



COUNCIL MEETING
Minutes

Tuesday June 21, 2022
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

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

STAFF: Matt Dahl, City Manager; Shelly Reed, Deputy City Recorder; Lisa Garner, City Attorney; Glen Kennedy, Public Works Director; Laura Magness, Communications Director; Nate Rockwood, Community Development Director; Elizabeth Arnold, Planner II; Cody Hill, RDA Manager; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; Jake Shepherd, Network Administrator.

6:00 PM – REGULAR MEETING

Mayor Marcus Stevenson called the business meeting to order at 6:03 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. UNIFIED POLICE REPORT

Chief Randy Thomas thanked the Redevelopment Agency Staff for all of the work at the Mural Festival. He announced that Officer Eric Densely had submitted his retirement date, and another officer has tentatively turned in her resignation. He said they are starting to see a lot of weeds in neighborhoods and has concerns with fires. He spoke to Chief Brad Larson, Unified Fire Authority, to help assist if needed. He thanked Mayor Stevenson for his invitation to the press conference regarding speeding. He reported on the Unified Police stats for May and budgetary items. He said they purchased a drone to use in their jurisdictions and will be starting up a drone program with certifications. He said using drones will be very helpful and useful.

II. PUBLIC COMMENTS

There was no one who desired to speak.

III. COUNCIL REPORTS

A. Council Member Quinn Sperry – Thanked staff who worked on the Mural Festival. He said it was great to see the activity on Main Street and the murals are great. He said he saw article in the newspaper about the Utah Sports Athletic Association promoting sportsmanship for school sports. He would like to see the agency take action for the incident at Hillcrest Hight School.

B. Council Member Bryant Brown – Thanked Public Works for working on the water issue on Wasatch Street, which seems to have water issues every year. Unfortunately, he missed the Mural Festival; however, he felt lighting on Main Street needs to be turned on until at least 10:00 p.m. He said residents from Holmes Homes in the development in the Bingham Junction Area have potential legal actions in regard to the selling of homes.

C. Council Member Heidi Robinson – Thanked the Redevelopment Agency and the artists for the work with the Mural Festival. She reminded everyone about the food trucks on Friday nights.

D. Council Member Paul Glover – Also thanked the Redevelopment Agency staff for the work on the Mural Festival. He said he received comments from residents wanting tables for places to sit down at events. He also received some complaints on some of the content of the murals.

E. Council Member Dustin Gettel – Also thanked the staff who worked on the Mural Festival. He said it would be nice to have tables to be able to sit down at the event. He said he received complaints on the Bingham Junction Road heading south. The road has a merge that is very confusing and will cause accidents and is dangerous. He said the road makes no sense.

IV. MAYOR REPORT

Mayor Stevenson thanked the Redevelopment Agency for the work involved with the Mural Festival. He said he received news from State of Utah, Health and Human Services Coordinator, that will fund a full-time coalition coordinator focusing on youth and gang violence. He reminded everyone about the Food Truck Fridays on Main Street. Also, the concert in the park series is starting now and invited everyone to attend. Last week he attended the Board Meeting at the Unified Police Department where the Board voted on their annual budget. He said he voted against the budget.

V. CITY MANAGER REPORT

Matt Dahl stated Rocky Mountain Power has implemented a new program that will have planned public safety power shut offs when strong winds and bad weather conditions occur. He reported on an incident for a burial in Midvale where mistakes were made. He said the mistakes were unexplainable, and staff is taking steps to ensure it doesn't happen again. He said he had apologized to the family members.

VI. DEPARTMENT REPORTS

A. PUBLIC WORKS DEPARTMENT REPORT

Glen Kennedy said he apologized to the family regarding the burial incident, and they are taking steps to ensure staff are trained and working on a new plan to put in place. May need to change schedules and shifts for the new plan. The intent is for this to not happen again. He assured the Council that staff is taking the matter very seriously and will be reviewing every process to move forward.

MOTION: Council Member Dustin Gettel MOVED to open 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.

VII. PUBLIC HEARINGS

A. CONSIDER CHAD JONES, REPRESENTING MARCUS LONARDO REQUESTS REZONE APPROVAL FOR A PROPERTY LOCATED AT 160 E 7200 S FORM SINGLE FAMILY RESIDENTIAL/DUPLEX OVERLAY/7200 SOUTH OVERLAY (SF-1/DO/7200 S) TO MIXED USE/7200 SOUTH OVERLAY (MU/7200 S) TO ALLOW FOR A PROPOSED 18-UNIT TOWNHOME PROJECT. DEVELOPMENT AGREEMENT WILL BE CONSIDERED ALONG WITH THE REZONE REQUEST

Elizabeth Arnold said this project was previously heard by the Council on February 15, 2022 and tabled pending an answer to feasible access on 7200 S. If feasible access on 7200 S was found, the motion also requested that staff prepare a draft development agreement.

Access to 7200 S has been acquired in the form of a right-in, right-out and access on Nicoletti Drive has been restricted to fire access only. An additional unit has also been added to the proposal, bringing the total unit count to 18. This density is within the parameters of the Mixed-Use zone. A draft development has also been included.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes.

Staff finds the proposal complies with requirements outlined in Midvale City Municipal Code 17-3-1(E).

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

STAFF RECOMMENDATION:

Approve with the following findings:

Findings:

1. The application is for a rezone to change from SF-1/DO/7200 S to MU/7200 S.
2. The subject property is on a total of 0.83 acres.

3. The rezone of the property will allow for a multifamily, 18-unit townhome development.
4. The project will be accessed from 7200 S with only fire access being allowed from Nicoletti Drive.
5. The project complies with the rezone procedure outlined in Midvale City Code 17-3-1(E.)
6. The applicable departments have reviewed the project and provided a positive recommendation.

Mayor Stevenson opened public comment for the public hearing.

Sara Sherwood said none of the complaints and concerns have changed. The number of units has increased since the February meeting. The proposed plan has the entire mailbox on Nicoletti. People who don't want walk will have to drive all the way around. People don't pay attention and look out for pedestrians. She asked the council to hit pause on this development and reconsider.

Tonya Lelanlia said it was ironic the meeting opened discussion about speeding; this is a big concern on Nicoletti as well as parking issues. She asked if the sidewalks will be painted red? Everyone is frustrated that the residents are not being heard and nothing has changed.

Joseph Pepper said he has lived on Nicoletti for 50 years. He invited the council members to walk up the street where the project is going before making a decision.

Chad Jones said they have addressed the 7200 South traffic and complied with parking. He said they are meeting the general plan requirements in Section 17-3-1 of the code. He said they will have sidewalks for the residents. The proposed plan will clean up the neighborhood and reduce vandalism.

Linda Pepper said parking is an issue. She asked if the parking would accommodate guest and resident parking because there is no way parking it can fit on the street.

Council Member Dustin Gettel said council has been working on the parking ordinance.

Council Member Bryant Brown asked about the fire lane and if it can be changed regarding the zoning.

Lisa Garner said no it cannot be changed, it is in the development agreement.

Marcus Lonardo, developer, said in the last four months interest rates have gone up quite a bit. One of their goals is to deliver affordable housing that meets HUD's affordable housing scale. He said they have changed the access on Nicoletti and worked very closely with the city attorney to resolve the resident issues and concerns through the development agreement.

Public Comments Received Online:

My name is George Pollard and I live at 255 E 7350 S, Midvale, UT

I am responding to the rezoning planned for development planned for Ramanee and 7200 South in Midvale, UT. This 18 Unit development is not needed and would be another blow to this area of Midvale. I stand in disagreement with the plans and would ask that you find a different location for this development in order to keep this area from becoming too saturated with condo's, townhouses and other distasteful tall structures. After speaking with a good majority of homeowners in this area and finding most agree with my thoughts and feeling about this plan, I would ask that you please do not build and or rezone the area.

My name is Dian Pollard and I live at 255 E 7350 S, Midvale, UT

I am responding to the rezoning planned for development planned for Ramanee and 7200 South in Midvale, UT. This 18 Unit development is not needed and would be another blow to this area of Midvale. I stand in disagreement with the plans and would ask that you find a different location for this development in order to keep this area from becoming too saturated with condo's, townhouses and other distasteful tall structures. After speaking with a good majority of homeowners in this area and finding most agree with my thoughts and feeling about this plan, I would ask that you please do not build and or rezone the area.

I live at 98 Nicoletti drive and I cannot attend the city council meeting. I am against development that will impact our neighborhood and the quality of our neighborhood. Here are my reasons:

1. This road use to be a farm area and it is very narrow compared to most streets here.
2. We have small children in this area who live on duplexes and houses at both ends of the road. We have had at least one child hit by a speeding motorist.
3. We have no patrol from Unified PD. There is no proactive police presence or activity here. Police show up once something bad has happened.
4. We already have tons of traffic from the bar at area of 70 Nicoletti drive and the taco stand that is in the parking lot of the bar.
5. We have no sidewalk for more than half of Nicoletti drive. Children and parents can be seen walking with strollers & small children on this road.
6. We have bunch of vehicles parked on both sides of the street, so this makes the road actually a one-lane road. This street was never designed for lots of traffic and for fast traffic.
7. This development will cause more traffic, fast traffic, more property crimes and possibly person crimes, air pollution and noise pollution. More importantly it will bring high risk of injury to our kids and to our neighbors who walk and take public transportation. It is very possible that your decision today will contribute to a pedestrian(s) being hit.
8. I do not have small children, but we also have Elderly on this street. Our mailboxes are on the street, and it is possible to get hit on this street by speeders and those avoiding parked on- street vehicles, garbage bins etc.
9. On Tuesday, we have garbage pick- up and the beer guy delivers at the bar at bottom of Nicoletti. The road will be congested and Unsafe if Midvale approves of this misfit development.
- 10 We are not against progress, but we are against more crime, more pollution, pedestrians being unsafe and more noise and dirty air. This development will Not

enhance our neighborhood- it will only bring these aforementioned problems, more sirens and turn our neighborhood into another undesirable "avoid that area" pocket of Midvale. Please do not turn our already stressed space into a combat-like zone. We cannot live that way and if this insane project is approved-- it will ruin Nicoletti. Homelife should not be about constantly being in a fight or flight mode- we people/homeowners/tenants on Nicoletti deserve peace, some quietude and Safety. We deserve it. We work hard. Some of us are retired now. Please think if you would like living here if this development is an over- development for your small, former farm road that was never designed for what is being planned. There is not ample space on this road and this area.

We would like to join with the other concerned citizens to express our disapproval of the re-zoning consideration for the property at or near 7200 S and Ramanee Dr. The city of Midvale is slowly changing the zoning laws to accommodate these big high density multi housing projects without any consideration for our quaint single dwelling communities. We are extremely disappointed in the 3-story high density housing project on the Northwest corner of 7200 S and 300 East. This project turned out to be very unsightly and within 10 years will be a rundown project. We are hoping for you and your board to please respect our feelings and not so much on turning small pieces of property into high density apartments.

Thank you for your consideration,
Russ & JaNell Morrey
256 E 7440 S
Midvale, UT 84047
801-949-9403

I am a resident in the neighborhood near Nicoletti Drive. I would strongly urge the city not to re-zone the lot for the purposed L8 unit complex. Please note my concern since I won't be able to attend the City Council meeting on June 21st. Thank you.

-Alyssa Pena

My wife and I are writing to encourage you to uphold our current zoning laws. We know of the proposed talks, scheduled for 5:00 p.m. on June 21, for zoning debates regarding the property at 7200 south, Ramanee, and Nicoletti streets. The developers want free reign, to build as many apartments as they please. Please resist their persuasion. They should not be asking for legal changes or debating interpretation when they are planning to build. We have strict zoning in place, and we are counting on you to uphold the law. We want to avoid "changing horses in the middle of the stream." We have too many recently built apartment structures nearby, already. Thank you for upholding the law,

Richard T. Pinnell
& Maria P. Pinnell
Joint owner, H&W
231 E. Carol Way
Midvale, UT 84047

I hope you are well. I have 2 emails on file to you, so I wanted to make sure it got to you. Sorry for the duplication. I am a resident at 95 Nicoletti Dr down the street from 160 E

7200 5. The Midvale City Council is meeting to discuss a rezone request. My main concern about this development is that there is an exit on Nicoletti Dr. I have the following concerns.

1. The street is fairly narrow with cars that park along the side of both streets. We have 2 children and cars come through here at over 40 mph and have almost run over a dog.
2. Also, halfway down the street we do not have sidewalks which requires people to walk in the streets at all times of the day including at night. Our street is poorly lit which makes it even more dangerous.
3. I am also concerned that cars will be backed up on Nicoletti trying to turn right or left on State St. We already regularly have a line of 2-4 cars waiting to turn left or right by the bar. We take our kids to the karate by the new housing development by I-15 on 300 W and I have seen what overcrowded streets do. We almost got hit twice turning out of karate because cars line that street preventing me to see.

Jeremy Franklin, PhD
801-243-8694

I would be less opposed to this development if the only exit was onto 7200 S and I would appreciate you raising these concerns to the council.

I would just like to again voice my concern that the development proposed for the corner of 7200 South and Ramanee is not appropriate. The previous concern from most of the neighborhood was that this would bring too much traffic to Nicoletti Dr. and Ramanee which is already overused as a through street. It was discussed that this development would be better if the only entrance and exit would be on 7200 South. Well per the new drawings and as mentioned by yourself Ms. Arnold there is now a proposed entrance on 7200. The problem with this now is that it is "turn right in (entrance) and turn right out only (exit) Where are the people that need to travel West to get to I 15 or State St going? They are just going to come right back to Ramanee and Nicoletti Dr. Given us the same issue we had initially been concerned of. Another concern is all the mailboxes are proposed to be on Nicoletti Dr. won't that just cause the residents to drive to Nicoletti to pick up mail and therefore create congestion. The mayor himself came and viewed that area and said in the meeting it is far too congested right there. Finally, I cannot believe after the initial meetings for this proposed development were critiqued for too many (17 units) trying to be squeezed into the small parcel that they are now trying to add an additional unit to make 18 total. That is ridiculous. It feels very much like the developer/contractor is not even paying attention to the residents of the area. He claims to want to work with us but this seems like the opposite. He has just slapped us in the face saying he doesn't care and profit is his number one goal. Thank you, Matt Sherwood

New voicemail details:

Date/Time:

Monday, June 20, 2022 11:16:43 AM

This message is for Elizabeth Arnold. I am live. I live directly across the street back on Romana drive from this are Planning Commission townhouses. I do not want it, it's too busy. I signed a petition before I have no car, I can't go to the money, but I want to let you know. I am against this. I don't want this to take place. So I'll talk to you later. Bye.

I am reaching out again regarding the rezone request that will be discussed in today's 16127/20221 public hearing. The big issues are g[!!] present and causes more concern

with the new notice. This is still very concerning as homeowners on Ramanee Drive for over 10 years. Initially, the notice was incomplete but then stated it would be a 17 unit, then in January they said 16 units but now over 6 months later, it is upped to a proposed 18 unit mixed use townhome project. This is !9! transparent and hasn't seemed transparent since this has started. Realistically, this is not a big space and the items they propose with that many units, enough parking, dog park and picnic area just does not fit or make sense. Height of the units is a concern especially with the existing surrounding homes and the home that is directly next door that was approved for rezone to a mental health practice (170 E 7200 S). They do not have plans to rebuild that home, just do cosmetic updates. The safety of our families and children who are already residents in the neighborhood should be the main concern first, not an afterthought. Now that it is summer/nice outside, you will see more families, kids and pets enjoying the neighborhood. Obviously more than what was observed in the winter months. Specifically, the road we live on (Ramanee Dr) already has high traffic with cars using it as a through street, parking and congesting the neighborhood- We often have to yell at cars to slow down. We do not want to attract any additional crime in our neighborhood with a packed high-density unit and have cars lined up. On Nicoletti, there is even more congestion and there is not a safe or clear walking space for pedestrians on that road. Some of the "points" that were brou8ht up was a corner grocery store within walking distance. This is not accurate. It is not your typical grocery store as they put it- it is a specifically targeted Indian food market that is across busy 7200 S- not in our neighborhood. Which is great, but not a generally used grocer as implied. The closest would be Smith's which is 900 E or a Winco across the freeway at 700 W. That is not within "walking distance". Unfortunately, this is the same location where a gang-related killing happened in November 2021. Parking and entrance/exit access is a huge concern. Especially if it is off of Nicoletti. If these are mixed use with possible business, again there isn't room to allow for that increase in traffic or amount of residents. Even if it is only residents in this proposed rezone, how can that amount of space allow for all the cars? If it is 18 units, and each unit has 1-2 people that is an additional 1.8-36+ cars residing there! That doesn't take into account any guests of the residents. There just isn't room. Again, people already use Ramanee Dr as a through street and it is an ongoing problem that we, the existing residents, already deal with that is frustrating. These are still huge concerns- number of units in the plans changing, traffic, cars, entrance/exit, height, road driving and walkways. My kids like to play with their friends out front and in our community, we would like to keep it that way without adding more concern with traffic and cars everywhere. This is not enriching our neighborhood, instead causing more concern and a burden on the current residents in the neighborhood. The units mentioned during the February 2022 meeting that are also along 7200 S have entrance/exit off of 7200 S not from within the neighborhood from my understanding. Upgraded single family home(s) that fit on the lot and accommodates the cars would be a better option, not high density 18 unit mixed use units with entrance/exit off 7200 S, not in the neighborhood. Thank you so much for taking my concerns seriously. In the end we want a win/win here and it doesn't feel like a win for us at a ll. Regards, Candice Elda Rd

This email is in regards to the "Rezone" on the 7200 S Ramanee drive. My name is Kylee Matthews. I live at 7282 S Ramanee drive. I am sixteen years old and have lived in this house, this neighborhood my whole life. I just recently started driving and every time I'm

trying to reverse out of my driveway it's car after car after car so imagine my surprise when I'm told they want to add more cars approximately 36 more. Not only is it already stressful but it's aggravating, there are handfuls of kids that live in this neighborhood we ride our bikes together, our scooters, we play night games, street hockey, toss the ball and it's getting more dangerous every day doing normal outside activities with the extreme amount of traffic our street has and you guys want to add more it's baffling. Almost every day I ride my scooter along with my neighbors who ride bikes or scooters and we have almost got hit numerous amounts of times by people backing out of their driveway or is trying to cross the road and a car speeds down the street from Greenwood Avenue to Fort Union Boulevard. This developer is not considering how many children are on this road, how many people walk their dogs, and how many people are trying to reverse out of their driveway and can't because of the extreme traffic. This "rezone" is NOT welcomed by me or any of my neighbors and the children who just want to be kids outside without worrying if they'll get hit by a car today. As of that, the board will not approve this. Thank you for listening. Kylee Matthews.

This email is in regards to a "REZONE" on 7200 S Ramanee Dr. My name is Greg Matthews, I live on 7282 S Ramanee Dr and have lived there 49 years. It has been brought to my attention that once again a developer is trying to squeeze 18 town homes in a space meant for 1 or 2 single family homes. Not only that, but they have upped the amount of town homes from the original plan, clearly they couldn't care less about our neighborhood/community. With the entrance off a highly occupied residential road that's already very congested and dangerous for pedestrians and EXTREMELY dangerous for children in the Area! This plan would possibly add up to 36 vehicles in and out of the small road. Although we are a welcoming community this project is absolutely NOT welcome. The developers of this project have one thing on their mind and that is a multi-million-dollar profit for them with ABSOLUTELY no concerns of what this will do to our neighborhood. That being said we are confident the board will not approve this I Thank you for your time, The Matthews

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: APPROVE MARCUS LONARDO REQUESTS FOR REZONE APPROVAL FOR A PROPERTY LOCATED AT 160 E 7200 S FORM SINGLE FAMILY RESIDENTIAL/DUPLEX OVERLAY/7200 SOUTH OVERLAY (SF-1/DO/7200 S) TO MIXED USE/7200 SOUTH OVERLAY (MU/7200 S) TO ALLOW FOR A PROPOSED 18-UNIT TOWNHOME PROJECT. DEVELOPMENT AGREEMENT WILL BE CONSIDERED ALONG WITH THE REZONE REQUEST

MOTION: Council Member Dustin Gettel MOVED to Approve the Rezone located at 160 E 7200 S consistent with the findings in the summary report.

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	No
Council Member Heidi Robinson	No
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed 3-2 in favor.

VIII. CONSENT AGENDA

A. CONSIDER MINUTES OF JUNE 7, 2022

B. CONSIDER RESOLUTION NO. 2022-R-31 APPROVING THE MAYOR TO ENTER INTO AN AGREEMENT WITH KILGORE CONTRACTING FOR THE 2022-2027 PAVEMENT RESORATION PROJECT

MOTION: Council Member Dustin Gettel **MOVED** to move schedule of tonight's events to now Approve the Consent Agenda and follow with Action Items on the agenda until 7:00 pm. 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.

MOTION: Council Member Bryant Brown **MOVED** to Approve the Consent Agenda. The motion was **SECONDED** by Council 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.

MOTION: Council Member Dustin Gettel **MOVED** to Consider Action Item B and come back to Action Item A at a later time. The motion was **SECONDED** by Council 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.

IX. ACTION ITEMS

A. CONSIDER RESOLUTION NO. 2022-R-33 APPROVING THE DEVELOPMENT AGREEMENT FOR THE PROJECT LOCATED AT 160 E 7200 S TO ALLOW FOR A PROPOSED 18-UNIT TOWNHOMES PROJECT

Elizabeth Arnold said the applicant requests a rezone to the MU/7200 S Overlay (Mixed Use/7200 S Overlay) for a property located at 160 E 7200 S to allow for a proposed 18-unit townhome project. A Development Agreement has been prepared, reviewed, and approved by all involved and is now ready for City Council consideration. The Agreement includes the following:

- The agreement will run with the property and will be binding on any successors/assigns of the current Developer in the future.
- Requires the Developer to construct the project in accordance with the administrative conditional use approval from the City for the Site Plan.
- Stipulates that parking be provided for the use of residents and guests at no additional cost beyond the base lease of a unit.
- Vests the property owner for the use and density indicated on the approved development plan for 5 years.

If the City Council concurs with the attached Development Agreement, Staff has prepared a resolution that authorizes the mayor to sign on behalf of the City.

Council Member Paul Glover said he doesn't mind the project, but he is not happy with the parking.

Council Member Heidi Robinson agreed with Council Member Glover.

Council Member Bryant Brown said he would like to have the property line painted red for the parking issues. The Developer did address the access.

Council Member Dustin Gettel said this item was tabled because of the access. The Developer has addressed the issue of the access. He said this is a difficult decision for the Council to make.

Council Member Bryant Brown asked if cars could fit in the driveway as well as the garages.

Chad Jones said there is 2.75 parking stalls per unit in the proposed project.

Council Member Dustin Gettel said without new growth in the city, the tax increase would have been greater.

Mayor Stevenson said he went to visit the project. He encourages residents to park on Ramanee and not on Nicoletti.

Council Member Dustin Gettel said the city needs to consistently ticket red curb parking.

Glen Kennedy asked if the curb is painted red, does that prevent the residents from parking on the street also?

The Council agreed that the residents would no longer be able to park on the street if the curb is painted red.

Council Member Dustin Gettel said the project has been reviewed by Unified Fire Authority.

Council Member Dustin Gettel asked about the parcel that touches this property. He said all of the surrounding areas are zoned for Mixed Use.

Lisa Garner said a rezone is and always has been a legislative decision. The Council never has to "rubber stamp" rezones.

MOTION: Council Member Dustin Gettel MOVED to Adopt Resolution 2022-R-33 Authorizing the Mayor to sign the Development Agreement for Project Rezone located at 160 E 7200 S. 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.

MOTION: Council Member Dustin Gettel MOVED to temporarily adjourn City Council Meeting to hold the Redevelopment Agency 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 roll call vote. The voting was as follows:

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

The motion passed unanimously.

Council temporarily adjourned City Council Meeting to hold the Redevelopment Agency Meeting at 6:42 p.m.

MOTION: Council Member Dustin Gettel MOVED to move back into City Council Meeting. Council Member Heidi Robinson SECONDED the motion. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council reconvened City Council Meeting 7:03 p.m.

B. CONSIDER RESOLUTION NO. 2022-R-28 APPROVING HOLDING A TRUTH IN TAXATION HEARING

Mariah Hill reported on FY2023 Proposed Property Tax Rate Increase:

Property Tax Basics

How the City's property tax rate is calculated:

$$\frac{\text{Previous year property tax revenue} + \text{new growth}}{\text{Assessed property tax value}}$$

When assessed value goes up, tax rate goes down.

When assessed value goes down, tax rate goes up.

Assessed property tax value = Total assessed value less allowable exemptions

- Example – 45% residential exemption

If an entity wishes additional revenue, goes through a process called Truth in Taxation.

2022 Tax Year Information

Total Taxable Value - \$3,271,131,846

New Growth Value - \$81,051,635 (2.4% Increase)

Originally projected 1.5% Increase

Average Midvale Residential Value - \$446,900

Average Taxable Residential Value (55%) - \$245,795

Certified Tax Rate vs Proposed Tax Rate

Certified Tax Rate

- Certified Tax Rate - .000811
- FY2023 Property Tax Revenue - \$2,718,621
- Average Residential Taxes - \$199.34

Proposed Tax Rate

- Proposed Tax Rate - .000870
- FY2023 Property Tax Revenue - \$2,917,185
- Average Residential Taxes - \$213.84
 - \$14.50 Annual Increase
- 7.3% Increase

Truth in Taxation Process

- On or before June 22nd – City adopts “proposed” tax rate.
- 2 weeks before public hearing – Newspaper publication (must be done in specific format).
- 1 week before public hearing – Newspaper publication (must be done in specific format).
- Ads are also placed on multiple websites (Public Notice website, Utahlegals.com, etc.)
- Public hearing date confirmed by County auditor – Public hearing cannot conflict with another entity.
- Public hearing agenda cannot have any other items other than tax increase, budget, or fee introduction/increase.
- Tentative public hearing date – August 16, 2022.

MOTION: Council Member Bryant Brown MOVED to Approve Resolution No. 2022-R-28 Proposing a Tax Rate of 0.000870 for calendar year 2022. 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.

C. CONSIDER RESOLUTION NO. 2022-R-29 ADOPTING THE FY2023 MIDVALE CITY FEE SCHEDULE

Mariah Hill said as a part of the budget process, staff reviews the municipal fee schedule to ensure the city is collecting the appropriate amount for services provided and that they accurately reflect actual costs to the City. The FY2023 Fee Schedule will be posted on the Midvale City website upon approval.

FISCAL IMPACT:

The proposed fees reflect the actual cost of providing specific services to Midvale City residents, businesses, and other patrons. Fees charged are sufficient to provide revenue necessary to operate the City’s Enterprise Funds and recover certain costs incurred by the General Fund for Fiscal Year 2023.

FY2023 Fee Schedule Adoption

Fee Schedule Changes – Utility Billing

Resolution 2021-R-31 – Adopted 5-year water and sewer rate increases

- Water Base Rates – All areas will have the same base rates by FY2026
 - Service Area #1 – 11% Increase
 - Service Area #2 – 8% Increase
 - Service Area #3 – 7% Increase

- Water Consumption Rates – Approximately 7% Increase
 - Tier 1 - \$1.60 per 1000 gallons (prior \$1.50)
 - Tier 2 - \$2.00 per 1000 gallons (prior \$1.88)
 - Tier 3 - \$2.30 per 1000 gallons (prior \$2.16)
 - Tier 4 - \$2.42 per 1000 gallons (prior \$2.26)
- Sewer Base & Consumption Rates – 8% Increase
 - First Connection Base Rate - \$29.68 (prior \$27.48)
 - Additional Unit Base Rate - \$24.67 (prior \$22.84)
 - Usage Fee - \$2.49 per 1000 gallons (prior \$2.31)

Water Base Rates			
Meter Size	Service Area 1	Service Area 2	Service Area 3
3/4 " or 5/8"	\$22.09	\$23.94	\$24.68
1"	\$30.92	\$33.50	\$34.54
1.5"	\$39.76	\$43.09	\$44.43
2"	\$64.03	\$69.39	\$71.55
3"	\$242.88	\$263.19	\$271.39
4"	\$309.11	\$334.96	\$345.40
6"	\$463.69	\$502.47	\$518.12
8"	\$640.55	\$694.13	\$715.75

Fee Schedule Changes – Utility Billing

Sanitation – 7% Contract Increase, 3.5% Fee Increase

- Garbage Can - \$10.95 per month (prior \$10.38)
- Recycling Can - \$3.74 per month (prior \$3.61)
- Bulky Waste Dumpster - \$213.40 (prior \$206.20)

Fee Schedule Changes - Other

Event Fees

- Special Event Permit - \$100 (prior \$20)
- Film Permit Application - \$320 (new)

Rental Fees Updated

- Resident rates are discounted 25%
- Alexander Dahl Community Room – Decreased & added after hours rate
- Midvale Community Center – Increased & added full day rate
- Bingham Junction Park Pavilion – Decreased
- City Park Amphitheater – Increased

Traffic School - \$20 (prior \$25)

MOTION: Council Member Dustin Gettel MOVED to Approve Resolution No. 2022-R-29 Adopting the Fiscal Year 2023 Midvale City Fee Schedule. 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.

D. CONSIDER RESOLUTION NO. 2022-R-30 AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR THE CONSTRUCTION OF A BOAT LAUNCH RAMP ALONG THE JORDAN RIVER

Lisa Garner said Midvale City, Salt Lake County and Gardner Jordan Bluff, L.C. have worked together to arrange for public access to the Jordan River by constructing a boat launch along the east bank of the Jordan River within Midvale City and to allow access from the boat launch to the Jordan River Trail. The parties desire to enter into respective agreements to facilitate the access and construction of the boat launch.

Gardner Jordan Bluffs has agreed to grant Midvale City a perpetual easement that will allow the public to use the boat launch to access the Jordan River. Additionally, the easement agreement will grant Midvale access for the construction and maintenance of the boat launch. Salt Lake County wishes to design and construct the boat launch and then will turn over ownership of the boat launch to Midvale City. The Interlocal Agreement between Midvale City and Salt Lake County provides written authority for Salt Lake County to access the property to construct the boat launch and to address liability during the construction period.

FISCAL IMPACT:

Cost associated with the maintenance of boat launch once constructed.

Council Member Dustin Gettel asked about the costs of maintenance long term.

Glen Kennedy said maintenance is very minimal.

Council Member Dustin Gettel asked why the County doesn't just work with Gardner.

Lisa Garner said they preferred the city to obtain the easement and also have the county liable during the construction.

Council Member Bryant Brown asked if the river is running low, will the city be liable?

Glen Kennedy said it is a portage that allows the boat to be taken out of the river and relaunch.

Council Member Heidi Robinson asked if there is normally a usage fee associated with this.

Glen Kennedy said not that he was aware of.

Mayor Stevenson asked if there is an estimated date for completion.

Lisa Garner said the county is ready to move forward and it shouldn't take long to complete.

MOTION: Council Member Bryant Brown MOVED to suspend the rules and Approve Resolution No. 2022-R-30 Authorizing the Mayor to enter into an Interlocal Agreement between Midvale City a Salt Lake County for the Construction of a Boat Ramp along the Jordan River. 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.

E. CONSIDER RESOLUTION NO. 2022-R-32 AUTHORIZING THE MAYOR TO ENTER INTO A PERPETUAL ACCESS EASEMENT WITH GARDNER JORDAN BLUFFS, L.C.

Lisa Garner said Midvale City, Salt Lake County and Gardner Jordan Bluff, L.C. have worked together to arrange for public access to the Jordan River by constructing a boat launch along the east bank of the Jordan River within Midvale City and to allow access from the boat launch to the Jordan River Trail. The parties desire to enter into respective agreements to facilitate the access and construction of the boat launch.

Gardner Jordan Bluffs has agreed to grant Midvale City a perpetual easement that will allow the public to use the boat launch to access the Jordan River. Additionally, the easement agreement will grant Midvale access for the construction and maintenance of the boat launch. Salt Lake County wishes to design and construct the boat launch and then will turn over ownership of the boat launch to Midvale City. The Interlocal Agreement between Midvale City and Salt Lake County provides written authority for Salt Lake County to access the property to construct the boat launch and to address liability during the construction period.

MOTION: Council Member Bryant Brown MOVED to suspend the rules Approve Resolution No. 2022-R-32 Authorizing the Mayor to enter into a Perpetual Access Easement with Gardner Jordan Bluffs, L.C. 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.

MOTION: Council Member Dustin Gettel MOVED to now move to discussion item A. 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.

X. DISCUSSION ITEMS

A. DISCUSS FRAUD RISK ASSESSMENT

Mariah Hill discussed Fraud Risk Assessment.

Fraud Risk Assessment – What is it?

- Developed by Office of the State Auditor.
- Designed to help measure and reduce the risk of fraud, abuse, and noncompliance in local governments.
- Developed to help local government board members understand best practices in fraud detection and prevention.
- Assessment assigns an overall risk level of undetected fraud based on a “point” system.
- Same assessment is used for small governments (with no staff) to large entities (such as Salt Lake City).
- Assessment should be a “starting point” for regular review of internal controls.

Fraud Risk Assessment – What it is not

- An internal control assessment performed by an independent auditor as part of a financial statement audit.
 - Methodologies and purposes are different.
- A “high” score does not necessarily indicate a lack of internal controls.

Fraud Risk Assessment

Continued

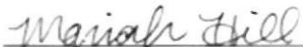
*Total Points Earned: 310 /395 *Risk Level: Very Low Low Moderate High Very High
> 355 316-355 276-315 200-275 < 200

	Yes	Pts
1 Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	X	200
2 Does the entity have governing body adopted written policies in the following areas:		
a Conflict of interest?	X	5
b Procurement?	X	5
c Ethical behavior?	X	5
d Reporting fraud and abuse?	X	5
e Travel?	X	5
f Credit/Purchasing cards (where applicable)?	X	5
g Personal use of entity assets?	X	5
h IT and computer security?	X	5
i Cash receipting and deposits?		5
3 Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?		20
a Do any members of the management team have at least a bachelor's degree in accounting?	X	10
4 Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?		20
5 Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?		20
6 Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	X	20
7 Does the entity have or promote a fraud hotline?	X	20
8 Does the entity have a formal internal audit function?		20
9 Does the entity have a formal audit committee?	X	20

*Entity Name: Midvale City

*Completed for Fiscal Year Ending: June 30, 2022 *Completion Date: June 16, 2022

*CAO Name: Marcus Stevenson *CFO Name: Mariah Hill

*CAO Signature:  *CFO Signature: 

*Required

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Assessment Scoring

Areas the City Scored High in:

- Separation of duties
- Written policies
- Staff training
- Audit Committee

Areas for Potential Improvement:

- Formal, adopted cash receipting policies (have internal policies).
- Annual statement of ethical behavior (possibly other certifications/statements).
- Online State Auditor training at least every four years for City Council.

OVERALL SCORE: 310 OUT OF 395; “MODERATE” RISK LEVEL (Increase of 20 pts from last year for addition of Fraud Hotline)

Mitigating Factors

- Administrative Services Director has a MPA (Master of Public Administration) degree.
- Senior Accountant has bachelor's degree in accounting; currently in school for master's degree in accounting.
- City Treasurer has a bachelor's degree in accounting and is a Certified Public Funds Investment Manager.
- Internal Audit function part of Finance Director's job description (also included in City Code (3.20.040(B)(13)).
- Finance has numerous policies in place; need to formalize into writing and integrate into approved Financial Policies.

Moving Forward

- Cash receipting and deposits policy addition (City Treasurer working to finalize this).
- City Council watch trainings on Auditor's Office website.
- Work with HR to get a statement of ethical behavior added to annual paperwork.

XI. CLOSED SESSION TO DISCUSS PENDING OR IMMINENT LITIGATION

MOTION: Council Member Dustin Gettel **MOVED** to go into closed session to discuss Pending or Imminent Litigation. 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 Heidi Robinson	Aye
Council Member Dustin Gettel	Aye
Council Member Paul Glover	Aye
Council Member Quinn Sperry	Aye
Council Member Bryant Brown	Aye

The motion passed unanimously.

The Council went into closed session at 8:03 pm

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

The Council reconvened into City Council Meeting at 9:49 pm.

XII. 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 9:49 p.m.



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

Approved this 19th day of July 2022





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[illegible]

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Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:35 AM
To: Shelly Reed
Subject: FW: Rezoning

Public Comment for public hearing item.

From: George & Dian Pollard <gdpollard@gmail.com>
Sent: Monday, June 20, 2022 5:34 PM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Rezoning

Dear Elizabeth Arnold:

Handwritten signature: Dian

My name is George Pollard and I live at 255 E 7350 S, Midvale, UT

I am responding to the rezoning planned for development planned for Ramanee and 7200 South in Midvale, UT. This 18 Unit development is not needed and would be another blow to this area of Midvale.

I stand in disagreement with the plans and would ask that you find a different location for this development in order to keep this area from becoming too saturated with condo's, townhouses and other distasteful tall structures.

After speaking with a good majority of homeowners in this area and finding most agree with my thoughts and feeling about this plan, I would ask that you please do not build and or rezone the area.

Thank you,

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Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:35 AM
To: Shelly Reed
Subject: FW: Zoning

Public Comment for public hearing item.

From: George & Dian Pollard <gdpollard@gmail.com>
Sent: Monday, June 20, 2022 5:35 PM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Zoning

Dear Elizabeth Arnold:

My name is Dian Pollard and I live at 255 E 7350 S Midvale, UT

I am responding to the rezoning planned for development planned for Ramanee and 7200 South in Midvale, UT. This 18 Unit development is not needed and would be another blow to this area of Midvale.

I stand in disagreement with the plans and would ask that you find a different location for this development in order to keep this area from becoming too saturated with condo's, townhouses and other distasteful tall structures.

After speaking with a good majority of homeowners in this area and finding most agree with my thoughts and feeling about this plan, I would ask that you please do not build and or rezone the area.

Thank you,

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Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:35 AM
To: Shelly Reed
Subject: FW: Development at 7200 & Ramanee

Public Comment for public hearing item.

-----Original Message-----

From: thedelphicfactor@gmail.com <thedelphicfactor@gmail.com>
Sent: Monday, June 20, 2022 7:34 PM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Development at 7200 & Ramanee

Dear Ms. Arnold: I live at 98 Nicoletti drive and I cannot attend the city council meeting. I am against development that will impact our neighborhood and the quality of our neighborhood. Here are my reasons:

1. This road use to be a farm area and it is very narrow compare to most streets here.
- 2 we have small children in this area who live on duplexes and houses at both ends of the road. We have had at least one child hit by a speeding motorist.
- 3 we have no patrol from Unified PD. There is no pro active police presence or activity here. Police show up once something bad has happened.
4. We already have tons of traffic from the bar at area of 70 Nicoletti drive and the taco stand that is in the parking lot of the bar.
5. We have no sidewalk for more than half of Nicoletti drive. Children and parents can be seen walking with strollers & small children on this road.
6. We have bunch of vehicles parked on both sides of the street so this makes the road actually a one-lane road. This street was never designed for lots of traffic and for fast traffic.
7. This development will cause more traffic, fast traffic, more property crimes and possibly person crimes, air pollution and noise pollution. More importantly it will bring high risk of injury to our kids and to our neighbors who walk and take public transportation. It is very possible that your decision today will contribute to a pedestrian(s) being hit.
- 8 I do not have small children but we also have Elderly on this street. Our mailboxes are on the street and it is possible to get hit on this street by speeders and those avoiding parked on- street vehicles, garbage bins etc.
9. On Tuesday, we have garbage pick- up and the beer guy delivers at the bar at bottom of Nicoletti. The road will be congested and Unsafe if Midvale approves of this misfit development.
- 10 we are not against progress but we are against more crime, more pollution, pedestrians being unsafe and more noise and dirty air. This development will Not enhance our neighborhood— it will only bring these aforementioned problems, more sirens and turn our neighborhood into another undesirable “ avoid that area” pocket of Midvale. Please do not turn our already stressed space into a combat-like zone. We can not live that way and if this insane project is approved— it will ruin Nicoletti. Homelife should not be about constantly being in a fight or flight mode- we people/home owners/tenants on Nicoletti deserve peace, some quietude and Safety. We deserve it. We work hard. Some of us are retired now. Please think if you would like living here if this development is an over- development for your small, former farm road that was never designed for what is being planned. There is not ample space on this road and this area.

Thank you.

Please file this to be read for public record at city council meeting on 21June2022.

Dale Alvarado
98 Nicoletti Drive

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:35 AM
To: Shelly Reed
Subject: FW: Re-zoning for lot a 7200 S & Ramanee

Public Comment for public hearing item.

From: RUSSELL A MORREY <RUSSMORREY@msn.com>
Sent: Monday, June 20, 2022 8:01 PM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Re-zoning for lot a 7200 S & Ramanee

Midvale City Planner, Elizabeth Arnold,

We would like to join with the other concerned citizens to express our disapproval of the re-zoning consideration for the property at or near 7200 S and Ramanee Dr. The city of Midvale is slowly changing the zoning laws to accommodate these big high density multi housing projects without any consideration for our quaint single dwelling communities. We are extremely disappointed in the 3-story high density housing project on the Northwest corner of 7200 S and 300 East. This project turned out to be very unsightly and within 10 years will be a rundown project. We are hoping for you and your board to please respect our feelings and not so much on turning small pieces of property into high density apartments.

Thank you for your consideration,

Russ & JaNell Morrey
256 E 7440 S
Midvale, UT 84047
801-949-9403

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:35 AM
To: Shelly Reed
Subject: FW: Re-zoning Lot on Nicoletti Drive

Public Comment for public hearing item.

From: Alyssa Pena <alyssamarie61@gmail.com>
Sent: Monday, June 20, 2022 9:06 PM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Re-zoning Lot on Nicoletti Drive

Hello Elizabeth,

I am a resident in the neighborhood near Nicoletti Drive. I would strongly urge the city not to re-zone the lot for the purposed 18 unit complex. Please note my concern since I won't be able to attend the City Council meeting on June 21st. Thank you.

-Alyssa Pena

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:34 AM
To: Shelly Reed
Subject: FW: Let's uphold zoning laws

Public Comment for public hearing item.

From: Pinnell, Richard <pinnell.rich@eagle.uwlax.edu>
Sent: Tuesday, June 21, 2022 1:48 AM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Let's uphold zoning laws

Dear Midvale City Planner,
Elizabeth Arnold,

My wife and I are writing to encourage you to uphold our current zoning laws.

We know of the proposed talks, scheduled for 6:00 p.m. on June 21, for zoning debates regarding the property at 7200 south, Ramanee, and Nicoletti streets.

The developers want free reign, to build as many apartments as they please. Please resist their persuasion. They should not be asking for legal changes or debating interpretation when they are planning to build.

We have strict zoning in place, and we are counting on you to uphold the law.
We want to avoid "changing horses in the middle of the stream."
We have too many recently built apartment structures nearby, already.

Thank you for upholding the law,

Richard T. Pinnell
& Maria P. Pinnell
Joint owner, H&W
231 E. Carol Way
Midvale, UT 84047

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:34 AM
To: Shelly Reed
Subject: FW: 160 E 7200 S Rezone Concern (different email)

Public Comment for public hearing item.

-----Original Message-----

From: Jeremy Franklin <jerfrank@gmail.com>
Sent: Tuesday, June 21, 2022 8:15 AM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: 160 E 7200 S Rezone Concern (different email)

Hello Elizabeth,

I hope you are well. I have 2 emails on file to you, so I wanted to make sure it got to you. Sorry for the duplication.

I am a resident at 95 Nicoletti Dr down the street from 160 E 7200 S. The Midvale City Council is meeting to discuss a rezone request. My main concern about this development is that there is an exit on Nicoletti Dr. I have the following concerns.

1. The street is fairly narrow with cars that park along the side of both streets. We have 2 children and cars come through here at over 40 mph and have almost run over a dog.
2. Also, half way down the street we do not have sidewalks which requires people to walk in the streets at all times of the day including at night. Our street is poorly lit which makes it even more dangerous.
3. I am also concerned that cars will be backed up on Nicoletti trying to turn right or left on State St. We already regularly have a line of 2-4 cars waiting to turn left or right by the bar. We take our kids to the karate by the new housing development by I-15 on 300 W and I have seen what over crowded streets do. We almost got hit twice turning out of karate because cars line that street preventing me to see.

I would be less opposed to this development if the only exit was onto 7200 S and I would appreciate you raising these concerns to the council.

Jeremy Franklin, PhD
801-243-8694

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:34 AM
To: Shelly Reed
Subject: FW: Opposition to proposed development

Public Comment for public hearing item.

From: Matt Sherwood <mattsherwoodmsu@gmail.com>
Sent: Tuesday, June 21, 2022 9:45 AM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Opposition to proposed development

Good morning,

I would just like to again voice my concern that the development proposed for the corner of 7200 South and Ramanee is not appropriate. The previous concern from most of the neighborhood was that this would bring too much traffic to Nicoletti Dr. and Ramanee which is already over used as a through street. It was discussed that this development would be better if the only entrance and exit would be on 7200 South. Well per the new drawings and as mentioned by yourself Ms. Arnold there is now a proposed entrance on 7200. The problem with this now is that it is "turn right in (entrance) and turn right out only (exit) Where are the people that need to travel West to get to I 15 or State St going? They are just going to come right back to Ramanee and Nicoletti Dr. Giving us the same issue we had initially been concerned of. Another concern is all the mailboxes are proposed to be on Nicoletti Dr. won't that just cause the residents to drive to Nicoletti to pick up mail and therefore create congestion. The mayor himself came and viewed that area and said in the meeting it is far to congested right there.

Finally, I cannot believe after the initial meetings for this proposed development were critiqued for too many (17 units) trying to be squeezed into the small parcel that they are now trying to add an additional unit to make 18 total. That is ridiculous. It feels very much like the developer/contractor is not even paying attention to the residents of the area. He claims to want to work with us but this seems like the opposite. He has just slapped us in the face saying he doesn't care and profit is his number one goal.

Thank you,

Matt Sherwood

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 11:36 AM
To: Shelly Reed
Subject: FW: VM from 18015661852 [FINCH,LILA] to Ext. 7233 on 6/20/22 11:16 AM for 50 sec
Attachments: 20220620171643844-18015661852-7233-U3MQWQTZV7SBKRL5VYVGXNYAJR4MAA2RTLQHG_E_N.wav

This was a voicemail I got from someone also expressing their opinions on the project. Public Comment for public hearing item.\

From: VirtualOfficeVoiceMails@8x8.com <VirtualOfficeVoiceMails@8x8.com>
Sent: Monday, June 20, 2022 11:18 AM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: VM from 18015661852 [FINCH,LILA] to Ext. 7233 on 6/20/22 11:16 AM for 50 sec



 Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Hello Elizabeth Arnold,

Your Virtual Office Extension 7233 has a new voicemail.

New voicemail details:

Received from: 1-801-566-1852  FINCH,LILA

Date/Time: Monday, June 20, 2022 11:16:43 AM

Duration: 50 Seconds

VM Transcript:

This message is for Elizabeth Arnold. I am live. I live directly across the street back on Romana drive from this are Planning Commission townhouses. I do not want it, it's too busy. I signed a petition before I have no car, I can't go to the money, but I want to let you know. I am against this. I don't want this to take place. So I'll talk to you later. Bye.

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 5:04 PM
To: Shelly Reed
Subject: FW: Resident Concerns- Rezone request 160 E 7200 S

Public comment that came in between 11:30AM-5:00PM for the public hearing item.

From: Candice Eldard <eldard13@gmail.com>
Sent: Tuesday, June 21, 2022 4:42 PM
To: Elizabeth Arnold <earnold@midvale.com>
Subject: Resident Concerns- Rezone request 160 E 7200 S

Hello,

I am reaching out again regarding the rezone request that will be discussed in today's (6/21/2022) public hearing. The big issues are still present and causes more concern with the new notice.

This is still very concerning as homeowners on Ramanee Drive for over 10 years. Initially, the notice was incomplete but then stated it would be a 17 unit, then in January they said 16 units but now over 6 months later, it is upped to a proposed 18 unit mixed use townhome project. This is not transparent and hasn't seemed transparent since this has started. Realistically, this is not a big space and the items they propose with that many units, enough parking, dog park and picnic area just does not fit or make sense. Height of the units is a concern especially with the existing surrounding homes and the home that is directly next door that was approved for rezone to a mental health practice (170 E 7200 S). They do not have plans to rebuild that home, just do cosmetic updates.

The safety of our families and children who are already residents in the neighborhood should be the main concern first, not an afterthought. Now that it is summer/nice outside, you will see more families, kids and pets enjoying the neighborhood. Obviously more than what was observed in the winter months. Specifically, the road we live on (Ramanee Dr) already has high traffic with cars using it as a through street, parking and congesting the neighborhood. We often have to yell at cars to slow down. We do not want to attract any additional crime in our neighborhood with a packed high density unit and have cars lined up. On Nicoletti, there is even more congestion and there is not a safe or clear walking space for pedestrians on that road. Some of the "points" that were brought up was a corner grocery store within walking distance. This is not accurate. It is not your typical grocery store as they put it- it is a specifically targeted Indian food market that is across busy 7200 S- not in our neighborhood. Which is great, but not a generally used grocer as implied. The closest would be Smith's which is 900 E or a WinCo across the freeway at 700 W. That is not within "walking distance". Unfortunately, this is the same location where a gang-related killing happened in November 2021.

Parking and entrance/exit access is a huge concern. Especially if it is off of Nicoletti. If these are mixed use with possible business, again there isn't room to allow for that increase in traffic or amount of residents. Even if it is only residents in this proposed rezone, how can that amount of space allow for all the cars? If it is 18 units and each unit has 1-2 people that is an additional 18-36+ cars residing there! That doesn't take into account any guests of the residents. There just isn't room. Again, people already use Ramanee Dr as a through street and it is an ongoing problem that we, the existing residents, already deal with that is frustrating.

These are still huge concerns- number of units in the plans changing, traffic, cars, entrance/exit, height, road driving and walkways. My kids like to play with their friends out front and in our community, we would like to keep it that way without adding more concern with traffic and cars everywhere. This is not enriching our neighborhood, instead causing more concern and a burden on the current residents in the neighborhood.

The units mentioned during the February 2022 meeting that are also along 7200 S have entrance/exit off of 7200 S not from within the neighborhood from my understanding. Upgraded single family home(s) that fit on the lot and accommodates the cars would be a better option, not high density 18 unit mixed use units with entrance/exit off 7200 S, not in the neighborhood.

Thank you so much for taking my concerns seriously. In the end we want a win/win here and it doesn't feel like a win for us at all.

Regards,
Candice Eldard

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 5:04 PM
To: Shelly Reed
Subject: FW: A big no to the rezone

Public comment that came in between 11:30AM-5:00PM for the public hearing item.

From: Kylee Matthews <kmatthews207@gmail.com>
Sent: Tuesday, June 21, 2022 12:12 PM
To: Elizabeth Arnold <earnold@midvale.com>; Marcus Stevenson <mstevenson@midvale.com>; news@fox13now.com
Subject: A big no to the rezone

Hello,

This email is in regards to the "Rezone" on the 7200 S Ramanee drive. My name is Kylee Matthews. I live at 7282 S Ramanee drive. I am sixteen years old and have lived in this house, this neighborhood my whole life. I just recently started driving and every time I'm trying to reverse out of my driveway it's car after car after car so imagine my surprise when I'm told they want to add more cars approximately 36 more. Not only is it already stressful but it's aggravating, there are handfults of kids that live in this neighborhood we ride our bikes together, our scooters, we play night games, street hockey, toss the ball and it's getting more dangerous every day doing normal outside activities with the extreme amount of traffic our street has and you guys want to add more it's baffling. Almost every day I ride my scooter along with my neighbors who ride bikes or scooters and we have almost got hit numerous amounts of times by people backing out of their driveway, or is trying to cross the road and a car speeds down the street from greenwood avenue to Fort Union boulevard. This developer is not considering how many children are on this road, how many people walk their dogs, and how many people are trying to reverse out of their driveway and can't because of the extreme traffic. This "rezone" is NOT welcomed by me or any of my neighbors and the children who just want to be kids outside without worrying if they'll get hit by a car today. As of that, the board will not approve this.

Thank you for listening.

Kylee Matthews.

Shelly Reed

From: Elizabeth Arnold
Sent: Tuesday, June 21, 2022 5:03 PM
To: Shelly Reed
Subject: FW: NO TO REZONE

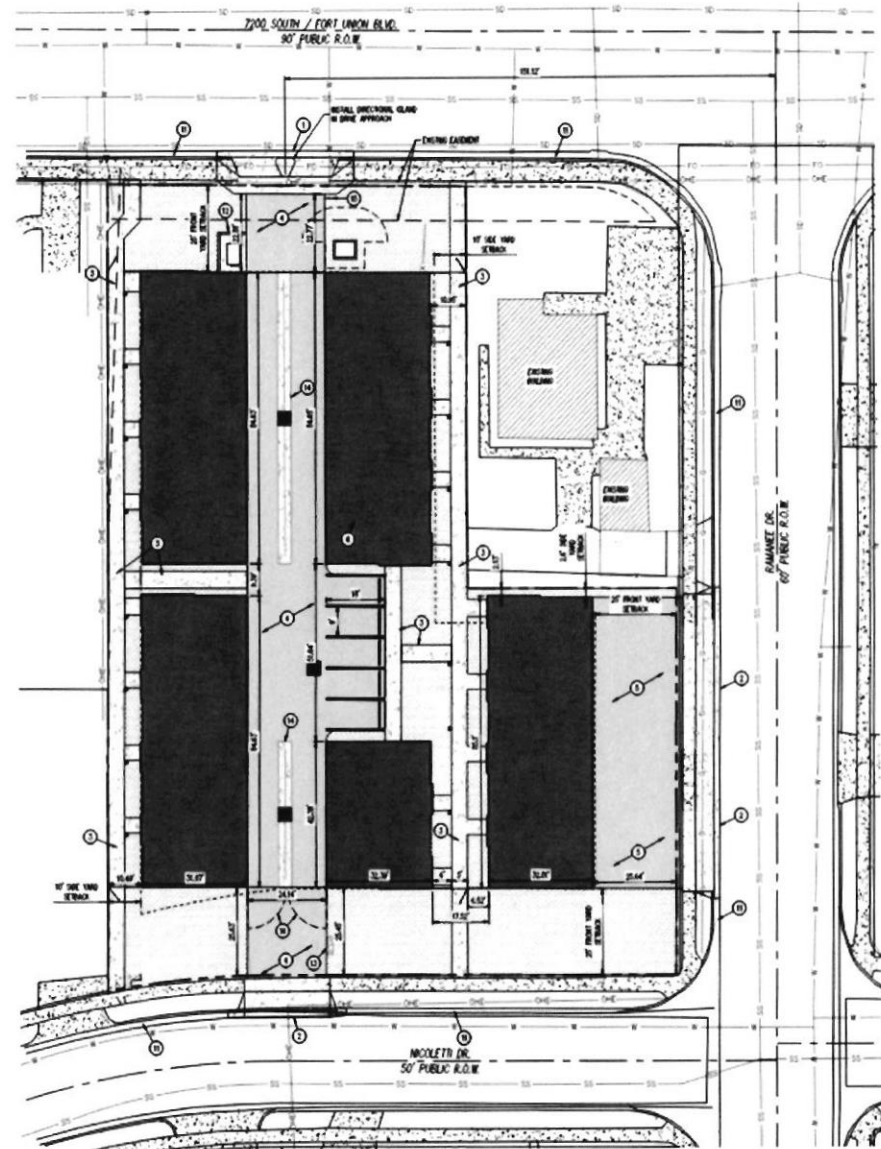
Public comment that came in between 11:30AM-5:00PM for the public hearing item.

From: g2thez Zz <gmatthews2393@gmail.com>
Sent: Tuesday, June 21, 2022 11:44 AM
To: Elizabeth Arnold <earnold@midvale.com>
Cc: Marcus Stevenson <mstevenson@midvale.com>; Fox Thirteen <news@fox13now.com>
Subject: NO TO REZONE

Hello,
This email is in regards to a " REZONE" on 7200 s Ramanee dr.
My name is Greg Matthews, I live on 7282 s Ramanee dr and have lived there 49 years.
It has been brought to my attention that once again a developer is trying to squeeze 18 town homes in a space ment for 1 or 2 single family homes. Not only that,but they have upped the amount of town homes from the original plan, clearly they couldn't careless about our neighborhood/community. With the entrance off a highly occupied residential road that's already very congested and dangerous for pedestrians and EXTREMELY dangerous for children in the Area! This plan would possibly add up to 36 vehicles in and out of the small road. Although we are a welcoming community this project is absolutely NOT welcome.The developers of this project have one thing on their mind and that is a multi-million dollar profit for them with ABSOLUTELY no concerns of what this will do to our neighborhood. That being said we are confident the the board will not approve this!
Thank you for your time.

The Matthews

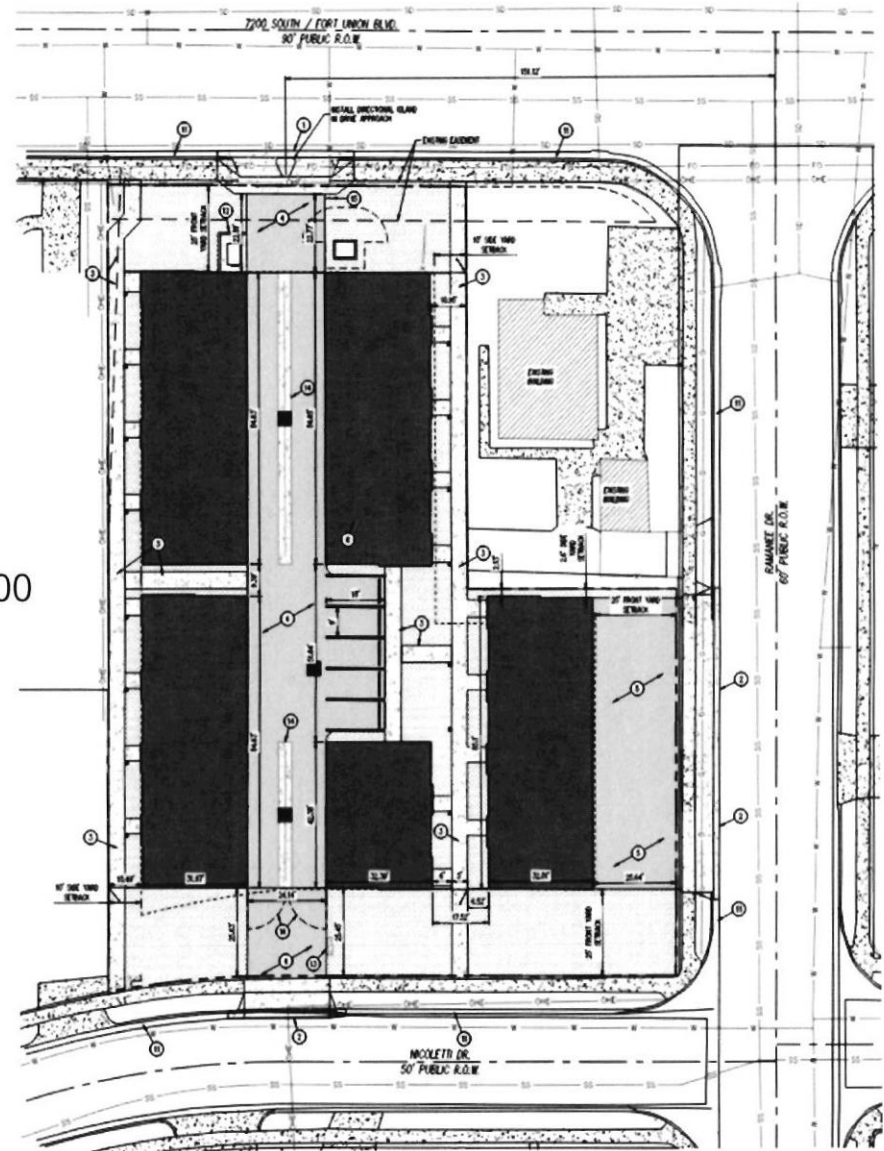
- **7200 S. Traffic** – Coordination with City Engineer for right-in, right-out access
- **Nicoletti Emergency Only** – Emergency gate has been added
- **Parking** – Language added to the development agreement by City Attorney



2 - Unit Mix

Attainable Housing

- 1,650 Sqft units vs 2,650 Sqft
- 42% mortgage reduction (\$2,395 vs \$3,404)
- Household income reduced from \$146,000 to \$103,000



3 - Surrounding Uses



4 - Traffic

Trip Generation								
Midvale - 7200 S. Townhomes -- Option 1								
Land Use ¹	# of Units	Unit Type	Trip Generation			New Trips		
			Total	% In	% Out	In	Out	Total
Weekday Daily								
Single-Family Attached Housing (215)	17	DU	80	50%	50%	40	40	80
TOTAL			80			40	40	80
AM Peak Hour								
Single-Family Attached Housing (215)	17	DU	4	31%	69%	1	3	4
TOTAL			4			1	3	4
PM Peak Hour								
Single-Family Attached Housing (215)	17	DU	8	57%	43%	5	3	8
TOTAL			8			5	3	8

¹ Land Use Code from the Institute of Transportation Engineers (ITE) Trip Generation, 11th Edition 2021
SOURCE: Hales Engineering, October 2021

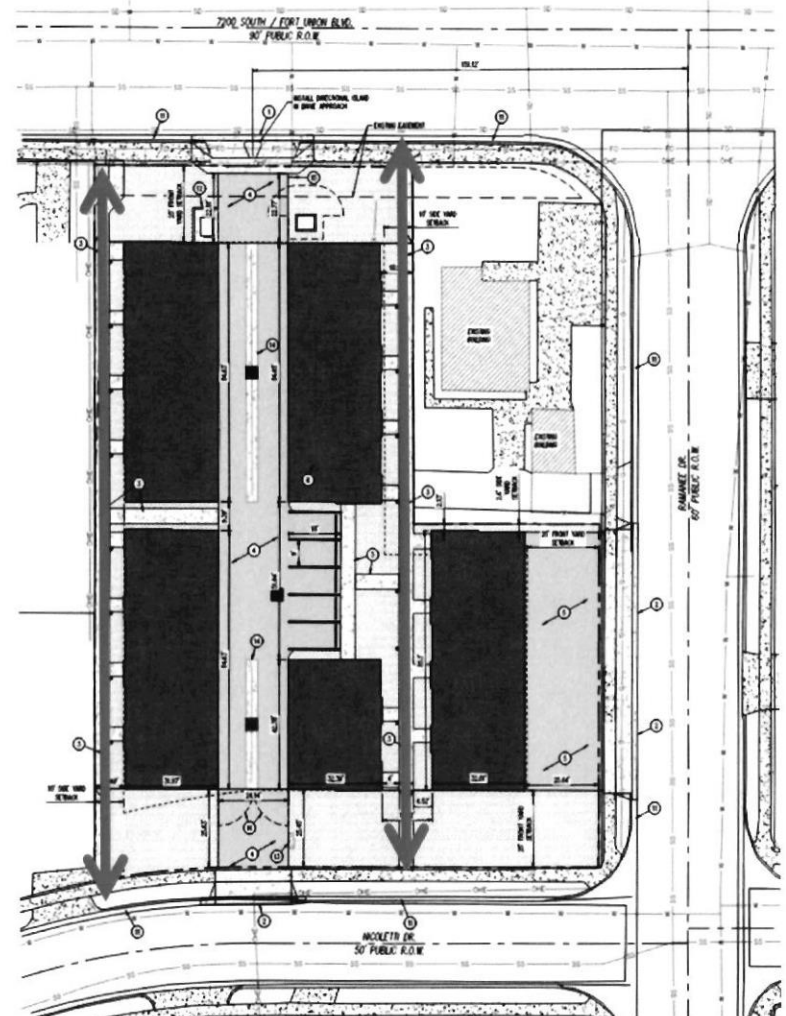
Option 1: 17 Units

80
4
8

Weekday Trips
Morning Peak Hour Trips
Evening Peak Hour Trips

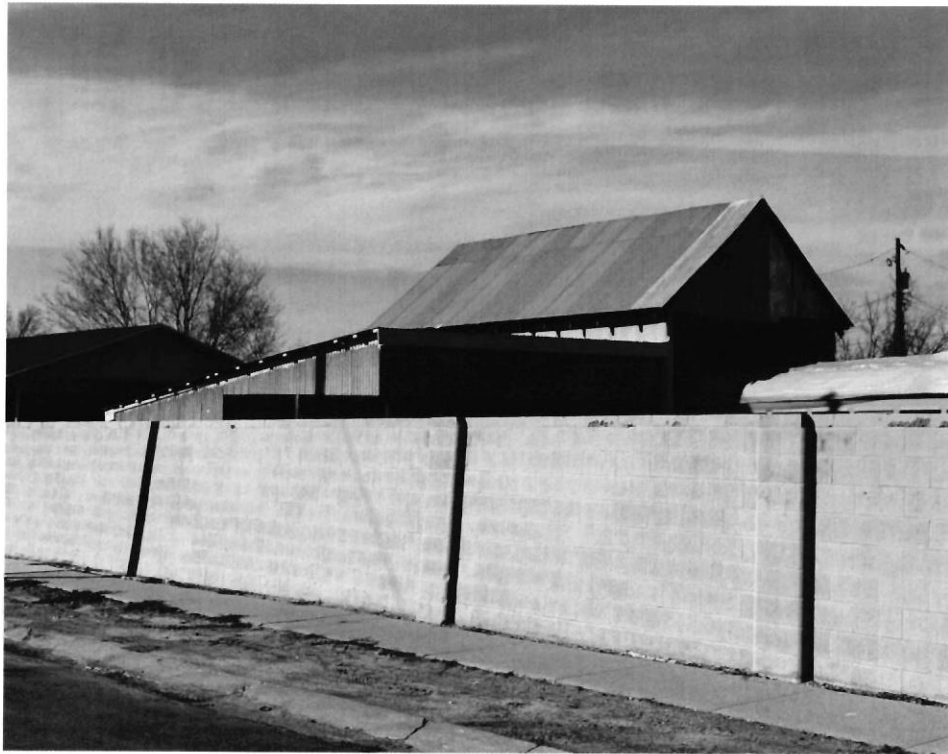
Option 2: 21 Units

110
6
10



5 - Views

Current Views on Nicoletti Dr.



Nicoletti Looking Northwest – Views will be improved with removal of the masonry wall



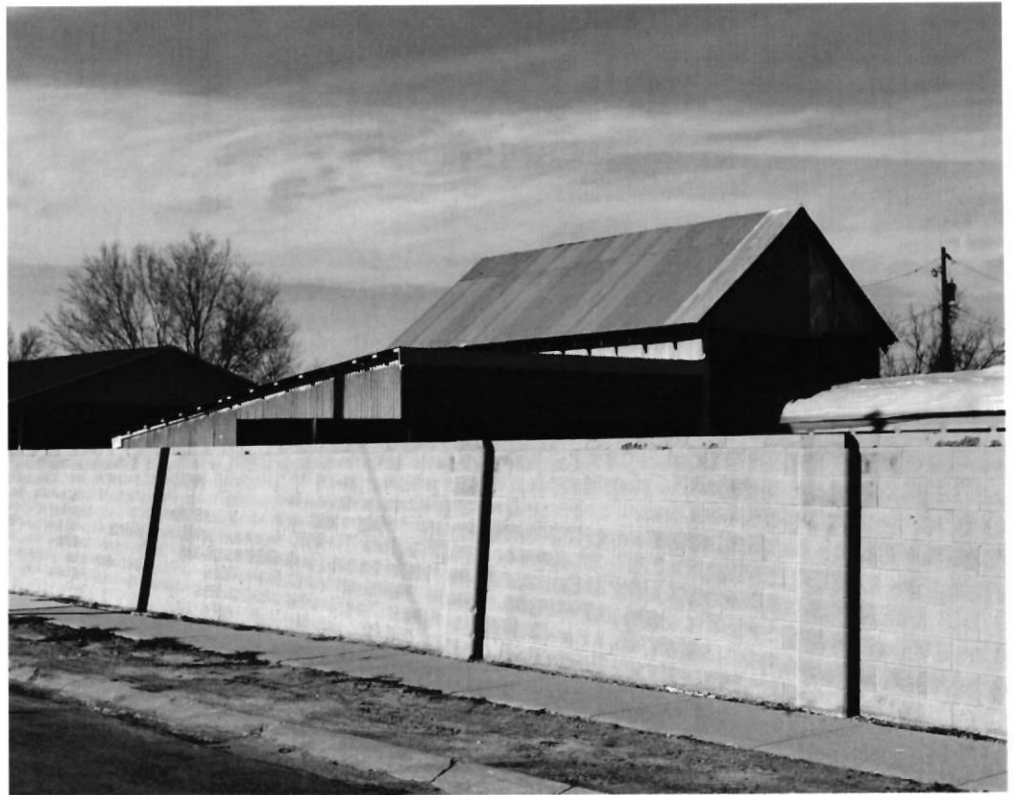
Nicoletti Looking East – Mountain views remain largely unobstructed while driving down Nicoletti

6 - Vandalism & Appearance

Current Conditions



Ramanee Dr - Multiple beer cans and litter surrounding the property



Nicoletti Dr - Failing masonry walls

7 - Vandalism & Appearance

Planned Development



Landscaping and additional open space on Ramanee will be maintained and litter will be removed.

Target demographic is young married families needing space for both a growing family and working from home who will take pride in their property.

8 - Crime

Research shows that land improvement and mixed use development reduces crime rates.

"The most consistent evidence on the relationship between violence and place exists in the realm of housing and vacancies, with numerous studies finding that the renovation of housing, vacant buildings, land, and lots in disinvested communities significantly reduces violent crime rates."

Kondo, M. C., Andreyeva, E., South, E. C., Macdonald, J. M., & Branas, C. C. (2018). "Neighborhood Interventions to Reduce Violence," Annual Review of Public Health

"Empirical research suggests that mixed-use areas, which combine commercial and residential properties, have lower rates of crime than do commercial-only areas, perhaps by reducing crimes of opportunity."

James M. Anderson, John M. MacDonald, Ricky Bluthenthal, and J. Scott Ashwood. 2013. "Reducing Crime by Shaping the Built Environment with Zoning: An Empirical Study of Los Angeles," University of Pennsylvania Law Review

"We found that many of Seattle's downtown tracts underwent rapid revitalization during the 1990's, and that these areas saw reductions in crime relative to similar tracts that did not gentrify."

Derek A. Kreager, Christopher J. Lyons, Zachary R. Hays., July 2014, Social Problems, Volume 58, Issue 4

"Numerous studies show that immigration into a neighborhood is strongly associated with lower rates of violent crime."

Matthew T. Lee and Ramiro Martinez Jr. 2009. "Immigration Reduces Crime: An Emerging Scholarly Consensus," Sociology of Crime, Law and Deviance

"Gentrification can cause an initial increase in crime because neighborhood change causes destabilization, although in the long run gentrification leads to a decline in crime as neighborhood cohesion increases"

David Kirk and John H. Laub. 2010. "Neighborhood Change and Crime in the Modern Metropolis," Journal of Crime and Justice