MIDVALE CITY COUNCIL MEETING
AGENDA
October 03, 2017

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on the 3rd Day of October, 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 Quinn Sperry
   B. Councilmember Wayne Sharp
   C. Councilmember Stephen Brown
   D. Councilmember Paul Glover
   E. Councilmember Paul Hunt

VI. MAYOR REPORT
   A. Mayor JoAnn B. Seghini

VII. PUBLIC HEARING(S) - 7:00 PM
   A. Consider proposed amendments to the FY 2018 Budget for the General Fund and other funds as necessary [Laurie Harvey, Assistant City Manager/Admin. Services Director]
B. Consider Proposed Text Amendment to modify the front yard setback sidewalk improvements for residential projects in the Transit Oriented Development and Transit Oriented Development Overlay Zones \[Lesley Burns, City Planner\]

**ACTION:** Consider Ordinance No. 2017-O-15 for a Proposed Text Amendment to modify the front yard setback sidewalk improvements for residential projects in the Transit Oriented Development and Transit Oriented Development Overlay Zones

**VIII. CONSENT AGENDA**

A. Consider Minutes of September 19, 2017 \[Rori Andreason, H.R. Director/City Recorder\]

**IX. ACTION ITEMS**

A. Consider Resolution No. 2017-R-39 for Appointing Evan Hanson to move from Alternate Member to full member of the Planning Commission for a four-year term \[Lesley Burns, City Planner\]

B. Consider Resolution No. 2017-R-40 for Appointing Candace Tippets and Zachary Smallwood for Alternate Members of the Planning Commission \[Lesley Burns, City Planner\]

**X. DISCUSSION ITEMS**

A. Discuss Jordan Bluffs Sub Area 4 \[Phillip Hill, Assistant City Manager/Community Development Director\]

B. Discuss proposed resolution expressing support for legislation during the 2018 Session providing law enforcement stronger tools to address crime that deliberately targets a victim because of an individual’s ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation \[Councilmember Quinn Sperry\]

**XI. ADJOURN**

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

A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 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.

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

**DATE POSTED: SEPTEMBER 29, 2017**

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER
Mayor Seghini called the meeting to order at 6:34 p.m.

I. INFORMATIONAL ITEMS
   A. DEPARTMENT REPORTS

Lt. Olsen reported on recent police incidents.

Chief McBride reminded everyone of fire prevention month. He announced that he is moving to another battalion that takes him out of the Midvale area so Chief Brad Larson will be taking over this precinct.

Chief Brad Larson said he is excited to return to Midvale.

Laurie Harvey said she received a copy of the Fitch ratings report on local government in Utah. She reviewed the comparisons with other governmental entities in the state as well as the City’s investment performance. She introduced Laura Magness, Communications Specialist. She has over 16 years’ experience in the communications area.

Councilmember Stephen Brown said he received a complaint from a citizen that their water pressure on Fern is low. He asked Larry Wright to check into it. He said the “dead end” sign on Cottonwood looks good, and asked about the status of the “no outlet” sign.
Matt Dahl discussed the repairs to the Bingham Junction Park regarding the removal of the standing water.

II. CITY MANAGER’S REPORT
Kane Loader was excused.

III. GENERAL BUSINESS
A. Welcome and Pledge of Allegiance

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

IV. PUBLIC COMMENTS
Robert Hale thanked Public Works for the curb, gutter and sidewalk on his block.

V. COUNCIL REPORTS
A. Councilmember Quinn Sperry – Excused

B. Councilmember Wayne Sharp – reported that with the colder weather, many of the mosquitoes have been killed but there may be some still lurking. He discussed having action items on public hearings the same night as the hearing. Council Member Stephen Brown said he likes having the discussion on the item when the residents are there to hear the discussion.

C. Councilmember Stephen Brown – A meet the candidate’s night will be held by the Community Council on Wednesday, October 4th evening at 7:00 p.m. in the Dahl Conference room.

Mayor Seghini said she would like to be informed of what the topic will be for the Community Council meetings so it can be put on the schedule at city hall.

D. Councilmember Paul Glover – Had nothing to report.

E. Councilmember Paul Hunt – Had nothing to report.

VI. MAYOR REPORT
Mayor JoAnn B. Seghini – reported on a grant received by the Midvale Middle School, which allowed them to purchase special computers that allows them to type in a word that would then translate into another language or vice versa. This will make a big difference to those people settling in a new country.

MOTION: Councilmember Stephen Brown MOVED to open a 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.
VII. PUBLIC HEARINGS
A. CONSIDER PROPOSED AMENDMENTS TO THE FY 2018 BUDGET FOR THE GENERAL FUND AND OTHER FUNDS AS NECESSARY

Laurie Harvey reviewed the following proposed amendments to the FY 2018 budget:

Proposed Amendments to General Fund FY 2018
- Proceeds from sale of Right-of-way to UDOT
  - $166,000
  - Capital project – 7200 South Gateway

- Justice Assistance Grant (JAG)
  - FY 2018 - $15,500 for wireless mics and chairs for precinct
  - FY 2017 carryover - $16,600 for ballistic shields, entry ram, car printers

- Community Development Block Grant
  - FY 2017 carryover - $89,200 remaining for Allen Street Project

Proposed Amendments to General Fund FY 2018
- EPA Institutional Controls Grant
  - $45,000 for FY 2018 – New FTE salary and benefits

- Contributions from/(to) Fund Balance
  - $30,000 from Fund Balance for specialized legal services – Cell towers
  - $13,800 from Fund Balance for the remaining lobbyist contract
  - $(30,000) to Fund Balance from the CIP to refund Arts Council contribution towards cancelled Amphitheater architectural drawings

Proposed Amendments to CIP Fund FY 2018
- Transfers from/(to) General Fund
  - 7200 S. Gateway project - $166,000
  - CDBG project – Allen Street - $89,200
  - Refund of Arts Council contribution - $(30,000)

Proposed Amendments to CIP Fund FY 2018
- Transfers from CIP Fund Balance for work in progress
  - Sidewalk/Curb/Gutter replacement - $100,000
  - 7200 S. project – 7th East to Union Park Avenue - $134,800
  - Cemetery improvements - $44,900
  - Splashpad improvements - $55,500
  - Pickleball Court - $30,000
  - 50/50 sidewalk program - $20,000
  - Road bond projects – major roads - $3 million
  - Pavement management - $6,005,000
  - Amphitheater improvements - $30,000
  - Reserve for future projects - $410,000
Proposed Amendments to Enterprise Funds FY 2018

- Sewer Fund
  - From Fund Balance - $30,000 for infrastructure improvements
    - $100,000 total to include choppers for 2 lift stations and electrical work
- Storm Water
  - From Fund Balance – Carryover remaining debt proceeds - $500,000

Mayor Seghini opened the hearing to public comment. There was no one present who desired to speak on this issue.

**MOTION:** Councilmember Stephen Brown 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 on this item is scheduled for October 17, 2017.

**MOTION:** Councilmember Stephen Brown MOVED to open a 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.

**B. CONSIDER PROPOSED TEXT AMENDMENT TO MODIFY THE FRONT YARD SETBACK SIDEWALK IMPROVEMENTS FOR RESIDENTIAL PROJECTS IN THE TRANSIT ORIENTED DEVELOPMENT AND TRANSIT ORIENTED DEVELOPMENT OVERLAY ZONES**

Lesley Burns stated Parley’s Partners, LLC has requested a modification be made to the front yard setback sidewalk standard for residential projects in the Transit Oriented Development (TOD) Zone. This request has been made through a Text Amendment Application. This concept was introduced to the Planning Commission during the public hearing for the Midvale Station Townhouse project in July and received favorable comments from the public. The proposed modification would allow 4-5 feet of landscaping within the 15-foot setback adjacent to residential buildings instead of concrete.

For medium and high density residential projects in the TOD and TOD Overlay Zones, the current front yard setback sidewalk standard is as follows (Sections 17-7-8.4 (A)(1) and 17-7-17.3 (A)(1) of Midvale Municipal Code):

Setbacks. New development shall comply with the following setbacks:

1. Front. The minimum front yard setback is fifteen feet, which shall include a sidewalk of ten feet in width and a five-foot park strip, which shall incorporate tree wells, street furniture and planter boxes. The front yard setback is measured from the back of curb.

The proposed text amendment, which includes some recommended language from Staff and the Planning Commission, would make the following changes to this language:
Setbacks. New development shall comply with the following setbacks:

1. Front. The minimum front yard setback is fifteen feet, which shall include a sidewalk of ten feet in width and a five-foot park strip adjacent to the curb, which shall incorporate tree wells, street furniture and planter boxes; a sidewalk of five to six feet (at the discretion of the Planning Commission); and four to five feet of landscaping up to the foundation of the residential structure. With the input from the City Engineer, modification to the sidewalk and park strip standard may be allowed to provide an appropriate tie-in to an adjacent neighborhood sidewalk. The front yard setback is measured from the back of curb.

The intent of this amendment is to soften the streetscape along residential frontages while still providing the expected pedestrian elements for a transit oriented area.

Planning Commission Recommendation
The Planning Commission reviewed the proposed text amendment and conducted a public hearing on September 13, 2017. Based on the input received at this meeting and during the discussion in July, the Planning Commission has forwarded the following motion to the City Council for its consideration:

“Based on creating a better pedestrian residential environment, I move that we forward a positive recommendation to the City Council to approve the text amendment to modify the front yard setback sidewalk improvements for residential projects in the TOD and TOD Overlay Zones as proposed [above].”

Mayor Seghini opened the hearing to public comment.

Sophia Hawes-Tingey said she felt this proposal is an excellent idea. She felt this would encourage more landscape and give the area a good feel.

Hooper Knowlton, Parley’s Partners, said the reason why they want this is if you are a tenant in one of these townhomes, someone could stand outside your window and look right in. It is a much softer design feature. Understanding the ordinance required concrete all the way up and did not allow for softening with landscaping, that is the reason why we chose to go through the process to allow this. He’d like to make it feel more residential rather than commercial.

MOTION: Councilmember Wayne Sharp 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 she called for a vote. The motion passed unanimously.

ACTION: CONSIDER ORDINANCE NO. 2017-O-15 FOR A PROPOSED TEXT AMENDMENT TO MODIFY THE FRONT YARD SETBACK SIDEWALK IMPROVEMENTS FOR RESIDENTIAL PROJECTS IN THE TRANSIT ORIENTED DEVELOPMENT AND TRANSIT ORIENTED DEVELOPMENT OVERLAY ZONE
MOTION: Councilmember Paul Hunt MOVED to adopt Ordinance No. 2017-O-15 proposed Text Amendment to modify the front yard setback sidewalk improvements for residential projects in the Transit Oriented Development and Transit Oriented Development Overlay Zones. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the 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  Aye
- Council member Quinn Sperry  Absent

The motion passed unanimously.

VIII. CONSENT AGENDA

A. APPROVE MINUTES OF SEPTEMBER 19, 2017

MOTION: Councilmember Wayne Sharp MOVED to approve the consent agenda. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the 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  Aye
- Council member Quinn Sperry  Absent

The motion passed unanimously.

IX. ACTION ITEMS

A. CONSIDER RESOLUTION NO. 2017-R-39 APPOINTING EVAN HANSON AS A FULL MEMBER ON THE PLANNING COMMISSION FOR A FOUR-YEAR TERM

Lesley Burns stated the Midvale Planning Commission is comprised of five full members and two alternate members. With Allen Litster’s second full term ending earlier this year, alternate member Evan Hanson has been filling in. Commissioner Hanson has made significant contributions to the Planning Commission since March 2016 as an alternate member of the Commission. It is the desire of the Mayor to appoint Mr. Hanson as a full member at this time. The Mayor is requesting the Council’s consent for this appointment, which would be for a four-year term beginning immediately.

She said Evan Hanson has done an excellent job as an alternate member of the Planning Commission and recommended he become a full member.

MOTION: Councilmember Stephen Brown MOVED to approve Resolution No. 2017-R-39 appointing Evan Hanson to move from an alternate member to a full member on the Planning Commission for a four-year term. 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:

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

The motion passed unanimously.

B. CONSIDER RESOLUTION NO. 2017-R-40 APPOINTING CANDACE TIPPETTS AND ZACHARY SMALLWOOD FOR ALTERNATE MEMBERS OF THE PLANNING COMMISSION

Lesley Burns stated the Midvale Planning Commission is comprised of five full time members and two alternate members. Currently, there are vacancies for the alternate seats. Following interviews with several applicants, it is the desire of the Mayor to appoint Candace Tippetts and Zachary Smallwood as alternate members on the Planning Commission. Ms. Tippetts has lived in Midvale for 16 years and has been active in numerous Midvale programs and boards. She currently resides in District 2. Mr. Smallwood has lived in Midvale for 5.5 years and resides at the south end of Bingham Junction in District 5. The Mayor is requesting the Council’s consent for these appointments, which would be for four-year terms beginning immediately.

Councilmember Sharp said he wanted to make sure the individuals serving on the Planning Commission had positive attitudes.

Zachary Smallwood introduced himself and expressed his excitement and appreciation to sit on the Planning Commission.

MOTION: Councilmember Stephen Brown MOVED that we Approve Resolution No. 2017-R-40 appointing Candace Tippetts and Zachary Smallwood for the Alternate Members of the Planning Commission with terms expiring 2021. 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:

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

The motion passed unanimously.

IX. DISCUSSION ITEMS
A. DISCUSS JORDAN BLUFFS SUB AREA 4

Phillip Hill said this is an update on the Jordan Bluffs site mainly for the sub area 4. The Planning Commission held the public hearing regarding the broad overview of the zoning ordinance we are working on at this time. We have a special meeting tomorrow to go over all of this. It will go back for action a week from tomorrow night. The following week the City Council will have a public hearing. On November 14th, it will be a potential action and a drop-dead date of November 21st, as the property is due to close on the 27th of November. When we are talking about this
ordinance, it is only for sub area 4. He explained the review process and went over the proposal of the ordinance with the council. He reviewed the parking and how it ties in with the surrounding area.

Councilmember Wayne Sharp asked how close the build to line is. Mr. Hill said the 30-foot setback line. Councilmember Wayne Sharp said he doesn’t want to run into a problem like Center Street where the buildings are too close to the road compared to the houses that are in line with Center Street. It appears that the same thing is going to happen with this.

Councilmember Stephen Brown said that four stories next to a residential is too high, he will not approve this. The other issue is the transition from the complex to the single-family homes. He wants it written in the zoning ordinance. There needs to be controls written in the zoning ordinance so that area is not saturated with apartments.

Councilmember Paul Glover said he has already expressed that he doesn’t want anything over three stories next to any residential.

Councilmember Stephen Brown said the transition would work out really well with how they have it laid out now.

Phillip Hill said he would revise the language in the ordinance that would require the transition.

B. DISCUSS PROPOSED RESOLUTION EXPRESSING SUPPORT FOR LEGISLATION DURING THE 2018 SESSION PROVIDING LAW ENFORCEMENT STRONGER TOOLS TO ADDRESS CRIME THAT DELIBERATELY TARGETS A VICTIM BECAUSE OF AN INDIVIDUAL'S ANCESTRY, DISABILITY, ETHNICITY, GENDER, GENDER IDENTITY, NATIONAL ORIGIN, RACE, RELIGION, OR SEXUAL ORIENTATION

Phillip Hill said Councilmember Quinn Sperry has requested the Council consider this resolution for adoption at a future Council meeting. Councilmember Sperry was unable to be in attendance but felt it was a very important issue. The Council discussed this issue and agreed to put it on the agenda for approval at the next meeting.

X. ADJOURN
MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Paul Hunt 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 8:17 p.m.

Rori L. Andreason, MMC
H.R. DIRECTOR/CITY RECORDER
Approved this 17th day of October, 2017.
<table>
<thead>
<tr>
<th>NAME (PLEASE PRINT)</th>
<th>ADDRESS</th>
<th>CITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Hale</td>
<td>9781 E North Union Ave</td>
<td>Midvale</td>
</tr>
<tr>
<td>Spencer Mears</td>
<td>3891 Princeton Dr</td>
<td>Midvale</td>
</tr>
<tr>
<td>Jeremy Bull</td>
<td>7453 S. Como St S</td>
<td>Midvale</td>
</tr>
<tr>
<td>Jyllie McRae</td>
<td>556 E 7441 S</td>
<td>Midvale</td>
</tr>
<tr>
<td>Jesse McRae</td>
<td>257 E 7440 S</td>
<td>&quot;</td>
</tr>
<tr>
<td>Zac Smallwood</td>
<td>7515 S. Lucca St</td>
<td>Midvale</td>
</tr>
<tr>
<td>Jason McDemid</td>
<td>Midvale</td>
<td></td>
</tr>
<tr>
<td>Tristen Dunce</td>
<td>7823 Roosevelt</td>
<td>Midvale</td>
</tr>
<tr>
<td>laurenewalker</td>
<td>7886 S Olympic St</td>
<td>Midvale</td>
</tr>
</tbody>
</table>