



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, November 18, 2014
Council Chambers
655 West Center Street
Midvale, Utah 84047

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Robert Hale
Council Member Wayne Sharp

STAFF: Phillip Hill, Assistant City Manager/Community and Economic Development Director; Rori Andreason, H.R. Director/City Recorder; Ken Vance, Public Works Director; Chad Woolley, City Attorney; Chief Tony Mason, UPD Midvale Precinct; Stephen Higgs, UFA; Danny Walz, RDA Director; and Matt Pierce, Systems Administrator.

Mayor Seghini called the meeting to order at 6:34 p.m.

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS

Chief Mason said Channel 4 is doing a report on the citizen's academy at UPD.

Chief Higgs had nothing to report. Mayor thanked UFA for what they did for Veterans Day.

Danny Walz distributed a copy of the RDA 2014 Annual Report.

Ken Vance reported on the speed humps that were installed for George Hale's neighborhood. He also reported that the Christmas lights are almost all up. He said he did graduate from the citizen's academy at UPD and said it was a very interesting and great class. He encouraged the Council to attend when they get an opportunity.

Councilmember Wayne Sharp said at the end of Pioneer Street and Wasatch it needs to be painted red 30 ft. from the stop sign because there is a lot of traffic there. Mayor Seghini said there is also a large truck parked there that needs to be moved. Councilmember Steve Brown said Millennium way also has trucks that park along that road that need to be removed or limited to parking on only one side of the road.

Rori Andreason reviewed several scheduling items as well as current job openings. She also discussed the Council seat vacancy in Council District 1. Public interviews will be held during Council meeting on December 2.

Chad Woolley said things are going well and he is glad to be here.

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Phillip Hill reported on the street lighting project. He indicated that Phase I is complete and they are working on Phase II. He also reported on the progress of the main park. He reported that DDR has sold the Family Center; it's now the Shops at Fort Union. The new owners are looking at making a few changes and doing some branding. He said Fox 13 ran a story on the Pioneer cemetery last night due to an individual who claimed there is a development being built over an Indian burial ground. He said he let them know there was no development being built over the cemetery and we do not know if any Indians are buried there.

Mayor JoAnn B. Seghini opened the regular meeting at 7:01 p.m.

II. 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.

III. PUBLIC COMMENTS

There was no one present who desired to speak.

IV. COUNCIL REPORTS

A. Councilmember Wayne Sharp – Had nothing to report.

B. Councilmember Stephen Brown – Had nothing to report.

C. Councilmember Paul Glover – Had nothing to report.

D. Councilmember Paul Hunt – asked if David Dean was new chair of the museum. Rori said no Bill Miller is the chair person. David Jorgensen left and Bill Miller became chair. She was informed of this change by Chris Pratt. Bill Miller met with Kane Loader but she was not sure if Kane had talked with David Dean.

Councilmember Hunt - said he would support moving the museum to the old senior center.

Councilmember Glover said to look into what the cost would be to purchase the church building by the old middle school.

V. MAYOR REPORT

Mayor JoAnn B. Seghini – said that she looked at plans for the new middle school. She described the layout. She said she is very impressed with the principal of the school. She is working on gathering donations to build a bigger auditorium.

VI. PUBLIC HEARING(S) – 7:00 PM

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.

**A. CONSIDER VIEW 72 RETAIL SUBDIVISION 2ND AMENDED SUBDIVISION;
LOCATED BETWEEN 700 WEST/BINGHAM JUNCTION BOULEVARD
AND 7200 SOUTH/RAIL LINE (APPROX. 7300 SOUTH 800 WEST)**

Lesley Burns said the existing View 72 Retail Subdivision Amended plat (attached) was recorded in February 2013 following reviews and approvals from the Planning Commission and City Council. This subdivision plat includes some of the property covered by the View 72 Retail Large Scale Master Plan - the retail and commercial development located at the southwest corner of 7200 South and along 700 West, as well as the undeveloped area to the west bordered by Bingham Junction Boulevard. This undeveloped property is currently shown as "Parcel A" on the existing plat and was intentionally left as one large parcel until such time as more specific development plans were contemplated for the area. Since that time, the Large Scale Master Plan for the Overstock project has been approved. This LSMP delineates the location of the extension of Junction View Drive through Parcel A, creating the development parcel for the Overstock project.

The proposed View 72 Retail Subdivision 2nd Amended plat amends the interior of the Parcel A area on the current subdivision plat with the following changes:

- Provides the public right-of-way for the extension of Junction View Drive, completing the required east/west road connection between 700 West and Bingham Junction Boulevard. The new right-of-way appropriately intersects with the existing Junction View Drive right-of-way on the west side of Bingham Junction Boulevard.
- Combines Lot 10 of the existing View 72 Retail Subdivision with the development area south of Junction View Drive to create the lot for the Overstock project.
- Amends the perpetual open space easements around the perimeter of the plat area to correspond with the amendments made to the overall open space plan for the Junction at Midvale project. These open space amendments were approved by the City Council in July 2014.

The Planning Commission conducted a public hearing on this subdivision plat on October 22, 2014. Based on compliance with the subdivision requirements and consistency with the approved Large Scale Master Plans for the area, the Commission forwarded a positive 2 recommendation to the City Council to approve the View 72 Retail Subdivision 2nd Amended plat with the following condition:

- The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.

The applicant has prepared a final subdivision plat addressing some technical issues noted by the City Engineer. The City Engineer has reviewed and approved this corrected amended subdivision plat. Because no changes are being made to the infrastructure or physical development in the area, the Fire Marshal did not need to review this proposal. Overall, this 2nd amended plat is consistent with the approved Large Scale Master Plan for the area as well as changes made to the overall required open space areas, and furthers the required infrastructure improvements for the larger project area (extension of Junction View Drive).

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.

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

ACTION: APPROVE VIEW 72 RETAIL SUBDIVISION 2ND AMENDED SUBDIVISION; LOCATED BETWEEN 700 WEST/BINGHAM JUNCTION BOULEVARD AND 7200 SOUTH/RAIL LINE (APPROX. 7300 SOUTH 800 WEST)

MOTION: Councilmember Paul Hunt moved to approve the View 72 Retail Subdivision 2nd Amended located at approximately 7300 South 800 West with the condition that the applicant obtains all required signatures on the final subdivision plat Mylar. 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
Council member Wayne Sharp	Aye

The motion passed unanimously.

VII. CONSENT AGENDA

A. APPROVE MINUTES OF OCTOBER 28, 2014

B. SET DATE AND TIME (DECEMBER 2, 2014 AT 7:00 P.M.) FOR A PUBLIC HEARING TO CONSIDER A REQUEST TO VACATE CITY PROPERTY AT APPROXIMATELY 1150 WEST 7200 SOUTH

MOTION: Councilmember Wayne Sharp moved to approve consent agenda. 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
Council member Wayne Sharp	Aye
Council member Stephen Brown	Aye

The motion passed unanimously.

VIII. ACTION ITEMS

A. APPROVE ORDINANCE NO. 2014-O-10 AMENDING MIDVALE CITY MUNICIPAL CODE, CHAPTER 5.04 DENIAL, SUIPENSION OR REVOCATION OF LICENSE

Chad Woolley said currently, the City's ordinances require all appeals for business license denials, suspensions, and revocations to be heard by a hearing board consisting of City Council members. This process can be quite inconvenient and cumbersome to schedule within in the required time period. Amending the appeal process to allow a hearing officer to conduct the appeals will reduce the difficulty in scheduling hearings.

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Additionally, this amendment will bring further consistency to the City's procedures. The City Council has already appointed a hearing officer to hear various other appeals such as employee terminations, etc. By amending this ordinance and expanding the hearing officer's authority, there will be less variance in procedures. As a result, City staff will be able to more quickly respond to requests for appeals because all appeals will be directed to the hearing officer.

MOTION: Councilmember Wayne Sharp moved to approve Ordinance No. 2014-O-10 Amending Chapter 4 of Title 5 of the Midvale City Code pertaining to the appeal procedures for business license denials, suspensions, and revocations. 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 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-52 AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN MIDVALE CITY AND THE CITY OF COTTONWOOD HEIGHTS FOR THE LANDSCAPING ALONG UNION PARK BLVD

Ken Vance said this is for landscape maintenance only for April through September. An Interlocal Agreement has been prepared between Midvale City and the City of Cottonwood Heights for joint action for the boundary between Cottonwood Heights and Midvale that extends along much of the centerline of 1300 East and Union Park Avenue from I-215 to Creek Road. Both Cities have the responsibility for repairs and maintenance of improvements along the centerline. This agreement will enable cost savings for both cities by coordinating cost sharing and reimbursements.

FISCAL IMPACT: Savings of \$1,260 Annually

MOTION: Councilmember Stephen Brown moved to approve Resolution No. 2014-R-52 Authorizing the Mayor to enter into an Interlocal Agreement for Joint Action for the Boundary between Cottonwood Heights and Midvale that extends along much of the centerline of 1300 East and Union Park Avenue from I-215 to Creek Road as outlined in Attachment 'A'. 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 Wayne Sharp	Aye
Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye

The motion passed unanimously

IX. DISCUSSION ITEMS

A. DISCUSS ESTABLISHING THE 2015 MEETING SCHEDULE, HOLIDAY SCHEDULE, AND MAYOR PRO-TEM FOR MIDVALE CITY

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Rori Andreason discussed the 2015 Meeting schedule, holiday schedule, and mayor pro-tem. This item will be scheduled on the next agenda for approval.

B. DISCUSS REQUEST TO VACATE PROPERTY AT APPROX. 1150 WEST 7200 SOUTH

Phillip Hill said the 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

He said this item will come back for a public hearing at the next meeting.

X. 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 7:42 p.m.

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

Approved this 16th day of December, 2014.