



**MIDVALE CITY COUNCIL MEETING  
AGENDA  
November 21, 2017**

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **21<sup>st</sup> day of November, 2017** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

**6:30 PM  
INFORMATIONAL ITEMS**

- I. DEPARTMENT REPORTS**
- II. CITY MANAGER BUSINESS**

**7:00 PM  
REGULAR MEETING**

- III. GENERAL BUSINESS**
  - A. WELCOME AND PLEDGE OF ALLEGIANCE
  - B. ROLL CALL

- IV. PUBLIC COMMENTS**

Any person wishing to comment on any item not otherwise 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.

- V. COUNCIL REPORTS**
  - A. Councilmember Paul Hunt
  - B. Councilmember Quinn Sperry
  - C. Councilmember Wayne Sharp
  - D. Councilmember Stephen Brown
  - E. Councilmember Paul Glover

- VI. MAYOR REPORT**
  - A. Mayor JoAnn B. Seghini

- VII. CONSENT AGENDA**
  - A. Consider minutes of November 14, 2017 [*Rori Andreason, H.R. Director/City Recorder*]

- VIII. ACTION ITEMS**
  - A. Consider Resolution No. 2017-R-44 Approving the Official Canvass of the Midvale City Municipal General Election [*Rori Andreason, H.R. Director/City Recorder*]

**IX. DISCUSSION ITEMS**

- A. Discuss Meeting Schedule for 2018 Calendar Year [*Rori Andreason, H.R. Director/City Recorder*]

**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 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.

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

**DATE POSTED:  
NOVEMBER 17, 2017**

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



**CITY COUNCIL MEETING**  
*Minutes*

**Tuesday November 14, 2017**  
**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor JoAnn B. Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp - Excused  
Council Member Stephen Brown  
Council Member Paul Glover  
Council Member Paul Hunt  
Council Member Quinn Sperry

**STAFF:** Kane Loader, City Manager; Phillip Hill, Asst. City Manager/CD Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Larry Wright, Public Works Director; Matt Dahl, Redevelopment Agency Director; Lesley Burns, City Planner; Keith Ludwig, City Engineer; Christopher Butte, Economic Development Director; Laura Magness, Communications Specialist; Chief Jason Mazuran, UPD; Chief Brad Larson, UFA; and Matt Pierce, IT Manager.

Mayor Seghini called the meeting to order at 6:35 p.m.

**I. INFORMATIONAL ITEMS**  
**A. DEPARTMENT REPORTS**

Chief Jason Mazuran introduced Sgt. Cory Peterson who is newly promoted and will be working at the Midvale Precinct. Chief Mazuran announced that he would be moving to a new position at the Sheriff's office and working as Bureau Chief. He expressed his appreciation to the officers and staff of the precinct as well as the staff of the City. Lt. Mark Olson will be acting Chief for now.

Lt. Olson honored Chief Mazuran as Officer of the Month for November.

Chief Brad Larson thanked the Unified Police Department and Chief Mazuran for their services and assistance to the UFA. The UFA Administration held a meeting with city managers and chief financial officers. At this meeting, they discussed communications and coordination with the cities. The UFA Fire Prevention Division is moving to Station 117 in Taylorsville this month. They are in the process of putting five new ladder trucks into service. They are teaching push to survive classes. They teach the basics of CPR without mouth to mouth resuscitation. He reported that the Veterans Day Memorial was a great success and he was honored to be a part of the ceremony. The UFA tax presentation will be at City Hall on December 5<sup>th</sup> and on December 12<sup>th</sup> the public hearing will be held at Unified Fire Station 126.

Mayor Seghini thanked the UFA for their presentation at the Veterans Day program.

Laurie Harvey announced that interviews were held last week to replace Jarin Blackham who left to work for Unified Fire Authority. Matt Pierce was hired to be the Information Technology Manager. She congratulated Matt. She also congratulated Laura Magness on doing such a great job on the Veteran's Day Ceremony. She said everything is going well on the financial audit. She discussed the fact that the federal government is looking at eliminating the ability for local government to do advance refunding on bonds by the end of December. If this goes through the City won't be able to refund any of the bonds until the call date. There are two bonds the City has that need to be looked at prior to this taking place. They are the 2010 water bond and the 2010 RDA TIF bond. The water bond has a potential savings that would be about 170,000 dollars if refunded right now. The pressure is to get this bond refunded by the end of the year. The other RDA TIF bond is a bigger issue. The net savings on this bond would be a million dollars. The Council would need to hold a special meeting on Monday, November 27<sup>th</sup> in order to accomplish this. The Council agreed.

Phillip Hill reported that they are moving forward with the small area plans for the two transit stops in Midvale. He met with the steering committee and the notice went out today for the public meetings on November 28<sup>th</sup> and November 29<sup>th</sup> from 6:00 to 8:00 p.m. The CDBG project will be at Fox Bridge and the roads near there. This will probably be our last CDBG road project. With the large amount of flooding in the summer of 2016 the outfall next to FLSchmidt was washed out. Noland Construction is working on the repairs for that now. He thanked Chief Mazuran for his service to Midvale City.

Keith Ludwig updated the Council on construction projects that had been completed over the summer as well as the projects that are scheduled for 2018.

Councilmember Quinn Sperry said there is a spot in the new road in front of his parent's house that needs to be repaired.

Matt Dahl said the Bingham Junction park drainage repair should be completed soon. A tot lot for that park has also begun. He discussed the Main Street CDA project area and issues. He is currently working with the taxing entities and has hired consultants. Councilmember Hunt said he would like to see the Arts Council building be included in this. Matt discussed an RFP for property on Main Street. The RFP was not one that the Redevelopment Agency of Midvale issued.

Larry Wright had nothing to report. Councilmember Brown asked for an update on the striping on Millennial Way.

Lisa Garner said the wireless communication ordinance will be sent to the Council for review soon.

## **II. CITY MANAGER'S REPORT**

Kane Loader reported on a ULCT fireworks regulation legislation.

## **III. GENERAL BUSINESS**

### **A. Welcome and Pledge of Allegiance**

- B. Roll Call** - Council Members Paul Hunt, Quinn Sperry, Stephen Brown, and Paul Glover were present at roll call. Council Member Wayne Sharp was excused.

**IV. PUBLIC COMMENTS**

Tabatha Duvall said she would like a crosswalk light on Tuscany View Drive and Bingham Junction Blvd. Phillip Hill stated they have that in the plan and it should be completed by June 30, 2018.

**V. COUNCIL REPORTS**

- A. Councilmember Wayne Sharp** – Excused
- B. Councilmember Stephen Brown** – had nothing to report.
- C. Councilmember Paul Hunt**– expressed gratitude to police and fire for their support at the veteran’s day ceremony. She appreciated Laura and her assistance as well as the Mayor’s participation. There was a very nice turnout. He said he too is very excited for the election results.
- D. Councilmember Paul Glover** – echoed Councilmember Paul Hunt’s comments about the election and said he would miss Steve Brown.
- E. Councilmember Quinn Sperry** – reported on the Homeless Shelter Board meeting and some of the issues they are facing.

**VI. MAYOR REPORT**

**Mayor JoAnn B. Seghini** – thanked the police and fire for helping with the Veteran’s Day celebration.

**MOTION:** Councilmember Paul Glover **MOVED to go into a public hearing. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a vote. The motion passed unanimously.**

**VII. PUBLIC HEARING(S)**

**A. CONSIDER APPROVAL ON APPLEWOOD SUBDIVISION 2-LOT SUBDIVISION LOCATED AT 130 WEST 7500 SOUTH**

Lesley Burns stated that the applicant, Paul Shupe, is the owner of the Applewood Mobile Park located at 130 West 7500 South. This property is approximately 8 acres in size and includes the mobile home park as well as a single-family house and 1,925 square foot accessory garage located in the southeast corner of the property. Mr. Shupe is requesting approval to subdivide the property into 2 lots, creating a separate lot for the single-family house and accessory garage. The proposed subdivision plat shows the single-family lot as 0.336 acres (14,646 square feet) in size with frontage on 7500 South. The second lot would encompass the remainder of the property (7.56 acres) which includes the mobile home park in its entirety.

This property is zoned Transit Oriented Development (TOD). This zone allows single-family

residential lots provided the lots comply with the following lot standards: minimum area of 3,500 square feet; minimum width/frontage of 45 feet; minimum depth of 75 feet (or 67 feet if the lot width is greater than 67 feet). The proposed lot for the single-family house exceeds these minimum lot standards. The existing single-family house and unoccupied accessory garages also comply with the minimum side and rear setbacks from the new lot lines being created with the subdivision plat. The mobile home park is a non-conforming use in this zone, and there are not specific development standards in the City's ordinances for this type of development. Because the mobile home park will continue to operate in the same manner without the single-family house property, Staff does not believe the proposed plat poses any issues for the nonconforming use and the mobile home park lot exceeds the lot standards for any type of redevelopment that may occur in the future.

The Planning Commission reviewed this request on October 25, 2017 and forwarded a positive recommendation to the City Council for approval of the subdivision plat with the following conditions:

1. The applicant shall reduce the size of the existing accessory garage or increase the single-family lot area to comply with the area standard for accessory structures in the TOD zone. If the lot size is increased, required setbacks and building code requirements for other structures to remain on either lot shall be satisfied. If the structure size is reduced, this work shall be completed prior to the subdivision plat being recorded.
2. The applicant shall verify separate water and sewer connections are existing for each lot and provide new connections if necessary. This work shall be completed prior to the subdivision plat being recorded or guaranteed with an appropriate bond.
3. The applicant shall have a final subdivision plat prepared. This plat shall be reviewed and approved by the City Engineer and City Council. This plat shall address the City Engineer's preliminary plat comments.
4. The applicant shall remove portions of either driveway in the front yard and adjust the fence line if necessary along the west lot boundary of the single-family lot [to comply with the maximum driveway width allowed]. The driveway removal and fence line adjustment shall occur prior to the subdivision plat being recorded or guaranteed with a cash bond if weather conditions are prohibitive.
5. Three 2-inch caliper deciduous street trees are required to be planted on the single-family lot and five 2-inch caliper deciduous street trees are required to be planted on the mobile home park lot. These trees shall be planted prior to the subdivision plat being recorded or guaranteed with a cash bond if weather conditions are prohibitive.

The applicant has prepared a final subdivision plat which includes a slightly larger single-family lot to accommodate the existing accessory garage, ensuring the new lot lines do not create setback issues for any of the existing structures on the property. As shown on the attached aerial plan, the applicant is proposing to remove a portion of the west driveway to comply with the maximum driveway width requirement, adjust the existing fence line to follow the new lot boundary, and

plant the required street trees associated with a new subdivision plat. At this time, it appears the single-family house and the mobile home park share water and sewer connections. The applicant has been working with the Midvale City and MidValley Sewer District to address the creation of separate connections. The City Engineer is also completing his review of the final plat, but does not expect there to be any significant changes needed to what has been submitted.

Mayor Seghini opened the hearing to public comment.

Paul Shupe, applicant invited Dave Jenkins, Ensign Engineering, to speak.

Dave Jenkins, Ensign Engineering, discussed their process on the project. He said they discovered there is a well on the property so they will find out more information.

Paul Shupe thanked the City Council for their service to the community. He reviewed the history of the property and said he would like to help the residents of Applewood. He said this is a personal decision, not a smart business decision.

Shirleen Stoven said thank you to the Council and to Paul Shupe for his help. She said they have a little concern about the trees and what they will do with them. She was so thankful that they don't have to worry anymore about being evicted or their rent increasing.

**MOTION: Councilmember Paul Glover MOVED to close the public hearing. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a vote. The motion passed unanimously.**

**ACTION: APPROVE APPLEWOOD SUBDIVISION 2-LOT SUBDIVISION LOCATED AT 130 WEST 7500 SOUTH**

**MOTION: Councilmember Paul Glover MOVED to that we approve the final subdivision plat for the Applewood Subdivision with the following conditions:**

- 1. The applicant shall obtain all required signatures on the subdivision plat Mylar.**
- 2. The applicant shall ensure separate water and sewer connections are existing for each lot and provide new connections if necessary. This work shall be completed prior to the subdivision plat being recorded or guaranteed with an appropriate bond. Water and sewer letters from each service provider shall be obtained.**
- 3. The applicant shall remove the portion of driveway, adjust the existing fence line to correspond with the new lot boundary, and plant the required street trees as shown on the attached aerial plan. This work shall be completed prior to the subdivision plat being recorded or guaranteed with an appropriate bond.**

**The motion was SECONDED by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:**

<b>Council member Stephen Brown</b>	<b>Aye</b>
<b>Council member Paul Glover</b>	<b>Aye</b>
<b>Council member Paul Hunt</b>	<b>Aye</b>
<b>Councilmember Wayne Sharp</b>	<b>Absent</b>
<b>Council member Quinn Sperry</b>	<b>Aye</b>

**The motion passed unanimously.**

**MOTION: Councilmember Stephen Brown MOVED to go into a public hearing. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the she called for a vote. The motion passed unanimously.**

**B. CONSIDER MIDVALE TOWNHOMES PRELIMINARY SUBDIVISION PLAT APPROVAL FOR A 10-UNIT TOWNHOUSE DEVELOPMENT**

Lesley Burns stated the applicant, A better Quality Home LLC represented by David George, has proposed a residential townhouse project on the properties located at 7475 South and 7495 South on 700 East. These properties total 1.05 acres in size and currently include two single-family houses with accessory structures. The applicant has created a development plan for the combined property. The proposed development plan includes demolishing all the existing structures to construct 10, two-story townhouse units. These units would be accessed from a new private road from 700 East. The plan also includes common open space/recreation areas and six guest parking spaces. Each unit would include a two-car garage.

The property is zoned SF-1 (single-family residential, minimum lot size 7,000 square feet) with a Duplex Overlay. The applicant is utilizing the master planned development (MPD) provision to allow some flexibility in the lot sizes, setbacks and unit type. The overall density complies with the existing zoning district; however, these units have been clustered on smaller lots with the remaining area left as common open space, which includes some recreation amenities for the residents of the development.

The Planning Commission conducted a public hearing and reviewed the MPD preliminary site plan for this project on June 28, 2017. At this time, the Planning Commission approved the MPD preliminary site plan with the following conditions:

1. The common recreation area details need to be included on the final site plan.
2. Earth tone colors shall be used on all building exteriors. The building materials and colors shall be indicated on the building elevations included on the final site plan and color samples provided.
3. The garages shall be able to accommodate two garbage cans in addition to two vehicles. A floor plan shall be submitted showing this prior to final site plan approval.

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4. All fencing shall be clearly indicated on the final site plan and address height and sight distance requirements where applicable.
5. A landscape plan documentation package shall be prepared as part of the final site plan. This plan shall include all plant materials and specific locations, sizes and irrigation. The plan shall also address the following items:
  - Additional street trees along both sides of the private road complying with one tree per 30 feet of frontage.
  - Relocate street trees along 700 East to the east side of the sidewalk.
  - Foundation landscaping along the east sides of Units 4 & 7 and the south side of unit 6.
  - At least 25% of the plant materials and non-street trees being an evergreen variety.
6. Street lights along the private road shall be added to the final site plan. These lights shall be LED fixtures and comply with the City's street light standards.
7. The fire hydrant at the north end of the turnaround shall be relocated as required by the Fire Marshal.
8. Detailed construction drawings shall be reviewed and approved by the City Engineer as part of the final site plan.
9. All requirements of the Building Official shall be satisfied.
10. The final site plan shall be prepared in accordance with Section 17-3-3 E of the Zoning Ordinance to be reviewed and approved by the City Engineer, Fire Marshal and City Planner.
11. The applicant shall obtain duty to serve letters for water and sewer prior to final site plan approval.
12. The private road shall be posted as a "No Parking" area except in the designated off-street guest parking stalls.
13. The garages must be maintained to allow parking for two cars and for respective garbage can storage at all times.
14. Once the corner UDOT/Salt Lake County property is made part of the project, the final site plan may be amended to include additional guest parking stalls in accordance with the open space requirements.

Based on these conditions of approval from the Planning Commission, the applicant is preparing a final site plan for review and approval by Staff. The MPD site plan does not require any specific action by the City Council.

### **Subdivision Plat**

On June 28, 2017, the Planning Commission also forwarded a positive recommendation to the City Council for approval of the preliminary subdivision plat for the Midvale Townhomes MPD project. The subdivision plat, once recorded, will allow the individual ownership of each structure on a small lot as shown on the preliminary subdivision plat. The remainder of the property will be included as limited common area and common area on the plat. The private road is part of the common area. These areas will be owned and maintained by a homeowners' association. The subdivision plat requires a preliminary and final approval from the City Council. The Planning Commission's recommendation included the following conditions:

1. The applicant shall clarify the intent of the proposed limited common area behind each unit, and adjust accordingly.
2. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
3. Prior to the final subdivision plat approval, the applicant shall obtain final site plan approval for the master planned development.
4. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to final approval.
5. The applicant shall prepare a declaration of covenants, conditions and restrictions, including the creation of a homeowners' association and language requiring garages be maintained to allow parking for two cars and for respective garbage can storage, for the development. This document shall be recorded concurrently with the subdivision plat.
6. The subdivision plat shall not be recorded until all existing structures have been removed from the property.

The proposed preliminary subdivision plat corresponds with the development layout in the master planned development approved by the Planning Commission. The applicant has also addressed the Planning Commission's first condition, with the presented plat clarifying the location of limited common area near each unit. The applicant is working on completing the other conditions. The City Engineer and Fire Marshal have reviewed and approved this preliminary plat.

The applicant has also been working through a process with UDOT and Salt Lake County to acquire the remnant property adjacent to the 700 East/7500 South intersection. If acquired, this property will be included in the development's common area.

Mayor Seghini opened the hearing to public comment.

David George stated that they have been working with UDOT, SL County and Midvale City staff on this development. He thanked the City staff for their help.

**MOTION:** Councilmember Quinn Sperry **MOVED** to close the public hearing. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

**ACTION:** APPROVE MIDVALE TOWNHOMES PRELIMINARY SUBDIVISION PLAT APPROVAL FOR 10-UNIT TOWNHOUSE DEVELOPMENT

**MOTION:** Councilmember Paul Hunt **MOVED** that we approve the preliminary subdivision plat for the Midvale Townhomes Subdivision located at 7475-7495 South 700 East with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
2. Prior to the final subdivision plat approval, the applicant shall obtain final site plan approval for the master planned development.
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to final approval.
4. The applicant shall prepare a declaration of covenants, conditions and restrictions, including the creation of a homeowners' association and language requiring garages be maintained to allow parking for two cars and for respective garbage can storage, for the development. This document shall be recorded concurrently with the subdivision plat.
5. The subdivision plat shall not be recorded until all existing structures have been removed from the property.

The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none she called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Absent
Council member Quinn Sperry	Aye

The motion passed unanimously.

**VIII. CONSENT AGENDA**

**A. CONSIDER MINUTES OF OCTOBER 17, 2017**

**MOTION:** Councilmember Stephen Brown **MOVED** to approve the consent agenda. The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none she called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye

**Councilmember Wayne Sharp      Absent**  
**Council member Quinn Sperry      Aye**  
**The motion passed unanimously.**

**IX. ACTION ITEMS**

**A. CONSIDER ORDINANCE NO. 2017-O-17 ADOPTING THE JORDAN BLUFFS SUBAREA 4 RESIDENTIAL DEVELOPMENT ORDINANCE**

Phillip Hill stated that following the October 17, 2017 public hearing, there were three items which the Council identified for further consideration:

1. Are four stories an appropriate building height along the eastern boundary of Subarea 4 if the structure is at least 60 feet from the property boundary;
2. Are the requested parking reductions for two and three bedroom units (2.0 spaces reduced to 1.75 and 2.5 spaces reduced to 2.0 respectively) appropriate based on the information submitted; and
3. Is a 20% reduction in the parking requirement for units meeting an affordability requirement of 60% of the Area Median Income for not less than 50 years appropriate?

In addition to these three items, the question was posed as to whether multi-family residential is an appropriate use for the uncapped portion of the site. Based on the May 11, 2011 Geotechnical Review of Sharon Steel Site Operable Unit 1 Report prepared on behalf of the EPA by Skeo Solutions and Stark Consultants, Inc.; that the following determination was cited for this area: Although this area is not capped, there are still environmental and geotechnical concerns that do not lend this area to being compatible with a single family residential use.

**Planning Commission Recommendation**

The Planning Commission conducted a public hearing on the proposed text amendment on September 27, 2017 and extensively reviewed proposed ordinance language with consideration given to the public comment received and the goals of the General Plan. Based on this, the Planning Commission forwarded a draft ordinance to the City Council for its consideration (Draft 1.11). Along with the ordinance language, the Planning Commission also forwarded its findings for this recommendation, as well as the following recommendation regarding a traffic study:

*“We acknowledge the community concerns for existing and future traffic in the area, and recommend the City engages a transportation consultant to study the area between 7200 South to 9000 South and Main Street to Bingham Junction Boulevard to provide the City with recommendations on future road connections and improvements before new development occurs to ensure these are incorporated into these plans and the City can plan for needed improvements outside the development area.”*

\* \* \*

**Planning Commission Findings  
Jordan Bluffs Subarea 4  
October 11, 2017**

The Planning Commission would like the following findings to be made part of the record to explain the considerations and reasons for recommending the proposed Jordan Bluffs Subarea 4 ordinance:

- The Midvale City General Plan 2016 identifies the entire Jordan Bluffs Area as an “opportunity”. It is vacant with no approved master plan for development, and provides an opportunity for a high-quality mix of office, commercial and residential. There are significant environmental and geotechnical issues associated with the area due to the historical use of the property for ore milling operations and the cleanup that occurred through the EPA many years ago. This limits the type of development that can occur, as well as raises the costs to develop, creating additional constraints on the property. We see the proposed Jordan Bluffs Subarea 4 ordinance as a step towards using and creating this opportunity within the confines of the existing conditions of the property.
- We recognize the current Jordan Bluffs Zone District and the uses and densities that were created as part of that zone in 2004, as well as the property rights for current and future property owners of the property.
- We considered both the existing and future development in the surrounding area, specifically considering the adjacent RM-25 zone to the east, and how to best transition from this zone to new development in Subarea 4, as well as start the transition from development in Subarea 4 to the other Subareas of Jordan Bluffs.
- We considered the public comments received in the September 27th public hearing, acknowledging the requests to prohibit more apartments and affordable housing and to downzone the property. We, however, recognize the City has some legal obligations with the current zoning and past decisions made on the property, the existing condition of the property limits the type of development and layout that can occur (including the design and location of the main roads), and the City cannot and should not discriminate against certain housing types and people.
- We acknowledge the community concerns for existing and future traffic in the area.
- The recommended development standards in the proposed ordinance provide the necessary requirements to advance the land use, residential development, transportation, and recreation goals of the General Plan when specific developments are proposed in the future. These include:
  - o Promoting consistency and compatibility with the Bingham Junction project to the north.
  - o Providing connectivity to the Main Street neighborhood, either physically (crosswalks) or by urban design.
  - o Supporting redevelopment of the adjacent area to the east to blend and enhance any redevelopment of the Jordan Bluffs Area.
  - o Maintaining and strengthening stable neighborhoods, including preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhoods.

- Connecting Main Street to surrounding neighborhoods and to Bingham Junction and Jordan Bluffs through pedestrian and bicycle pathways and urban design techniques to create a cultural center.
- Extending Bingham Junction Boulevard.
- Improving pedestrian and bicycle travel through the area.
- Improving community connections to the Jordan River.

The proposed ordinance reflects the Planning Commission's recommendation with some clarifying language regarding the review process for a development parcel subdivision plat; Main Street improvements; calculation of open space; connections to the existing neighborhood; allowance for ground level patios; and a 20% reduction in parking for affordable units.

Councilmember Stephen Brown said that area B is a hardline point for him. He said he will not vote for approval on area B having four stories. He said Center Square has a lot more buffer than area B has, and it still feels like they are right in your back yard. It is too much height next to single family homes. He said area A he is ok with because it does not border single family zone. On area B, he doesn't want to harm Fern Drive.

Councilmember Paul Glover said he would prefer three story buildings right next to Main Street. There's not a lot of view to block out there. He does prefer more parking because he has seen other problems. However, the area needs to be redeveloped. He was hopeful that the developers will work with the City to alleviate some of his concerns.

Councilmember Stephen Brown said it's not area B as a whole just the buildings next to main street. He said his opinions have nothing to do with the developers. It's just planning for worst case scenario.

Councilmember Paul Hunt said he respectfully disagreed with Councilmember Stephen Brown because it's not the same situation as Center Square. He said this area is just different.

Councilmember Quinn Sperry said the area does need to be developed. He likes the plans that he has seen. He thinks that with the environmental issues, to build single family homes will be a barrier and is unrealistic. He would be ok with a four-story building in area B. He feels that this will help build the transition for this area. Another reason he feels the four stories would be good is that it will allow for higher ceilings and those will have high end apartments and a higher quality tenant. This will help change our image.

**MOTION:** Councilmember Quinn Sperry **MOVED** that finding that the appropriate public hearings have been noticed and held with respect to this proposed ordinance, and that there has been thoughtful consideration of the comments and information provided during those meetings, I move that we adopt Ordinance No. 2017-O-17, creating a review process and development standards for residential development in Subarea 4 of the Jordan Bluffs Zone as presented. The motion was **SECONDED** by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

<b>Council member Stephen Brown</b>	<b>Nay</b>
<b>Council member Paul Glover</b>	<b>Aye</b>
<b>Council member Paul Hunt</b>	<b>Aye</b>
<b>Councilmember Wayne Sharp</b>	<b>Absent</b>
<b>Council member Quinn Sperry</b>	<b>Aye</b>

**The motion passed 3 to 1 in favor.**

**B. CONSIDER RESOLUTION NO. 2017-O-17 AUTHORIZING THE MAYOR TO ENTER INTO A SEWER LINE EASEMENT AGREEMENT BETWEEN MURRAY CITY AND MIDVALE CITY**

Lisa Garner stated Murray City and Wynwood Investments, LC have requested that Midvale City grant Murray an easement for the construction of a sewer line to service the proposed new subdivision located at approximately 6700 South 700 West, within the boundaries of Murray City. This easement shall run on the north side of Bingham Junction Park. The developer, Wynwood Investments, LC has agreed to pay Midvale City the amount of \$11,190.00 as consideration for this easement. An Easement Agreement has been prepared to memorialize the terms between the two cities for the Easement. This Easement shall be reflected in the records of the Salt Lake County Recorder's Office as a Grant of Easement. A resolution has been prepared for Council consideration authorizing the Mayor to enter into an Easement Agreement with Murray City and to execute the Grant of Easement for recording.

**FISCAL IMPACT:**

The fiscal impact to the City will include compensation for the easement in the amount of \$11,190.00.

**MOTION:** Councilmember Paul Hunt **MOVED** that we adopt Resolution No. 2017-R-43, a resolution authorizing the Mayor to enter into an Easement Agreement with Murray City and execute the Grant of Easement for recording with the Salt Lake County Recorder's Office. The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

<b>Council member Stephen Brown</b>	<b>Aye</b>
<b>Council member Paul Glover</b>	<b>Aye</b>
<b>Council member Paul Hunt</b>	<b>Aye</b>
<b>Councilmember Wayne Sharp</b>	<b>Absent</b>
<b>Council member Quinn Sperry</b>	<b>Aye</b>

**The motion passed unanimously.**

**X. DISCUSSION ITEMS**

**A. DISUCSSION REGARDING AMENDMENTS ALLOWING A BUSINESS LICENSE FEE REDUCTION FOR RENTAL UNITS; AND A HOME OCCUPATION FEE EXEMPTION**

Phillip Hill said this title currently allows for all nonrental business licenses to be prorated semi-annually. The justification for excluding rental business licenses stemmed from the adoption of the Good Landlord program, when it was identified that numerous such businesses throughout the

city were and had been operating without licenses. It was determined that because these businesses had been operating without a license, that as they were identified it would not be appropriate to prorate the business license fee. We are now at a position where it is believed that the existing rental businesses have been licensed and as new businesses come in they should be afforded the same fee reduction as other businesses.

**Title 5.02.010 T.1.**

During the last legislative session, SB81 was adopted requiring cities to provide for a business license fee exemption for Home Occupations as follows:

132 (7) A municipality may not:

(b) charge a license fee for a home-based business, unless the combined offsite impact 137 of the home-based business and the primary residential use materially exceeds the offsite 138 impact of the primary residential use alone

In working with the League of Cities and Towns, the following language is proposed to be added (see Exhibit B) to this title:

5.02.010 T.1 Home Occupation-Exempt— A business, transaction or activity conducted entirely within no more than 25% of a primary dwelling and exclusively by persons residing within the dwelling, in a manner that is indiscernible from, clearly incidental, and secondary to the residential use, without altering the dwelling site or structure, the character of the neighborhood, the demand for public facilities or services, creating an unsafe condition, requiring outdoor storage or signage, or providing a short term residential rental.

**Title 5.02.140 E.**

During the last legislative session, SB250 was adopted requiring cities to allow for mobile food business licenses to be reciprocal between jurisdictions. This title can be brought into compliance with the new state law by simply eliminating “mobile food units” as noted in Exhibit B.

**IX. ADJOURN**

**MOTION: Councilmember Paul Hunt MOVED to adjourn the meeting. Councilmember Stephen Brown SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

The meeting adjourned at 9:00 p.m.

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

Approved this 21<sup>st</sup> day of November 2017.



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: November 21, 2017

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**SUBJECT:** Resolution Approving the Official Canvass of the Midvale City 2017 Municipal General Election

**SUBMITTED BY:** Rori Andreason, H.R. Director/City Recorder

**SUMMARY:**

The Mayor and City Council are the legislative body for Midvale City and comprise the Board of Municipal Canvassers pursuant to Utah Code §20A-4-301. Utah Code requires the Board of Municipal Canvassers to meet to canvass the returns of the Municipal General Election no sooner than 14 days and no later than 14 days after the election.

Salt Lake County has prepared the election results report for your review and approval. Any valid ballots received by noon on the day of the official canvass and postmarked before election day will be opened and added to the election results. The final canvass report will be distributed and reviewed at the meeting.

**STAFF RECOMMENDATION:**

Staff recommends the Board of Canvassers approve Resolution No. 2017-R-44 Accepting and Approving the Results of the Municipal General Election held November 7, 2017 as shown on the Canvass Report. The Board of Canvassers will be requested to sign the official canvass results indicating their approval.

**FISCAL IMPACT:** N/A

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**RECOMMENDED MOTION:**

*I move to approve Resolution No. 2017-R-44 Accepting and Approving the Results of the Municipal General Election held November 7, 2017 as shown on the Canvass Report.*

**Attachments:**  
*Resolution*

**MIDVALE CITY, UTAH  
RESOLUTION NO. 2017-R-44**

**A RESOLUTION ACCEPTING AND APPROVING THE  
RESULTS OF THE MUNICIPAL GENERAL ELECTION HELD  
NOVEMBER 7, 2017 AS SHOWN ON THE CANVASS REPORT**

**WHEREAS**, on November 7, 2017, the Midvale City Municipal General Election was held; and

**WHEREAS**, the Mayor and City Council are the Municipal Legislative Body for Midvale City and comprise the Board of Municipal Canvassers per Utah Code Annotated 20A-4-301(2)(a); and

**WHEREAS**, the Board of Canvassers shall meet to canvass the returns of the Municipal General Election at the usual place of meeting of the Municipal Legislative Body no sooner than seven days and no later than fourteen days after the election per Utah Code Annotated 20A-4-301(2)(b)(ii); and

**WHEREAS**, on November 7, 2017, the Board of the Canvassers canvassed the returns of the Municipal General Election; and

**WHEREAS**, the Board publicly canvassed the returns, determined from them the votes of each voting precinct of each person voted for; and

**WHEREAS**, the Board of Canvassers have determined that the election and voting were conducted in compliance with Utah State law.

**NOW, THEREFORE, BE IT RESOLVED** by the Midvale City Board of Canvassers:

**Section 1.** The Mayor and City Council, as the official Board of Canvassers, hereby accepts and approves the Election Results for the 2017 Midvale City Municipal General Election held November 7, 2017.

**Section 2.** The following candidates are declared to have received the number of votes indicated:

**Mayor (4-Year Term)**

<b><u>Candidate</u></b>	<b><u>Votes</u></b>
Robert M. Hale	
Sophia Hawes-Tingey	

**Council Member District #4 (4-Year Term)**

<b><u>Candidate</u></b>	<b><u>Votes</u></b>
Bryant Brown	

**Council Member District #5 (4-Year Term)**

<b><u>Candidate</u></b>	<b><u>Votes</u></b>
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Stephen Brown  
Dustin Gettel

**Section 4.** The Election Officer (City Recorder) shall furnish a certified copy of this resolution and a certified copy of the Election Results Report to the Lieutenant Governor's Office within fourteen days following the Municipal Primary Election.

**Section 5.** The Election Officer (City Recorder) is directed to publish a copy of the certified report in a newspaper with general circulation in the City and post it in a conspicuous place within the City.

**Section 6.** This Resolution shall take effect immediately.

**PASSED AND APPROVED** by the Board of Municipal Canvassers of Midvale City, Utah this 21<sup>st</sup> day of November, 2017.

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JoAnn B. Seghini, Mayor

ATTEST:

Voting by the City Council	"Aye"	"Nay"
Stephen Brown	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____

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Rori L. Andreason, MMC  
City Recorder/HR Director