



7505 South Holden Street  
Midvale, UT 84047  
(801) 567-7200  
[www.midvalecity.org](http://www.midvalecity.org)

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**MIDVALE CITY COUNCIL REGULAR MEETING  
AGENDA  
FEBRUARY 7, 2023  
\*\*\*AMENDED\*\*\***

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **7th day of February 2023** 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 for City Council at [www.Midvalecity.org/government/contact-us](http://www.Midvalecity.org/government/contact-us) by 5:00pm on February 6th and will be included in the record.**

The meeting will be broadcast on the following: **You Tube:** [www.MidvaleCity.org/YouTube](http://www.MidvaleCity.org/YouTube)

**6:00 PM – WORKSHOP**

- Unified Fire Authority Presentation – Standards of Cover and Prevention Program [*Chief Brad Larson, Unified Fire Authority*]
- Presentation of Findings from the State Street Study from MHTN [*Adam Olsen, Community Development Director*]

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**7:00 PM - REGULAR MEETING**

**I. GENERAL BUSINESS**

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Fire Authority Department Report
- D. Recognition of Unified Fire Department Assistant Chief Stephen Higgs
- E. Harvest Days Update – Molly Signoretty, Harvest Days Chair
- F. Community Building Community (CBC) Report
- G. Legislative Update – David Spatafore
- H. \*\*\*Proclamation Declaring February as Black History Month

**II. PUBLIC COMMENTS**

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

**III. MAYOR REPORT**

- A. Mayor Marcus Stevenson

**IV. COUNCIL REPORTS**

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

V. **CITY MANAGER REPORT**

VI. **PUBLIC HEARING**

- A. Consider Proposed Amendments to the FY2023 General Fund and Other Funds as Necessary [*Mariah Hill, Administrative Services Director*]

VII. **CONSENT AGENDA**

- A. Consider Minutes of January 17, 2023 [*Rori Andreason, H.R. Director/City Recorder*]

VIII. **ACTION ITEMS**

- A. Consider **Resolution No. 2023-R-07** Authorizing Mayor Stevenson to Enter into a Development Agreement between Midvale City Corporation and Lotus BV Midvale, LLC regarding the Lotus Ember Multifamily Project Located at 195 W 7200 S [*Wendelin Knobloch, Planning Director*]
- B. Consider **Resolution No. 2023-R-08** Regarding the Execution of a Right of Way Lease Agreement with 4<sup>th</sup> Ave & Main LLC and Waiver of the Associated Annual Rent for the use of Bulb Out Located on the West Side of the Building at 7563 S. Main St., Midvale, UT 84047 [*Kate Andrus, Redevelopment Agency Program Manager*]
- C. Consider **Ordinance No. 2023-O-02** Amending Chapter 3.02 of the Midvale Municipal Code Regarding Procurement [*Mariah Hill, Administrative Services Director*]
- D. Consider **Ordinance No. 2023-O-03** Amending Midvale Code Section 8.10.030 & 8.10.060 Jordan Bluffs Institutional Controls Ordinance [*Nate Rockwood, Assistant City Manager*]
- E. Consider **Ordinance No. 2023-O-04** Adopting the General Plan Moderate-Income Housing Element Amendment [*Meggie Troili, Redevelopment Agency Project Manager*]

IX. **DISCUSSION**

- A. Discuss Campaign Finance Policy [*Matt Dahl, City Manager*]

X. **POSSIBLE CLOSED SESSION**

The City Council may, by motion, enter into a Closed Session for:

- A. Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual;
- B. Strategy sessions to discuss pending or reasonably imminent litigation;
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property;
- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Investigative proceedings regarding allegations of criminal misconduct.

XI. **ADJOURN**

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

***A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2<sup>nd</sup> Floor City Hall Lobby, on the City's website at [www.midvalecity.org](http://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: FEBRUARY 6, 2023  
TIME: 10:00 A.M.**

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



**COUNCIL MEETING**  
**Minutes**

**Tuesday February 7, 2023**  
**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor Marcus Stevenson

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

**STAFF:** Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Adam Olsen, Community & Development Director; Mariah Hill, Administrative Services Director; Meggie Troili, RDA Project Manager; Kate Andrus, RDA Program Manager; Wendelin Knobloch, Planning Director; Cody Hill, Redevelopment Agency Manager; Elizabeth Arnold, Planner II; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Jake Shepherd, Network Administrator.

**6:00 PM - WORKSHOP**

- **Unified Fire Authority Presentation – Standards of Cover and Prevention Program [Chief Brad Larson, Unified Fire]**

Chief Brad Larson reviewed in detail the data associated with the Standards of Cover and Prevention Program for Unified Fire Authority. There are many parts to the risk reduction process and one that is very important is the inspection process. He discussed a program UFA and businesses are using to schedule and monitor fire inspections.

- **Presentation of Findings from the State Street Study from MHTN [Adam Olsen, Community Development Director]**

Ryan Wallace, Emily Seang, Brian Vanneman, and Charles Allen were present to discuss the State Street Study.

**MIDVALE STATE STREET CORRIDOR STUDY**

**About the Study and Purpose**

The Midvale State Street Corridor Study is intended to build on Midvale City's 2016 General Plan and provide focused direction for improvements to urban design, land use, economic development, and active transportation along the State Street corridor in Midvale.

The Corridor Study will deliver a menu of transportation, land use and planning goals to enhance mobility, identity, safety, character, aesthetics, and economic development along State Street and a regulatory framework for implementation. Following the Study, Midvale will implement these recommendations by adopting a new zoning ordinance for the Corridor and use the Study to support future City investments in the area.

### **Midvale State Street Schedule**

Comprehensive Analysis Jan – April

Refine Project Vision Jan – May

State Street Alternatives Feb – May

State Street Design & Demonstration Sites April – September

Design Development & Final Report April – December

Regulatory Framework July – December

### **Memorable**

- Create a corridor that celebrates Midvale's heritage, history, and existing community.
- Better define gateways, landmarks and overall character along State Street and find opportunities for art and culture.
- Create design standards for both the public right-of-way and new development that promotes consistency along the corridor.

### **Welcoming & Connected**

- Improve connectivity and safety for all users driving, walking or riding public transportation along the corridor.
- Provide clear and distinctive signage, including gateway signs to create a sense of arrival.
- Activate State Street to be a vibrant space.
- Improve the amenities offered along State Street and establish public spaces with multiple uses.

### **Responsive Development**

- Develop new policies and a regulatory framework to promote re-investment in the corridor.
- Attract new investments and retain local businesses.
- Encourage land uses that contribute to a vibrant and dynamic streetscape.

### **Transparent & Equitable Engagement**

- Foster a collaborative process of engagement for residents, businesses, the city, and other stakeholders.
- Improve access to public engagement for underrepresented groups and neighborhoods.
- Support needs of community and balance diverse interests.

State Street in Midvale is connected, safe, and welcoming. Connections for people walking and biking, as well as streetscape enhancements and development nodes at key intersections, connect seamlessly with adjacent neighborhoods. Character defining elements, such as art, food, and culture, coupled with land use changes along State Street that represent and respect the energy and vitality found within its past, enhance the present, and enable the future.

### **Public Outreach Strategies**

- Engage Midvale Online Survey
- Sidewalk Stencils
- Social Media Posts
- Community Mural at Harvest Days Festival

### **What We Heard**

#### **Development Desired by the Community**

Support existing businesses.

- Improve facade and aesthetic of existing businesses. Enhanced amenities, vegetation, and landscaping along State Street.

More commercial offerings and services.

- Height and scale does not encroach adjacent to single-family neighborhoods.
- Better connectivity and integration into existing space.

#### **Regulatory Support**

Provide market-driven development standards, including parking, density, and heights.

- Enable maximum land use flexibility.
- Allow housing whenever possible

#### **Economically Feasible**

Realistic for the developer's site selection process. Flexible to a changing market.

- Reflect true TOD potential.
- Strategic, targeted incentives offered by the City.

#### **Design Process**

- Existing Conditions
- State Street Alternatives
- Concepts & Scenarios
- Demonstration Sites
- Roadway & Urban Design Toolbox

#### **Action Plan Right of Way**

- safety
- pavement
- intersections
- driveway access
- circulation
- mode

### **Building Frontage**

- human experience
- comfort
- safety
- identity
- character
- landscape

### **Development Land Use**

- setback
- land uses
- transparency
- density
- scale
- mass
- mid-block

### **Low-Intensity Uses**

- single family residential
- multifamily residential
- civic spaces
- parks/open space

### **Vehicular Transportation Analysis**

Midvale State Street has seen minimal growth in traffic volumes within the last 10 years. Traffic volumes also tend to be higher north of 7800 South. The biggest crash cluster is at 7200 South with 425 crashes in 3 years (2019-2021)

### **Active Transportation Analysis**

Sidewalk gaps exist in the southern portion of the study area and on the west side of State Street. 5 of 6 bicycle crashes involve a driver turning right into a cyclist.

### **Transit Analysis**

Clusters of transit connections are west of State Street. Intersecting routes have an average frequency time of 30 minutes. Ridership is higher on stops from 7200 South to the north end of the study area. The most utilized stops are adjacent to 7200 South. Highly utilized stops are indicative of riders transferring between routes.

### **State Street Alternatives**

Alternative A: Grand Boulevard

Alternative B: Enhanced Pedestrian Realm

Alternative C: Optimize Parallel Corridors

Preferred State Street Alternative C

### **Economic Development Analysis**

Market, Regulatory, and Economic Conditions

The corridor has seen little new private real estate investment in the past two decades.

Retail in the corridor accounts for about 35% of the Midvale City total.

New development elsewhere nearby in the region has concentrated near the Sandy downtown area and near Bingham Station in west Midvale.

Most of this development is apartments and mixed-use, as well as concentrations of office development.

### **Barriers**

Zoning code and development standards (maximum building height, minimum parking requirements, etc.).

- High cost of construction (increases development cost, limits feasibility).
- Fragmented property ownership.
- Challenging environment for pedestrians and cyclists.
- Stagnant rent growth for office and retail along the corridor.

### **Economic Opportunities**

Strong demand for housing, especially higher-density and mixed-use development.

- Development on publicly owned properties.
- Development along east-west streets.
- Intensifying existing commercial and industrial uses.
- Transit-oriented development near the light rail station.

### **Considerations for the Corridor**

Change can be slow and incremental

- Nodal development is a beneficial strategy for when public and private funds are limited, and can attract significant private investment and tax base
- Encourage incremental investments with places that are smaller but connected.

### **Economic Development Analysis**

**The price that a developer is willing to pay for land directly correlates with the type of use and the return they are able to get on a subsequent development project.**

- Land value is often also linked with zoning which sets the course for any subsequent development. It is an important metric to consider when assessing infill or redevelopment potential.



**Developers interviewed for this project indicated a propensity to purchase land that is valued at no more than \$20 per square foot (about \$870,000 per acre).** This generally precludes any sites with existing buildings.

• There is also a preference for low-value land near high-value (\$40+ per square foot) properties, as this generally reflects an area that has seen newer investment.

## **Land Use & Development Concepts**

### **(Concept 1)**

#### **Streetscape & Facade Improvements**

### **(Concept 2)**

#### **Residential Focus**

*Areas for a residential*

*“missing-middle” approach*

*The baseline streetscape with improvements to the existing façade*

### **(Concept 3)**

#### **Mid-Rise, Form-Based Focus**

*Sites ideal for a form-based*

*and mixed-use development*

### **(Concept 4)**

#### **Vertical Mixed-Use**

*Locations best suited for mixed-use*

## **State Street Scenarios**

### **SCENARIO 1: BUSINESS AS USUAL**

**USES:** Existing commercial & low-density residential. • **INVESTMENT:** Small level of streetscape enhancement along targeted streets.

**USES:** Increased residential and “missing middle”-style development • **INVESTMENT:** Small level of streetscape enhancement along targeted streets.

### **SCENARIO 2: RESIDENTIAL FOCUS**

**USES:** Increased residential and “missing middle”-style development • **INVESTMENT:** Small level of streetscape enhancement along targeted streets.

### **SCENARIO 3: FORM-BASED FOCUS**

**USES:** 2-to-4 story form-based and mixed-use development

**INVESTMENT:** Moderate level of streetscape enhancement along targeted streets.

### **SCENARIO 4: CORRIDOR TRANSFORMATION**

**USES:** 3 TO 5 Story mixed-use and infill development with residential housing.

**INVESTMENT:** Higher level of streetscape enhancement along targeted streets.

Preferred Scenario – 4

## **Demonstration Sites -**

7300 South & State Street - State-owned with potential connection to Midvale Fort Union TRAX Station. *Concepts 3 & 4*

Center Street & State Street - Adjacent to Midvale Center TRAX Station.

Mixed-use and connectivity focused.

*Concepts 2, 3, & 4*

8600 South & State Street - Midvale State Street south gateway.

Multi-use path/canal trail anchor.

*Concept 3*

Midvale State Street south gateway.

Multi-use path/canal trail anchor.

*Concept 3*

### **Action Plan: High Impact Strategies**

#### **Programs**

EVALUATE AND IMPLEMENT  
FUNDING SOURCES  
BUILDING FACADE IMPROVEMENT GRANTS  
GATEWAY ART & SIGNAGE

#### **Policies**

MODIFY ZONING:  
MODIFICATIONS FOR STATE STREET ZONE (SSC)  
ZONING CHANGES IN TOD ZONE  
ADJUSTMENTS IN APPLIED TODO AND 7200 SOUTH OVERLAYS

#### **Projects**

TEMPORARY STREETScape  
IMPROVEMENTS/ TACTICAL URBANISM  
WAYFINDING AND SIGNAGE  
IMPROVE MID-BLOCK CROSSINGS  
7800 SOUTH INTERSECTION  
IMPROVEMENTS  
STATION AREA PLANS

#### **Best Practices**

ROADWAY & URBAN DESIGN  
TOOLBOX  
- TRANSPORTATION  
- LAND USE  
- STREETScape  
- PLACEMAKING

#### **Phasing and Implementation**

IMMEDIATE (0 - 1 YEAR)  
ZONING MODIFICATIONS  
CREATE BRANDING AND GUIDELINES FOR WAYFINDING AND SIGNAGE  
TACTICAL URBANISM  
CONFIRM PROPOSED MID-BLOCK CROSSING LOCATIONS  
BUILDING FACADE IMPROVEMENT GRANTS  
7800 S. INTERSECTION CONCEPTING & REDESIGN  
STATION AREA PLANS

TRAIL STUDIES

**NEAR-TERM (2 - 3 YEARS)**  
EVALUATE AND IMPLEMENT  
FUNDING SOURCES  
GATEWAY SIGNAGE  
STATION AREA FEASIBILITY STUDY  
PHASED STREETScape IMPROVEMENTS  
STATION AREA FEASIBILITY STUDIES

**MID-TERM (3 - 5 YEARS)**  
EVALUATE PROGRAMS  
CONTINUED REDESIGN AND PHASING  
IMPLEMENT MID-BLOCK CROSSING  
IDENTIFY DEVELOPMENT PARTNERING OPPORTUNITIES

**LONG-TERM (5 - 10+ YEARS)**  
FULL IMPLEMENTATION OF STRATEGIES AND PROJECTS  
FOLLOW RECOMMENDATIONS AS DICTATED BY ASSOCIATED STUDIES

**State Street Zone – Recommended Zoning Modifications**

**Proposed text changes for the SSC zone that encourages the following:**  
Improving streetscapes and ground-level facades adjacent to sidewalks  
Extending sidewalks for additional amenities and landscape areas  
Activating storefronts and additional spaces to gather at the front and sides of buildings  
Reducing the minimum front yard setback to 10 feet along with the development of other sidewalk amenities and landscaping  
Enhancing building corners to build pathway continuity and direction into the additional public spaces  
Moving parking to the side or rear of buildings

**7200 S. & Center Street – Recommended Zoning Applications**

**Removal of 7200 South Overlay.** Building height minimums and maximums are dependent on the site uses in this overlay zone and **may not be conducive to overall development and potential for density within this intersection.**  
• **Possible Areas for the Transit Oriented Development Overlay (TODO).** These highlighted areas may be substituted for the TOD Overlay as zoning recommendations within the upcoming **Midvale Station Area Plan** are being developed. **Elements of the TOD Overlay may also be modified during this planning process.**

**Station Area Plan & HB 462  
STATION AREA PLAN GOALS**

Increase the availability and affordability of housing

- Promote sustainable environmental conditions
- Enhance access to opportunities
- Increase transportation choices and connections

### **Station Area Plan Components**

Vision

- Map (Rail: 1/2 mile radius or BRT: 1/4 mile radius)
- 5-Year Implementation
- Explanation of How the 4 Objectives are Met
- Public Involvement and Stakeholder Engagement

The Council agreed to review this study in more detail at a later date.

### **7:00 PM – REGULAR MEETING**

Mayor Marcus Stevenson called the business meeting to order at 7:10 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 FIRE AUTHORITY DEPARTMENT REPORT**

Chief Brad Larson reviewed the 4<sup>th</sup> quarter report from UFA. This report covers calls from October 1, 2022 through December 31, 2022. There were a total of 1016 incidents with 41% emergent. He announced some recent significant promotions in UFA recently, and said the safety message this month is about keeping warm this year which will be posted on social media.

##### **D. RECOGNITION OF UNIFIED FIRE AUTHORITY CHIEF STEPHEN HIGGS**

Chief Brad Larson said Chief Stephen Higgs has had a great impact on the Midvale community. He's been a great leader and mentor. He's had a very positive impact on his life and others.

Mayor Stevenson recognized Chief Stephen Higgs for the 11 years he served as the Fire Chief at Midvale City prior to the City contracting with the Unified Fire Authority. He spent 45 years in the fire service. He said Chief Higgs has had an immeasurable impact on the city with his service. He expressed his sincere appreciation as he read the plaque recognizing Chief Higgs.

##### **E. HARVEST DAYS UPDATE**

Matt Dahl said the issues the Harvest Days Committee were going to discuss had been resolved. He said the committee will come back in the future to discuss the Harvest Days celebration.

## **F. COMMUNITY BUILDING COMMUNITY (CBC) REPORT**

George Larsgren, Chairman of the CBC and the Clinic, was present to update the Council on the activities of the Community Building Community. He said he is currently an official resident of Midvale City. The CBC services are about to quadruple. Steven Bass, Attorney, Dr. Brian Shiozawa, and Kristina Necessary were present to discuss these services. The University of Utah altered the program to open it up to first- and second-year students. The old program was only open to three- and four-year students. This will broaden the capabilities of the CBC.

Steven Bass, Attorney, thanked the Council for inviting the CBC. Midvale CBC is a non-profit health clinic who provides vital services. CBC uses an integrated service which serves medical, dental, mental health, and community services. In the past year, with the support of Midvale City, the CBC expanded its services to the community with four new programs. It became an authorized food distribution for the food pantry at Utah Food Bank. They integrated a legal immigrant assistance program, and also became a diaper distributor for Utah Diaper Bank. Finally, the CBC became a certified in clinic vaccine provider for the Utah Department of Health. Currently, they are working on becoming a COVID vaccine provider. Their Goals for 2023 include expanding these programs, developing new programs in the areas of housing assistance, after school programs, parenting classes, diabetes prevention, and treatment and smoking cessation. Midvale City's generous support is critical to providing these services to the community. The funds go directly to rent on the clinic and community center. On behalf of the staff of CBC, he offered his thanks to Midvale City and City Council.

Dr. Brian Shiozawa said by his side was David and Kristina, University of Utah medical students. The University of Utah School of Medicine is so grateful to partner with Midvale City. Students will have the opportunity to work in the clinics.

Kristina Necessary said she and David Hoyt are second year medical students at the University of Utah. She said they coordinate the clinical activities at the CBC. Students gain important early experience by working in the clinics. David said he is amazed and humbled with where the money goes; it is well spent. He said this is expanding the medical school curriculum and is on a voluntary basis. He thanked Midvale City and the Council for their support.

Dr. Brian Shiozawa thanked the Council for the funding and support.

Council Member Quinn Sperry asked about the dental clinic and if it's up and running.

Mauricio Agramont, Executive Director, said the dental clinic is thriving. Dentists are giving them a great discount. There is always a huge waiting list for the dental services. He said one limitation they have is definitely space. He said the dental clinic was started by Dr. Floyd Tabet, resident of Midvale.

Council Member Dustin Gettel said he works for the Department of Health and Human Services, in particular the Medicaid Program. He said he sees the great services the CBC provides to the community. He said it's great to see the expanded programs.

Mayor Stevenson expressed his appreciation to Mauricio for his help with the projects.

#### **G. LEGISLATIVE UPDATE**

David Spatafore and Ashley Spatafore Mirabelle updated the Council on legislative issues that can impact Midvale City.

Mayor Stevenson discussed HB374 regarding Unified Police Department and the Sheriff and the possible impacts to the City.

#### **H. BLACK HISTORY MONTH PROCLAMATION**

Mayor Stevenson read the proclamation declaring February as Black History Month.

#### **II. PUBLIC COMMENTS**

There was no one who desired to speak.

#### **III. MAYOR REPORT**

Mayor Stevenson said the legislative session is in full force. Staff is all hands-on deck with some of these complicated bills. He expressed his appreciation for their work. He said he's been working with the city to re-create a youth city program. He went to the high school to discuss this issue with them to see what they would like to see. There was a huge focus on job training programs, homelessness, addressing gangs, and developing personal growth. He offered his condolences on behalf of Midvale City to Jennifer Florence Diaz' family for their loss. Jennifer Florence Diaz attended Jordan High School and was recently killed by a school bus.

#### **IV. COUNCIL REPORTS**

**A. Council Member Quinn Sperry**- had nothing to report.

**B. Council Member Dustin Gettel** – said he was elected as chair of the Animal Control Services Board this week. He said if there are any issues animal related, feel free to reach out to him. He said SB113 is a broader agricultural bill that included retail pet stores that political subdivisions would not be able to regulate. He said he convinced the bill sponsor to remove the retail pet stores language in the bill, which did happen. As of now, the bill sponsor was not trying to ban puppy mills, the motivation of the bill was to not ban rodeos.

**C. Council Member Bryant Brown** – said the workshop today was on another study increasing development or similar tone that is required by the state. It's unfortunate that these studies will continue until something else is done in these areas even though the homeowners have lived in their homes for decades before a trax station was built, etc. There needs to be more sensitivity to these studies regarding residences that are being assigned a home value that is not fair to the residents.

**D. Council Member Heidi Robinson** – had nothing to report.

**E. Council Member Paul Glover** – had nothing to report.

**V. CITY MANAGER REPORT**

Matt Dahl said last year he discussed a raised median project on Main and Wasatch to help with the traffic flow. The contractor for that project said they will start this project on February 28<sup>th</sup>.

**VI. PUBLIC HEARING**

**A. CONSIDER PROPOSED AMENDMENTS TO THE FY2023 GENERAL FUND AND OTHER FUNDS AS NECESSARY**

Mariah Hill said staff proposes amendments to the fiscal year 2023 budget for the General Fund, Capital Projects Fund, Water Fund, Sewer Fund, Fleet Fund, and Information Technology Fund.

*General Fund*

**Revenue and Expense Budget Adjustments \$119,948** – Staff has identified a number of adjustments that need to be made to the fiscal year 2023 budget. Below are the major proposed adjustments:

- **Insurance Claim Adjustment – \$14,883** – Receiving and spending an insurance claim for electrical equipment stolen from the park.
- **One-Time Carryovers from FY2022 – \$105,065** – Carryovers for a new website, employees association, development projects, and planning professional services for projects that were budgeted for but unable to be completed in FY2022.

*Capital Projects Fund*

Staff are proposing carrying over \$456,747 for uncompleted or unstarted fiscal year 2022 projects to fiscal year 2023. The detailed list of projects is included in the attached document.

*Water and Sewer Fund*

Both funds propose carrying over funds for projects that were uncompleted or unstarted in fiscal year 2022 into fiscal year 2023. The Water funds projects total to \$700,645 and the Sewer funds projects total to \$380,142. The detailed list of projects for both funds are included in the attached document.

*Fleet Fund*

The fleet fund is proposing to increase their vehicle purchase budget by \$790,673. \$520,000 of this is to purchase a Hydro Vac Excavator that was budgeted for in fiscal year 2022 but was unable to be purchased. The remaining amount is to cover the increased cost for purchasing the vehicles that were already budgeted for in fiscal year 2023.

*Information Technology Fund*

The Information Technology Fund is proposing a one-time carryover from fiscal year 2022 of \$10,000 from their infrastructure budget to purchase back-up batteries.

**FISCAL IMPACT:**

General Fund – Increase in budgeted revenues and expenses \$119,948.

Capital Projects Fund – Increase in budgeted revenues and expenses \$456,747.

Water Fund – Increase in budgeted revenues and expenses \$700,645.

Sewer Fund – Increase in budgeted revenues and expenses \$380,142.

Fleet Fund – Increase in budgeted revenues and expenses \$790,673.

Information Technology – Increase in budgeted revenues and expenses \$10,000.

**MOTION:** Council Member Paul Glover **MOVED** to open the public hearing. 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 motion passed unanimously.

Mayor Stevenson opened the hearing to public comment.

There was no one who desired to speak.

Council Member Dustin Gettel expressed his dislike for making a motion to open and close a public hearing. He said he felt there should just be a motion to open and close the public comment.

Mayor Stevenson said he would discuss this issue with the City Attorney.

**MOTION:** Council Member Quinn Sperry **MOVED** to close the public hearing. 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 motion passed unanimously.

**VII. CONSENT AGENDA**

**A. CONSIDER MINUTES OF JANUARY 17, 2023**

**MOTION:** Council Member Paul Glover **MOVED** to approve the consent agenda. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry            **Aye**

Council Member Paul Glover            **Aye**

Council Member Heidi Robinson        **Aye**

Council Member Bryant Brown          **Aye**

Council Member Dustin Gettel          **Aye**

The motion passed unanimously.



**VIII. ACTION ITEMS**

**A. CONSIDER RESOLUTION NO. 2023-R-07 APPROVAL OF A RESOLUTION AUTHORIZING MAYOR STEVENSON TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN MIDVALE CITY CORPORATION AND LOTUS BV MIDVALE, LLC REGARDING THE LOTUS EMBER MULTIFAMILY PROJECT LOCATED AT 195 W 7200 S**

Wendelin Knobloch stated the Lotus Ember Project consists of a four-story multifamily structure with underground parking and ample community amenities. The Midvale City Planning Commission approved the required conditional use permit on 12/14/2022, with the only condition being the subsequent approval of a development agreement.

Pursuant to Section 17-7-17.9 of the Midvale Municipal Code a development agreement is required for all new projects in the Transit-Oriented Development Overlay Zone (TODO) “to ensure the property owner complies with the provisions of the overlay, conditional use permit and site plan approvals.”

The development agreement was reviewed by the City Attorney, the Planning Department, and the developer; it affirms the Planning Commission action and adds an additional level of clarity and protection for both parties.

**STAFF RECOMMENDATION**

Staff recommended approval of the resolution.

Council Member Bryant Brown said this project does not provide any mixed use; it's only denser apartments. He said he did not feel this was the highest and best use for the area.

Council Member Dustin Gettel said he felt this development would be fine. There have been some issues with the Highland Ridge Hospital, so he hopes the people moving into this area are aware of it being a higher crime area. His hope is to make the area a safer place to live. He asked about a new section that had been added to the agenda summaries.

Matt Dahl said Laura Magness has asked to have the citizen agenda on the summary reports.

Council Member Dustin Gettel said he likes the idea of the citizens agenda in the summary report. Congratulated Wendelin on his new role as the Planning Director.

Nate Rockwood said if there is a certain type of development the Council wants in a certain area, the Council should change the zone for that desired use.

**MOTION: Council Member Paul Glover MOVED to Approve Resolution No 2023-R-07 authorizing Mayor Stevenson to enter into a development agreement between Midvale City Corporation and Lotus Ember**

**Multifamily Project located at 195 W 7200 S. The motion was  
SECONDED by Council Member Quinn Sperry.**

Council Member Paul Glover said he was still concerned about parking, but it is right next to Trax.

**Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:**

<b>Council Member Quinn Sperry</b>	<b>Aye</b>
<b>Council Member Paul Glover</b>	<b>Aye</b>
<b>Council Member Heidi Robinson</b>	<b>Aye</b>
<b>Council Member Bryant Brown</b>	<b>Aye</b>
<b>Council Member Dustin Gettel</b>	<b>Aye</b>

**The motion passed unanimously.**

**B. CONSIDER RESOLUTION NO. 2023-R-08 REGARDING THE EXECUTION OF  
A RIGHT OF WAY LEASE AGREEMENT WITH 4<sup>TH</sup> AVE & MAIN LLC AND  
WAIVER OF THE ASSOCIATED ANNUAL RENT FOR THE USE OF BULB OUT  
LOCATED ON THE WEST SIDE OF THE BUILDING AT 7653 S. MAIN ST.,  
MIDVALE, UT 84047**

Kate Andrus said 4th Ave & Main LLC (Rick Service), the property owner of the building located at 7563 S. Main St., wishes to enter into a right of way lease agreement which will allow for the use of a newly constructed permanent bulb-out to provide additional outdoor seating and dining options for patrons of the building located at 7563 S. Main St. This agreement has been reviewed by the city attorney. The key terms outlined in the agreement include:

- The approved use of the premises is for outdoor dining services.
- The City has determined that that the use of the premises for outdoor dining services offsets the cost of the city's loss of use of the property and therefore waives the associated rent.
- The lease for use of a permanent bulb-out shall be in effect for a period of ten (10) years. The tenant shall have the option to extend the lease for two (2) additional, five (5) year terms.
- Tenant shall not make any improvements to the premises without first obtaining Midvale City's written consent. Any improvements approved by Midvale City shall be completed at Tenant's sole expense and removed at Tenant's sole expense upon expiration of this Agreement. No permanent alterations to the City's property are permitted unless approved by the City as part of an approved site plan.
- Tenant shall, at Tenant's sole expense, carry a policy of general liability insurance in an amount of at least One Million Dollars (\$1,000,000) per combined single limit per occurrence and Three Million Dollars (\$3,000,000) per aggregate for personal

injury, bodily injury and property damage. Midvale City shall be named as an additional insured by endorsement on each policy.

City staff supports the execution of the agreement as well as the request to waive the annual fee as the intended use provides an economic offset by fulfilling the City's goal of maintaining and furthering economic opportunities as well as enhancing the economic viability of Midvale City's Main Street area in the following ways:

- Enables opportunities for restaurants on Main Street to be able to provide additional outdoor dining opportunities.
- Establishes new and creative opportunities to facilitate the Main Street experience for residents and visitors alike; and
- Provides preservation and enhancement of Midvale Main Street's character and the desire to strengthen the pedestrian experience along Main Street.

**Fiscal Impact:**

The annual rent for two parking spaces is \$1,820.00. City Staff believes that the waiver will yield a net benefit, as the expenses associated with the ongoing maintenance of the space by the tenant, improved usage, enhanced pedestrian safety, additional tax revenue, and strengthened character of the street will more than offset the annual rent of \$1,820.00.

**Staff Recommendation:**

The plans have been approved by both the Planning and Public Works Division. Engineering is waiting for the submission of a drainage plan which will be submitted with the construction documents upon the final application for a building permit. City staff recommended authorizing the execution of a Right of Way Lease Agreement with 4th Ave & Main Street contingent upon the review and approval of the drainage plan by the City Engineer and recommend waiving the associated annual rent for the use of an existing bulb-out located on the west side of the building at 7563 S. Main St, Midvale, UT 84047.

Council Member Dustin Gettel expressed his concerns with pedestrians walking and the cars turning right out of the coffee shop. The cars will have to pull out on the sidewalk where the pedestrians will be in order to pull out on the street around the bulb-out.

Kate Andrus said the developer is willing to install a mirror.

Rick Service, 4<sup>th</sup> Avenue and Main, said he would talk with the engineers on the location of a mirror and the engineers will put it in the correct location.

Kate Andrus said staff is working on a parking plan for Main Street.

The Council discussed the safety issues in depth.

Matt Dahl stated he would like to push for something unique and interesting.

**MOTION:** Council Member Dustin Gettel MOVED to Approve Resolution No. 2023-R-08 authorizing the execution of a Right of Way Lease Agreement with 4<sup>th</sup> Ave & Main Street contingent upon appropriate pedestrian safety measures approved by staff and contingent upon review and approval of the drainage plan by the City Engineer and waive the associated annual rent for the use of an existing bulb-out located on the west side of the building at 7563 S Main St, Midvale, Utah 84047. 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 ORDINANCE NO. 2023-O-02 AMENDING CHAPTER 3.02 OF THE MIDVALE MUNICIPAL CODE REGARDING PROCUREMENT**

Mariah Hill discussed the proposed amendments to the Midvale Municipal Code regarding Procurement:

**Midvale Procurement**

- Exists “to ensure that all such purchases or encumbrances are made equitably, efficiently, and economically.”
- Midvale Staff works diligently to follow our procurement code, but efficiency is limited with current thresholds and exceptions.
- Time spent does not equal money saved at current thresholds.

**Threshold Changes**

Removed Threshold Names

Made with as much competition is practicable under the circumstance	Current	Proposed
	\$3,000	\$7,500
Requires informal bidding procedures (quotes)	\$3,000 to 25,000	\$7,500 to \$50,000
Requires formal bidding procedures (RFP, IFB, etc.)	\$25,000+	\$50,000+

**Exception Changes**

**Exempt Expenditures:** Expenditures that can be made without formal or informal bidding procedures with the approval of the procurement officer regardless of amount.

**Changes:**

Update professional services exceptions and add examples  
Add state or federal funds exception  
Add gift or bequest exception  
Add a compatibility of parts or training exception

**Other Changes**

Remove all part of the code specifically related to CARES Act expenditures  
Replacing requirements to post formal bids in the newspaper to posting to the City's procurement platform  
Remove public opening of bids  
Changing the evaluation of bids to include the procurement officer as a facilitator, not an evaluator  
Clerical clarifications and changes

**Changes to Prequalifying Vendors**

Section 3.02.090 – Prequalification of potential vendors  
Formal bidding process without the price component  
Currently requires following bidding processes of all thresholds

**Proposed Changes**

Allow for informal bidding procedures to be used with prequalified vendors up to the bid limit as set by Utah State Code 11-39-101 (1).  
Set a price in 2003 and increases each year by the lesser of 3% or CPI  
Building Improvements - \$58,948 (2022)  
Public Works Projects - \$184,214 (2022)  
Propose all other projects also follow the public works project limit  
All projects greater than these thresholds will follow the formal bidding process.

**MOTION:** Council Member Dustin Gettel **MOVED** to Approve Ordinance No. 2023-O-02 Amending Chapter 3.02 of the Midvale Municipal Code regarding procurement. 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.

**D. CONSIDER ORDINANCE NO. 2023-O-03 AMENDING MIDVALE CODE SECTION 8.10.030 & 8.10.060 JORDAN BLUFFS INSTITUTIONAL CONTROLS ORDINANCE**

Nate Rockwood said Midvale code chapter 8.10 is the Institutional Controls Ordinance for Bingham Junction and Jordan Bluffs. The ordinance sets forth the requirements and

procedures for the public institutional controls (“ICs”) for the redevelopment and reuse of the Bingham Junction and Jordan Bluffs properties. The purpose of the ICs is to prevent unacceptable human exposure to contaminants that remain on site by ensuring the protection, maintenance, and improvement of physical barriers that have been placed on the various properties.

With the continued development of Jordan Bluffs, the Gardner Company has requested amending the ordinance to clarify and further detail the responsibility for compliance with the institutional controls by property owners. The redline changes have been proposed by the Midvale City Attorney and have been accepted by the owner and developer. The updated institutional controls will require all property to fall under the oversight of a single “Project Association” which will be responsible for the continued compliance with the requirements of the IC. Individual property owners will be primarily responsible for compliance within Property Owners Associations (POA), which will be required to be sub-associations of the Project Association.

Therefore, these amendments will require each property owner to be responsible for compliance with the IC associated with its property through the creation of a POA. The Project Association will have oversight and enforcement responsibility over all POAs as well as the sloped areas along the Jordan River and 7800 South and the wetland areas. The City remains the ultimate authority over the protection and proper maintenance of the Jordan Bluffs site and has the authority to make any repairs and recover any associated costs it determines necessary.

These changes in no way reduce the overall objective or effectiveness of the ICs, which is to prevent human exposure to contaminants. The changes provide additional levels of accountability to ensure protection and maintenance of the cap and ensure overall health safety of the area.

**FISCAL IMPACT:**

This code change will have no fiscal impact on the City.

Matt Wynn, Gardner Group, said when reviewing the Midvale Code it brought concerns of people putting a shovel in contaminated soil. As the sight is being developed, it is more commercial. There is a project level association. The reason for the amendment is that it allows individual property owners to take primary responsibility of making sure the institutional controls are followed with oversight from the project association. Amendment actually added two layers of protection. Have addressed concerns with Midvale City staff. Main concern is making sure the owners have control.

Council Member Dustin Gettel asked how many members are in the property owners association.

Matt Wynn stated that currently Zions and the Gardner Group are the members.

The Council further discussed the amendment and the Property Owners Association with Matt Wynn.

**MOTION:** Council Member Quinn Sperry **MOVED** to Approve Ordinance No. 2023-O-03 Amending Midvale Code Chapter 8.10.030 & 8.10.060 Jordan Bluffs Institutional Controls Ordinance. 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. 2023-O-04 ADOPTING THE GENERAL PLAN MODERATE-INCOME HOUSING ELEMENT AMENDMENT AND STATE CODE COMPLIANCE**

Meggie Troili discussed adopting the General Plan Moderate-Income Housing Element:

**General Plan Amendment  
Amendment Overview**

**General Plan Moderate-Income Housing Element Amendment to Comply with Utah State Code 10-9a-403 and 17-27a-403**

Moderate-Income Housing Element adopted as part of the General Plan – Sept 20, 2022 Because Midvale City has a fixed guide-way public transit station, the Moderate-Income Housing Element includes a strategy to develop and adopt a station area plan and must also include strategy G, H, or Q.

**G.** Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors

**H.** Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the residents own vehicle, such as residential development near major transit investment corridors or senior living facilities

**Q.** Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act

**HTRZ Overview**

**Housing and Transit Reinvestment Zone (HTRZ)**

An HTRZ (SB 140) encourages transit-oriented development through tax increment financing and integral city and agency planning efforts. An HTRZ is a development tool to help address Utah’s housing crisis by facilitating mixed-use, multi-family and affordable

housing development within a 1/4-mile radius of light rail and Bus Rapid Transit stations (BRT) or 1/3-mile radius of commuter rail stations (Front-Runner).

**Core Objectives of SB 140 (Utah Code 63N-3-603(1)):**

- Promote greater utilization of public transit
- Increase availability of housing, including affordable housing
- Conserve water resources through efficient land use
- Improve air quality by reducing fuel consumption and motor vehicle trips
- Encourage transformative mixed-use development and investment in transportation and public transit infrastructure in strategic areas
- Strategic land use and municipal planning in major transit investment corridors
- Increase access to employment and educational opportunities

<b>HTRZ Overview</b>			
<b>Requirements</b>	<b>Commuter Rail</b>	<b>Light Rail, BRT</b>	<b>BRT</b>
% affordable housing required on developable acres	10%*	10%*	10%*
Residential % of developable land	51%	51%	51%
# DUs per acre	>=50	>=50	39-49
Mixed-use development required	Yes	Yes	Yes
Reasonable % of DUs >1 bdrm required	Yes	Yes	Yes
Radius from station	<=1/3 mile**	<=1/4 mile**and***	<=1/4 mile
Maximum acres (noncontiguous)	125	100	100
Property tax increment capture	80%, 25 yrs max per parcel, 45-yr period	80%, 15 yrs max per parcel, 30-yr period	60%, 15 yrs max per parcel, 30-yr period
Sales tax increment capture	15% to TTIF	15% to TTIF	15% to TTIF

**Other Key Provisions and Requirements:**

Light rail HTRZ zones are limited to 8 per county

SSL, SoJo, SLC

All taxing entities are required participate and required to participate equally.

An independent gap analysis must be conducted to evaluate minimum public financing for development costs and excludes direct subsidies to developers.

All relevant zoning changes must be made before HTRZ is approved.

Mixed use requirement

51% of land must be used for multi-family at an average density of 50 units per acre.

**Potential Midvale HTRZ**

**Fort Union Station**

**Current Zoning**

**TODO** - maximum 85 units per acre

**TOD** – maximum of 25 units per acre

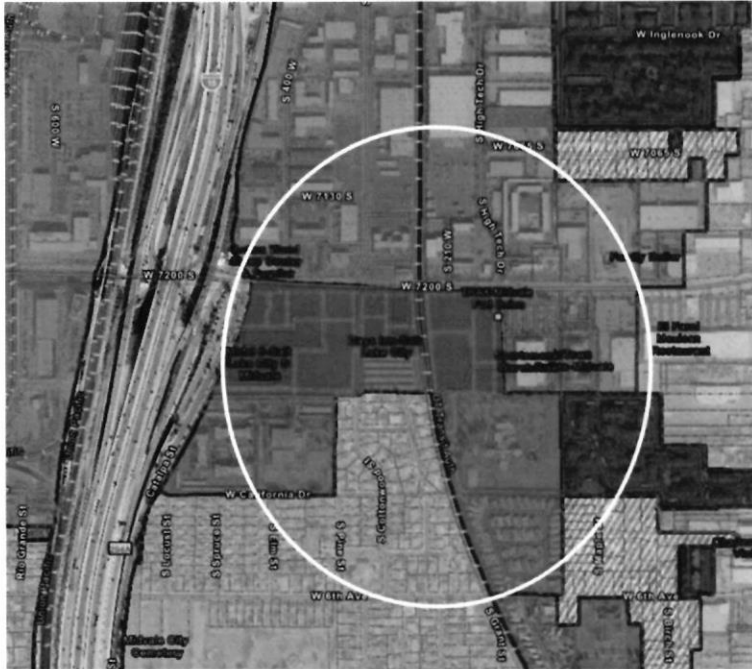
**CI Zone** – doesn't allow residential

**RC Zone** – doesn't allow residential

**SF-2** - Single Family Zone

**RM-25** – Residential multi-family





### **Use of Tax Increment Generated in the HTRZ**

- Income targeted housing costs
- Structured parking within the HTRZ
- Enhanced development costs
- Horizontal and Vertical construction costs
- Land purchase costs
- Cost of municipality to create and administer the HTRZ, which may not exceed one percent the total HTRZ funds, plus the costs to complete the gap analysis.
- Cost of bonds

### **Creating an HTRZ - General Overview**

- Submit HTRZ proposal to the Governor's Office of Economic Opportunity (GOEO)
- GOEO contracts with an independent entity to conduct a gap analysis
- Required entities form the HTRZ committee.
- A public hearing is convened to consider the HTRZ Proposal
- If approved, the HTRZ is established per the terms of the proposal. At that point, the affected local taxing entities are required to participate according to the terms of the HTRZ proposal.

*The HTRZ Committee consist of 11 members from the following entities: GOEO, UDOT, Tax Commission, School District. Additional members are designated by the county, the school superintendent, public transit, president of the senate, and speaker of the house of representatives.*

### **MODERATE INCOME HOUSING ELEMENT FOR GENERAL PLAN**

In accordance with Utah State Code (10-9a-403 and 17-27a-403) Midvale City is revising its Moderate-Income Housing Plan to meet the needs of households whose income falls on or below 80% of the area median income (AMI). To achieve this, Midvale City will roll out the plan in three phases.

**Phase 1 (October 1st, 2022)** - Select 6 of 24 moderate-income housing strategies required by state law, including a five-year implementation plan. Because Midvale City has a fixed guideway public transit station two strategies are required per Utah State Code 10-9a-403(2)(b)(iv), one of which is to develop and adopt a station area plan, the other requires selecting one of the following three strategies, G, H or Q. Midvale City selected strategy Q to create a housing and transit reinvestment zone pursuant to Title 63N Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

**Phase 2 (by end of FY22)** - Collect and analyze current local demographic and housing data for Midvale City to further refine and strengthen the moderate-income housing implementation plan. Include this baseline data in the General Plan under the Moderate-Income Housing Element.

**Phase 3 (FY22 – FY27)** - Carry out the moderate-income housing implementation plan and submit annual progress reports through the Utah Housing and Community Development department.

### **STRATEGIES TOWARD MODERATE-INCOME HOUSING**

Seven Moderate Income Housing strategies were selected from Utah State Code 10-9a-403(b)(iii), each of which includes a five-year implementation plan to meet the needs of households who fall on or below 80% AMI in Midvale. Out of 24 strategies, the following seven strategies were carefully considered and selected by the Midvale City Planning Department, the Redevelopment Agency of Midvale City, and City Management. This plan will continue to be updated and refined as current demographic and housing data is collected and analyzed during Phase 2. Determining a baseline of data is critical to better understand the needs of moderate-income households today and into the future. The selected seven strategies include the following:

#### **Selected Strategies**

1. Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund;
2. Reduce, waive, or eliminate impact fees related to moderate income housing;
3. Implement a mortgage assistance program for employees of the county/municipality, an employer that provides contracted services for the county/to the municipality, or any other public employer that operates within the county/municipality;

4. Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
5. Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;
6. Develop and adopt a station area plan in accordance with Section 10-9a-403.1.; and
7. Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

Nate Rockwood said the HTRZ has a limited number of eight stations in Salt Lake County. Legislation could possibly change that.

The Council discussed the state code compliance and the HTRZ at length.

**MOTION:** Council Member Heidi Robinson **MOVED to Approve Ordinance No. 2023-O-04 Adopting the General Plan Moderate Income Housing Element Amendment.** The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

## **IX. DISCUSSION**

### **B. DISCUSSION OF CAMPAIGN FINANCE CHANGES**

Matt Dahl said City staff has been tasked with exploring options for updating Midvale City's campaign finance requirements for municipal elections. Currently, the Utah Code imposes minimal restrictions on campaign contributions, focusing mainly on disclosure. Utah Code allows for municipalities to impose more restrictive campaign finance policies

than those of the State. Midvale has not imposed additional restrictions, similar to most cities along the Wasatch Front.

The restrictions imposed by the Utah Code are as follows:

1. No anonymous contributions over \$50.
2. Anonymous contributions over \$50 must be donated to the city's general fund or a nonprofit organization. Cities such as Salt Lake City, Provo, Taylorsville, Park City, and Ogden, have adopted more restrictive policies. Some of these policies include limits on the amount of campaign contributions, anonymous contributions, cash contributions over \$50, and contributions made on behalf of another party.

To develop a campaign finance policy option, the staff would like feedback from the City Council on the following topics:

1. Does the City Council believe that restrictions beyond the State's requirements are necessary?
2. Does the City Council wish to establish limits on campaign contributions?
3. If so, at what amount should these contributions be limited?
4. Should there be restrictions on when a person can make a political contribution (e.g. prohibiting contributions from those with business before the city)?
5. Who should be responsible for enforcing these contribution restrictions?
6. What should be the penalty for violating the campaign contribution requirements?

Council Member Dustin Gettel said there should set limitations on campaign donations.

Council Member Bryant Brown said no one receiving tax increment should be able to donate to any campaign.

The Council agreed to have staff create a policy with campaign contribution limitations for the Mayor of \$5,000 per donation and the Council of \$1,000 per donation. The Council also agreed to list the tax increment contracts on the city's website in which no campaign contributions could be made.

**X. CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION**

**MAYOR:** Mayor Marcus Stevenson

**COUNCIL MEMBERS:** Council Member Quinn Sperry

Council Member Dustin Gettel  
Council Member Bryant Brown  
Council Member Heidi Robinson  
Council Member Paul Glover

**STAFF:** Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Adam Olsen, Community & Development Director; Chief Randy Thomas, UPD; and Chief Brad Larson, UFA.

**MOTION:** Council Member Dustin Gettel **MOVED** to go into closed session to discuss pending or reasonably 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 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.  
The motion passed unanimously.

The council went into closed session at 10:39 p.m.


**MOTION:** Council Member Dustin Gettel **MOVED** to reconvene into open session. 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 Council reconvened at 10:53 p.m.

#### **XI. 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 10:54 p.m.

  
**Rori L. Andreason, MMC**  
**H.R. DIRECTOR/CITY RECORDER**  
Approved this 21<sup>st</sup> day of February, 2023





