owner(s) will prepare all legal documents for the transfer or sale of the property. The documents are then submitted to the city for final review and approval. The new owner(s) shall assume any costs incurred in this process.

Response: This will be done, if approved.

H. After all the documents are properly signed the necessary documents will be recorded with the Salt Lake County recorder by the city.

Response: This will be done, if approved.

PRELIMINARY SUBDIVISION PLAN

Midvale City Code 16.04.040.B outlines requirements for Preliminary Plan submittal. The standards are as follows (Staff response in **bold**):

16.04.040.B Preliminary Plan Review

1. Scale must be indicated on the plat. (Minimum scale: one-inch equals fifty feet);
2. All proposed streets, alleys, parks, open spaces and other offers of public dedications, showing widths and pertinent dimensions of each;
3. North arrow facing the top or right margin;
4. Date;
5. Boundary dimensions and legal description;
6. Street stubs into the subdivision;
7. Location, width, and other dimensions of all existing or platted streets and other important features such as rail lines, water lines, exceptional topography, and structures within the proposed area and within a two-hundred-foot perimeter of the subdivision;
8. Proposed subdivision name;
9. Name and address of the applicant, engineer or surveyor for the subdivision, owners of the land to be subdivided as well as the owners of land immediately adjacent to the subdivision.

Response: All above listed criteria have been addressed on the Preliminary Plan.

FINAL SUBDIVISION PLAT

Midvale City Code 16.040.G outlines requirements for Final Plat review. The standards are as follows (Staff response in **bold**):

16.04.040.G Final Plat Review

1. Scale must be indicated on the plat. (Minimum scale: one-inch equals fifty feet);
2. One linen/mylar and four paper copies with dimensions of twenty-two inches by thirty-four inches, with one-half-inch border on each side and one eight-and-one-half-by-eleven-inch copy;
3. All proposed streets, alleys, parks, open spaces and other offers of public dedications, showing widths and pertinent dimensions as well as points of intersection of each;
4. North arrow facing the top or right margin;
5. Date on each sheet;
6. Boundary dimensions and legal description of the subdivision and each lot therein which close within 0.010 with point of beginning clearly labeled;
7. Legend of symbols;
8. All survey monuments and proposed hydrant locations;
9. Streets indicating numbers and/or names and lots numbered consecutively;
10. Location, width, centerlines bearings and curve data (including delta angle, radius, length, tangent, and the long chord on curves) and other dimensions of all existing proposed or platted streets and easements;
11. Similar description of important features such as rail lines, water lines, exceptional topography, and structures within the proposed area and within a two-hundred-foot perimeter of the subdivision. Water system features must appear on the plat;
12. Streets, lots, and properties within two hundred feet surrounding the subdivision shown in ghost lines;
13. Proposed subdivision name;
14. Standard approved as to form letters for:
 - a. Surveyor's stamped certificate with subdivision boundary legal description;
 - b. Owner's dedication signed by all owners;
 - c. Salt Lake Valley health department approval;
 - d. Planning and zoning commission approval;
 - e. City council approval and acceptance;
 - f. City attorney approval as to form;
 - g. City engineer's approval; and
 - h. County recorder's certificate;
15. Name and address of the applicant, engineer or surveyor for the subdivision, owners of the land to be subdivided as well as the owners of land immediately adjacent to the subdivision;
16. A note indicating the existence of institutional controls or other environmental regulations in areas where such controls or regulations are in effect.

Response: All above listed criteria have been addressed on the Final Plat.

PLANNING COMMISSION RECOMMENDATIONS: RIGHT-OF-WAY VACATION

The Planning Commission recommended approval of the vacation request with the following findings and condition:

Findings:

1. The area requested for vacation is in excess of the Center Street right-of-way typical of nearby properties.
2. The vacation will allow greater compliance with the TOD zone as it relates to a required build-to line of 15' from the curb along Center Street.

Condition:

1. If the right-of-way vacation is approved by the City Council, the applicant shall prepare all legal documents for the transfer of the property. The documents shall be submitted to the city for final review and approval. The applicant shall assume any and all costs incurred in this process.

PRELIMINARY SUBDIVISION PLAN

The Planning Commission recommended approval of the preliminary plan with the following finding and conditions:

Finding:

1. The proposal meets the requirements outlined in Midvale City Code 16.04.040.B.

Conditions:

1. Preliminary Subdivision Plan approval is granted on the condition that the City Council approves a right-of-way vacation for that portion of Center Street as noted on the accompanying exhibits.
2. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshall, and City Council.
3. The applicant shall obtain duty to serve letters for water and sewer prior to final plat approval.
4. The applicant shall provide evidence that courtesy notices have been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding any utility easements prior to final plat approval.

MOTION: Council Member Bryant Brown MOVED to Adopt an ordinance approving the right-of-way vacation located at approximately 100 W Center with the following findings and conditions:

Findings:

1. The area requested for vacation is in excess of the Center Street right-of-way typical of nearby properties.
2. The vacation will allow greater compliance with the TOD zone as it relates to a required build-to line of 15' from the curb along Center Street.

Condition:

1. If the right-of-way vacation is approved by the City Council, the applicant shall prepare all legal documents for the transfer of the property. The documents shall be submitted to the city for final review and approval. The applicant shall assume any and all costs incurred in this process.

The motion was **SECONDED** by Council Member Paul Glover. Mayor Stevenson 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 RESOLUTION NO. 2022-R-21 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH QUICKSILVER CONCRETE FOR THE 2022-2027 CONCRETE REPLACEMENT

Keith Ludwig said each year money is budgeted for replacement of curb/gutter and sidewalk. This involves the replacement of damaged sections of curb & gutter or sidewalk. It can also include the upgrading any sidewalk ramps that do not meet current ADA requirements.

Staff first looks at areas they plan to also do asphalt mill and overlays on so any damage done to the pavement from curb/gutter removal will also be dealt with in a timely manner.

This project was put out for bid and six proposals were received back on April 12th. An evaluation committee was put together by our Procurement Officer and included me, Steve Busch, Susan Stengel, and Tom Brown with our consultant's office. After evaluating the proposals based on the criteria outlined in the RFP, which included approach to the project, experience, demonstrated track record on similar projects, and cost, Quicksilver Concrete was selected.

An agreement has been prepared for the city to enter into with Quicksilver Concrete.

All documents related to this project have been reviewed and approved by both the legal department and the procurement officer.

A resolution has been prepared authorizing the Mayor to enter into this agreement for Council to take action on at the next meeting.

PLAN COMPLIANCE: N/A

FISCAL IMPACT:

Funds for this will be budgeted on a yearly basis.

MOTION: Council Member Paul Glover MOVED to Approve Resolution No. 2022-R-21 a resolution authorizing the Mayor to sign an agreement with Quick Silver Concrete for the 2022-2027 Concrete Replacement Project. The motion was SECONDED by Council Member Bryant Brown. Mayor Stevenson 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. REVIEW AND APPROVAL OF RESOLUTION NO. 2022-R-22 ADOPTING THE UPDATED BOARD AND COMMITTEE ASSIGNMENTS FOR MIDVALE CITY

Matt Dahl said Midvale City is a member entity to several interlocal, non-profit, and governmental organizations. Each year the Mayor and City Council deliberate and consider individuals they feel would best represent the City on the various governing boards and committees for those organizations. It has been recommended that Midvale City becomes a member of the Homeland Security Grants Council, with Kyle Maurer to serve as a Representative and Christian Larsen to serve as an Alternate. It is also recommended that Wendelin Knobloch serves as an Alternate for the Jordan River Commission. The current Board and Committee Assignment List has been updated to reflect these changes.

A resolution has been prepared along with an updated list of the organizations and these respective assignments for the Council's approval.

Council Member Bryant Brown said he would like as a permanent change, the Arts Council to have a staff member attend their meetings.

Council Member Dustin Gettel said he would like to serve on the Animal Control Board in the future.

MOTION: Council Member Dustin Gettel MOVED to Approve Resolution No. 2022-R-22 a resolution adopting the updates to the Mayor and City Council's Board and Committee Assignments. The motion was SECONDED by Council Member Paul Glover. Mayor Stevenson 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. 2022-R-23 A RESOLUTION ADOPTING THE AMENDED AND RESTATED THE ICMA RETIREMENT CORPORATION GOVERNMENTAL MONEY PURCHASE PLAN & TRUST ADOPTION AGREEMENT FOR MIDVALE CITY CORPORATION 108748 PLAN

Rori Andreason said ICMA Retirement Corporation has recently changed their name to MissionSquare Retirement. The IRS has a six-year review schedule for the type of 401 plan documents MissionSquare Retirement makes available to public sector employers, to ensure they're updated to reflect legislative and regulatory changes. Following the IRS schedule, MissionSquare has submitted updated plan documents for IRS review and approval in 2018, and the IRS provided them with favorable opinion letters for the new documents in 2020.

What has changed?

While the plan document has been updated in accordance with IRS guidelines, it's largely unchanged, with these key exceptions:

- **457 Deferred Compensation Plan Matching Contributions** The 401 document now includes an option for employer matching contributions based on a participant's elective deferrals to a 457 Deferred Compensation Plan. Plans that include this type of matching contribution no longer need to submit an attachment or addendum with their adoption agreement.
- **In-Service Withdrawals** – If your plan permits employees to take withdrawals while employed, those withdrawals are no longer limited to two per year.
- **Trust Document** – The IRS has mandated that the trust document become a separate stand-alone document. No action is needed unless you're opening a new plan, in which case you'll sign a trust agreement.

A resolution has been prepared for Council consideration to adopt the amended and restated ICMA Retirement Corporation 401 Money Purchase Plan Document.

MOTION: Council Member Paul Glover MOVED to suspend the rules and Approve Resolution No. 2022-R-23 Adopting the Amended and Restated ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement as presented. The motion was SECONDED by Council Member Dustin Gettel. Mayor Stevenson 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. 2022-R-24 A RESOLUTION ADOPTING THE AMENDED AND RESTATED THE ICMA RETIREMENT CORPORATION 401 GOVERNMENTAL PROFIT SHARING AND TRUST FOR MIDVALE CITY CORPORATION

Rori Andreason said this item was sent to the city in error and does not need to be approved.

MOTION: Council Member Dustin Gettel MOVED to remove this item from agenda. The motion was SECONDED by Council Member Bryant Brown. Mayor Stevenson 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.

F. DISCUSSION AND CONSIDERATION OF RESOLUTION NO. 2022-R-25 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BONNEVILLE ASPHALT FOR THE CONSTRUCTION OF THE JORDAN RIVER TRAIL PARKWAY REPAVEMENT PROJECT

Keith Ludwig said if you have been on our portion for the Jordan River Trail recently, you will have noticed that it is in desperate need of rehabilitation. There are many areas where tree roots have created a roller coaster effect in the asphalt, large cracks have appeared and in some cases are more like canyons.

There are also large areas that just need to be replaced. With that in mind, the city applied for and received from Salt Lake County, a CDBG Grant in the amount of \$43,359. The City has also budgeted \$77,079 from RDA funds for this project.

City staff did some initial scoping of the work and marked the different areas that needed help. Several Russian Olive trees need to be removed. Galloway Engineering was hired to finish up the design work and put together the bid documents.

This project was put out to bid and a bid opening held on May 9th. Two bids were received. As this proposal was based on bid price alone, the low bid of \$109,489.45 from Bonneville Asphalt was accepted.

The County would really like to have the work completed by June 30th. Bonneville Asphalt is confident they can make that deadline if they have the go ahead in the next week or so. As the next Council meeting is not until June 7th, he asked the Council to suspend the rules and take action so he can get the contractor working as soon as possible.

FISCAL IMPACT:

This project will be funded by a CDBG Grant of \$43,359 and RDA funds of \$77,079.

MOTION: Council Member Dustin Gettel **MOVED to Suspend the rules and Approve Resolution No. 2022-R-25 Authorizing the Mayor to sign an agreement with Bonneville Asphalt for the Jordan River Trail Parkway Repavement Project. The motion was SECONDED by Council Member Bryant Brown. Mayor Stevenson 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 ITEMS

A. DISCUSS 2022-2027 PAVEMENT PRESERVATION PROJECT

Keith Ludwig said each year staff does as much as possible in the way of street maintenance. This work can include asphalt overlays, milling, slurry seals, crack sealing, road base and subgrade rehabilitation, on other treatments as deemed appropriate. This contract specifically deals with crack sealing and slurry seals.

This project was advertised, and four bids were received. An evaluation committee was put together that included me, Steve Busch, Susan Stengel, and Tom Brown with our consultant's office.

After evaluating the proposals based on the criteria outlined in the RFP, which included approach to the project, experience, demonstrated track record on similar projects and cost, Morgan Industries was selected. An agreement has been prepared for the city to enter into with Morgan Industries.

All documents related to this project have been reviewed and approved by both the legal department and the procurement officer.

A resolution has been prepared authorizing the mayor to enter into this agreement for the Council's consideration and action at the next meeting.

FISCAL IMPACT:

Funds for this project come from B&C Road Funds that the City receives and budgets on an annual basis.

The Council agreed to place this item on the consent agenda at the next meeting.

B. CONTINUED DISCUSSION OF UNIFIED POLICE FY2023 BUDGET

Kyle Maurer asked if the council had any further questions on the workshop discussion for the Unified Police FY2023 Budget and property tax increase amount.

He discussed property tax increase scenarios.

Funding Options:

	Midvale Tentative Budget	5-3-22 "Draft" UPD Budget	5-3-22 "Draft" \$33K Fund Balance	5-3-22 "Draft" \$407K Fund Balance	5-3-22 "Draft" \$407K fund balance, move Midvale Vehicle replacement to one-time \$161K
Ongoing funds deficit	\$245,073	\$698,549	\$665,153	\$291,690	\$130,073
If funded through property tax (average):	\$17 (9.1%)	\$48 (26.0%)	\$45 (24.7%)	\$20 (10.8%)	\$9 (4.83%)

Matt Dahl said there are three items to consider. One is property tax. The other is the budget increases and what can be adjusted, and the third one is the fund balance and how that will be used. The fund balance issue seems easier but will need to be paid at some point. What is palatable for the community to pay for property taxes.

Council Member Paul Glover said if UPD does not give the city a check back, it might as well be used even if we end up putting money back in reserve.

Matt said if the city receives a check back, staff will need to look at UPD to see if buildings need improving and some of those capital improvements as discussed. Staff would still technically use the funds for capital projects.

Council Member Paul Glover said he has a comfort level on the property tax increase. His level is not to go over an 8% increase. He said he needed to know how the council feels.

Council Member Bryant Brown said he did not want to lose services.

Kyle Maurer said a way to think about it is there will need to be an increase eventually.

Council Member Dustin Gettel said if the only reason the council raises the property tax is for Unified Police, it's hard to explain this to residents. It would be better to do a little increase every year.

Council Member Quinn Sperry and Heidi Robinson said they did not have anything to add.

Matt Dahl said what he was hearing was an agreement with the 10.8% increase.

Kyle Maurer said the meeting is on Thursday with UPD on their Tentative Budget. The Council will need to make a decision by June 22nd regarding raising property tax. The rates need to be decided for the Truth and Taxation notices.

XI. ADJOURN

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

The meeting adjourned at 9:33 p.m.



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



Approved this 7th day of June 2022

Tuesday, May 17, 2022

[illegible]

[illegible]



Memo

To: Midvale City Council

From: Mike Edwards – m.edwards.83.25@gmail.com

cc:

Date: May 12, 2022

Re: Revised Setback Requirements – SF1 Zoning

Midvale City current Single Family Residential Zone SF-1 ordinance property requires setbacks of 25 feet from the rear lot line. See [17-7-1.4](#)

Research into similar municipalities indicates reduced setbacks may be appropriate for Midvale. A reduction to the setback requirements would be consistent with the comprehensive plan for the area, which is remaining SF-1 for the immediate future. Changing setback requirements would open the ability for property owners in the area to increase structure size and open a pathway to increased property values through larger home sizes. Leaving setback requirements at current levels, 25 feet, could potentially drive gradual outflow of residence looking to expand their households and home sizes.

Rear setbacks for nearby municipalities indicate reduction to setbacks are worthy of exploration and change. Currently the following nearby municipalities have rear setbacks lower than Midvale:

- Taylorsville – 15 feet ¹
- Holladay – no closer than 17 feet²
- Murray – 15 feet (on buildings existing prior to 1987)³

¹ https://codelibrary.amlegal.com/codes/taylorsvilleut/latest/taylorsville_ut/0-0-0-7576#JD_13.20.020

² https://codelibrary.amlegal.com/codes/holladayut/latest/holladay_ut/0-0-0-9081#JD_13.14.053

³ https://codelibrary.amlegal.com/codes/murrayut/latest/murray_ut/0-0-0-12304

- Salt Lake County – 15 feet minimum⁴
- Sandy – 20 feet/15 feet average⁵
- West Valley City – 20 feet⁶
- South Salt lake – 20 feet⁷
- West Jordan – 20 feet⁸

Additionally I have taken time to speak with City Planners at the below two cities. The interviews with each of them are summarized below.

1. Interview on January 25, 2022 with Jim Spung, Senior Planner of City Development at Taylorsville City. Mr. Spung noted the city has experienced no known adverse impacts from a rear setback off 15 feet. Mr. Spung also noted he believes the setback has been at its current value since around 1990.
2. Interview on January 20, 2022 with Jonathan Teerlink, City Planner at Holladay City. Mr. Teerlink noted no adverse impacts from small lot size setbacks and noted the benefits of allowing smaller lot sizes to build bigger buildings as a net positive to Holladay.

With these items considered, I propose section 17-7-1.4 be amended to:

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

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

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

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

⁴

https://library.municode.com/ut/salt_lake_county/codes/code_of_ordinances?nodeId=TIT19ZO_CH19.1434567810152143SIMIREZO_19.14.050YA

⁵

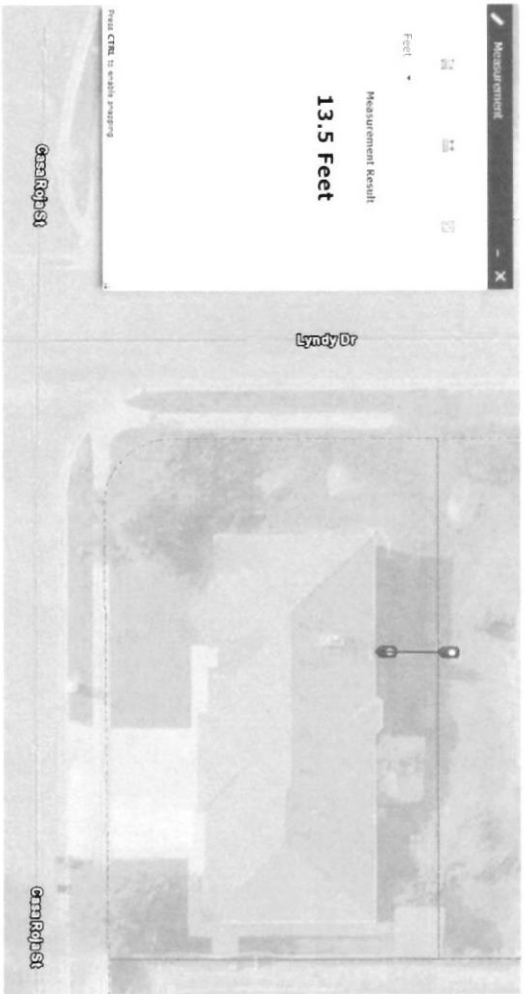
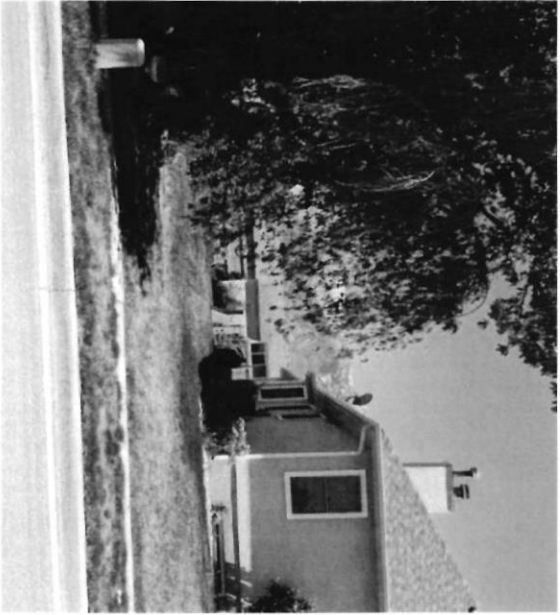
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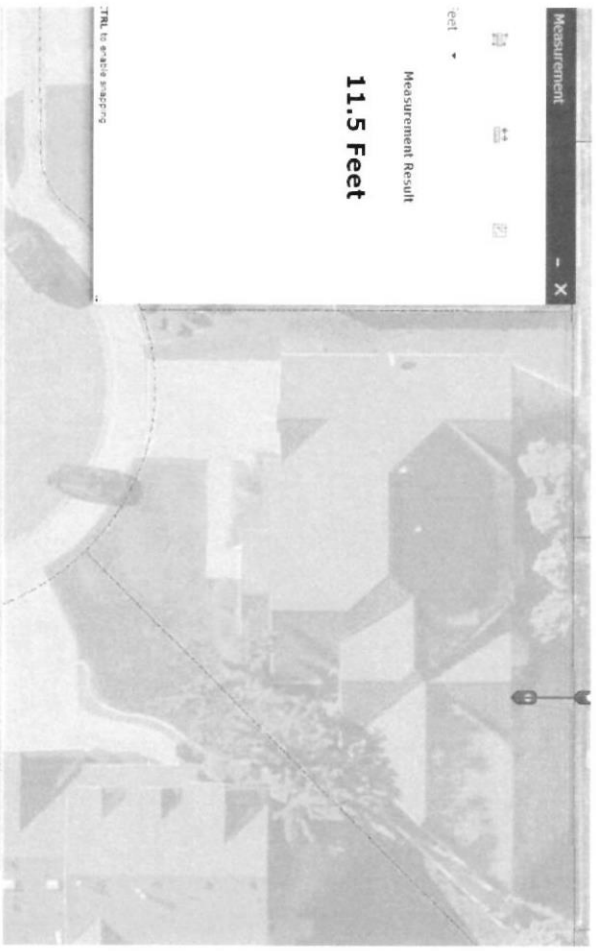
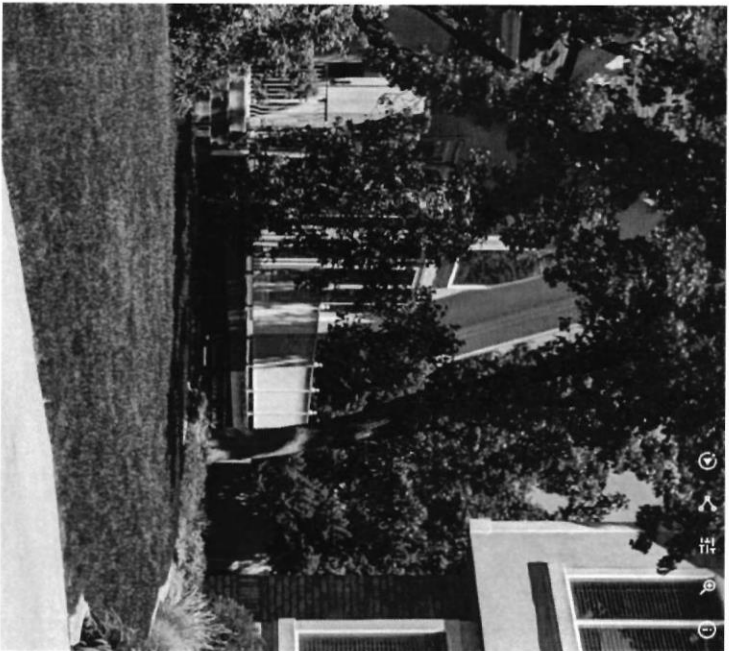
⁶ <https://westvalleycity.municipal.codes/Code/7-6-202>

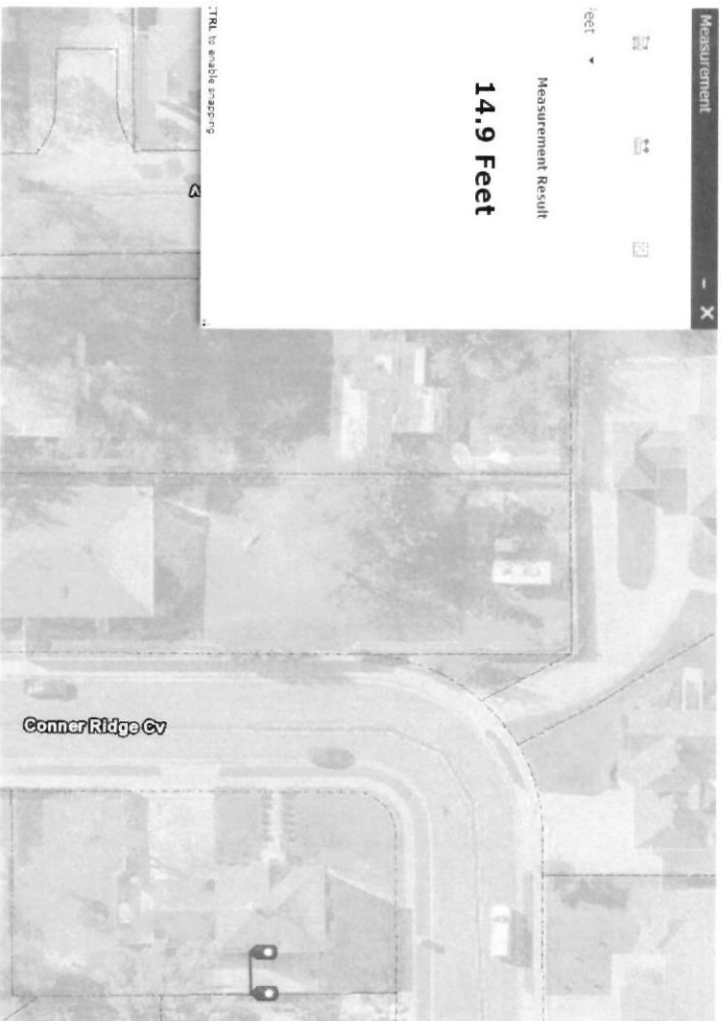
⁷

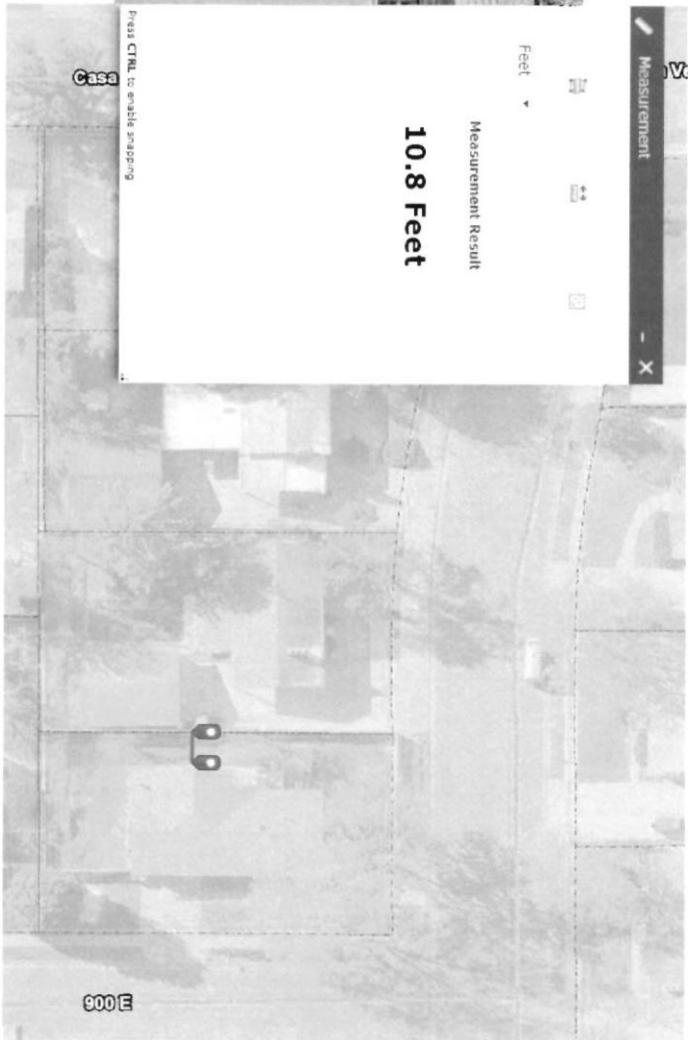
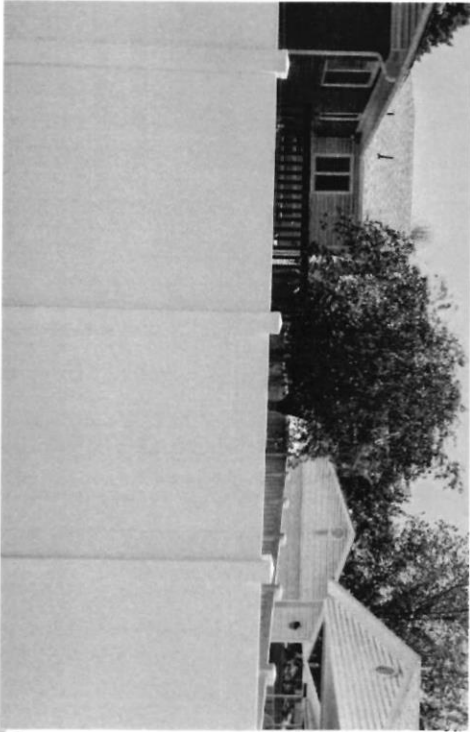
https://library.municode.com/ut/south_salt_lake/codes/code_of_ordinances?nodeId=TIT17LAUS_DE_CH17.07DEST_17.07.030DEST

⁸ https://codelibrary.amlegal.com/codes/westjordanut/latest/westjordan_ut/0-0-0-12085















May 16, 2022

Redevelopment Agency of Midvale
Midvale City Council Members
Midvale City hall
7505 S. Holden St.
Midvale, UT 84047

DELIVERED VIA EMAIL

Dear Agency and City Council Members:

My name is Craig Riddle. Unfortunately, I am unable to attend the May 17th meeting and voice my concerns during the public hearing. I am writing this email to address the parking issues along the east side of Center Square Street.

My 88 year-old mother, Donna Riddle, owns the log cabin at West Park Street in Midvale. This is the property just north of the existing apartment complex on Center Square Street. Although the apartment complex has been a good neighbor and they keep the property immaculate, there has been a continuing issue with parking on Center Square Street: cars and trucks parked in the wrong direction; trucks taking up too much of the road; and cars continually parking in front of the fire hydrant. She has called the police numerous times to report violators but unfortunately, the problem is a daily occurrence with no remedy even with law enforcement intervention.

Moreover, even if people park correctly, the number of cars/trucks on the road - along with its narrow size - turns it into a one-way street with only inches for oncoming traffic to pass - if at all. This situation has gotten so bad that my mother is afraid to drive down the street in fear she may have to back up to make room for oncoming traffic. Not only is this a dangerous hazard that could result in an accident, reversing on a crowded, tight road is uncomfortable for many drivers, particularly the elderly.

I am not in opposition of the new complex being built, however I believe the parking issues need to be addressed before construction or this problem will only get increasingly worse with the inclusion of more housing.

I see only two possible remedies for this problem: Either widen Center Square Street to allow parking on both sides with adequate room for two-way traffic, or close the east side to parking.

When the apartment complex was built, we were assured there would be adequate parking in the complex along with street parking on the west side of the street. Obviously, this was not true. Every evening the east length of the street is full of cars and trucks.

Unless these parking issues can be addressed, I do not believe the new project should go forward and would recommend people in the area oppose any new construction as well.

Sincerely,

Craig Riddle

Craig Riddle, Owner
Ally Equipment Company
3252 W. Charing Cross Road
West Jordan, UT 84084
criddle@allyequipment.com

From: [Donna](#)
To: [Laura Magness](#)
Subject: parking
Date: Monday, May 16, 2022 2:26:24 PM

Concerned about the parking on both sides of the street on center square by the apartment complex, weekends are really congested and dangerous. Also if you are turning east off of center sq you can not see cars coming from west for the trees that need to be trimmed from the bottom.

Donna Riddle 134 West Park St

Sent from [Mail](#) for Windows

Rori Andreason

From: noreply@midvale.com
Sent: Monday, May 9, 2022 8:12 PM
To: Juan Rosario; Rori Andreason; Sherrie Reynolds
Subject: Midvale, UT: Notification from Website Contact Us Form

A new entry to a form/survey has been submitted.

Form Name: Midvale, UT_Contact Us
Date & Time: 05/09/2022 8:12 PM
Response #: 1997
Submitter ID: 15775
IP address: 68.69.160.237
Time to complete: 12 min. , 14 sec.

Survey Details

Page 1

Please feel free to contact us with any comments or questions.

Midvale City Hall
7505 S Holden St
Midvale, UT 84047

Hours 8:00 a.m. to 6:00 p.m.
(801) 567-7200

Midvale Public Works
8196 South Main Street
Midvale, UT 84047

Hours 7:00a.m. to 4:30 p.m.
(801) 567-7235

Alternatively, you may fill out the form below and someone will contact you.

Please do not include sensitive information such as account numbers, credit card numbers or your social security number.

First Name Brooke
Last Name Edwards
Email Address brooklynty@gmail.com
Phone Number 8015540121
Address 7636 S Casa Morena Cir
Address 2 Not answered
City Midvale
State Utah
ZIP Code 84047
Comments
Midvale City Council,

I am writing to support the Midvale Municipal Code text amendment decreasing the rear setback for SF-1 zoned properties from 25 feet to 15 feet. Allowing residents, such as myself, to build within 15 feet of my rear property line gives me the opportunity to continue to grow my home and family in Midvale instead of needing to consider moving to neighboring

cities.

I urge you to consider voting in favor of reducing the rear setback to 15 feet. Thank you.

Brooke Edwards
7636 Casa Morena Circle
801-554-0121

Would you like to be contacted regarding your comments?

☐ Yes

How do you prefer we contact you?

☒ Email

Thank you,
Midvale, UT

This is an automated message generated by Granicus. Please do not reply directly to this email.

Wendelin Knobloch

From: Sherrie Reynolds
Sent: Monday, May 16, 2022 10:57 AM
To: Wendelin Knobloch
Subject: FW: Midvale, UT: Notification from Website Contact Us Form

Follow Up Flag: Follow up
Flag Status: Flagged

From: noreply@midvale.com <noreply@midvale.com>
Sent: Monday, May 16, 2022 10:55 AM
To: Juan Rosario <jrosario@midvale.com>; Rori Andreason <randreason@midvale.com>; Sherrie Reynolds <sreynolds@midvale.com>
Subject: Midvale, UT: Notification from Website Contact Us Form

A new entry to a form/survey has been submitted.

Form Name: Midvale, UT_Contact Us
Date & Time: 05/16/2022 10:54 AM
Response #: 2013
Submitter ID: 15831
IP address: 2607:fb91:3f2a:9db5:d4b:12bb:ed8d:5e8
Time to complete: 2 min. , 12 sec.

Survey Details

Page 1

Please feel free to contact us with any comments or questions.

Midvale City Hall
7505 S Holden St
Midvale, UT 84047

Midvale Public Works
8196 South Main Street
Midvale, UT 84047

Hours 8:00 a.m. to 6:00 p.m.
(801) 567-7200

Hours 7:00a.m. to 4:30 p.m.
(801) 567-7235

Alternatively, you may fill out the form below and someone will contact you.

Please do not include sensitive information such as account numbers, credit card numbers or your social security number.

First Name Rachael

Last Name Hadley
Email Address Rachaelehadley@gmail.com
Phone Number 860-256-1171
Address 843 E Grenoble Drive
Address 2 Not answered
City Midvale
State Utah
ZIP Code 84047

Comments

This is a reasonable proposal and as our population grows, it is important to allow people to maximize use of their own property.

Would you like to be contacted regarding your comments?

☐ No

How do you prefer we contact you?

☒ Email

Thank you,
Midvale, UT

This is an automated message generated by Granicus. Please do not reply directly to this email.

Wendelin Knobloch

From: Adam S. Olsen
Sent: Monday, May 16, 2022 8:10 AM
To: Wendelin Knobloch
Subject: FW: Midvale, UT: Notification from Website Contact Us Form

Follow Up Flag: Follow up
Flag Status: Flagged



Adam Olsen, AICP
Planning Director
Midvale City
7505 S Holden St,
Midvale UT, 84047
(801) 567-7231
aolsen@midvale.com

From: Sherrie Reynolds <sreynolds@midvale.com>
Sent: Monday, May 16, 2022 8:09 AM
To: Adam S. Olsen <aolsen@midvale.com>; Nate Rockwood <nrockwood@midvale.com>
Subject: FW: Midvale, UT: Notification from Website Contact Us Form

Please remember to CC me with any response, thank you!

From: noreply@midvale.com <noreply@midvale.com>
Sent: Sunday, May 15, 2022 4:22 PM
To: Juan Rosario <jrosario@midvale.com>; Rori Andreason <randreason@midvale.com>; Sherrie Reynolds <sreynolds@midvale.com>
Subject: Midvale, UT: Notification from Website Contact Us Form

A new entry to a form/survey has been submitted.

Form Name: Midvale, UT_Contact Us
Date & Time: 05/15/2022 4:22 PM
Response #: 2010
Submitter ID: 15824
IP address: 166.70.247.63
Time to complete: 23 min. , 53 sec.

Survey Details

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Please feel free to contact us with any comments or questions.

Midvale City Hall
7505 S Holden St
Midvale, UT 84047

Midvale Public Works
8196 South Main Street
Midvale, UT 84047

Hours 8:00 a.m. to 6:00 p.m.
(801) 567-7200

Hours 7:00a.m. to 4:30 p.m.
(801) 567-7235

Alternatively, you may fill out the form below and someone will contact you.

Please do not include sensitive information such as account numbers, credit card numbers or your social security number.

First Name	Mary
Last Name	Kemp
Email Address	mmkemp@gmail.com
Phone Number	8017928224
Address	7602 Casa Morena Circle
Address 2	Not answered
City	Midvale
State	Utah
ZIP Code	84047
Comments	Midvale City Council,

I am writing to support the Midvale Municipal Code text amendment decreasing the rear setback for SF-1 zoned properties from 25 feet to 15 feet. Allowing residents, such as myself, to build within 15 feet of my rear property line gives me the opportunity to continue to grow my home and family in Midvale instead of needing to consider moving to neighboring cities.

I urge you to consider voting in favor of reducing the rear setback to 15 feet. Thank you.

7602 Casa Morena Cir
Midvale, UT, 84047
(801)792-8224

Would you like to be contacted regarding your comments?

☐ Yes

How do you prefer we contact you?

☒ Email

Thank you,
Midvale, UT

This is an automated message generated by Granicus. Please do not reply directly to this email.

Rori Andreason

From: noreply@midvale.com
Sent: Tuesday, May 10, 2022 8:01 AM
To: Juan Rosario; Rori Andreason; Sherrie Reynolds
Subject: Midvale, UT: Notification from Website Contact Us Form

A new entry to a form/survey has been submitted.

Form Name: Midvale, UT_Contact Us
Date & Time: 05/10/2022 8:00 AM
Response #: 1999
Submitter ID: 15777
IP address: 24.104.56.246
Time to complete: 1 min. , 23 sec.

Survey Details

Page 1

Please feel free to contact us with any comments or questions.

Midvale City Hall
7505 S Holden St
Midvale, UT 84047

Midvale Public Works
8196 South Main Street
Midvale, UT 84047

Hours 8:00 a.m. to 6:00 p.m.
(801) 567-7200

Hours 7:00a.m. to 4:30 p.m.
(801) 567-7235

Alternatively, you may fill out the form below and someone will contact you.

Please do not include sensitive information such as account numbers, credit card numbers or your social security number.

First Name Samuel
Last Name Johnson
Email Address skeeterj010473@comcast.net
Phone Number 8013001843
Address 189 E 6740 S
Address 2 Not answered
City MIDVALE
State Utah
ZIP Code 84047
Comments
Midvale City Council,

I am writing to support the Midvale Municipal Code text amendment decreasing the rear setback for SF-1 zoned properties from 25 feet to 15 feet. Allowing residents, such as myself, to build within 15 feet of my rear property line gives me the opportunity to continue to grow my home and family in Midvale instead of needing to consider moving to neighboring

cities.

I urge you to consider voting in favor of reducing the rear setback to 15 feet. Thank you.

Samuel Johnson

189 E 6740 S
Midvale, UT 84047
801-300-1843

Would you like to be contacted regarding your comments?

☐ Yes

How do you prefer we contact you?

☒ Email

Thank you,
Midvale, UT

This is an automated message generated by Granicus. Please do not reply directly to this email.