



Midvale City  
7505 South Holden Street  
Midvale, UT 84047  
801-567-7200  
[www.midvalecity.org](http://www.midvalecity.org)

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**MIDVALE CITY COUNCIL MEETING  
AGENDA  
October 04, 2016**

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **4th Day of October, 2016** 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. CONSENT AGENDA**

- A. Approve Minutes of September 20, 2016 [*Rori Andreason, H.R. Director/City Recorder*]

**VIII. ACTION ITEMS**

- A. Approve Ordinance No. 2016-O-13 Establishing Temporary Land Use Regulations Prohibiting Amusement Houses in the SF-1 and SF-2 Single Family Zones and RM-12 and RM-25 Multi-Family Zones

**IX. DISCUSSION ITEMS**

- A. Arts Council Report on Summer Activities [*Melanie Beardall, Bob Bedore*]

**X. ADJOURN**

**XI. CALENDAR OF EVENTS**

- Oct 5 - Volunteer Dinner
- Oct 5 - Community Council
- Oct 11 - Workshop
- Oct 12 - Planning Commission
- Oct 18 - Regular Meeting
- Oct 26 - Planning Commission

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 2<sup>nd</sup> Floor City Hall Lobby, on the City's website at [www.midvalecity.org](http://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, 2016**

**RORI L. ANDREASON, MMC  
H.R. DIRECTOR/CITY RECORDER**



**CITY COUNCIL MEETING**  
*Minutes*

**Tuesday, October 4, 2016**  
**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor JoAnn B. Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp  
Council Member Stephen Brown - Excused  
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; Garrett Wilcox, Legal Intern; Chief Jason Mazuran, UPD Midvale Precinct; Chief Scott McBride, UFA; Danny Walz, RDA Director; and Jarin Blackham, IT Manager.

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

**I. DEPARTMENT REPORTS**

Chief Mazuran reported on recent police incidents. He said he would like to bring in the Employee of the Month from the Midvale PD to Council meetings to introduce them. Kane Loader said he would also like to reinstate the Officer of the Year Program.

Councilmember Wayne Sharp said the police were called out to have the music turned down from a party in the bowery Sunday Night. When he went over to the park, he noticed individuals smoking by the bowery. When he asked the officers if they said anything to them and the officers said no. He asked if the officers should be enforcing the City ordinance of no smoking and no drinking in the park. The Council and City Manager said yes. Kane Loader said he would review the ordinance with Chief Mazuran.

Chief McBride said they had their Awards Ceremony for the Fire Department and the Employee of the Year works in Midvale.

Laurie Harvey discussed the bond ratings received from Fitch, Standards, and Poor. Midvale City received an A plus rating. They said the rates were affordable. She suggested finalizing a capital improvement plan for water and sewer. She said we need to do everything we can to maintain our 365 day reserve money. The bonds are pricing and selling next week. The savings should be \$35,000 to \$40,000 per year. She discussed the emails being send from the website that were not being received. She said as soon as IT found out there was an issue, it was

immediately addressed and resolved. She said Mike Welling, IT Technician, is leaving so that job is being posted.

Phillip Hill reported on the Millennial Way and bike lanes on 900 East Projects. Next Wednesday the Planning Commission is scheduled to discuss the TOD overlay zone. Staff is proposing to split the TOD zones. He has a meeting scheduled with the landscape architect and they will be looking for grant money available for planning grants. He would like to get a consultant to assist with the small area plans for the TOD areas, which he felt would be very beneficial to the City. He said UDOT is looking into the issue regarding the striping on 7200 South and not being able to see it as the sun is going down. He is also looking into the complaint about the street light shining in to a home on the corner of Roosevelt and Marquette.

Danny Walz updated the Council on RDA projects. The ribbon cutting is the last week in October for the Bingham Junction Park. He discussed the Jordan Bluffs Option to Purchase Agreement and the possibility of extending the option for an additional six months.

Kane Loader said he has asked Larry Wright to be the Interim Public Works Director as well as the Facilities Manager job. Management and staff feel good about working with Larry and feel he will do a great job.

Larry Wright reported on the roof replacement at the police precinct which is close to completion. The parking situation on Millennial Way is that it has parking on both sides of the road. He suggested not allowing parking on the north side and painting the curbs red to solve the problem. The adjacent businesses will need to be notified to make sure they are aware of the change. Pioneer Street entering Wasatch also has a problem with parking on both sides of the street, which makes it very difficult for cars stopping at the stop sign. He suggested painting the curb red close to the stop sign.

Councilmember Wayne Sharp said the same problem occurs at the other end of Pioneer Street near Center Street.

Rori Andreason reminded the Council about the Volunteer Dinner Wednesday evening. She also informed the Council that she would be attending a conference next week so Shelly Reed will be attending Council meeting in her place. She reported on the PIO (Public Information Officer) conference she recently attended which offered a lot of great information.

## **II. CITY MANAGER'S REPORT**

Kane Loader reported on the meeting for the NUERA landfill purchase taking place tomorrow. He said there is a tour of the new Middle School scheduled for next week. He asked if any of the Council wanted to attend.

## **III. GENERAL BUSINESS**

### **A. Welcome and Pledge of Allegiance**

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

**IV. PUBLIC COMMENTS**

Robert Hale said he was very pleased with the new city hall. He said he would be in attendance at the next workshop and would like to get caught up on what's happening in Midvale City.

Sophia Hawes-Tingey said immediately after the volunteer appreciation dinner is a Community Council meeting. They will have election candidates there to discuss their candidacy.

Jenny Woods said she is a president of a 501K organization called Thunder Paws Fly Ball and was requesting use of the City park for practicing for a dog relay race. They need 100 ft. long and 50 ft. wide for a couple hours on Sundays.

Mayor Seghini asked her to provide a statement from other parks that have used.

Kane Loader said in the past there is a German Shepherd group that holds a dog show in the park each year and there has been no problems.

Ms. Woods said they clean up after the dogs. Most of their dogs are shelter dogs and this gives them direction for a job. These are high energy dogs and this is a good outlet for them. There are about 15 dog's total. She said the organization is also insured and the dogs are very controlled.

Councilmember Paul Hunt said he would like to see the park used for all kinds of events so he was fine with it.

Kane Loader said they could try it on a trial basis then report back to the Council.

Councilmember Quinn Sperry said he too was fine with it on a trial basis. The Council agreed.

Laurene Walker thanked the Mayor and Council for the cleanup twice a year. She's noticed a difference between the other cities do and don't have this service. She thinks it helps keep the City cleaner.

**V. COUNCIL REPORTS**

**A. Councilmember Quinn Sperry** – Thanked Public Works for the two yield signs on Casa Roja. He also stated that the Community Council meets tomorrow.

**B. Councilmember Wayne Sharp** – Had nothing to report.

**C. Councilmember Stephen Brown** – Absent.

**D. Councilmember Paul Glover** – Had nothing to report.

**E. Councilmember Paul Hunt** – Had nothing to report.

**VI. MAYOR REPORT**

**Mayor JoAnn B. Seghini** – Discussed the City's contributions to the Arts Council. The Council suggested waiting until the Arts Council agenda item to discuss this further.

**VII. CONSENT AGENDA**

**A. APPROVE MINUTES OF SEPTEMBER 20, 2016**

**MOTION:** Councilmember Wayne Sharp **MOVED** to approve the consent agenda. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a roll call vote. The voting was as follows:

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

The motion passed unanimously.

**VIII. ACTION**

**A. APPROVE ORDINANCE NO. 2016-O-13 ESTABLISHING TEMPORARY LAND USE REGULATIONS PROHIBITING AMUSEMENT HOUSES IN THE SF-1 AND SF-2 SINGLE FAMILY ZONES AND RM-12 AND RM-25 MULTI-FAMILY ZONES**

**MOTION:** Councilmember Wayne Sharp **MOVED** to open this item to public comment. 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.

Phillip Hill stated following discussions with the City Council it has been determined that it is necessary to review the existing land use regulations in the SF-1 and SF-2 Single Family zones, and RM-12 and RM-25 Multi-Family zones with respect to Amusement Houses.

Specifically the Council has expressed concerns of whether such uses are appropriate in single family neighborhoods and how/if the negative impacts related to traffic, noise and light can be mitigated.

As defined, an "Amusement House" means any house, building, premises or any other structure or portion thereof, whether temporary or permanent, that is open to the public to tour, move through for purposes of amusement, entertainment or fright. This use can be for either profit or non-profit.

The proposed ordinance would, if adopted, place a temporary land use regulation on these zones prohibiting Amusement Houses for up to six (6) months while the City Council, Planning Commission, and City Staff address these concerns. This ordinance does not apply to holiday decorations, only the use as defined.

John Seimans said he has put on a spook alley for years in Midvale. He was concerned about the definition of the ordinance. It's not big, not grand. They don't charge for it. They only have it on

Halloween night and hand out candy. People bring food that he donates to the food bank. His concern with the current way it's written is it's putting a suspension on haunted houses based on how it impacts the neighborhood for traffic, lights, and noise. By suspending it, how will the City get a true record on how it affects the neighborhoods. There are other residents that run a bigger spook alley and have it for a much longer time. He does it for a hobby because he loves Halloween. He said it would be a great disappointment if he cannot bring the joy to the citizens. He starts decorating the second week of October but brings out the big stuff the last week in October. He said the kids in the neighborhood know that if they vandalize or steal from his displays, that he will shut it down. He takes the display down within three days of Halloween.

Phillip Hill said this ordinance is for an amusement house that would require a building permit to erect. This ordinance would not affect Mr. Seiman.

Mr. Seimans said he has never received a complaint.

Laurene Walker said she and her neighbors love Mr. Seiman's spook alley. It's been a wonderful addition and she's glad it will not be affected by this ordinance.

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

Councilmember Paul Hunt said the spirit of this is to try to protect the neighborhoods, single/multi-family houses from excessive building, requiring and not getting building permits, noise, traffic, and parking ordinances.

Councilmember Quinn Sperry said he feels safety is the biggest issue being addressed.

Councilmember Wayne Sharp said safety as well as the affect and impact on the neighborhoods.

**MOTION: Councilmember Wayne Sharp MOVED to close this item to public comment. Councilmember Quinn Sperry SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

**MOTION: Councilmember Paul Hunt MOVED that based on the findings of the City Council, identifying the challenges of Amusement Houses in the SF-1 and SF-2 Single Family zones, RM-12 and RM-25 Multi-Family zones, I move to adopt Ordinance No. 2016-O-13 placing temporary land use regulations prohibiting Amusement Houses. This temporary land use regulation shall be limited in time to no more than six (6) months following the adoption of this ordinance. The motion was SECONDED by Councilmember Wayne Sharp. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:**

<b>Council member Stephen Brown</b>	<b>Absent</b>
<b>Council member Paul Glover</b>	<b>Aye</b>
<b>Council member Paul Hunt</b>	<b>Aye</b>
<b>Councilmember Wayne Sharp</b>	<b>Aye</b>
<b>Council member Quinn Sperry</b>	<b>Aye</b>

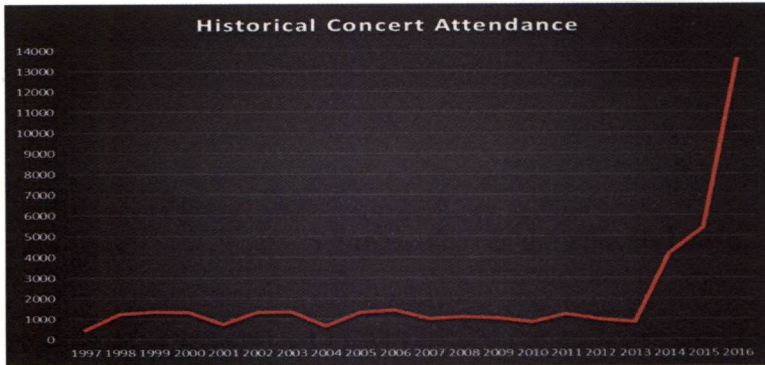
**The motion passed unanimously.**

**IX. DISCUSSION ITEMS**

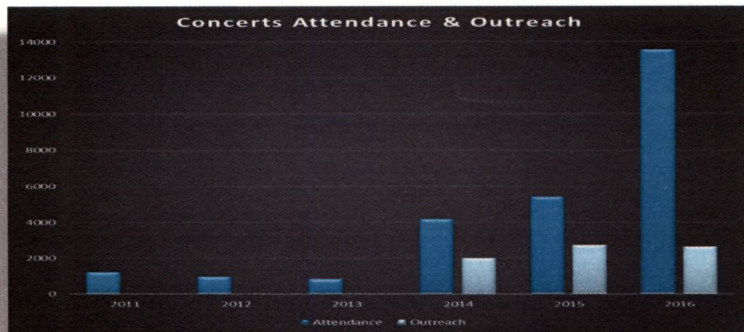
**A. ARTS COUNCIL REPORT ON SUMMER ACTIVITIES**

Melanie Beardall and Bob Bedore presented the Arts Council report on the summer activities.

Midvale Arts Council Summer Activities Report  
**Levitt AMP Midvale Music Series**



- Concerts in Midvale have been going for over 20 years
- We used to be involved with the annual community Messiah performance
- We used to hold Presidents' Day Concerts at Hillcrest High
- We used to have one concert in the summer each year
- We have had indoor concerts at the old Senior Center & also at the MPAC monthly or quarterly
- We are always evaluating our efforts to see how we can improve



- We have worked very hard to increase our impact on the community
- We have worked closely with the schools to provide enrichment activities – Salzburger Echo, Mama's Wranglers, & Quick Wits have all provided workshops and/or assemblies
- We have also been able to increase the number of artists that are involved:

2011 – 203 artists  
2012 – 190 artists  
2013 – 151 artists  
2014 – 211 artists  
2015 – 251 artists  
2016 – 527 artists



**Diversity:**

Bands including 23<sup>rd</sup> Army Band, Latin Roots, Incendio, Dunmore Lassies, City Jazz Big Band, Samba Fogo, Crescent Super Band, and Samba Fogo Band.

**Atmosphere:**

Family, unity, community, volunteers, food trucks, activities.

**Patron Comments:**

- The Friday night concerts are fun. I have to work, but these concerts make me feel more connected to what's meaningful and worth living for. Also, it contributes to a feeling of community at a time where a sense of community is being challenged. – Barbara Tagoa'i
- All the artists were so talented and wonderful to listen to! It was a wonderful summer of concerts and I loved enjoying the beauty of nature with my family. We looked forward to these concerts every week! They are fun, relaxing and simply enjoyable. Thank you Midvale Arts Council for all your hard work to provide this concert series for our community! – Holly Weidauer
- Thank you Midvale Arts! I'm honored that you let me perform for your amazing community! Best to You! – Alex Boyé
- They provided me with multiple concerts with artists that reflected various cultures, ethnicities, and demographics. I loved most of them, and those that I didn't broadened my experience! – Anonymous

**Quick Wits Comedy Improv College:**

- East Midvale – 28 students participated
  - 695 audience members
- Midvalley – 11 students participated
  - 549 audience members
- Midvale – 20 students participated
  - 790 audience members
- Copperview – 2 students participated
  - 650 audience members
  - **Totals = 61 students participated**
  - **2684 audience members**

Bob Bedore thanked the Council for the Arts program in Midvale. He is a West Jordan resident but there are no arts in West Jordan, which is why he became a part of the Midvale Arts Council. He owns the Quik Wits Comedy Center. He expressed his appreciation for the arts and what it can do for the community.

Mayor Seghini asked the Council about writing letters of support for the Arts Council.

Councilmember Wayne Sharp said he has received concerns from constituents regarding the amount of money the City gives to the Arts Council.

Councilmember Paul Glover said it's good to provide a better image for the City and give back to the community.

Councilmember Wayne Sharp said he was not opposing the support for the Arts Council. He said they did a great job on the concerts. He was bothered by the fact that they took advantage of talking about the petitions against the land use development at the Harvest Days Community Event.

Councilmember Quinn Sperry said he did not appreciate what the Arts Council did by using their position as a platform against the land use development but it's not enough to pull back his support.

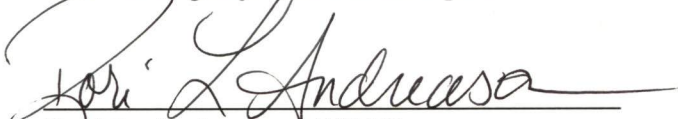
Councilmember Paul Hunt said he would like to open up our community and enjoy the arts and the park. He appreciates the Arts Council and all of the work that they do.

Mayor Seghini challenged the Arts Council to include the Midvale residents east of State Street as well.

**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 8:31 p.m.

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



Approved this 18th day of October, 2016.

