



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

**MIDVALE CITY COUNCIL REGULAR MEETING
AGENDA
DECEMBER 6, 2022**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **6th day of December, 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. **Public comments may be submitted electronically to the City Council at www.Midvalecity.org/government/contact-us by 5:00pm on December 5, 2022. Electronic public comments submitted will be included in the meeting record.**

The meeting will be broadcast on the following: **You Tube:** www.MidvaleCity.org/YouTube

6:00 PM – WORKSHOP

- Adam Olsen Interview - Community Development Director Appointee **[Matt Dahl, City Manager]**
- Unified Police Department Reforms and Legislation Update **[Matt Dahl, City Manager]**

7:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Police Report
- D. Recognition of Ralph Larios, and Detective Mark Utley for significant donations made to Life Start Village

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 City Council. 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. MAYOR REPORT

- A. Mayor Marcus Stevenson

IV. COUNCIL REPORTS

- A. Councilmember Paul Glover
- B. Councilmember Quinn Sperry
- C. Councilmember Dustin Gettel

- D. Councilmember Bryant Brown
- E. Councilmember Heidi Robinson

V. CITY MANAGER REPORT

VI. CONSENT

- A. Consider Minutes of November 15, 2022 [**Rori Andreason, H.R. Director/City Recorder**]
- B. Consider **Resolution No. 2022-R-49** Establishing a Time and Place for Holding Regular City Council Meetings, Designate the Mayor Pro-Tempore Schedule, and Adopt the Holiday Schedule for the 2023 Calendar Year [**Rori Andreason, H.R. Director/City Recorder**]

VII. ACTION ITEMS

- A. Consider **Resolution No. 2022-R-50** Confirming the Mayoral Appointment of Garrett Wilcox as the City Attorney for Midvale City and Authorizing the Execution of an Employment Agreement [**Mayor Marcus Stevenson**]
- B. Consider **Resolution No. 2022-R-51** Confirming the Mayoral Appointment of Adam Olsen as the Community Development Director for Midvale City [**Mayor Marcus Stevenson**]
- C. Consider **Resolution No. 2022-R-52** Authorizing the Mayor to Execute an Agreement with Wasatch Front Regional Council (WFRC) for the Bingham Junction Station Area Plan [**Adam Olsen, Planning Director**]

VIII. DISCUSSION ITEM

- A. Discuss Unified Police Department Reforms Included in the Ninth Amendment to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service and Provide Rules of Governance [**Matt Dahl, City Manager**]

IX. ADJOURN

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

DATE POSTED: DECEMBER 1, 2022

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



COUNCIL MEETING
Minutes

Tuesday December 6, 2022
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

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

STAFF: Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, Deputy City Attorney; Jerimie Thorne, Deputy Public Works Director; Mariah Hill, Administrative Services Director; Adam Olsen, Planning Director; Kate Andrus, RDA Program Manager; Wendelin Knobloch, Senior Planner; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; Juan Rosario, Systems Administrator; and Josh Short.

6:00 PM - WORKSHOP

- Adam Olsen Interview - Community Development Director Appointee [**Matt Dahl, City Manager**]

The Council asked Adam Olsen some questions regarding his appointment as the Community Development Director.

- Unified Police Department Reforms and Legislation Updates [**Matt Dahl, City Manager**]

Matt Dahl discussed the Unified Police Department reforms and updated the council on pertinent legislation. He also discussed leasing the old UFA Fire Station #125 for a police program. The Council agreed to lease the building.

Mayor Stevenson arrived at 6:47 p.m.

7:00 PM – REGULAR MEETING

Mayor Marcus Stevenson called the business meeting to order at 7:03 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. UNIFIED POLICE REPORT

Chief Randy Thomas said he would wait until he receives the financials to distribute the monthly report. The precinct had 2,560 calls last month, which is consistent with the last four year's trend. The citation count was 815, which is up from the summer months. He said officers will start giving out coupons to cars parked on the street during the night in the winter. They are also performing traffic studies on Bingham Junction and Center Street. He said the "Light up Main Street" event was really fun. He talked with the theatre owner who was glad to be a part of the event. This upcoming Saturday at Walmart is the "Shop with a Shield" event.

Chief Justin Hoyle, UPD, said he wanted to recognize Carmen Contreras for her outstanding efforts as a Victim Advocate for UPD. She continually goes above and beyond for the community. In November there was an issue with students not attending school. It was found out that the students were speaking a second language. Carmen set up a meeting with the students and helped them understand the importance of graduation. The students are now on track to graduate. Chief Hoyle presented an accommodation award to Carmen Contreras and thanked her for her outstanding service.

D. RECOGNITION OF RALPH LARIOS, WALMART, AND DETECTIVE MARK UTLEY FOR SIGNIFICANT DONATIONS MADE TO LIFE START VILLAGE

Mayor Stevenson said Life Start Village is a community housing program in Midvale City. The city is very appreciative of their support within the community. He thanked Detective Mark Utley and Walmart for their support and donations made to the Life Start Village.

II. PUBLIC COMMENTS

There was no one who desired to speak. None.

III. MAYOR REPORT

Mayor Stevenson reported on a Food Drive competition between Midvale City, Unified Police, and Unified Fire. Unified Police brought in the most food donations. Altogether there was over 1,000 pounds of food donated. He said the Salt Lake County budget hearing was that evening. If the budget does not pass, the Tyler Library may be closing. He said he attended the meeting and asked for funding to keep the Tyler library open. The "Light up Main Street" event on Saturday was a great success.

IV. COUNCIL REPORTS

A. Council Member Paul Glover- thanked all the employees, city council, mayor, Unified Fire and Unified Police for everything they do. He wish everyone a great holiday season.

B. Council Member Quinn Sperry – agreed with everything Council Member Glover said. He thanked City staff, Unified Police and Unified Fire, and the community.

C. Council Member Dustin Gettel - said Merry Christmas, Happy Holidays, and a Happy New Year to everyone. He thanked the employees for clearing the roads after the snow. He also thanked people for reaching out when he got the new strain of COVID. This one put him down for three weeks.

D. Council Member Bryant Brown – said he appreciated staff and council for reaching out to him while recovering. He thanked Public Works for all they do and thanked everyone for all of their support.

E. Council Member Heidi Robinson – thanked staff, Unified Fire Authority, and the Unified Police Department. She thanked the Main Street Business Alliance for the “Light up Main Street” event.

V. CITY MANAGER REPORT

Matt Dahl said he enjoys working with the Council as well. The city staff will be very appreciative of their kind words. He said he has been getting calls because the City took down frisbee golf for the winter in order to maintain the equipment and grass.

Council Member Dustin Gettel said frisbee golf would be fun in the winter. If people are calling in, it might be something to at least consider.

Matt Dahl said a meeting has been arranged for the most vocal person to meet with Glen Kennedy regarding the issue.

Nate Rockwood reported that the City received notice from the state on the Moderate Income Housing Report. It was a notice of non-compliance in which 75% of cities in the state received one for some reason. Midvale’s non-compliance notice was that there is a Trax station in the area which requires one additional housing item to be performed on top of the three items required in other areas. He said staff has 90 days to correct the non-compliance issue and is working on an option that will be presented to the Council. The last three years staff has been working on an EPA grant for monitoring of the cap of Jordan Bluffs and funds for an employee to monitor it. He is hoping to extend the grant awarded from the EPA. In addition to that, the funds from the EPA grant last year did not fully cover everything. He said he was able to amend the grant and made up the difference to the City and also added the difference to the new grant going forward. City and RDA Staff applied for a TRCC funding grant which is for tourism, recreation and cultural, and convention centers. With this grant, they will conduct a canal design and trail study. This grant is also for the Main Street landscaping and lighting redesign. There are new signs being installed for the Jordan River trail and they have been working in the area by the old fire station for new development in that area. Staff has been doing a great job.

VII. CONSENT AGENDA

A. CONSIDER MINUTES OF NOVEMBER 15, 2022

B. CONSIDER RESOLUTION NO. 2022-R-49, A RESOLUTION ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR CITY COUNCIL MEETINGS, DESIGNATE THE MAYOR PRO-TEMPORE SCHEDULE, AND ADOPT THE HOLIDAY SCHEDULE FOR THE 2023 CALENDAR YEAR

MOTION: Council Member Paul Glover MOVED to Approve the Consent Agenda. 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. ACTION ITEMS

A. CONSIDER RESOLUTION NO. 2022-R-50 CONFIRMING THE MAYORAL APPOINTMENT OF GARRETT WILCOX AS THE CITY ATTORNEY FOR MIDVALE CITY AND AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT

Mayor Stevenson said he has appointed Garrett Wilcox to the position of City Attorney. As required under Midvale City Ordinance, he was submitting Garrett's appointment to the City Council for advice and consent.

Garrett has served as Midvale's Deputy City Attorney since 2016. During his six years working for the City, Garrett has proven to be a versatile, talented, and hardworking attorney that has been involved in all aspects of municipal government. In this role he has provided legal counsel on complex issues, overseen transactions, drafted city policies, and litigated various types of cases in the Justice Court and in District Court. While capable of providing legal services in all areas of city government, Garrett has become a subject matter expert in the areas of procurement, engineering, business licensing, and construction permitting. Garrett has also shown a particular aptitude for land use law, which is often one of the most legally challenging areas of municipal government. Garrett has served as legal counsel to the Midvale City Planning Commission for nearly 3 years and is the primary attorney working with staff on land use issues. In addition to his direct work for Midvale, he has also contributed to the development of state legislation, most notably and laudably on the issue of small-cell permitting.

Garrett is licensed by the Utah State Bar Association, and received his Bachelors of Political Science, Masters of Public Administration, and Juris Doctor from Brigham Young University.

Matt Dahl said this resolution also adopts the employment agreement as provided to the Council.

Council Member Quinn Sperry said he has been a mentor for several new attorneys. He said he did not work with Garrett daily, but his interactions and analysis he did was impressive. He said he had always been impressed with Garrett.

Council Member Dustin Gettel said Garrett is very professional and the City will be in good hands with him.

MOTION: Council Member Heidi Robinson MOVED to Approve Resolution No. 2022-R-50 Confirming the Mayoral Appointment of Garrett Wilcox as the City Attorney for Midvale City and authorizing the execution of an employment agreement. The motion was SECONDED by Council Member Quinn Sperry. 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.

Rori Andreason, City Recorder, performed the oath of office for Garrett Wilcox as the City Attorney.

B. CONSIDER RESOLUTION NO. 2022-R-51 CONFIRMING THE MAYORAL APPOINTMENT OF ADAM OLSEN AS THE COMMUNITY DEVELOPMENT DIRECTOR FOR MIDVALE CITY

Mayor Stevenson said he has appointed Adam Olsen to the position of Community Development Director. As required under Midvale City Ordinance, he was submitting Adam's appointment to the City Council for advice and consent.

The City conducted an internal and external recruitment for the position of Community Development Director and received and interviewed several highly qualified applicants. After multiple rounds of interviews with community development department and senior staff members, the City Manager and Assistant City Manager recommended Adam to me for appointment to the position.

Adam has over 16 years of municipal experience in Colorado and Utah. He recently came from American Fork where he served as the Planning Director. In American Fork he led projects and participated in multiple studies and groups including amendments to the City's General Plan which included a Parks and Trails Plan, Bike and Pedestrian Master Plan, TOD Area Plan and other updates.

Adam was the city representative to American Fork Chamber of Commerce. Adam has shown his ability to oversee the Planning Commission in Midvale and American Fork and to work with various local groups and consultants. Adam's planning and management skills will continue to be a great asset to the City as we move forward with a long list of plans and projects for Midvale.

Adam has been with Midvale City since September 2021, as the Planning Director. Adam has overseen the rebuilding of the planning department, working with new planning staff to learn and administer the functions of the planning and zoning ordinances in Midvale. Adam has been the project lead on the State Street Corridor Study and is currently leading the efforts on Midvale's station area plans. Adam has been a stable and positive influence in the Community Development Department and has brought a wealth of planning expertise to Midvale City. I am confident that Adam will continue to provide the community with a high level of professionalism and competence in his new role as Community Development Director.

Notice of Adam's appointment was first provided to the Midvale City Council on December 1, 2022. Under Midvale City Ordinance, appointees must receive the consent of the City Council prior to filling their new role.

Council Member Dustin Gettel said he has always appreciated Adam's calm and level headedness. It can be tricky sometimes with developers and community members. He said Adam will do a great job.

MOTION: Council Member Dustin Gettel MOVED to Approve Resolution No. 2022-R-51 Confirming the Mayoral Appointment of Adam Olsen as the Community Development Director for Midvale City. 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.

Rori Andreason, City Recorder, performed the oath of office for Adam Olsen as the Community Development Director.

C. CONSIDER RESOLUTION NO. 2022-R-52 AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WASATCH FRONT REGIONAL COUNCIL (WFRC) FOR THE BINGHAM JUNCTION STATION AREA PLAN

Adam Olsen said House Bill 462 was passed during the 2022 legislative session. The bill requires municipalities with fixed rail guideways (commuter and light rail) to complete

Station Area Plans (SAP's) covering a half mile radius of each fixed rail station. SAP's may be unique to their jurisdiction and setting; however, key aspects will include strategies to increase the availability of affordable housing, promotion of sustainable environmental conditions, enhancement of access to employment opportunities and increase of transportation choices and connections.

Midvale has three stations within its boundaries: (1) Bingham Junction, (2) Midvale Fort Union, and (3) Midvale Center. Staff applied for and received Technical Assistance grant funding for all three stations and their requisite SAP's. A joint application was submitted with West Jordan for the Bingham Junction and Historic Gardner (West Jordan) stations.

As such, Midvale is among the first cities to undertake the station area planning as required by HB 462.

The resolution for consideration involves the Bingham Junction SAP. While the City has no financial obligation in the study, staff time will be involved. The SAP will ultimately be approved by the City Council prior to certification by the State.

MOTION: Council Member Dustin Gettel MOVED to Approve Resolution No. 2022-R-52 Authorizing the Mayor to Execute an Agreement with Wasatch Front Regional Council (WFRC) for the Bingham Junction Station Area Plan. 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.

IX. DISCUSSION ITEM

A. DISCUSS UNIFIED POLICE DEPARTMENT INTERLOCAL AGREEMENT AMENDMENT

Matt Dahl said the Unified Police Department (UPD) was established through the adoption of the Cooperative Agreement by Public Agencies To Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Governance (Interlocal Agreement) by its founding members.

Midvale City became a member of UPD in 2011 and agreed to adhere to the terms and conditions of the Interlocal Agreement. The Interlocal Agreement has been amended eight times by the UPD Board. There are differing opinions as to whether each Amendment needs to be further ratified by each member community.

In August 2022, Midvale delivered a letter to UPD requesting four reforms that sought to

strengthen cost controls through changes in the budget process, establish a fund balance policy, review the performance of the organization, and establish a local branding emphasis. UPD has worked with Midvale and other member communities to address the proposed reforms. On November 17, 2022, the UPD Board approved the Ninth Amendment to the Interlocal Agreement as part of the effort to strengthen cost controls through changes in UPD's budget process. The Ninth Amendment to the Interlocal Agreement includes the following:

1. The UPD administration must submit a preliminary budget increase maximum (PBIM) for the upcoming fiscal year to the UPD Board by March.
2. If UPD proposes an annual budget or budget amendment that exceeds the PBIM it will require a minimum 75% weighted vote of the UPD Board to be approved.

Staff feels that this change to the Interlocal Agreement will:

1. Increase certainty and support strategic planning in each UPD member community's budget process, because large unanticipated increases are less likely to occur late in the budget process.
2. Increase cost controls through improved processes and higher thresholds for approval. The member communities of UPD have been requested to approve the Ninth Amendment to the Interlocal Agreement. Staff will be prepared to discuss the Amendment during the meeting.

Absent objections by the City Council, the intent is to return on January 3, 2023, to consider and take action on the Amendment.

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

X. ADJOURN

MOTION: Council Member Paul Glover **MOVED** to adjourn the meeting. 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.

The meeting adjourned at 8:01 p.m.


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



Approved this 3rd day of January, 2023

[illegible]

Tuesday December 6, 2022

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