# Midvale City

**CITY COUNCIL MEETING**

***Minutes***

# Tuesday, July 7, 2015 Council Chambers

**7505 South Holden Street Midvale, Utah 84047**

***MAYOR:*** Mayor JoAnn B. Seghini - Excused

***COUNCIL MEMBERS:*** Council Member Paul Glover

Council Member Paul Hunt Council Member Quinn Sperry Council Member Wayne Sharp Council Member Stephen Brown

***STAFF:*** Phillip Hill, Assistant City Manager/Community and Economic Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Bob Davis, Public Works Director; Chad Woolley, City Attorney; Chief Tony Mason, UPD Midvale Precinct; Chief Stephen Higgs, UFA; Danny Walz, RDA Director; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:30 p.m.

# INFORMATIONAL ITEMS

* 1. **DEPARTMENT REPORTS**

Chief Mason said Midvale received a JAG Grant. These funds have to be used for criminal justice purposes so they will be purchasing two 2-camera Lidars and 3 non camera Lidars. This is laser radar that also has a built in camera. When it measures the speed of the car, it also takes a picture. The Council approved.

Detective Paul and Detective Meono reported on the Good Landlord program and the total calls to apartment complexes for the last month. There was about a 4% increase in June vs. May.

Councilmember Glover said that the program makes the tenants feel safe.

Councilmember Brown asked if they could get a breakdown of commercial calls verses residential calls.

Chief Higgs said he will no longer be the liaison for the City since he is not here in the City on a daily basis. He will still attend some meetings but not like he has been. He introduced Battalion Chief Scott McBride who will be attending the Council meetings in his place.

Laurie Harvey reported the hiring of a new Water Meter Maintenance Technician, Travis Woolsey. She also reported on the accruals for the budget.

Bob Davis reported on the new budget year landscaping contract. He also reported on the parades the City is attending.

Councilmember Sharp commented on the rental of the bowery at the Midvale City Park the weekend of Father’s Day. He said he received calls on the mess in the park and bowery after the rental.

Councilmember Glover said it is the cities responsibility to check the rentals of the bowery for the return of the deposit money. He asked for follow-up on the rental of the bowery and refunds.

Rori Andreason asked the Council if they desired to change the meeting date in August since August 11th there will be a primary election. The Council said to leave it scheduled for August 11th. She also sent around the new City Journal and asked the Council to let her know if there are any changes desired.

Phillip Hill reported that the contractor has been working to get the parking lot relit at the main park and the electrical for the lights on Chapel Street. Holden Street improvements are now complete. He updated the Council on the Christmas lights on State Street this year. He will send out a flyer in the near future from UDOT on the I-215 repaving project. The work will be at night. The UIA Board met last week and at the meeting and they passed a resolution for a final bond funding. He also reported that he has checked on the Road Home construction and they are meeting all of the requirements.

Councilmember Sharp asked about the street on 1138 E. North Union Ave right behind Walmart. He said he has received calls stating that the Walmart Semi’s are parking on the street and wanted to know if they are allowed to do this. They are requesting a No Parking Sign.

Phillip Hill said he would follow-up on this issue.

# CITY MANAGER’S REPORT

Kane Loader, City Manager was excused.

Mayor Pro-tem Hunt opened the regular meeting at 7:30 p.m.

# GENERAL BUSINESS

* 1. **Welcome and Pledge of Allegiance**
  2. **Roll Call** – Council Members Stephen Brown, Paul Hunt and Wayne Sharp, Quinn Sperry, and Paul Glover were present at roll call.

# Amelia Slama Recognition for Outstanding Volunteer Service

Mayor Pro-tem Hunt read the proclamation recognizing Amelia for her accomplishments as a volunteer.

# ULGT Presentation

Agenda item was rescheduled.

# PUBLIC COMMENTS

Beckie Reynosa, 435 E Ft. Union, said she was here about a year ago regarding a garage and setbacks. She would like to further amend the city ordinances to allow a setback more than 24 feet. She felt her garage has been exposed for over a year and will probably be cut off and scrapped. However, she went around to the neighbors and found that most of the garages were longer than 24 feet. Phillip Hill said he would have Lesley Burns, City Planner, get in touch with her.

# COUNCIL REPORTS

* 1. **Councilmember Paul Hunt** – had nothing to report.
  2. **Councilmember Quinn Sperry –** had nothing to report.
  3. **Councilmember Wayne Sharp** – said he had a concern that Bill Miller is going to give a report to the Community Council that may not be in conjunction with what the Council desires. He said the water report sent out was excellent but Sandy City just put theirs on their website. He asked if that could be done and if so to please look into it. He brought in a wood water line wrapped in wire which he presented to the Council. He said he wasn’t sure what to do with it but thought it should be kept as an antique.

Chief Higgs spoke about the original water mains. A fire hydrant was originally called a plug. They would drill a hole in the wood and put a plug in it. He said he would be interested in keeping it if no one else wanted it.

1. **Councilmember Stephen Brown** – reported on the center square project which was approved by the Planning Commission.
2. **Councilmember Paul Glover** – had nothing to report.

# MAYOR REPORT

**Mayor JoAnn B. Seghini** – Mayor Seghini was excused.

# MOTION: Councilmember Paul Glover MOVED to open the public hearing. The motion was SECONDED by Councilmember Stephen Brown. Mayor Pro- Tem Hunt called for discussion on the motion. There being none the Mayor Pro-Tem called for a vote. The motion passed unanimously.

1. **CONSENT AGENDA**
   1. **APPROVE MINUTES OF JUNE 16, 2015**

An amendment was made to the minutes.

# MOTION: Councilmember Stephen Brown MOVED to approve the consent agenda as amended. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Pro- Hunt called for discussion on the motion. There being none the Mayor Pro-tem 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 Aye**

**The motion passed unanimously.**

1. **ACTION ITEMS**
   1. **APPROVE THE VIEW 72 RETAIL SUBDIVISION 3RD RETAIL SUBDIVISION 3RD AMENDED PLAT LOCATED AT 7250 SOUTH BINGHAM JUNCTION BOULEVARD.**

Matt Hilderman said in November, 2007, the City Council approved and entered into a Development Agreement, known as The Junction at Midvale Project, for certain property located; between 700 West and Bingham Junction Boulevard; and Jordan River Boulevard and the MidJordan Rail Line. The Junction at Midvale Development Agreement requires a minimum of 20% open space for the overall project area. The Development Agreement included a master open space plan and exhibit depicting the locations of this 20% open space, specifically Section 2 and Exhibits C and D of the Junction at Midvale Development Agreement. As development has occurred within the Junction at Midvale project area, some of the open space areas have been adjusted and relocated to better accommodate the actual development while still meeting the intent of the original open space plan. The last amendment to the master open space plan was adopted by the City Council in May, 2015.

The Arbor Gardner Group has been working on a new office building and campus proposal identified as CHG (Comp Health Group) to be located on 12.97 acres located at 7250 South Bingham Junction Boulevard, within The Junction at Midvale Project. The Small Scale Master Plan/Preliminary Site Plan was reviewed and approved by the Planning & Zoning Commission on June 24, 2015. One condition for approval required the View 72 Retail Subdivision 3rd Amended plat to be reviewed, approved, and recorded before final site plan approval. Attached is a copy of the recorded 2nd amended subdivision plat and the proposed 3rd amended subdivision plat.

Per the Midvale Municipal Code, §16.04.060, the City Council, may on its own motion, or pursuant to a petition, approve, deny or condition any proposed vacation, alteration or amendment of a subdivision plat, lot or private alley contained in a subdivision plat. Christian Gardner, the petitioner and only identified property owner for this subject property, submitted a signed petition indicating their consent to the proposed amendment. Based upon City Code, if a petition includes the signature(s) of all property owner(s) consenting to the petition, the City Council is not required to hold a public hearing on the request and may approve the petition to amend the subdivision plat if it finds:

* + 1. Neither the public nor a person will be materially injured by the proposed vacation, alteration, or amendment; and
    2. There is good cause for the vacation, alteration or amendment. (Ord. 12-11- 2001C§3(part), 2001).

The applicant has submitted a 3rd amended subdivision plat which has been reviewed and approved by the City Engineer and complies with the City’s subdivision standards and is ready to be recorded following the appropriate signatures being obtained on the final subdivision plat Mylar. The amended subdivision plat does not reduce the amount of open space being provided; there is no net loss of open space for the overall project area. The proposed amended plat does not change the overall intent of the approved project and staff feels this proposal will not be detrimental to the health, safety, and welfare of people and businesses in this area and there is good cause for this amendment.

# MOTION: Councilmember Quinn Sperry MOVED to approve the View 72 Retail Subdivision 3rd Amended plat with the following condition:

* + - 1. **The applicant obtains all required signatures on the amended final subdivision plat Mylar.**

**The motion was SECONDED by Councilmember Stephen Brown. Mayor Pro- Hunt called for discussion on the motion. There being none the Mayor Pro-tem 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 Aye**

**The motion passed unanimously.**

* 1. **APPROVE RESOLUTION NO. 2015-R-38 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH B. JACKSON CONSTRUCTION FOR THE 7200 SOUTH CONSTRUCTION PROJECT**

Phillip Hill said based on numerous studies it has been determined that 7200 South between 700 West and I-15 cannot handle the current traffic volume or that anticipated with the completed buildout of the Bingham Junction project area. For that reason, the City pursued and was awarded a total of $2,000,000 for the landscaping and widening of 7200 South through this area.

A bid opening was held on June 18, 2015 for this project with the apparent low bidder being B. Jackson Construction. Although B. Jackson had the low bid, the amount exceeded the engineers estimate requiring the elimination of the gateway signage as well as a reduction in the amount of landscaping at the top of the slope. Although we were required to scale the project back, none of the improvements to the travel lanes were compromised and the changes to the landscaping won’t be noticeable to the motoring public.

After evaluating the bids based on the criteria outlined in the bid documents, it is recommended that the contract be awarded to B. Jackson Construction.

Their bid price of $1,817,165.30 is within our budget.

# FISCAL IMPACT:

Funds for this project have been previously secured through UDOT and the RDA.

# MOTION: Councilmember Stephen Brown MOVED to approve Resolution No. 2015-R- 38, authorizing the Mayor to sign a contract with B. Jackson for the 7200 South Construction Project. The motion was SECONDED by Councilmember Paul Glover. Mayor Pro-Hunt called for discussion on the motion. There being none the Mayor Pro-tem called for a roll call vote. The voting was as follows:

**Councilmember Stephen Brown Aye**

**Councilmember Paul Glover Aye**

**Councilmember Paul Hunt Aye**

**Councilmember Wayne Sharp Aye**

**Council member Quinn Sperry Aye**

**The motion passed unanimously.**

1. **DISCUSSION ITEMS**
   1. **CBC UPDATE**

This agenda item was moved to the next meeting.

# AJOURN

**MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Quin Sperry 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 8:15 p.m.

Rori L. Andreason

**Rori L. Andreason, MMC**

**CITY RECORDER**

Approved this 11th day of August, 2015.