



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

**MIDVALE CITY COUNCIL REGULAR
MEETING AGENDA
MAY 2, 2023**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **2nd day of May 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 to the City Council at www.Midvalecity.org/government/contact-us by 5:00pm on May 1st and will be included in the record.**

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

6:00 PM – WORKSHOP

- Bingham Junction Station Area Plan [*Adam Olson, Planning Director*]
- Update on 2023 Municipal Election Costs [*Rori Andreason, H. R. Director/City Recorder*]
- Discuss Midvale Communities That Care Coalition & Community-Based Violence Intervention and Prevention Initiative Grant [*Suzy Grandgent, Senior Executive Assistant, City Management*]

7:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Fire Authority Report
- D. Mental Health Awareness Month Proclamation

II. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for a 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 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 Bryant Brown
- C. Councilmember Heidi Robinson
- D. Councilmember Paul Glover
- E. Councilmember Dustin Gettel

V. CITY MANAGER REPORT

VI. PUBLIC HEARINGS

- A. Consider Rezoning Property located at 610 W 7th Ave from Single Family Residential-2 (SF-2) zone to Multifamily Residential Medium Density (RM-12) zone. The northern portion of the lot will remain in the Clean Industrial (CI) zone. Ezra Nuttall, applicant **[Elizabeth Arnold, Senior Planner]**

ACTION: Consider **Ordinance No. 2023-O-06** Rezoning Property located at 610 W 7th Ave from Single Family Residential-2 (SF-2) zone to Multifamily Residential Medium Density (RM-12) zone.

- C. Consider a Final Subdivision Request for a Property located at 610 W 7th Ave to be split into two lots. **[Elizabeth Arnold, Senior Planner]**

ACTION: Consider Approving a Final Subdivision for Property located at 610 W 7th Avenue to be split into two lots

VII. CONSENT

- A. Consider Minutes of April 18, 2023 **[Rori Andreason, HR Director/City Recorder]**

VIII. ACTION ITEMS

- A. Consider **Resolution No. 2023-R-16** Authorizing the Adoption of a Term Sheet between Midvale City and the Redevelopment Agency of Midvale City for the design, installation, and maintenance of a mural and approval of mural artist recommendation **[Kate Andrus, Redevelopment Agency Program Manager]**
- B. Consider **Resolution No. 2023-R-17** Adopting the Midvale City Fiscal Year 2024 Tentative Budget beginning July 1, 2023 and ending June 30, 2024 **[Mariah Hill, Administrative Services Director]**
- C. Consider **Ordinance No. 2023-O-07** Amending Article II of the Midvale Municipal Code Chapter 2.16 and Enacting Campaign Contribution Limits **[Garrett Wilcox, City Attorney]**
- D. Consider **Ordinance No. 2023-O-08** Rezoning Property adjacent to The Mills Project Located at approximately 208 & 228 E 8000 S from Single Family Residential-1/Agricultural Overlay (SF-1/AO) Zone to Multifamily Residential-Medium Density (rm-12) Zone. (Jacob Ballstaedt, Applicant) **[Elizabeth Arnold, Senior Planner]**
- E. Consider Amending a Large-Scale Master Plan for The Mills Project Located at approximately 208-272 E 8000 S and 8052-8082 S 300 E (Jacob Ballstaedt, Applicant) **[Elizabeth Arnold, Senior Planner]**
- F. Consider Approval of a Preliminary Subdivision for Phase 2 and 3 of The Mills Projects Located at approximately 208-272 E 8000 S and 8052-8082 S 300 E (Jacob Ballstaedt, Applicant) **[Elizabeth Arnold, Senior Planner]**
- G. Consider **Resolution No. 2023-R-18** An Amendment to the Development Agreement for the Mills Project **[Elizabeth Arnold, Senior Planner]**

IX. 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.

X. 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: APRIL 27, 2023

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

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COUNCIL MEETING
Minutes

Tuesday May 2, 2023
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

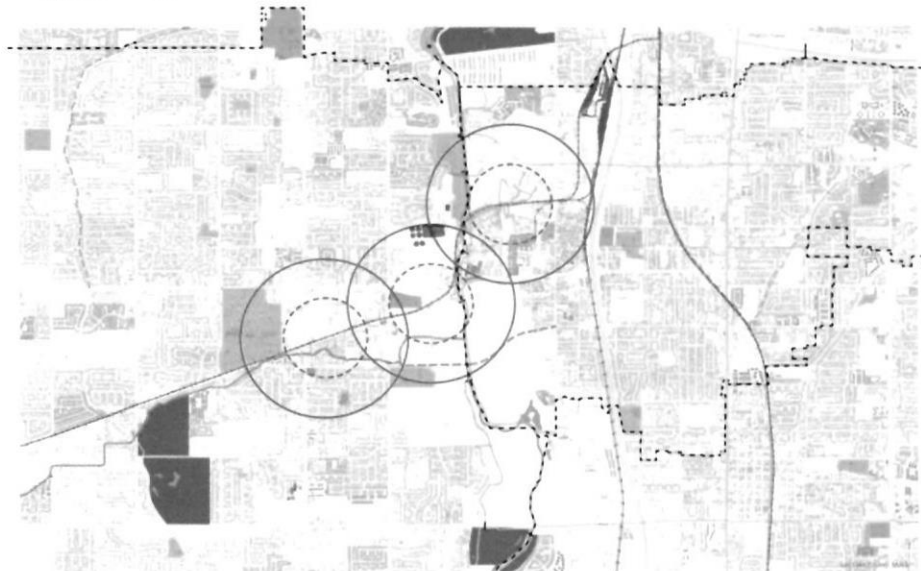
COUNCIL MEMBERS: Council Member Quinn Sperry
Council Member Bryant Brown
Council Member Heidi Robinson
Council Member Paul Glover
Council Member Dustin Gettel

STAFF: Matt Dahl, City Manager; Nate Rockwood, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Mariah Hill, Administrative Services Director; Elizabeth Arnold, Senior Planner; Wendelin Knobloch, Planning Director; Adam Olsen, Community Development Director; Cody Hill, RDA Manager; Kate Andrus, RDA Program Manager; Johnny ?, Planner II; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Josh Short, IT Technician.

6:00 PM – WORKSHOP

- **BINGHAM JUNCTION STATION AREA PLAN**
West Jordan & Midvale Station Area Plan

Project Area

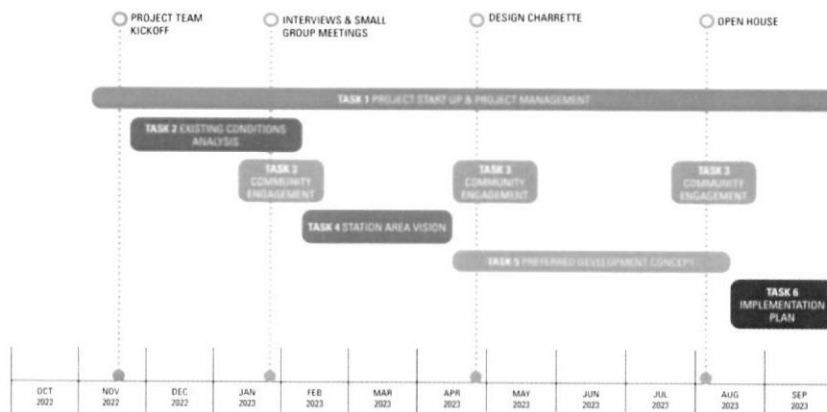


Project Goals

- Assess and enhance connectivity throughout the station area, particularly those to Main Street
- Propose land uses that will create true mixed-use areas
- Build off existing amenities like the government core in Civic Center Station
- Incorporate affordable housing opportunities and define specific goals
- Establish connections to surrounding neighborhoods and amenities
- Help create an identity for each one of the stations
- Promote various types of mobility options
- Study how UTA can optimize their properties to catalyze development around the stations



Process and Timeline



Community Engagement Summary Interviews & Small Group Meetings –February/ March

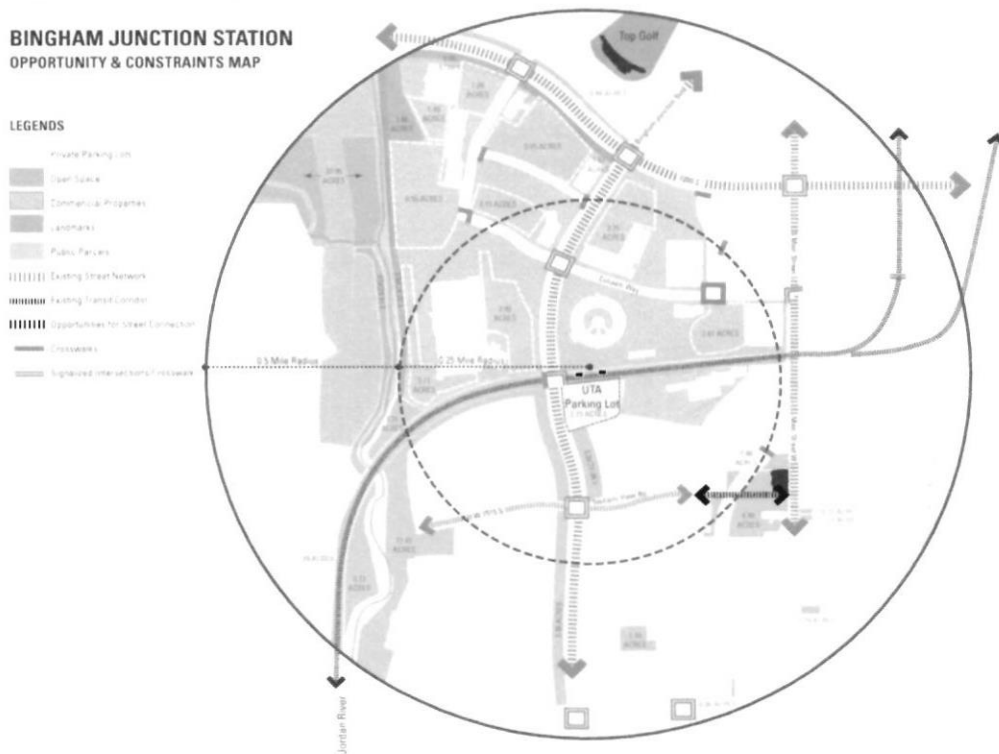
- Property Owners
- Business Owners
- Key Stakeholders
- Jordan School District
- UDOT

Meetings with City Council Members -January
Open from March 22 through April 12

Survey & Story Map

- West Jordan City -April 17
- Midvale City –April 19

Analysis & Existing Conditions

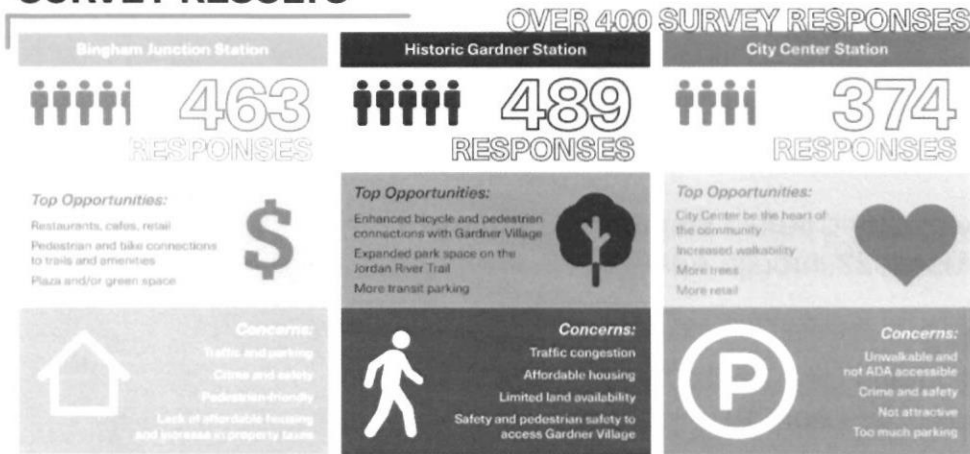


On-line Survey Results Overall Demographics

- Majority of responders were in the 35-44 age group (31.6% of respondents)

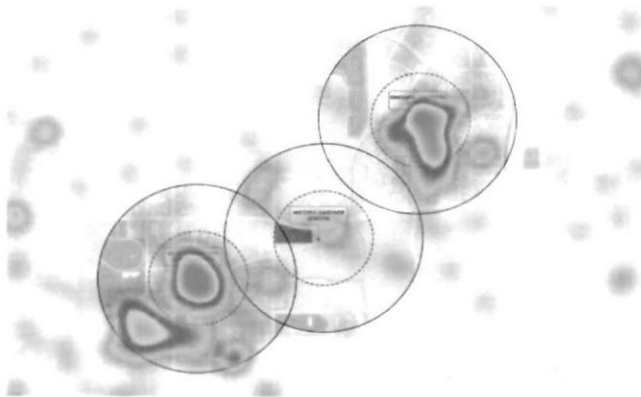
- Majority of responders were female (56.1% of respondents)
- Majority of responders were white (80.1% of respondents)

SURVEY RESULTS



Bingham Junction –Connection to the Station

- I live within the station area (14.3%)
- I shop in the station area (16.4%)
- I go out to eat in the station area (14.0%)



CONCERNS FOR BINGHAM JUNCTION



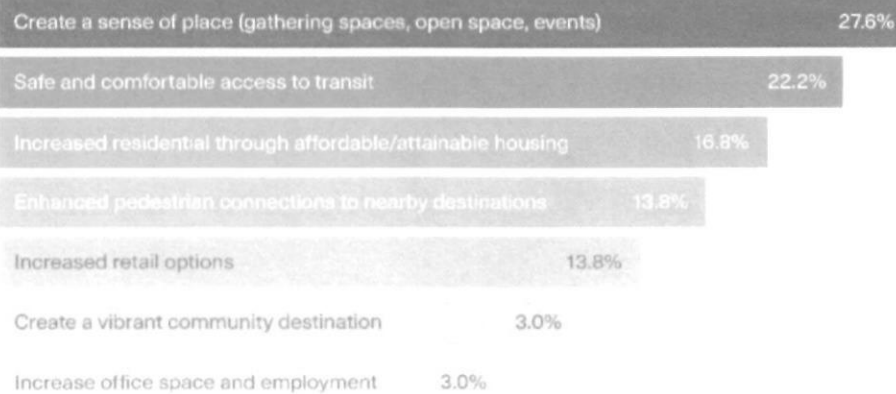
HOPES FOR BINGHAM JUNCTION



Future Planning of the Area

- What concepts should be included?

PREFERRED CONCEPTS: BINGHAM JUNCTION



Design Charrette Process



Ideas Brainstorming – Table 1



Ideas Brainstorming – Table 2



There will be some supervision time of the coordinator, and there will be agreements that will need to come before the Council.

Mayor Stevenson said the City did apply for this grant last year but did not have the coalition up and running, so the City will be in a better position to receive the grant this year.

Amber Lietz said the funding for the coalition coordinator is from the State in conjunction with Salt Lake County Health Department. The grant is from the Office of Juvenile Justice.

The Council agreed to have staff proceed with the grant process.

- **UPDATE ON ELECTION COSTS**

Rori Andreason said Council Member Bryant Brown asked for an update on the estimated costs associated with implementing ranked choice voting for the upcoming 2023 Municipal Election. According to the latest information provided by Lieutenant Governor's Office, there are 12 cities that have decided to use the ranked choice voting system, but only six of them are located within Salt Lake County, which would impact the total costs for Midvale City.

According to the latest information provided by Salt Lake County Elections, the estimated costs for Midvale City to implement ranked choice voting are \$14,830 plus an additional \$6,026 for ranked choice voting, totaling \$20,856. However, additional funds would be needed for community education in regard to the ranked choice voting election method, and those funds have not yet been identified.

Ms. Andreason said Salt Lake County Elections just notified her that the costs of putting the GO Bond for a Recreation Center on the ballot would be \$21,800 due to the fact that it would be a city-wide election.

The Council discussed running the GO Bond in 2023 or 2024. The Council decided to move forward in 2023 with the GO Bond election.

7:00 PM – REGULAR MEETING

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

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. UNIFIED FIRE DEPARTMENT REPORT

Chief Brad Larson reported on the quarterly report for 2023. The monthly comparison of 383 calls this year is an increase from the prior year; however, they are staying consistent with response times. He said a funeral was held over the weekend for Captain Matt

Hamilton who joined the department in 1996. He said Captain Hamilton will be sorely missed. He said the recruit camps are doing real world hazmat scenarios and the battalion chief process has been completed with the vacancies filled. He will be working closely with Salt Lake City Emergency Management regarding flooding. The crews are well prepared, and the runoff is well underway. He said the waters are running high and fast so stay away from the water. He also announced that Ben Ebsworth from Station 125 has been promoted to Captain.

D. MENTAL HEALTH AWARENESS MONTH PROCLAMATION

Mayor Stevenson read the proclamation declaring the month of May as Mental Health Awareness Month.

II. PUBLIC COMMENTS

There was no one who desired to speak.

III. MAYOR REPORT

Mayor Stevenson reminded everyone of Food Truck Friday, which starts this Friday at Midvale City Hall and will go through August. He said he would be meeting with the police officers to discuss reorganization of Unified Police. Chief Jason Mazuran has temporarily been assigned to the reorganization.

IV. COUNCIL REPORTS

A. Council Member Quinn Sperry – said he attended the Canyons School District Teachers of Year awards. The top elementary, top middle school, and the top high school teachers were all from Midvale City. That's a great job of our teachers here in Midvale City.

B. Council Member Bryant Brown – said he found out this week that there was discussion online about how many cities in the United States are named Midvale. There are 7 or 9 and our City is the largest Midvale in the world.

C. Council Member Heidi Robinson - said she had no fun facts for tonight.

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

E. Council Member Dustin Gettel – congratulated the three teachers, including Maxwell Eddington, who is a friend of his. He said he would like to recognize these teachers at the next city council meeting if they can make it. He said Utah has adopted a new state flag that goes into effect March 2024. He said Midvale technically doesn't have a flag, only a seal. He would like to engage in a program to create a municipal flag and engage the community or hire a professional to do it. Salt Lake City and Sandy have started with their residents and Midvale has some talented artists. He said he felt this is happening statewide and asked the Council to give it some thought.

V. CITY MANAGER REPORT

Matt Dahl said there were some email exchanges regarding a statewide landscape conversion incentive program. There are many communities in the state that offer a

program that provides a larger amount per square foot to remove turf than what is available to us. The State program for Midvale residents will only allow roughly 50 to 75 cents per square foot. In order to get a higher dollar amount to replace the turf in Midvale, the community would have to adopt an ordinance for a water conservation program, or in the city's case, it would be the Jordan Valley Water Conservation policy. He said he looked at this program and in order to participate, there would be quite a few limitations on new construction and what can be done with turf in some cases. He asked the Council if they wanted staff to look into the water conservation program and the Council said yes.

VI. PUBLIC HEARINGS

A. CONSIDER REZONING PROPERTY LOCATED AT 610 W 7TH AVE FROM SINGLE FAMILY RESIDENTIAL-2 (SF-2) ZONE TO MULTIFAMILY RESIDENTIAL MEDIUM DENSITY (RM-12) ZONE. THE NORTHERN PORTION OF THE LOT WILL REMAIN IN THE CLEAN INDUSTRIAL (CI) ZONE. EZRA NUTTALL, APPLICANT

Elizabeth Arnold said the rezone proposal is to change part of an existing lot from SF-2 to RM-12 zoning. The other portion of the lot will remain in CI zoning. Please see the Rezone Exhibit in the attachments.

Rezone Procedure

Midvale City Code 17-3-1(E.) outlines the criteria necessary for granting a rezone as follows:

17-3-1 Criteria/Required Findings. rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the planning commission may recommend, and the city council may grant, a rezoning application only if it determines, in written findings, that the proposed rezoning is consistent with the policies and goals of the general plan and that the applicant has demonstrated that the:

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or
3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The proposed rezone satisfies Goal #1 and #3 listed above. Please see the Reason for Rezone provided by the applicant in the attachments.

The Midvale City General Plan identifies nine Opportunity Areas. Opportunity Areas are where changes in the types and/or intensities of current land uses are anticipated.

The 2016 Midvale City General Plan identifies the subject property as being in the Main Street/Old Town Opportunity Area and lists eleven goals for the area. The proposed rezone is consistent with Goal #2:

2. *Preserve and support rehabilitation and improvement of nearby stable residential areas*

Public notice has been sent to property owners within 500 feet of the subject parcel. No written objections have been received ahead of this public hearing or the writing of this report. However, comments were received at the Planning Commission level. Most comments had to deal with access to the property, and concerns about density – staff and the Planning Commission resolved these concerns by informing the public that there would only be a duplex on the property.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes. Staff finds the proposed rezone complies with the requirements outlined in Midvale City Code.

Planning Commission Recommendation

Recommended Approval.

STAFF RECOMMENDATION

Recommended Approval.

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

Mayor Stevenson opened the two listed public hearings since they are both related for public comments on both issues. There was no one present who desired to speak on these two issues.

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

Council Member Dustin Gettel asked if the comments made at the Planning Commission hearing were resolved.

Elizabeth Arnold said yes.

Council Member Dustin Gettel said he thought there would be a lot more pushback from the public. He asked if he could assume the residents are in favor of this?

Council Member Bryant Brown asked if there had been any complaints about this structure going up.

Elizabeth Arnold said there were a handful of people that were not excited about the project.

Council Member Dustin Gettel said he was worried that some folks feel that it doesn't matter if they voice their opinion or not.

ACTION: CONSIDER ORDINANCE 2023-O-06 REZONING PROPERTY LOCATED AT 610 W 7TH AVE FROM SINGLE FAMILY RESIDENTIAL-2 (SF-2) ZONE TO MULTIFAMILY RESIDENTIAL MEDIUM DENSITY (RM-12) ZONE

MOTION: Council Member Dustin Gettel MOVED to approve Ordinance No. 2023-O-06 rezoning property located at 610 W 7th Ave from Single Family Residential-2 (Sf-2) Zone to Multifamily Residential Medium Density (RM-12) Zone. 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

B. CONSIDER A FINAL SUBDIVISION REQUEST FOR A PROPERTY LOCATED AT 610 W 7TH AVE TO BE SPLIT INTO TWO LOTS.

Elizabeth Arnold said Ezra Nuttall requests final subdivision approval for a two-lot split located at 610 W 7th Ave in the SF-2/CI zone. This application is being processed concurrently with a rezone request to change the SF-2 zoning to RM-12. The analysis below will consider the final subdivision request as if the rezone to RM-12 was approved.

This proposal has been reviewed by Planning Staff, the City Engineer, and the Unified Fire Authority for compliance with the respective guidelines, policies, standards, and codes. Staff finds the proposal complies with requirements outlined in Midvale City Municipal Code for minor subdivisions (16.04.050) and the lot development standards of the RM-12 zone (17-7-3.3).

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.

Planning Commission Recommendation
Recommended Approval.

STAFF RECOMMENDATION

Recommended Approval.

Public comments were taken on this item during the previous public hearing item which is related to this item.

ACTION: CONSIDER APPROVING A FINAL SUBDIVISION FOR PROPERTY LOCATED AT 610 W 7TH AVENUE TO BE SPLIT INTO TWO LOTS

MOTION: Council Member Bryant Brown MOVED to approve a final subdivision for property located at 610 W 7th Avenue to be split into two lots. 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

VII. CONSENT

A. CONSIDER MINUTES OF APRIL 18, 2023

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

VIII. ACTION ITEMS

A. CONSIDER RESOLUTION NO. 2023-R-16 AUTHORIZING THE ADOPTION OF A TERM SHEET BETWEEN MIDVALE CITY AND THE REDEVELOPMENT AGENCY OF MIDVALE CITY FOR THE DESIGN, INSTALLATION, AND MAINTENANCE OF A MURAL AND APPROVAL OF MURAL ARTIST RECOMMENDATION

Kate Andrus said on June 10, 2023, the Redevelopment Agency of Midvale City is organizing the second annual mural festival, aiming to install ten new murals in the Main Street CDA. The City Council has expressed interest in including an additional mural on the north side of the old Midvale Fire Station located at 7683 S. Holden St, Midvale, UT 84047.



On April 18, 2023, RDA staff brought before City Council a request to approve an artist and authorize an agreement to include this wall as part of the 2023 mural festival. However, due to last-minute changes to the term sheet, this item was tabled. RDA staff is now bringing this item back before the City Council for approval. As presented during the last Council Meeting, the key terms of the agreement are as follows:

- The Agency will fund 100% of the mural's costs.
- Final rendering approval by City Council and Agency staff.
- The Agency will be responsible for the mural's maintenance.

RDA staff also presented the Mural Selection Committee's recommendation of Adrian Garcia, AKA Criobravo, as the muralist for this wall.





PLAN COMPLIANCE: The City's participation in the mural festival would support the Main Street Small Area Plan and the Main Street Community Development Area Plan. The mural's rendering will be approved to ensure alignment with the City's public art requirements and restrictions.

FISCAL IMPACT: The RDA Board has already approved the costs associated with public art within the Main Street Area. This does not impose any costs on Midvale City.

Kate Andrus said the cost is \$3200 for the artist who provides their own paint supplies and equipment.

Council Member Bryant Brown is excited about this, in a good location and will be a good mural.

MOTION: Council Member Bryant Brown **MOVED** to adopt Resolution No. 2023-R-16 authorizing the adoption of an agreement between Midvale City and the Redevelopment Agency of Midvale City for the design, installation, and maintenance of a mural, and approve the Mural Artist recommendation. 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.

B. CONSIDER RESOLUTION NO. 2023-R-17 ADOPTING THE MIDVALE CITY FISCAL YEAR 2024 TENTATIVE BUDGET BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024

Mariah Hill said the process of adopting the fiscal year 2024 budget requires several steps that you, as a City Council, are required to take to be compliant with state statute. UCA 10-6-111(1) requires the Budget Officer to present a tentative budget for each fund within the City. The budgets must be submitted no later than the first regularly scheduled meeting in May. I will present budgets for each fund on Tuesday, May 2nd on behalf of the Budget Officer (City Manager). At that time, I will brief you on fiscal year 2024 revenue estimates, provide a brief overview of expenditures, and present budget highlights along with any proposed program changes.

UCA 10-6-111(3) further requires the City Council to adopt the tentative budget at this meeting. The Council will then review and amend, if necessary, the budgets prior to their final adoption. As a reminder, the purpose of a tentative budget is to have a working tool from which we can start the formal adoption process. The budget document can be amended prior to final adoption. At the time of final adoption, all budgets must be balanced with expenditures equaling revenues.

FISCAL IMPACT:

The tentative budget provides a starting point to discuss the operating budget for Fiscal Year 2024 prior to final approval.

FY 2024 Budget Timeline

- Budget Retreat – March 30, 2023
- Adopt Tentative Budget - May 2, 2023
- Public Hearing – June 20, 2023
- Adopt Final Budget – June 20, 2023 or go into a truth and taxation hearing.

Tentative Budget Overview

- The tentative Budget is the City's estimated revenue and expenditures for July 1, 2023 to June 30, 2024
- A Tentative Budget is presented for each fund (all departments fall within a fund).
- The Tentative Budget has been prepared by the Finance Department and City Manager and is officially presented by the City's Budget Officer (City Manager) and reflects an effort to maintain the City's current level of service in these uncertain economic times.
- The Tentative Budget is the "First Draft" of the budget.

General Fund

- Total Revenues and Expenditures - \$25,329,207 (1% decrease from Amended FY23 Budget)
 - Projected new on-going funds - \$1,136,293
 - Proposed Use of Fund Balance (one-Time Funds) - \$359,000

General Fund Revenues

- Taxes - \$16.8 million

- Licenses and Permits - \$830,000
- Intergovernmental Revenue - \$3.85 million
 - \$500,000 increase in Shelter Mitigation Funding (HB499)
- Charges for Services - \$2.37 million
- Fines and Forfeitures - \$847,000
- Miscellaneous Revenue - \$173,000
- Use of Fund Balance - \$359,000
- Sales Tax - \$10.7 million
 - No Change
- Property Tax - \$3.2 million
 - 1.5% New Growth - \$43K
 - 8.6% Property Tax Increase - \$240K (\$19 '22 Ave Household)
- Franchise Tax - \$2.24 million
- Other Taxes - \$723,523
 - Delinquent Property Tax
 - Telecommunication Tax
 - Transient Room Tax
 - Motor Vehicle in Lieu of Tax

General Fund – On going Expenditures

All Departments participated in an exercise to decrease budgets based on recent year budget actuals

- Public Safety - \$725K (Includes UPD, UFA, & Animal Control)
- Salaries - \$291K (Includes 5% COLA, 1% Merit, Market, Mid-Point)
- Benefits - \$191K (4% Increase)
- Fleet Replacement Costs - \$219K
- FT Facilities Technician - \$63K
- Software Cost Increases - \$32K
- Splash Pad and Playground Maintenance - \$25K
- Small Departmental Requests – (Under \$6000) - \$68K
- Community Survey - \$23K

General Fund – One Time Expenditures

- Grants - \$130K (Includes Boys & Girls Club, Arts Council, CBC, and Hillcrest Sports)
- Outside Legal Council - \$50K
- Harvest Days - \$91K
- Election Costs - \$30K
- Tree Maintenance - \$55K
- Soft Fill for Playgrounds - \$3K

General Fund – General Government

Total Budget - \$3,546,418 (14% of General Fund with increase up 7% from last year)

Notable Requests

- Salary & Benefits Increases (All Depts) - \$161K
- Moving FTE from CD Admin to Admin - \$167K

- Community Survey - \$20K
- Election Costs - \$30K

General Fund – Public Safety

Total Budget - \$11,720,777 (49.2% of General Fund)

- 6.3% Increase from FY23 UPD Contract Budget - \$710K
- Increase in Animal Control Contract - \$30K

Council Member Dustin Gettel said Animal Control services are calculated by municipal population.

General Fund – Administrative Services

Notable Requests

Total Budget - \$2,758,897 (10.9% of General Fund)

- Salary & Benefit Increases (All Depts) – 68K
- Existing Software Increases - \$32K

General Fund – Public Works

Total Budget - \$3,087,905 (12.2% of General Fund)

Notable Requests

- Salary & Benefit Increases (All Depts) - \$49K
- Full-Time Facilities Technician - \$64K
- Tree, Splashpad, & Playground Maintenance - \$88K

General Fund – Community Development

Total Budget - \$1,626,052 (6.4% of General Fund)

Notable Requests

- Salary & Benefit Increases (All Depts) - \$22K
- Moved FTE from CD Admin to Administration - \$167K

Debt Service Fund

Total Budget - \$1,829,187

Revenues

- Transfer from General Fund - \$1.13M
- Developer Loan Payment - \$245K
- Transfer from RDA - \$449K

Expenditures

- 20147 Sales Tax Bonds (Road Bond) - \$776K
- Lease payment to MBA (City Hall/Parks Bond) - \$352K
- CHG Parking Structure Loan (developer paid) - \$245K
- Zions Parking Structure Loan (RDA paid) - \$445K

Capital Projects Fund

Total Budget - \$2,110,515

Use of Fund Balance (\$505K)	Sales Tax (\$1M)	HB244 (\$500K)	Grants (\$105K)
Facility Maintenance \$95K	Sidewalk, Curb, Gutter Replacement - \$210K	Transportation Project - \$500K	Jordan Canal Bridge - \$115K
General Plan Update - \$150K	Pavement Management - \$840K		
Recreation Center "Seed" Money - \$200K			

Water Fund – Revenues

Total Revenues - \$12,374,143

14% down from FY2024 Amended Budget

- The Water Fund budget is prepared per the five-year Comprehensive Financial Sustainability Plan (CFSP) that was completed in FY2021.
- Bonding in FY23 has been moved into FY24
- All American Rescue Plan Act (ARPA) funds received in FY23

Water Fund – Expenditures

Total Expenditures - \$11,994,186 – down 3% from F&2023 Amended Budget

Notable Requests

- Wholesale Water Contract Increase - \$60K
- Water Master Plan & Other Capital Projects - \$6M
- Bond Issuance Costs - \$106K

Sewer Fund – Revenues

Total Revenues - \$5,150,331

2% down from FY2023 Amended Budget

- The Sewer Fund budget is prepared per the five-year Comprehensive Financial Sustainability Plan (CFSP) that was completed in FY2021
- Bonding in FY23 has been moved into FY24

Sewer Fund – Expenditures

Total Expenditures - \$4,034,932 - 5.2% down from FY2023 Amended Budget

Notable Requests

- Salary & Benefit Increases - \$110K
- SSVWRF Operating and Capital Increases - \$191K
- Bond Issuance Costs - \$30K

Storm Water Fund

Total Budget - \$2,266,726 – 2.9% up from FY2023 Amended Budget

Stormwater Master Plan & Rate Study currently underway

Notable Requests

- Salary & Benefit Increases - \$58K
- Use of Fund Balance - \$37K

Street Lighting Fund

Total Budget - \$379,555

Down 10% from FY2023 Amended Budget

Notable Requests

- Salary & Benefit Increases - \$1K

Sanitation Fund

Total Budget - \$1,509,005

Up 7.7% from FY2023 Amended Budget Expenditures

Recommendation of 10.5% Increase in Sanitation Rates

Notable Requests

- Salary & Benefit Increases - \$1K
- 7.1% Increase in Ace Contract - \$63K
- Tipping Fee Increases - \$36K

Telecommunications Fund

Total Budget - \$982,399 – up 2% from FY2023 Amended Budget Expenditures

Notable Requests

- UTOPIA Pledge Payments - \$969K

Fleet Fund

Total Budget - \$1,591,439 down 17% from FY2023 Amended Budget Expenditures

Notable Requests

- New Fleet/Facilities Technician - \$48K
- Vehicle & Equipment Replacement - \$680K

Information Technology Fund

Total Budget - \$193,528

Down 52% from FY2023 Amended Budget Expenditures

Notable Requests

- Salary & Benefit Increases - \$2K
- Hardware Replacement - \$101K

MOTION: Council Member Bryant Brown **MOVED** to Approve Resolution No. 2023-R-17 Adopting the Midvale City Tentative Operating and Capital Budgets for the Fiscal Year ending June 30, 2024 and set the public hearing for the budget for June 6, 2023 at 7:00 p.m. 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.

C. CONSIDER ORDINANCE NO. 2023-O-07 AMENDING ARTICLE II OF THE MIDVALE MUNICIPAL CODE CHAPTER 2.16 AND ENACTING CAMPAIGN CONTRIBUTION LIMITS

Garrett Wilcox said the Council has proposed establishing a maximum personal contribution limit of \$5,000 for a mayoral candidate and \$1,000 for a council candidate. The Council members also expressed concerns about individuals and entities who may be seeking favorable treatment by the City Council providing campaign contributions. The City Council discussed several potential penalties for a violation of these limits.

The Midvale City Council discussed a proposed draft of campaign contribution limits during the City Council meeting on April 18, 2023. The City Council expressed concerns about the draft. The Council directed staff to simplify the ordinance and keep the maximum contribution limits per election cycle.

Staff has drafted a proposed code amendment. This amendment follows the direction of the Council and establishes the maximum campaign contribution limits discussed by the City Council. In order to avoid constitutional concerns, the campaign contribution limits will adjust every municipal election cycle based on the Consumer Price Index.

The amendment also establishes two penalties for a violation. First, if a campaign contribution is made in violation of these limitations, the candidate must either return the contribution to the person or entity who made the contribution, or the candidate must surrender the contribution to the City's General Fund. Additionally, if a candidate or the person or the entity making the contribution violates the limitations, that individual or entity can be charged with an infraction. The initial fine is \$50. Each additional violation will double the previous fine amount. For example, a 2nd violation will incur a fine of \$100, a third violation a fine of \$200, and so on.

STAFF'S RECOMMENDATION

Staff recommended adopting Ordinance No. 2023-O-07 if the Council wishes to enact maximum campaign contribution limits for City elections. The drafted ordinance provides an appropriate balance between individuals' and entities' First Amendment right to express their voices in elections while protecting the City's interest in preventing quid pro quo corruption and preventing interference with merit-based public administration.

Council Member Dustin Gettel expressed his appreciation for the legal team for their work on this ordinance.

MOTION: Council Member Dustin Gettel MOVED to adopt Ordinance No. 2023-O-07 which amends Article II of Midvale Municipal Code Chapter 2.16 and enacts campaign contribution limits. 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 ORDINANCE NO. 2023-O-08 REZONING PROPERTY ADJACENT TO THE MILLS PROJECT LOCATED AT APPROXIMATELY 208 & 228 E 8000 S FROM SINGLE FAMILY RESIDENTIAL-1/AGRICULTURAL OVERLAY (SF-1/AO) ZONE TO MULTIFAMILY RESEDENTIAL-MEDIUM DENSITY (RM-12) ZONE (JACOB BALLSTAEDT, APPLICANT)

Elizabeth Arnold said the Midvale Mills is an existing project that received its first approvals on April 6, 2021. Since then, additional land has been acquired to expand the project. The new land that has been acquired is currently zoned SF-1/AO. The applicant is requesting that it be rezoned to RM-12 to match the rest of The Mills project. The public hearing for this request took place on April 18, 2023.

Rezone Procedure

Midvale City Code 17-3-1(E.) outlines the criteria necessary for granting a rezone as follows:

17-3-1 Criteria/Required Findings. ...rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the planning commission may recommend, and the city council may grant, a rezoning application only if it determines, in written findings, that the proposed rezoning is consistent with the policies and goals of the general plan and that the applicant has demonstrated that the:

- 1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;*
- 2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or*
- 3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.*

The Midvale Mills project was rezoned with the finding that the project met Goal #3 and was consistent with the goals of the 2016 Midvale City General Plan, including the 2019 Housing Plan. Staff finds this analysis to be applicable to the new land as well.

Planning Commission Recommendation

Recommended Approval.

STAFF RECOMMENDATION

Recommended Approval.

Council Member Bryant Brown asked the applicant if they were developing around the church on the Sandy side and if that was part of this project.

Jacob Ballstaedt, applicant, said no it was a healthcare facility that was demoed, and it was rezoned last year. The church is trying to find a new location.

Council Member Bryant Brown asked if there will also be houses there and will they be part of this project?

Jacob Ballstaedt said that is a separate project and will have a different name because it is in a different city. There will be 20 single family homes, but that project will not start until the Mills Project is completed.

MOTION: Council Member Dustin Gettel **MOVED** to approve Ordinance No. 2023-O-08 approving the Rezone for property adjacent to the Mills project located at approximately 208 & 228 E 8000 S from SF-1/AO to RM-12 consistent with the findings included in the staff report. 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.

E. CONSIDER AMENDING A LARGE-SCALE MASTER PLAN FOR THE MILLS PROJECT LOCATED AT APPROXIMATELY 208-272 E 8000 S 300 E (JACOB BALLSTAEDT, APPLICANT)

Elizabeth Arnold said the Midvale Mills is an existing project that received its first approvals on April 6, 2021. Since then, additional land has been acquired to expand the project. This staff report will discuss amending the large scale master plan to add the newly acquired land, Phase 3, as if the rezone request was approved. Everything regarding Phase 1 and Phase 2 will remain the same.

The public hearing for this request took place in front of the City Council on April 18, 2023. Public notice was sent to property owners within 500 feet of the subject parcel. Concerns that were raised at the Planning Commission meeting regarding the activation of the open space area, specifically the inclusion of pickleball courts, were also raised at that City Council meeting. The Planning Commission minutes have been included as an attachment. After collecting public input, the pickleball courts have been removed from the plans and will be replaced with a general landscaped open space.

Large Scale Master Plan Procedure

Midvale City Code 17-3-5 outlines the criteria necessary for a large-scale master plan review. Staff finds that the proposal meets all the requirements.

A development is required to be executed in conjunction with any large-scale master plan approval. An amendment has been drafted to the original development agreement.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes. Staff finds the proposed large scale master plan complies with requirements outlined in Midvale City Code.

Planning Commission Recommendation

Recommended Approval.

STAFF RECOMMENDATION

Recommended Approval.

Council Member Bryant Brown said it's unfortunate that half of the community got what they wanted but the other half would have liked to have the pickle ball amenity.

Council Member Dustin Gettel agreed with Council Member Brown. The developer in this instance should be commended. He thanked the developer for listening to the resident concerns.

Jacob Ballstaedt said he thought pickle ball would be used and would be fun. The whole property is surrounded by planters. He said they are conscious of where they put grass so it can be utilized. In this case, the streets are narrow with private roads. Kids need places to play on hard surfaces. He felt it would be a fun place to put in a track off the road so kids can ride their scooters around it. There's a couple benches around it and it is a nice safety feature for parents since kids are not out in the road. He said he also added extra parking.

Council Member Paul Glover said he liked the extra parking and greenery.

The Council thanked Jacob Ballstaedt for working with the residents.

MOTION: Council Member Quinn Sperry **MOVED** to approve the amended Large Scale Master Plan for The Mills project located at approximately 208-272 E 8000 S and 8052-8082 S 300 E consistent with the findings included in the staff report. 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

include the new land. Additionally, a clause has been added prohibiting pickleball courts in Phase 3.

STAFF RECOMMENDATION

Recommended Approval.

Council Member Dustin Gettel said there seems to be some grey area here. He said he does not want to have this same conversation again regarding not having a pickleball court or any other amenity. The residents of this area and the developer agreed that they are not going to install a pickleball court.

Garrett Wilcox said had the developer not desired a rezone request, and requested to develop in the existing zone, there would have been nothing anyone could have done to prevent them from installing a pickleball court. In this case the applicant is requesting a rezone and development agreement so the Council can say they will approve the development agreement if no pickleball court is installed.

Council Member Dustin Gettel said in the future, the Council should be more careful with these rezone requests. When the rezone request hinges on something that is farther down the line as far as the development agreement goes.

Council Member Bryant Brown said the Council needs to be very judicious using the rezone master development plan requirements from the City for things that matter like parking and density.

Matt Dahl said in the previous meeting it was the residents who made public comments regarding the pickleball court. In that incident, the Council could have said they were not deciding on that issue at that time. However, the Council will not be able to prevent residents from making public comments.

Council Member Quinn Sperry said it was made clear to the residents that the pickleball court was not what the council was voting on at the public hearing.

Council Member Dustin Gettel said we now have a development agreement before the Council with a clause that says the developer cannot install a pickleball court in the development project. He said he did not know how legally binding it would have been had the developer not been as gracious as he was. He said he planned to vote against this development agreement for that reason. He asked if the clause in the development agreement prohibiting pickleball court legal?

Garrett Wilcox said his legal opinion is that it would be legally enforceable and not expose the city to any legal liability.

MOTION: Council Member Dustin Gettel MOVED to adopt Resolution 2023-R-18, authorizing Mayor Stevenson to sign an amended development agreement for The Mills project. However, strike clause that prohibits pickleball court in phase 3. 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	No
Council Member Paul Glover	No
Council Member Heidi Robinson	No
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion failed 3 to 2 against.

MOTION: Council Member Quinn Sperry **MOVED** to adopt Resolution 2023-R-18, authorizing Mayor Stevenson to sign an amended development agreement for The Mills project as presented. 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	No

The motion passed unanimously.

Council Member Dustin Gettel said this makes it difficult for future issues.

IX. 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 8:32 p.m.



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

Approved this 16th day of May, 2023



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