



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, May 19, 2015
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: JoAnn Seghini

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

STAFF: Kane Loader, City Manager; 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; Brad Larson, UFA; Danny Walz, RDA Director; and Mike Welling, IT Technician.

Mayor Pro-tem Glover called the meeting to order at 6:34 p.m.

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS

Chief Tony Mason said that there were a lot of complaints of the noise level from Cinco de Mayo. He has concerns for next year.

Kane Loader suggested revising the use permit and adding an acceptable noise level in the agreement. Then if the group goes over the limit, they get shut down.

Chief Tony Mason said the awards banquet was held for the Unified Police Department and one of our officers, Cory Tasaurus, was honored with the Sheriff's Star. Officer Tasaurus happened upon a suspect that was known for stating he wanted to have a shootout with police so he could shoot them. Officer Tasaurus was able to apprehend and arrest the man.

Chief Brad Larson, UFA, reviewed statistics in regards to fire prevention.

Laurie Harvey said she sent out the April financial statements for the Council's review.

Phillip Hill said the Center Square project is moving forward again with an amended application. On May 30th at 10:00 a.m. a ceremony will be held honoring the Rick Battison memorial on the bridge

behind the Lofts Development. He said the Interim Legislative Committee starts tomorrow. They have a lot of land use items to be discussed. He also reported that the 7200 South project will be advertised this week.

Bob Davis discussed issues with the rain storms taking place. He then updated the Council on City projects as well as several bids that are being advertised.

Rori Andreason reminded the Council about the open enrollment meeting on Wednesday.

II. CITY MANAGER'S REPORT

Kane Loader said he presented the Raccoon Program to COG and they seemed interested in participating in this program. They will put together an Interlocal agreement to fund that program. Costs will be based on size and population of each city. It should be implemented by July 1st. He discussed the water conservation issues being discussed and advised to the public by Jordan Valley Water Conservancy District. He said he did receive a lot of complaints about the noise during Cinco de Mayo and will make sure it doesn't happen again next year. He said Christopher Butte put together some information on Bingham Junction for UDOT to consider traffic congestion that needs to be addressed.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

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

IV. PUBLIC COMMENTS - There was no one present who desired to speak.

V. COUNCIL REPORTS

A. Councilmember Paul Glover – had nothing to report.

B. Councilmember Paul Hunt – had nothing to report.

C. Councilmember Quinn Sperry – Thanked Bob Davis for talking to his neighbors about the water pressure.

D. Councilmember Wayne Sharp – said if a person owns multiple units housing and if there is one water meter, you are allowed the base rate and then charged overages. He said he did not feel it is fair, even though he understands why it's done that way. Laurie Harvey said she would look into this. He said he has a duplex in Midvale and that's why he found this discrepancy.

Councilmember Sharp also said he has noticed that if a person has qualified to receive the county circuit breaker discount on a home and sell it, the new owner is still receiving the circuit breaker discount. This happened to him so he came into the City to get the rate changed to the appropriate rate. Laurie Harvey said David Starkey is new and has been tasked with making sure everyone is being charged the appropriate rate. There will be a report issued each year.

Councilmember Sharp said the mosquitoes are breeding and with all the water, they anticipate a lot of mosquitoes this year.

E. Councilmember Stephen Brown – said the Canyons School District is having a town hall meeting Thursday at 7:00 p.m. at Jordan High School. All three Midvale reps will be present. There will be a Q&A, so if want to talk to them, please attend.

VI. MAYOR REPORT

Mayor JoAnn B. Seghini – said letters were sent to the Board of Education and the Superintendent indicating a movement is at foot to move the International Bachelorette Program from Hillcrest High School to Alta High School. This program has a very rigorous system that has to be followed to meet the bachelorette designation. She felt the city needs to stand up and fight to keep the program at Hillcrest.

She said this morning at the UFA Board meeting a change was made to their rules to now allow an alternate to sit in her place if she cannot attend. She will talk with UPD as well to see if they can do the same. It's more critical than ever to make sure the assigned Council members attend those meetings.

Councilmember Paul Glover said the Canyons High School is planning to have their own alternate high school, which he feels is a waste since they can join with other high schools. Alternate schools that have online classes only have a 3% graduation rate.

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

VII. PUBLIC HEARING(S) – 7:00 PM

A. CONSIDER TEXT AMENDMENTS TO INCREASE THE MAXIMUM DENSITY IN THE SILVER REFINERY OVERLAY AND CREATE NEW PARKING STANDARD FOR AFFORDABLE SENIOR HOUSING IN ZONES ALLOWING MULTI-FAMILY RESIDENTIAL USES

Lesley Burns said the Wasatch Group is proposing two text amendments for the City's consideration in order to develop a senior affordable housing development within the Silver Refinery Overlay and the Kimpton Square Master Planned Development. These text amendments include the following:

- Increase the overall maximum residential density allowed in the Silver Refinery Overlay from 16 units per acre to 19.3 units per acre.
- Create a parking standard for senior affordable housing developments.

Density

Currently, the maximum residential density allowed in the Silver Refinery Overlay is 16 units per acre. The request is to change this to 19.3 units per acre across the overlay area. Assuming all other development standards are satisfied when specific development plans are submitted, i.e. open space, parking, setbacks, etc., the overall maximum number of units on the Silver Refinery Overlay property would change from 136 units (16 u/a) to 164 units (19.3 u/a). Staff prepared some proposed language to

address this request. This language amends Subsection 17-7-9.12.3.3 (C) which includes the maximum residential density for residential areas within the master planned area from 16 units per acre to 19.3 units per acre across all residential areas.

Parking

Currently, the zoning ordinance has one parking standard for multi-family developments. The parking requirement is based on the number of bedrooms in each unit and reflects a typical family or roommate situation with multiple cars, plus guest parking. It has been the experience of managers of senior affordable housing communities that many of the residents do not drive or have cars, and if they have cars, it is typically only one. This is a result of the combination of age and limited income of the residents in this type of community. With this in mind, the current multi-family parking standard results in unused parking spaces when applied to this type of use. Based on parking counts that have been taken at similar communities, the applicant is proposing a new parking standard be created for “senior affordable housing” developments. The proposed standard includes a minimum of one space per unit plus a minimum of 0.3 spaces per unit for guest parking. This proposed guest parking number is higher than the typical 0.25 space per unit required in other multi-family projects. Because this type of project could occur in any zone that allows a multi-family use, Staff recommended that this standard be available in all zones allowing multi-family uses. These zones include RM-12, RM-25, Mixed Use, State Street Commercial, Transit Oriented Development, Bingham Junction, Silver Refinery Overlay and the State Street Overlay. Staff prepared some proposed language to address this request. This language includes the following:

- Adds a definition for “senior affordable housing” to Section 17-2-19.
- Adds a “senior affordable housing” use and associated parking requirement to the parking tables and sections in the RM-12, RM-25, MU, SSC, TOD, BJ, Silver Refinery Overlay, and SSO.

Planning Commission Recommendation

The Planning Commission reviewed these proposed text amendments and held a public hearing on April 22, 2015. Following the public hearing, the Planning Commission made the following motions:

Density

“I move that we forward a positive recommendation to the City Council to increase the residential density in the Silver Refinery Overlay as included in Attachment A.”

Parking

“Recognizing the community need for senior affordable housing and the distinctive characteristics of this type of multi-family housing, I move that we forward a positive recommendation to the City Council to add language to the ordinance creating a definition for “senior affordable housing” and create a specific parking standard for this use in all zones that allow multi-family uses as included in Attachment B.”

STAFF RECOMMENDATION:

Staff agrees with the Planning Commission’s recommendations, and recommends the adoption of Ordinance No. 2015-O-06, which includes the language recommended by the Planning Commission in Attachment A and Attachment B.

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

MOTION: Councilmember Paul Hunt moved to close the public hearing. The motion was seconded by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a vote. The motion passed unanimously.

ACTION: ADOPT ORDINANCE NO. 2015-O-6 TEXT AMENDING THE MIDVALE MUNICIPAL CODE TO INCREASE THE MAXIMUM RESIDENTIAL DENSITY IN THE SILVER REFINERY OVERLAY AND CREATE NEW PARKING STANDARD FOR AFFORDABLE SENIOR HOUSING IN ZONES ALLOWING MULTI-FAMILY RESIDENTIAL USES

MOTION: Councilmember Paul Hunt moved to adopt Ordinance No. 2015-O-06 as presented. This ordinance will increase the overall residential density to 19.3 units per acre in the Silver Refinery Overlay, and create a definition and parking standard for “senior affordable housing” in zones allowing multi-family uses. The motion was seconded by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor 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.

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

B. CONSIDER KIMPTON SQUARE LARGE SCALE MASTER PLAN 3-LOT SUBDIVISION; 7612 SOUTH HOLDEN STREET

Lesley Burns said on April 22, 2015, the Planning Commission approved an amended Large Scale Master Plan (LSMP) for the Kimpton Square development. This project is located on the 9.36 acre property at the northwest corner of Holden Street and 7800 South. The amended LSMP includes a 2.21 acre multi-family residential area (intended for a senior affordable housing community), a 6.31 acre medium density single-family detached area (intended for 67 single-family homes), and a 0.84 acre public open space parcel (includes pioneer cemetery).

Also on April 22, 2015, the Planning Commission recommended approval of a preliminary subdivision plat that would create a lot for each of the uses within the amended LSMP. This subdivision plat would help facilitate the future Small Scale Master Plans for each of these areas, and is consistent with the

areas depicted on the amended LSMP, as well as what is anticipated with the future development for each of these areas. The Planning Commission's recommendation included the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal and City Council.
2. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and CenturyLink regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.

The applicant has had a final subdivision plat prepared. This plat includes a public access easement from the public roads to what will become the public open space. This public easement includes the area that is anticipated to be the private road, adjoining sidewalk and some parking spaces with the future development. The applicant has also contacted all of the utility companies as required.

STAFF RECOMMENDATION:

Staff recommends approval of the Kimpton Square Subdivision plat with the condition that the applicant obtains all required signatures on the subdivision plat Mylar.

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

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

**ACTION: APPROVE KIMPTON SQUARE LARGE SCALE MASTER PLAN
3-LOT SUBDIVISION; 7612 SOUTH HOLDEN STREET**

MOTION: Councilmember Paul Hunt moved that based on compliance with the City's subdivision requirements, consistency with the approved Large Scale Master Plan for this area, and the Planning Commission's recommendation, I move that we approve the Kimpton Square Subdivision located at the northwest corner of Holden Street with the condition that the applicant obtains all the required signatures on the subdivision plat Mylar. The motion was seconded by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor 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.

VIII. CONSENT AGENDA

A. APPROVE MINUTES OF May 5, 2015

B. SET DATE AND TIME (JUNE 2, 2015 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE FY2015 GENERAL FUND AND OTHER FUNDS AS NECESSARY

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 Mayor 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.

IX. ACTION ITEMS

A. APPROVE RESOLUTION NO. 2015-R-15 AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT BETWEEN MIDVALE CITY AND SALT LAKE COUNTY FOR THE CONSTRUCTION AND OPERATION OF A SENIOR CENTER

Chad Woolley said Salt Lake County has provided senior center programming in Midvale for many years. When the City decided to build its new Municipal Center, the City and County negotiated to build a new senior center on the adjacent property. This Interlocal Agreement is a culmination of those negotiations. Over the 50 year term of the contract, the County will continue to provide senior services at the new 'Salt Lake County Midvale Senior Center.' In essence, the agreement also states that Midvale owns the property that the senior center is built on, and the County owns the building itself. The County will be responsible for paying for the construction costs of the new building and maintaining the interior of the building. Midvale will be responsible for maintaining the exterior of the building and providing transportation for the senior center.

Mr. Woolley said he was confident that the Interlocal Agreement is a win-win for the city and county. Midvale residents will continue to enjoy excellent senior center programming while enjoying the benefits of being in a new, beautiful building.

FISCAL IMPACT:

There are minimal costs of snow removal, trash pickup, and landscaping.

MOTION: Councilmember Wayne Sharp **MOVED** that we approve Resolution No. 2015-R-15 authorizing the mayor to execute an Interlocal Agreement between Salt Lake County and Midvale City for the Construction and Operation of a Senior Center. The motion was **SECONDED** by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

B. APPROVE RESOLUTION NO. 2015-R-23, THIRD AMENDMENT TO THE OPEN SPACE EXHIBITS IN THE DEVELOPMENT AGREEMENT FOR THE JUNCTION AT MIDVALE PROJECT

Matt Hilderman said the Bingham Junction Zone and the Junction at Midvale Development Agreement requires a minimum of 20% open space for the overall project area. The Development Agreement, executed in November 2007, 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 2014.

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 between 7200 South and Junction View Drive with The Junction at Midvale Project. This development includes the required 80-foot wide public open space adjacent to 7200 South, the required 50-foot wide public open space adjacent to Bingham Junction Boulevard, and the required 30-foot wide public open space adjacent to Junction View Drive. The 43-foot wide public open space parcel located along the East boundary of this parcel and adjacent to Grandeur View Way bisects CHG's proposed parking structures and does not fit within the new development plan. To address this issue Arbor Gardner has proposed an amended open space plan for the City Council's consideration. This proposed amended open space plan is attached along with an illustration showing the open space being eliminated and the open space areas being added. Specifically, this proposed amended open space plan includes the following changes from what is currently adopted:

- Parcels "I" and "H" have been adjusted to reflect the actual development conditions and property dedication
- Increase the width of the linear open space along Junction View Drive (Parcel I)
- Increase the width of the linear open space along the rail line (Parcel H)
- Increase the width of the linear open space along Bingham Junction Blvd. (Parcel I)
- Decrease the width of the linear open space along Grandeur View Way (Parcel I)

The amended open space plan does not reduce the amount of open space being provided; there is no net loss of open space for the overall project area and actually provides an additional 0.18 acres of open space. Staff believes the amended plan maintains the overall intent of the required 20% open space, while working with the existing and future development conditions of the area.

Staff was provided an amendment to the existing Development Agreement for the City Council's consideration. This Third Amendment to the Open Space Exhibits in the Development Agreement for the Junction at Midvale Project, as written, does not replace the existing agreement, but simply states the areas of the existing agreement that would be changed. All other conditions and terms of the original Development Agreement are kept the same.

MOTION: Councilmember Quinn Sperry MOVED that we adopt Resolution No. 2015-R-23 authorizing the Mayor to enter into an agreement for a third amendment to the Open Space Exhibits in the Development Agreement for the Junction at Midvale. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini called

for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

C. APPROVE RESOLUTION NO. 2015-R-24 APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND MIDVALE CITY FOR A CONTRIBUTION OF TRCC FUNDS TO BE USED FOR THE CONSTRUCTION OF A SPLASH PAD

Phillip Hill said staff applied for and was awarded \$450,000 in “TRCC Funds” (Tourism, Recreation, Cultural, Convention), to construct a splash pad in the main city park. The improvements constructed in the park last summer were used as the required dollar for dollar match, in securing this grant. The splash pad will be constructed adjacent to the existing restroom facilities during the summer of 2015, and Staff is working with Logan Simpson Design on the initial design plans.

An Interlocal agreement between the City and Salt Lake County has been prepared for the expenditure of the awarded funds to design and construct the splash pad.

MOTION: Councilmember Stephen Brown MOVED that we approve Resolution No. 2015-R-24 approving and authorizing the execution of an Interlocal Cooperation Agreement between Salt Lake County and Midvale City for the Contribution of TRCC funds to be used for the construction of a splash pad. The motion was SECONDED by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

X. DISCUSSION ITEMS

A. DISCUSS PROPOSED AMENDMENTS TO THE FY2015 BUDGETS

Laurie Harvey reviewed the following proposed amendments to the FY2015 budgets:

General Fund

- Transfers between departments
 - Increases
 - Courts – warrants enforcement - \$25,000
 - Information Technology – software - \$8,000
 - Information Technology – software support - \$7,000
 - Administrative Services – professional services - \$10,000
 - Parks – part-time wages - \$10,000

- Decreases
 - Legal – benefits - \$10,000
 - Harvest Days – city float - \$5,000
 - Buildings & Grounds – property insurance - \$10,000
 - Public Safety – crossing guards - \$25,000
 - Streets – signal maintenance - \$10,000

General Fund/Capital Improvement Projects Fund (CIP)

- Transfer \$25,000 for new website design from General Fund to CIP
 - Vendor selected but work won't be completed until FY 2016

B. DEPARTMENT BUDGET REVIEW FOR ADMINISTRATIVE SERVICES

Laurie Harvey reviewed the proposed FY2016 budgets for the following divisions:

- Justice Court
- Human Resources
- Information Technology
- Administrative Services
- Finance
- City Recorder
- Non-departmental
- Employee Services
- Information Technology Internal Service Fund

C. DISCUSS EMPLOYEE COMPENSATION FOR FY2016 BUDGET

Rori Andreason reviewed the proposed employee compensation plan for FY 2016. She discussed the market survey. Out of 53 positions, there are only two that are out of market. The Council asked staff to keep the benefit costs neutral for FY 2016 as well as implement a high deductible health plan. She reviewed the costs and benefits with the traditional plan as well as the high deductible health plan. The premiums are lower with the high deductible health plan so the City can contribute 45% towards the high deductible to assist the employees with the additional costs.

D. DISCUSS COMMUNITY ROOM USE AGREEMENT

Rori Andreason reviewed details of the Alexander Dahl Community Room Use Agreement with the Council. Changes will be made to the agreement in accordance with the Council's desires and brought back in the future for final approval.

XI. AJOURN

MOTION: Councilmember Wayne Sharp 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 9:23 p.m.

Rori L. Andreason, MMC
CITY RECORDER

Approved this 2nd day of June 2015.