MIDVALE CITY COUNCIL MEETING
AGENDA
March 19, 2019

PUBLIC NOTICE IS HEREBY GIVEN that the Midvale City Council will hold a regular meeting on
the 19th day of March 2019 at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as
follows:

6:00 PM – Dahl Conference Room
COUNCIL BUSINESS

6:30 PM – Council Chambers
INFORMATIONAL ITEMS

I. DEPARTMENT REPORTS
   • Admin Services Report
   • RDA Report

II. Unified Police and Fire Department Reports

7:00 PM
REGULAR MEETING

III. GENERAL BUSINESS
   A. WELCOME AND PLEDGE OF ALLEGIANCE
   B. ROLL CALL
   C. Proclamation declaring April as Child Abuse Prevention Month
   D. Legislative Update [David Spatafore]

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

V. COUNCIL REPORTS
   A. Councilmember Dustin Gettel
   B. Councilmember Paul Glover
   C. Councilmember Quinn Sperry
   D. Councilmember Bryant Brown
   E. Councilmember Paul Hunt
VI. **MAYOR REPORT**  
A. Mayor Robert M. Hale

VII. **CONSENT AGENDA**  
A. Consider Minutes of March 5, 2019 [Rori Andreason, H.R. Director/City Recorder]

VIII. **ACTION ITEMS**  
A. Consider Resolution No. 2019-R-09 Authorizing the Mayor to enter into the Amended and Restated Master Development Agreement for Jordan Bluffs Agreement [Brian Berndt, Assistant City Manager/CD Director]

B. Consider Ordinance No. 2019-O-03 Approving a proposed text amendment to increase the Residential Density in the Jordan Bluffs Zone, create a Review Process and Development Standards for Residential, Commercial, and Mixed-Use Development in Subareas 1-3 of the Jordan Bluffs Zone, and Amend Chapters 17-7-10 and 17-2 of the Midvale Municipal Code [Brian Berndt, Assistant City Manager/CD Director & Lesley Burns, City Planner]


IX. **DISCUSSION ITEMS**  
A. Discuss Reallocation of Bond Money [Glen Kennedy, Public Works Director]

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 day 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 also posted at the following locations on the date and time as posted above: 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: MARCH 15, 2019  
RORI L. ANDREASON, MMC  
H.R. DIRECTOR/CITY RECORDER
CITY COUNCIL MEETING
Minutes
Tuesday March 19, 2019
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert M. Hale

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

STAFF: Kane Loader, City Manager; Brian Berndt, Asst. City Manager/Community Development Director; Bryce Haderlie, Asst. City Manager/Admin. Services Director; Rori Andreasen, HR Director/City Recorder; Lisa Garner, City Attorney; Matt Dahl, Redevelopment Agency Director; Glen Kennedy, PW Director; Chief Randy Thomas, UPD; Battalion Chief Brad Larson, UFA; and Juan Rosario, IT Tech.

The pre-meeting workshop began at 6:00 p.m.

COUNCIL BUSINESS
Staff and Council discussed agenda items as well as updates from staff.

INFORMATIONAL ITEMS
I. DEPARTMENT REPORTS
Bryce Haderlie reported on the Administrative Services Department activities.

Matt Dahl reported on legislative issues regarding the Redevelopment Agency. SB34 bill for affordable housing passed. This bill is for housing units needed to fill the gap between the housing units available and the housing units needed. The bill says that you need to have a moderate-income housing plan which will include density in order to qualify for state funds. They are currently working on the housing plan and are making adjustments to the plan with the new bill requirements. They have had challenges with the neighborhood housing program and are working on new ideas. He updated the council on the Jordan Bluffs closing transactions. He is currently working on the Main Street project with one of the parking lots the City owns. He is looking at addressing the business owner’s needs. They own three different properties within the Main Street Area Plan and are working on a plan to maintain those appropriately. They are looking into holding more events on Main Street and are looking for new ideas.
II. UPD AND UFA REPORTS
Chief Randy Thomas reported on recent incidents within the City.

Chief Brad Larson reported on the UFA budget as well as other incidents including a canal that had flooded. They contacted the city’s public works who were a huge help and he wanted to express his appreciation. UFA Station 126 crew were present to discuss the Adopt a School Program. Each of the crews have a different elementary school they go to. They visit the kids once a month minimum and then do a fire safety lesson once a month. They found that third grade kids are at the best age to take the information home and get their parents to practice fire drills with them.

Mayor Hale opened the business meeting at 7:07 p.m.

III. GENERAL BUSINESS
A. WELCOME AND PLEDGE OF ALLEGIANCE

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

C. Proclamation declaring April as Child Abuse Prevention Month
Mayor Hale read the proclamation declaring April as Child Abuse Prevention Month.

D. Legislative Update
David and Ashley Spatafore were present to give a legislative update to the Council and staff. They both discussed legislation from the recent legislative session that may impact the City.

IV. PUBLIC COMMENTS
Kara Cole said her family has been here their whole lives. She spoke against high density housing. She did not feel the roads could handle the influx of people. She suggested putting in a park or shopping area but not another 1000 units in Jordan Bluffs. She expressed her appreciation to Chief Thomas for the additional speed signs. She said the apartments on Allen street have numerous families living in them. You cannot park anywhere on the street after 10 pm because of all the cars. She suggested making Allen Street a one-way street or a one-way street and parking on only one side of the street. In the winter time, more police are needed to enforce the no parking on streets. It's ridiculous. She said since the east side has been brought into the City she see's enforcement on the east side but not on the west side.

Natasha Hill said she lives in Midvale and likes the feel. She expressed her opposition to multi-family housing. She said she likes Midvale and felt the Council should focus on single family housing, not apartments. She said high density housing is just a quick fix.

Benjamin Hill said previous concerns had been expressed regarding the Jordan Bluffs development, citizens have openly expressed their concerns with rental units. Many citizens know that the state is pushing high density housing. He feels that Midvale City
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has one of the highest percentages of rental properties compared to sister cities. He asked why the council would vote against the public concerns. Is it necessary, and is the city being transparent? He said the City needs to spend the money on improving the condition of the existing housing units. Some of the units are run down, over populated, and un-regulated. Are the population growths predictions accurate? Is that taken into account when high density housing is being discussed.

Kris Sydenham said he lives in Midvale and loves it. Traffic has increased making it difficult to back out of his house on Main Street. Please do not expand Main Street. By maintaining our stand-alone home properties, we can pull a higher number of potential residents. We don’t just have to appeal to the high-income families. He believes in preserving the historic downtown Main Street. We have the opportunity to plan and set Main Street up for the next 50-100 years. He feels we should cut off 9000 South from Main Street.

Rocky Robloez said he lives on Main and Wasatch. Snow plows went past his house so fast that it pushed the snow against his house. He asked about expanding Main Street.

Kane Loader said there are no plans to expand Main Street. That is an incorrect rumor.

Greg Penrose discussed Adams Street and what’s being done with the vacant property. Brian Berndt said the property will be a park.

Mr. Penrose expressed his frustration with his neighbor and the façade in his yard.

Mayor Hale said the City is very transparent. City meetings are held regularly that have addressed these very issues. Those meetings are advertised for anyone to attend. He said the participation from the community is greatly needed. This is why meetings are held, to receive input from residents. There is nothing hidden. Please attend the meetings and participate.

V. COUNCIL REPORTS

A. Council Member Dustin Gettel – said the residents can also reach out to their Council member and Mayor. He showed a picture of a couple of decks at Florentine Villas where the decking has blown off. He also said the lights in the carports are out, and the lights at the lofts by the dog park are out.

Adam Langford, Wasatch Residential Group, said they have money for those repairs and will be working on it. They have a 3-hour work request where tenants can go to the office and report these things.

B. Council Member Paul Glover – Had nothing to report.

C. Council Member Quinn Sperry – said he had a few things that he will just email to the appropriate department heads.
D. **Council Member Bryant Brown** – said he also lives by the freeway expansion and doesn’t want a bad looking park there. He also said there are no plans to widen Main Street. He gave an update on the Arts Council and the direction they are moving to apply for grant funding.

E. **Council Member Paul Hunt** – Had nothing to report.

VI. **MAYOR REPORT**

Mayor Robert Hale – asked the Council if they would like to again donate to a fundraiser for Canyons School District by purchasing a $1500 table. The Council agreed. He invited everyone to the budget retreat. He also said the budget will be discussed over the next few months at the City Council meetings.

VII. **CONSENT AGENDA**

A. **CONSIDER MINUTES OF MARCH 5, 2019**

MOTION: Council Member Paul Glover MOVED to approve the consent agenda. The motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry Aye
- Council Member Paul Glover Aye
- Council Member Paul Hunt Aye
- Council Member Bryant Brown Aye
- Council Member Dustin Gettel Aye

The motion passed unanimously.

VIII. **ACTION ITEMS**

A. **CONSIDER RESOLUTION NO. 2019-R-09 AUTHORIZING THE MAYOR TO ENTER INTO THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT FOR JORDAN BLUFFS AGREEMENT**

Brian Berndt said the redevelopment of Jordan Bluffs, a former EPA Superfund site, helped Midvale reclaim what is now known as Bingham Junction by reusing 351 acres of formerly contaminated land. Repurposing the land will serve the community for decades to come. Once rife with contaminants like lead and arsenic and plagued by a toxic status that disrupted neighboring home sales, the sprawling Bingham Junction site now supports a $300 million tax base and is being heralded as a national model for cleanup and site redevelopment.

The subject site is located adjacent to the existing View 72 Corporate Center in Bingham Junction, the site is in the middle of the Salt Lake Metropolitan area along the banks of the Jordan River with access to regional transportation networks. The Jordan Bluffs project is situated at the crossroads of 78th South to approximately 85th South and from 7th West to the Jordan River.
The master-planned, mixed-use project is slated to bring more than 1 million square feet of additional office space to Midvale in a series of six-story towers, a data center, commercial areas along with thousands of multistory apartments and town houses, all built around a milelong linear city park that runs parallel to the Jordan River. The site is approximately 265 acres in size.

Running through the site will be a linear park that is roughly 15.5 acres. The park will have various amenities and facilities including playgrounds, community gathering areas, sport fields, walking paths, restrooms, and other active and passive recreational services.

The Master Development Agreement (MDA) will:
- Update the previous Jordan Bluffs Project MDA dated December 1, 2004
  - Introduce a Concept Plan for Development Pods that will be developed as largescale master plans
  - Update the Jordan Bluff (JB) Zoning that includes mixed uses within a planned development
  - Define buildout, community central park, concept plan, development timing
  - Detail the components of the Community Central Park including:
    - Terms, timing and specifications
    - Designate up to 15+ acres that will be donated for a community park that may include: passive and active recreation, gathering areas, and other similar community facilities
    - Developer will donate land and construct the community park
    - Feature trails and area connections to schools, shopping, light rail stations, employment and housing.

If the City Council is comfortable with this agreement, Staff has prepared a resolution that would authorize the Mayor to sign the Development Agreement on behalf of the City.

Council Member Paul Glover said the infrastructure needs to be put in the park for future development needs (e.g. additional restrooms, etc.) He asked the developer what the timing would be for the completion of the park.

Brian Berndt said first phase will be the northern part of park.

Mark Murdock, Gardner and Company, said they would like to put the park in sooner than later. They will work on getting the north section in as soon as possible. He cannot say an exact time because they have been waiting for this agreement before they start marketing the area. He said they would put conduit in the ground, so it won’t need to be dug up in the future.

Council Member Paul Glover asked staff how long they have been working on this project.

Brian Berndt said the original development agreement was in 2004, about 15 years ago.
Council Member Paul Glover asked what the challenges are with this development.

Brian Berndt said the property was a contaminated site. Removing the contaminates became cost prohibitive. The developer has had several test areas. The buildings will all need to be on piers. The EPA didn’t want any water to leak into the contaminated soil. This is the reason for the cap, for protection so that doesn’t happen.

Kane Loader said it’s not so much the environmental issues with the property, it’s the more geotechnical. It has to be built with the piers. Secondly with the road traffic on Main Street, this is our savior if you will, with Bingham Junction Blvd from Sandy Parkway out to 7800 South, it will take the traffic from Main Street and put it on a five-lane boulevard. This will solve a lot of the traffic problems. Our goal is to connect 9000 South with 7200 South with a boulevard and take the traffic off the residential roads. That is why Main Street and Wasatch Street do not need to be widened.

Council Member Bryant Brown said he did not feel this project will help the traffic on Wasatch Street.

Council Member Paul Hunt said adding a traffic light would help tremendously.

**MOTION:** Council Member Paul Hunt Moved that we adopt Resolution 2019-R-09, Authorizing the Mayor to enter into the Amended and Restated Master Development Agreement between Midvale City Corporation and the Gardner Jordan Bluffs LC for the proposed Jordan Bluffs Project as presented. The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry  Aye
- Council Member Paul Glover  Aye
- Council Member Paul Hunt  Aye
- Council Member Bryant Brown  Aye
- Council Member Dustin Gettel  Aye

The motion passed unanimously.

**B. CONSIDER ORDINANCE NO. 2019-O-03 APPROVING A PROPOSED TEXT AMENDMENT TO INCREASE THE RESIDENTIAL DENSITY IN THE JORDAN BLUFFS ZONE, CREATE A REVIEW PROCESS AND DEVELOPMENT STANDARDS FOR RESIDENTIAL, COMMERCIAL, AND MIXED-USE DEVELOPMENT IN SUBAREAS 1-3 OF THE JORDAN BLUFFS ZONE, AND AMEND CHAPTERS 17-7-10 AND 17-2 OF THE MIDVALE MUNICIPAL CODE**

Brian Berndt said on March 5, 2019, the City Council held a public hearing on this proposed text amendment which includes the following:
• Increases the allowed residential density within the Jordan Bluffs zone from 2,500 units to 3,500 units.
• Creates a review process and development standards for residential, commercial, and mixed-use development in Subareas 1-3 of the Jordan Bluffs Zone.
• Adds new and amended definitions for terms in the proposed zoning chapter.
• Amends and repeals sections of the existing Jordan Bluffs zone chapter to incorporate the new zone plans for each subarea of the Jordan Bluffs property.

The City Council has received information and studies on traffic, public facilities, and infrastructure regarding the development anticipated to occur under this proposed ordinance. It has been determined existing and planned infrastructure facilities are sufficient for the additional residential units being requested.

Planning Commission Recommendation
Approval of this proposed text amendment has been recommended by the Planning Commission. This recommendation to the City Council was made after a number of discussions and analysis of the issues, as well as a public hearing on February 13, 2019.

The Planning Commission recognized the proposed development standards reflect several goals of the Midvale City General Plan 2016, which includes the Jordan Bluffs property as an Opportunity Area, as well as recognizing the proposed Jordan Bluffs Project amenities and improvements included in the Amended and Restated Master Development Agreement (the “MDA”) being finalized in conjunction with this text amendment. The main project amenities in the MDA include an improved 15-acre public park, trail connections to the Jordan River Parkway, and public facilities and infrastructure. The proposed development standards also reflect the specific nature of the Jordan Bluffs property, especially the environmental constraints that exist.

Council Member Bryant Brown said it’s difficult to go back to residents who were set on having a pool on this property. The park has a lot of amenities part-time where a recreation center would be all the time.

Council Member Quinn Sperry said he was sympathetic about having to go back to the residents but there is still an opportunity to have a pool located by Hillcrest. He said it’s offensive to him to hear the east side versus west side. He too grew up in Midvale and this is one unified city. He said everyone wants single family homes. He said he felt there needs to be a mix of housing.

MOTION: Council Member Dustin Gettel Moved to allow public comment on this item. The motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

Council Member Quinn Sperry  Aye
Council Member Paul Glover  Aye
Council Member Paul Hunt  Nay
Council Member Bryant Brown  Aye
Council Member Dustin Gettel  Aye
The motion passed 4-1 in favor.

Natasha Hill addressed Council Member Sperry and said it doesn’t feel like a mix. Everything in Midvale is so old. It would feel like a mix if it wasn’t mostly all apartments.

Benjamin Hill expressed his frustration with Council Member Quinn Sperry’s comments. He said this development affects his district, not the district Council Member Sperry lives in. He said he did not feel Council Member Sperry was representing everyone, just the district he is in. The person that represents his district does care.

Council Member Quinn Sperry apologized for saying personally. He does care, and if you look back, he has voted for high density within his district. He listens to the concerns from his district as well as other districts.

Council Member Paul Hunt said the Council cares about the city has a whole, that is why they are in these council seats. They have concerns for each district as well as the city as a whole.

John Cole said he has lived here for 72 years. He said there are way too many apartments.

Mayor Hale closed the public comments.

MOTION: Council Member Paul Hunt Moved that we adopt Ordinance No. 2019-0-03 increasing the residential density in the Jordan Bluffs zone creating a review process and development standards for Residential, Commercial, and Mixed-Use Development in Subareas 1-3 of the Jordan Bluffs Zone and amend Chapters 17-7-10 and 17-2 of the Midvale Municipal Code as presented. The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry  Aye
- Council Member Paul Glover  Aye
- Council Member Paul Hunt  Aye
- Council Member Bryant Brown  No
- Council Member Dustin Gettel  No

The motion passed 3-2 in favor.

C. CONSIDER RESOLUTION NO. 2019-R-10 AMENDING THE CITY COUNCIL RULES OF ORDER AND PROCEDURES
Lisa Garner said the rules of order and procedures were discussed with the Council at the last meeting. She reviewed two modifications changing aye or yes to affirmative and nay or no to decent. And changing the rules to state two members of the Council can ask to have staff research an item.
MOTION: Council Member Dustin Gettel Moved that we adopt Resolution 2019-R-10, amending the Midvale City Council Rules of Order and Procedures as discussed. The motion was SECONDED by Council Member Paul Glover. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry  Aye
- Council Member Paul Glover  Aye
- Council Member Paul Hunt    Aye
- Council Member Bryant Brown Aye
- Council Member Dustin Gettel Aye

The motion passed unanimously.

D. CONSIDER ORDINANCE NO. 2019-O-04 AMENDING SECTION 2.36.40 "ELECTRONIC MEETINGS' OF THE MIDVALE MUNICIPAL CODE

Lisa Garner said as staff was looking into the Rules of Order and Procedure code, they found that the provision of the City ordinance allows for electronic meetings, and specifically states that they all be held at the old city hall address. Amendments were made to the ordinance stating the meetings be held at city hall without an address, so in the future if a new city hall is built and the location changes, the ordinance won't have to be changed. She asked Council to consider these amendments for approval that evening.

MOTION: Council Member Bryant Brown Moved to suspend the rules that we adopt Ordinance No. 2019-O-04 Amending Section 2.36.40 "Electronic Meetings" of the Midvale Municipal Code. The motion was SECONDED by Council Member Dustin Gettel. Mayor Hale called for discussion on the motion. There being none then he called for roll call vote. The voting was as follows:

- Council Member Quinn Sperry  Aye
- Council Member Paul Glover  Aye
- Council Member Paul Hunt    Aye
- Council Member Bryant Brown Aye
- Council Member Dustin Gettel Aye

The motion passed unanimously.

IX. DISCUSSION ITEMS
A. DISCUSS REALLOCATION OF BOND MONEY

Glen Kennedy discussed reallocating the bond money to purchase a Scada system to protect the lift stations and wells. Council agreed to move forward.

Council Member Paul Glover asked what it will do to the utility rates.

Glen Kennedy said that he hasn't seen the numbers yet, however it will affect the rates. He also addressed snow plowing and his future plan. There are many new employees in the Public Works Department and will be receiving more training.
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Council Member Glover and Council Member Hunt said they both received a lot of calls expressing appreciation for the plows.

X. **ADJOURN**

**MOTION:** Council Member Paul Glover MOVED to adjourn the meeting. The motion was SECONDED by Council Member Paul Hunt. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 9:07 p.m.

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

Approved this 2nd day of April 2019.
Midvale City Council Meeting
Sign In Sheet

Tuesday, March 19, 2019

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<tr>
<td>Ben Hill</td>
<td>7954 S Main St</td>
<td>Midvale</td>
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<td>Natasha Hill</td>
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<tr>
<td>Kris Sydenham</td>
<td>7973 S Main St</td>
<td>Midvale</td>
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<td>Amanda Young</td>
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<tr>
<td>Steven Summers</td>
<td>7985 S Main St</td>
<td>Midvale</td>
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Midvale City Public Comment
Sign in Sheet

Tuesday, March 19, 2019

PUBLIC COMMENTS
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