



**Midvale City**  
**CITY COUNCIL MEETING**  
*Minutes*

**Tuesday, December 16, 2014**  
**Council Chambers**  
**655 West Center Street**  
**Midvale, Utah 84047**

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**MAYOR:** JoAnn Seghini

**COUNCIL MEMBERS:** Council Member Stephen Brown  
Council Member Paul Glover  
Council Member Paul Hunt  
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; Alan Hoyne, Interim Public Works Director; Stephen Black, Interim Public Works Director; Andrea Andreason, Public Works Administrative Assistant; Chad Woolley, City Attorney; Chief Tony Mason, UPD Midvale Precinct; Stephen Higgs, UFA; Danny Walz, RDA Director; and Jarin Blackham, IT Manager.

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

**I. INFORMATIONAL ITEMS**  
**A. DEPARTMENT REPORTS**

Chief Mason reported that a resident wanted to donate funds to the police department.

Chief Higgs had nothing to report.

Laurie Harvey reported on the three new employees in Administrative Services. The Audit Committee will meet on December 22nd at 4:00 p.m. She discussed the disposal of city property (i.e. furniture from old city hall). She and the attorney reviewed the City's ordinance and determined the Council has the authority to decide how city property is disposed of. She recommended a silent auction and make sure the amount is fair. The Council agreed.

Phillip Hill discussed the changes to the CDBG Program. The County will no longer pass on the funds to the cities. The County will decide on the disbursement of the funds. They feel there are needs throughout the county that are not being addressed and they can better determine where those funds should be sent. He expressed his frustration with the process. He updated the Council on proposed developments in the City.

Danny Walz had nothing to report.

Stephen Black reported on two new employees for Public Works.

Rori Andreason discussed the upcoming municipal election. Councilmember Wayne Sharp asked about the Employee By-Laws in regards to filing the vice president seat if for some reason the vice president needs to fill the president seat during mid-term. She said she would make sure that information is in the By-Laws.

Chad Woolley had nothing to report.

**II. CITY MANAGERS REPORT**

Kane Loader updated the Council on VECC and the 911 CAD systems. He discussed the transfer station proposal by Sandy City, which he does not feel will come to fruition.

Mayor JoAnn B. Seghini opened the regular meeting at 7:00 p.m.

**III. GENERAL BUSINESS**

**A. Welcome and Pledge of Allegiance**

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

**C. Proclamation** – declaring December 2, 2014 as Giving Tuesday in Midvale City. Mayor Seghini read the proclamation declaring December 2, 2014 as "Giving Tuesday in Midvale City".

**D. Interviews** – to fill Unexpired Term as Council Member for Council District No. 1. Interviews were conducted for both candidates desiring to fill the unexpired term in Council District No. 1. The Council conducted a vote of the candidates. Quinn Sperry was voted into office to fill the unexpired term in Council District No. 1 with a 3 to 1 vote. Rori Andreason swore Quinn Sperry into office.

**ACTION: APPROVE RESOLUTION NO. 2014-R-54 APPOINTING AN INDIVIDUAL TO FILL THE UNEXPIRED TERM AS COUNCIL MEMBER FOR DISTRICT NO. 1.**

**MOTION: Councilmember Paul Hunt moved to approve Resolution No. 2014-R-54 appointing Quinn Sperry to fill the unexpired term as Council Member for Council District 1 until December 31, 2015. 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:**

<b>Council member Stephen Brown</b>	<b>Aye</b>
<b>Council member Paul Glover</b>	<b>Aye</b>
<b>Council member Paul Hunt</b>	<b>Aye</b>
<b>Council member Wayne Sharp</b>	<b>Aye</b>

**The motion passed unanimously.**

**IV. PUBLIC COMMENTS**

George and Dixie Hale expressed appreciation for the speed bumps in their neighborhood. They also gave a card of condolences for the passing of Ken Vance, Public Works Director.

There was no one else who desired to speak.

**V. COUNCIL REPORTS**

- A. Councilmember Wayne Sharp** – asked if City events and information could be published in the City newsletter and on the web site earlier than has been so the information is not out-of-date when the public receives it. He expressed appreciation for his invitation to the Public Works Christmas Party.
- B. Councilmember Stephen Brown** – updated the Council on the Planning Commission meeting items. Discussion on signage took place.
- C. Councilmember Paul Glover** – asked staff to look into Christmas lighting on State Street next year.
- D. Councilmember Paul Hunt** – had nothing to report.
- E. Councilmember Quinn Sperry** – thanked everyone for the opportunity to serve.

**VI. MAYOR REPORT**

**Mayor JoAnn B. Seghini** – Invited the Council to the City employee luncheon. She also said the jam is coming in January.

**MOTION: Councilmember Stephen Brown MOVED to open a public hearing. Councilmember Paul Glover SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

**VII. PUBLIC HEARING(S) – 7:00 PM**

- A. CONSIDER A REQUEST TO VACATE CITY PROPERTY AT APPROXIMATELY 1150 WEST 7200 SOUTH**

Phillip Hill said Section 12.16.050 of the Midvale City Municipal Code adopts the provisions of 10-8-2 of the Utah Code pertaining to the disposition of City owned properties and rights-of-way. This process details noticing requirements, public hearing requirements and the process by which the property is to be disposed of if approved by the City Council. Because the subject property is not a public right-of-way, the public notice will run once in the Salt Lake Tribune and Deseret News two weeks prior to the public hearing.

Vacating City-owned property requires a recommendation from the Planning Commission to the City Council. It is the Planning Commission's responsibility to evaluate the land use implications of the request. Once the Planning Commission makes a recommendation, the City Council will

make a final decision. If the Council agrees to vacate the right-of-way, the applicant will be required to purchase the vacated property from the City at a fair value.

During the initial planning of the Riverwalk property and through negotiations with the master developer, the City came to own this approximate 0.30 acre piece of property. The property was not part of the required open space, but due to additional cleanup was not able to be included in the developer's time frame of platting and selling to home builders. Staff has never been able to identify a positive benefit of owning this additional property, and after speaking with Mr. Reynolds, and evaluating the parking situation in his development, feel it can best be utilized for the development of additional surface parking and garages for the adjacent development.

In 2007, the City, working in conjunction with UDOT, identified a policy by which to value properties being vacated for sale by the City. The policy is to identify the raw ground value of the subject property, and then if not developable by anyone other than the adjacent property owner, reduce the sales price by 15-25%. The raw ground price at the time the City acquired this piece was \$4.00 per square foot.

Based on this policy, the proposed sales price to Mr. Reynolds is \$40,000. This is based on:

- \$4.00 per sf. x 13,073.5 sf. = \$52,294
- 15-25% reduction; 23.5% (\$12,289) was the negotiated reduction in this case = \$40,000

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

**MOTION: Councilmember Paul Glover MOVED to close a public hearing. 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.**

**ACTION: APPROVE RESOLUTION NO. 2014-R-56 VACATING CITY PROPERTY AT APPROXIMATELY 1150 WEST 7200 SOUTH FOR FUTURE SALE**

**MOTION: Councilmember Paul Hunt moved to based on sufficient notice being given for the public hearings to consider vacating city owned property and the City Council's authority to dispose of City owned property per Section 10-8-2 of Utah State Code as adopted per Section 12.16.050 of the Midvale City Municipal Code, I recommend that the City Council adopt Resolution 2014-R-56 declaring the approximate .30 acres of property located at approximately 1150 West 7200 South, as more fully described in the attached legal description, as surplus to allow for the sale of said property for not less than \$40,000. 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**  
**Councilmember Quinn Sperry     Aye**

**Council member Paul Hunt           Aye**  
**Council member Wayne Sharp       Aye**  
**The motion passed unanimously.**

**VIII. CONSENT AGENDA**

**A.    APPROVE MINUTES OF NOVEMBER 18, 2014**

**B.    APPROVE RESOLUTION NO. 2014-R-53 A RESOLUTION ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR CITY COUNCIL MEETINGS, DESIGNATE THE MAYOR PRO TEMPORE SCHEDULE, AND ADOPT THE HOLIDAY SCHEDULE FOR THE 2015 CALENDAR YEAR**

**MOTION:** Councilmember Wayne Sharp moved to approve 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 Paul Glover       Aye**  
**Councilmember Quinn Sperry     Aye**  
**Council member Paul Hunt        Aye**  
**Council member Wayne Sharp     Aye**  
**Council member Stephen Brown   Aye**

**The motion passed unanimously.**

**IX. ACTION ITEMS**

**A.    APPROVE RESOLUTION NO. 2014-R-55 A RESOLUTION OF MIDVALE CITY ENCOURAGING THE STATE OF UTAH TO ADDRESS COMPREHENSIVE TRANSPORTATION FUNDING**

Kane Loader said over this past year Midvale City has been working with the Utah League of Cities and Towns on funding options for transportation needs. It has been determined that the current B and C Road Fund allocation only provides between 25 and 30 percent of the funding needed by cities and towns statewide to maintain and replace their current transportation infrastructure. This funding comes from the state motor fuel tax that has not seen an increase for the past 24 years. With the fuel efficiency of new vehicles and the advent of all electric or electric assisted motors this funding has in fact diminished. That coupled with the increased costs for maintenance and replacement of transportation infrastructure has put those government entities responsible in a critical underfunded position. In Midvale City's case we are using every bit of our B and C Road Funds available and, unless there is an increase authorized by the State Legislature, will have to look at other funding alternatives such as a road user fee or an increase to the City's property tax rate.

The resolution that we are asking the City Council to approve is one similar to those being approved around the state by other cities and towns encouraging the Utah State Legislature to address this critical need. The resolution also approves Midvale City to join the Utah Transportation Coalition and enter into an agreement with the Salt Lake Chamber of Commerce for consulting services on this initiative.

**MOTION:** Councilmember Stephen Brown moved to approve Resolution No. 2014-R-55 a resolution of Midvale City encouraging the State of Utah to address Comprehensive Transportation Funding. 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:

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

The motion passed unanimously.

**B. APPROVE RESOLUTION NO. 2014-R-57 ADOPTING THE 2014 UPDATE OF THE MIDVALE CITY WATER CONSERVATION PLAN**

Alan Hoyne thanked everyone for having the confidence in he and Stephen to run Public Works in the absence of a Director. He said the Utah State Legislature has passed legislation requiring public water suppliers to prepare a Water Conservation Plan and then to update the plan periodically. The City prepared the original Water Conservation Plan in 1999 and then updated that plan in 2003 and 2010. We are presenting the 2014 update to the City's Water Conservation Plan.

Councilmember Wayne Sharp asked if churches and schools are aware of how to regular water use? He also addressed issues with businesses and residents overwatering. The Council and staff discussed these issues at length.

Phillip Hill said Jordan Valley Water Conservancy District is using Midvale as a demonstration of ways to conserve water (i.e. Bingham Junction and the new park)

Kane loader said Jordan Valley was surprised Midvale has not had to increase the contract because of what has been done in Bingham Junction the water usage has not increased like they thought it would.

**MOTION:** Councilmember Paul Hunt moved to approve Resolution No. 2014-R-57 adopting the 2014 update of the Midvale City Water Conservation Plan. The motion was seconded by Councilmember Wayne Sharp. 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 Hunt	Aye
Council member Wayne Sharp	Aye
Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Councilmember Quinn Sperry	Aye

The motion passed unanimously

**X. DISCUSSION ITEMS**

**A. DISCUSS KIMPTON SQUARE**

Phillip Hill discussed the proposed development at Kimpton Square.

Jeff Nielson said two main items of concern were the scale of the buildings and surrounding uses, and what visual impact of building was at the street. One of the issues was the overall height of the building. He said they have lowered the overall building, and pushed a portion of the parking to be sub-terrain. They have tried to give it a store front look; the ground level will all have store front windows. He discussed landscaping, colors, layout, and building materials. They have received 10 million of federal tax credits for this project.

Councilmember Wayne Sharp asked if this is low income housing for seniors, and does it have to stay in effect for 99 years. Mr. Nielson said yes, it is 99 years and age restricted.

Councilmember Stephen Brown asked how it is regulated. Mr. Nielson said it is audited yearly, both from a financial as well as a compliance stand point. There will also be audits on income and age restrictions.

Councilmember Paul Glover asked what happens in years down the road the building is run down, what will happen then. Mr. Nielson said that they will apply for more tax credits to do renovations. He said it was in their best interest to keep the property in good condition.

Phillip Hill asked if the Council is willing to entertain an application from the developer to increase the density. The majority of the Council said to proceed.

**XI. ADJOURN**

**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.**

Mayor Seghini adjourned the regular meeting at approximately 9:15 p.m.

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**Rori L. Andreason, MMC**  
**CITY RECORDER**

Approved this 6<sup>th</sup> day of January 2015.