



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, February 02, 2016
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor JoAnn B. Seghini

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

STAFF: Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Bob Davis, Public Works Director; Chief Tony Mason, UPD Midvale Precinct; Battalion Chief Scott McBride, UFA; Dalin Hackett, Asst. Finance Director/City Treasurer; David Starkey, Senior Accountant; Christopher Butte, Economic Development Director; Lesley Burns, City Planner; Danny Walz, RDA Director; and Jarin Blackham, IT Manager.

OTHERS: Representative Steve Eliason, David Spatafore, Lobbyist; and Cameron Diehl, ULCT.

Mayor Seghini called the meeting to order at 6:06 p.m.

I. LEGISLATIVE UPDATE

Mayor Seghini discussed the homeless shelter and the fact that having it open year round would be detrimental to the safety of the children there as well as the economic development for the City. She said the shelter started by bussing in single men and bussing them out. Then it expanded to families and now all families. The shelter has continued to expand when that was never the intention when it was located there. It's located in a huge industrial area and is not a safe place for children. The Council discussed the detrimental affect a year round shelter would have on the economic development in the city.

Kane Loader said the homeless problem is state wide and there needs to be a state wide solution.

Representative Eliason said Midvale has taken on more than their share with no assistance from the state. He said he realizes the homeless problem is a state wide issue and they now own the problem more than ever. He discussed the bill he will be running in the legislature. No single

men would be allowed, only families. The city would be made whole in any property tax revenues lost by a non-profit agency occupying the space. Any city that hosts a homeless shelter should have additional funding for programs for children from 8 to 5 throughout the summer. The children need the educational assistance from a summer school program.

Councilmember Paul Glover arrived at 6:30 p.m.

Councilmember Paul Hunt said expanding the program in Midvale City is not acceptable.

Representative Eliason asked if the state decides to expand the programs in shelters that have already been built, what mitigating factors could be put in place to make the city whole?

Councilmember Wayne Sharp said there is no number that could make the city whole if Overstock or Winco or Top Golf was to leave the city.

Chief Mason said they get a lot of calls from the neighbors of the shelter and they have a lot of calls within the shelter due to civil disputes. There are drugs, theft, break-ins, all that takes place when the shelter is open. Drug paraphernalia and liquor bottles are thrown in the neighboring properties. When the shelter closes, the homeless come back because they know the area so there is a large transient problem on the 7200 South corridor. He said the businesses are tired of the issues they are dealing with from the homeless population. Other major corridors like 9000 South and 5300 South do not have the same problem that the 7200 South corridor does because of the shelter.

Councilmember Paul Glover said throw the money to Sandy to build a year round shelter and once it's built; then he will talk about a year round shelter in Midvale but not until. Midvale also has other low income housing within the City.

Councilmember Stephen Brown said everyone needs to do their part. The burden should not be put all on one city.

The Council discussed their concerns with Representative Eliason.

The Council adjourned the workshop and moved to the City Council Chambers. The regular meeting was called to order at 7:24 p.m.

II. DEPARTMENT REPORTS

Chief Mason discussed the new detective in his precinct. He thanked the Council for their support for Officer Barney who was killed a few weeks ago.

Chief McBride said it was an honor for UFA to honor Officer Barney. He also commented that the UFA banquet was a lot of fun.

Bob Davis said Public Works continues to fight snow storms on a regular basis. He reported that the Christmas tree pickup was a great success.

Phillip Hill said an engineer at UDOT has been assigned to study the State Street crossing which currently only has a yellow flashing light that motorist don't seem to stop for. He reported that the splash pad project is on schedule and should be completed by the end of May.

Lisa Garner discussed the revocation of the Mouse Pad business license. She said the police did a great job. She reviewed for the audience the illegal gambling taking place at the Mouse Pad locations, which lead to the revocation of the business license and closure of the business.

III. CITY MANAGER'S REPORT

Kane Loader said those wanting to attend the ULCT conference in St. George need to let staff know as soon as possible. He discussed the issue with the old Walker Bank building on the corner of Center and Main Street and the apartments being built without building permits. He also discussed the house on 7046 South 700 East that has been shut down. The owners have tried to turn that building into a group home without any permits. The building was unsafe for occupancy. An administrative hearing has been held on this issue and a decision should be issued by the end of next week. VECC is very close to having a CAD system. They are dealing with Intergraph and feel they will be successful in the bid. Mr. Loader discussed the need to replace the general manager for the Trans-Jordan Landfill. They have received some great applicants and a decision should be made soon.

IV. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

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

V. PUBLIC COMMENTS

Val Anderson said he was representing the Station Place Condominiums Association located at 100 East 8040 South. A few weeks ago he made a presentation to the Council for a funding request to put in a drain pipe as a flooding solution that has been causing a lot of problems in their condo association. He wanted to know what had been done and if there was a time frame for the response.

Bob Davis said with the snow it's hard to see much but he will meet with Mr. Anderson to discuss it further. Kane Loader said the City Engineer will go out and look at the site. He will also see who signed off on the project and what was installed. The plan is to get it fixed before spring.

Lorene Butler said there is a home on 7500 South 97 West that has been put into bankruptcy and is major disrepair. The owners have walked away from the home. She asked if there was anything that could be done to make some improvements to the home so it isn't such an eyesore. Also, she asked if a swimming pool could be located in the park across from Hillcrest.

Kane Loader said the City has applied for a grant for \$20 million through Salt Lake County parks and recreation in partnership with Salt Lake County and the Canyon School District to build a swimming pool. The Council would like to see it on the east side; however, the County

would prefer it be located at the Copperview Community Center. Councilmember Wayne Sharp said the County has informed them that they would not locate the swimming pool in the park.

Ms. Butler also suggested a roundabout on Husky highway.

VI. COUNCIL REPORTS

A. Councilmember Wayne Sharp – had nothing to report.

B. Councilmember Stephen Brown – said he appreciated seeing the young kids in Orem being so dressed up for the funeral procession for Officer Barney. He was impressed.

C Councilmember Paul Glover – asked the status of the home on Lincoln Street. He asked that it be brought back as soon as possible. Phillip Hill said the issue is being addressed and will be brought back soon.

D. Councilmember Paul Hunt – said he appreciates staff looking into the storm drain problem.

E. Councilmember Quinn Sperry – said a police officer in attendance at his neighborhood meeting suggested leaving your porch light on all the time. There is also an online app that can keep your neighborhood connected.

VII. MAYOR REPORT

Mayor JoAnn B. Seghini – said the procession for the fallen officer was 5 miles long. She was impressed with the respect the community and our state showed for fallen Officer Barney.

MOTION: Councilmember Wayne Sharp MOVED to open 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.

VIII. PUBLIC HEARING

A. CONSIDER AN AMENDED PRELIMINARY SUBDIVISION PLAT FOR THE STATION AT MIDVALE CONDOMINIUMS LOCATED AT 7682-7696 SOUTH CENTER STREET AND 137 WEST PARK STREET

Lesley Burns said On June 24, 2015, the Planning Commission approved a conditional use permit and preliminary site plan for The Station at Midvale project. Staff approved the Final Site Plan for the project on November 10, 2015. This project is located on the corner of Center Street, Center Square and Park Street. It includes 186 units in two buildings (one four stories; one five stories) with underground parking, surface parking, landscaping and recreation amenities. Curb, gutter and sidewalk improvements, including street trees and benches, along Center Square are part of the proposal, as well as bollard and curbing improvements at the north end of Center Square to close the road between Center Square and Park Street to vehicular traffic. This development proposal also included the review of a condominium (subdivision) plat which

would allow each residential unit to be individually owned and the creation of a homeowners association to own and maintain all of the common areas inside the buildings as well as the property outside the buildings. The Planning Commission forwarded a recommendation to the City Council to approve this subdivision plat, and on November 10, 2015, the City Council approved the plat.

Due to some changes instigated by its financing partners, the Developer has submitted a revised condominium plat to replace the plat originally approved. Instead of providing for 186 individual residential units in two buildings and common area, the proposed revised plat provides for the individual ownership of each building (two units) and common area. The revised plat does not change the layout or unit configuration of the approved 186 unit residential project. The building footprints, landscaping, parking, recreation amenities, property management, etc. will remain as originally approved on the Final Site Plan and Conditional Use Permit. As part of this request, the developer has revised the Declaration that would be recorded with the condominium plat. This Declaration, as well as the common area on the plat, is intended to ensure the project functions as a whole with the individual ownership of each building and surrounding common area. Legal Staff is currently reviewing the Declaration document.

The proposed condominium plat reflects and is consistent with the approved Final Site Plan for the Station at Midvale Project. It provides for the individual ownership of each building (Building A to include 102 residential units with underground parking, and Building B to include 84 residential units with underground parking) and common area (shared ownership) for the remainder of the property, i.e. landscape areas, recreation amenities and surface parking areas. The proposed preliminary plat has been reviewed and approved by the City Engineer, and complies with the City's subdivision requirements, subject to a few technical corrections that need to be made on the final plat.

On January 13, 2016, the Planning Commission forwarded a recommendation to the City Council to approve the amended preliminary subdivision plat for the Station at Midvale Condominiums 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. The limited common area for balconies shown on Sheets 2-4 shall be added to Sheet 1.
3. The applicant shall prepare a declaration of covenants, conditions and restrictions, to ensure the project functions as a whole, and the common areas are appropriately maintained. This document shall be approved by the City's legal staff and City Council and recorded concurrently with the subdivision plat.

The applicant has revised the subdivision plat to address the limited common area designation issue noted by the Planning Commission. This was done, not through showing the designation on Sheet 1, but by a more appropriate means in the legend and building boundary descriptions. This plat has been reviewed and approved by the City Engineer. The applicant is working on the declaration.

Councilmember Paul Glover said the neighbors do not want big trucks going through the neighborhoods. Lesley Burns said she can talk with the developer about that.

Mayor Seghini opened the public hearing for public comment.

Kurt Peterson, Horizon Development, said he is the developer of this project. The timeline of this project is to begin March 1st. He said there would be no traffic of trucks in the neighborhoods.

There was no one else present who desired to speak to this issue.

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 THE AMENDED PRELIMINARY SUBDIVISION PLAT FOR THE STATION AT MIDVALE CONDOMINIUMS LOCATED AT 7682-7696 SOUTH CENTER STREET AND 137 WEST PARK STREET

MOTION: Councilmember Quinn Sperry MOVED to approve the amended preliminary subdivision plat for the Station at Midvale Condominiums located at 7682-7696 South Center Square and 137 West Park Street 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. The applicant shall prepare a declaration of covenants, conditions and restrictions, to ensure the project functions as a whole, and the common areas are appropriately maintained. This document shall be approved by the City's legal staff and City Council and recorded concurrently with the subdivision plat.**

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	Nay
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed 4-1 in favor.

IX. CONSENT AGENDA

- A. APPROVE MINUTES OF JANUARY 19, 2016**

B. SET DATE AND TIME (FEBRUARY 16, 2016 AT 7:00 P.M. FOR A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE FY 2016 BUDGETS FOR THE GENERAL FUND AND OTHER FUNDS AS NECESSARY

MOTION: Councilmember Wayne Sharp **MOVED** to approve the consent agenda. 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	Aye

The motion passed unanimously.

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 8:30 pm.

Rori L. Andreason, MMC
CITY RECORDER

Approved this 16th day of February, 2016.