



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, October 28, 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: 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; Ken Vance, Public Works Director; 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 on recent drug seizures.

Chief Higgs said everything is ready for the Veteran's Day Ceremony.

Laurie Harvey reported on attendance at the Caselle Users Conference. She said the auditors were here last week doing field work. She expressed appreciation to Danny Walz for his hard work on the new city hall.

Phillip Hill said Holden Street has a speed limit of 35 mph now and it is being enforced. He is also working on a turn lane into City Hall. He discussed several traffic intersections that have issues throughout the City and what can be done to resolve the issues.

Ken Vance reported on the traffic calming issue brought up by George Hale. He reviewed the Traffic Calming Program and the process to go through to qualify for speed humps. This street had over 1000 cars within 2 days so the volume is high. However, the speeds are not excessive. He said it does not qualify for the speed humps according to the speeds but maybe for the traffic volume. He said people are using this street as a cut-through street.

Kane Loader said if the Council wants to put in speed humps, staff need to move forward now. The Council agreed to proceed.

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Ken Vance discussed a Lateral Insurance Protection Plan program. Salt Lake Suburban has this in place and is paying for it for their residents for the first few years. He can discuss this further with Salt Lake Suburban if the Council is interested in it. The Council said to bring it back as a discussion item.

Rori Andreason discussed some scheduling items as well as positions within the City that are vacant or needing to be filled.

II. CITY MANAGERS REPORT

Kane Loader thanked everyone for participating in the Ribbon Cutting Ceremony.

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, Robert Hale, Paul Hunt and Wayne Sharp were present at roll call.

C. Proclamation - Declaring November 17-21, 2014 Utah College Application Week in Canyons School District.

Mayor Seghini read the Proclamation Declaring November 17-21, 2014 as Utah College Application Week in Canyons School District.

Susan Edwards expressed her appreciation for the Proclamation. The goal of the week is to provide the means for every high school senior to complete one application for higher education. The Canyons Education Foundation has agreed to put up \$25,000 to make sure everyone can make an application, so finances will not be a barrier for them.

IV. PUBLIC COMMENTS

David Dawes said the new city hall is very nice. He also thanked the Council for the repairs on 7800 South.

V. COUNCIL REPORTS

A. Councilmember Robert Hale - reported on the UIA meeting. Both Utopia and UIA are improving in their revenues over costs. He discussed the take rates in Midvale. He said his mission call has been delayed until December now.

B. Councilmember Paul Glover – had nothing to report.

C. Councilmember Stephen Brown – thanked Danny and everyone for the efforts with the new city hall.

D. Councilmember Paul Hunt – reported that there are extra storage containers being used at the Copperview Community Center. He asked Hillcrest to submit artwork for the side of those containers. They chose a mural to put on the side of the containers. It is a great community involvement project. They are working on getting a full boxing program there next fall.

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- E. Councilmember Wayne Sharp** – reported that two people have been diagnosed with the West Nile Virus. He also said he talked to Chris Pratt the city recorder years ago who said there is a time capsule underneath the bell at the old city hall. He said that he was very pleased with the new city hall. He heard comments that it's nice but not extensively fancy unlike some other cities.

VI. MAYOR REPORT

Mayor Seghini talked about the Midvale Improvement Program. This program involves the gang task force, police department, Copperview Community Center, Mayor Seghini representing Midvale City, Peer Court, and a variety of agencies that work with youth and how to cut down on graffiti. They are looking for places in the community where the youth can provide art that is productive and not destructive.

She thanked the staff and Danny Walz for their efforts on the new city hall. She said she thinks all of the employees are excited about having windows and offices. She hopes this will meet the needs of the city for at least 35 years and beyond.

MOTION: Councilmember Robert Hale MOVED to open a public hearing. 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.

VII. PUBLIC HEARINGS

A. CONSIDER AMENDMENTS TO FY 2015 GENERAL FUND AND OTHER FUNDS AS NECESSARY

Laurie Harvey said staff proposes amendments to the FY 2015 Budget for the General Fund, Capital Improvement Projects Fund, and Storm Water Utility Fund. Many of these amendments are carry-forwards of unspent FY 2014 grants; however, there are several new revenue sources in the General Fund.

FISCAL IMPACT:

General Fund – new revenues and expenditures of \$67,800. Contribution from fund balance of \$22,000 required for increase in Emergency Management personnel.

Capital Improvement Projects Fund – None

Storm Water Utility – None

MIDVALE CITY CORPORATION - BUDGET OPENING #2 - FY 2015

Description Revenue A/C # Expenditure A/C #

GENERAL FUND

- Carry forward Wasatch Front Regional Council grant \$ 300,000 10-3365-000-000
- Transfer Wasatch Front Regional Council grant to CIP \$ 300,000 10-4830-910-107

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| ▪ Carry forward S.L. County Cultural Facilities grant | 30,000 | 10-3370-300-000 |
| ▪ Transfer S.L. Co. Cultural Facilities grant to CIP | 30,000 | 10-4830-910-108 |
| ▪ Carry forward Community Development Block grant | 219,800 | 10-3319-000-000 |
| ▪ CDC down payment assistance program | 1,400 | 10-4151-540-400 |
| ▪ Improvements at Copperview Community Center | 7,000 | 10-4151-540-400 |
| ▪ South Valley Boys & Girls Club | 10,000 | 10-4151-540-400 |
| ▪ Transfer CDBG funds to CIP | 201,400 | 10-4830-910-200 |
| ▪ Reduce remaining grant balance from S.L. County | (17,400) | 10-3370-200-000 |
| ▪ Reduce pass-through grant to Boys & Girls Club | (17,400) | 10-4151-540-100 |
| ▪ Proceeds from Utah Dept. of Transportation | 34,000 | 10-3340-000-000 |
| ▪ Transfer transportation funds to CIP | 34,000 | 10-4830-910-100 |
| ▪ Grant from Utah Department of Heritage and Arts | 5,000 | 10-3347-000-000 |
| ▪ Cemetery records project (intern) | 5,000 | 10-4510-310-100 |
| ▪ Grant from Utah Dept. of Public Safety | 10,000 | 10-3312-200-001 |
| ▪ Emergency Management education | 5,000 | 10-4215-330-000 |
| ▪ Emergency Management equipment | 5,000 | 10-4215-740-000 |
| ▪ Federal Department of Justice JAG grant | 18,800 | 10-3312-100-002 |
| ▪ UPD equipment (bulletproof vests, surveillance equip) | 18,800 | 10-4215-324-000 |

MIDVALE

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| ▪ Reallocate funds for asphalt recycling trailer | (15,000) | 10-4410-790-000 |
| ▪ Streets - directional signs | 10,000 | 10-4410-790-000 |
| ▪ Parks - Main Street basketball court improvements | 5,000 | 10-4510-730-000 |
| ▪ Increase Emergency Manager Position from p/t to f/t - salary | 16,000 | 10-4215-110-000 |
| ▪ Increase Emergency Manager Position from p/t to f/t - benefits | 6,000 | 10-4215-130-000 |
| ▪ Contribution from Fund Balance | 22,000 | 10-3890-000-000 |
| ▪ Total General Fund | \$ 622,200 | |

CAPITAL IMPROVEMENT PROJECTS FUND

| | | |
|---|------------|-----------------|
| ▪ Transfer from General Fund - WFRC grant | \$ 300,000 | 41-3810-100-007 |
| ▪ Holden Street improvements | \$ 300,000 | 41-4983-714-002 |
| ▪ Transfer from General Fund - S.L. Co facilities grant | 30,000 | 41-3810-100-008 |
| ▪ Amphitheater/MPAC studies | 30,000 | 41-4983-713-019 |
| ▪ Transfer from General Fund - CDBG grant | 201,400 | 41-3810-100-200 |
| ▪ Oak Street project | 201,400 | 41-4983-713-002 |
| ▪ Transfer from General Fund - transportation funds | 34,000 | 41-3810-100-005 |
| ▪ 7200 South interchange project | 34,000 | 41-4983-710-005 |
| ▪ Federal Highway funding | 130,000 | 41-3650-000-000 |
| ▪ Bingham Junction Blvd improvements | 130,000 | 41-4983-750-962 |
| ▪ Contribution from CIP Fund Balance | 2,830,500 | 41-3890-000-000 |

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| ▪ Holden Street improvements | 30,000 | 41-4983-714-002 |
| ▪ Amphitheater/MPAC studies | 30,000 | 41-4983-713-019 |
| ▪ Oak Street project | 1,957,000 | 41-4983-713-002 |
| ▪ Traffic Calming | 16,100 | 41-4983-706-003 |
| ▪ General Plan | 80,000 | 41-4983-707-003 |
| ▪ Midvale City Park improvements | 474,000 | 41-4983-713-014 |
| ▪ Larchwood Street curb/gutter/sidewalk | 20,000 | 41-4983-713-017 |
| ▪ Police Station improvements | 38,700 | 41-4983-713-018 |
| ▪ Municipal finance software | 57,300 | 41-4983-750-500 |
| ▪ State Street banners/Christmas decorations | 30,200 | 41-4983-750-938 |
| ▪ Pavement Management | 23,000 | 41-4983-750-941 |
| ▪ Pedestrian improvements | 74,200 | 41-4983-750-958 |
| ▪ Total Capital Improvement Projects Fund | \$ 3,525,900 | |

STORM WATER UTILITY FUND

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| ▪ Contribution from Storm Water Fund Balance | \$ 1,846,700 | 54-3880-000-000 |
| ▪ Public Works building remodel | \$ 172,000 | 54-5400-790-400 |
| ▪ FY 2015 capital projects | 2,450,900 | 54-5400-790-700 |
| ▪ Other capital outlay | (385,200) | 54-5400-790-000 |
| ▪ Adams Street project | (391,000) | 54-5400-790-600 |
| ▪ Total Storm Water Utility Fund | \$ 1,846,700 | |

Mayor Seghini opened the hearing to 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 2014-R-51, AMENDING THE BUDGET OF THE GENERAL FUND, CAPITAL IMPROVEMENT PROJECTS FUND, AND STORM WATER UTILITY FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2015**

MOTION: Councilmember Robert Hale **MOVED** to adopt Resolution 2014-R-51, amending the budget of the General Fund, Capital Improvement Projects Fund, and Storm Water Utility Fund for the fiscal year ending June 30, 2015. 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 Stephen Brown Aye
Council member Paul Glover Aye

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**Council member Robert Hale Aye
Council member Paul Hunt Aye
Council member Wayne Sharp Aye**

The motion passed unanimously.

MOTION: Councilmember Paul Hunt 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.

**B. CONSIDER A FINAL SUBDIVISION PLAT FOR A FLAT LOT SUBDIVISION,
JACKSON COVE SUBDIVISION LOCATED AT 7658 SOUTH 1095 EAST**

Lesley Burns said the applicant, Jeff Jackson, is requesting a subdivision approval in order to divide an existing parcel located at 7658 South 1095 East into two lots, with one of the lots being a flag lot. The property includes approximately 0.41 acres (21,780 square feet) with 82.5 feet of frontage on 1095 East, a public road. The property is zoned SF-1 (single-family residential). There is an existing single-family residential structure on the front portion of the property. It is the intent of the applicant to modify and keep the existing single-family residential structure on the frontage lot, and create a flag lot for the construction of a new single-family house.

The Zoning Ordinance requires a Conditional Use Permit for the subdivision of a flag lot. In order to be approved, the proposal must comply with the following criteria:

1. Lot area: The minimum area of the banner portion of the proposed flag lot is 7,000 square feet and the minimum area of the remaining frontage lot is 7,000 square feet;
2. Lot width and depth: The minimum banner portion width and depth is 75 feet. The minimum lot width and depth of the frontage lot complies with all lot standards for the zone;
3. Setbacks: Setbacks for new development on a flag lot are 15 feet for each of the front, side and rear yards;
4. Height: The maximum proposed height for a structure is 25 feet;
5. Stories: A structure shall not exceed one story;
6. Parking/driveway access: Each flag lot and each frontage lot shall provide two parking spaces on the side or rear yard of the property. The driveway shall have a paved width of 20 feet;
7. Fire department access and water supply: Each dwelling must adhere to the Fire Code; and
8. Utilities: Both the flag lot dwelling and the frontage lot dwelling must be serviced by a public water and sewer system.

Both proposed lots comply with the minimum lot area requirement with the banner portion of the flag lot being approximately 12,290 square feet and the frontage lot being 7,000 square feet. The proposed lots also comply with the minimum lot width and depth requirements. The flag lot includes a 20-foot wide driveway area from 1095 East along the south property line, a portion of which will be shared by both lots. The existing house will comply with the setback requirements for the SF-1 zone from the new property lines created with this proposal. Any new development on the flag lot will be required to comply with the 15-foot front, side and rear setbacks, as well as the height/single-story requirement.

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The driveway for the flag lot must be paved with a minimum 20-foot width. Compliance with these requirements will be verified in the future with the Building Permit review.

The Subdivision Ordinance requires that 2-inch caliper deciduous street trees be planted at a rate of one tree per 30 feet of street frontage with any new subdivision. Based on this requirement, two street trees are required on the frontage lot along 1095 East. Appropriate existing street trees can count towards this requirement. These trees will need to be planted or guaranteed with a cash bond before the subdivision plat is recorded.

The Fire Marshal has reviewed the proposal. Depending on the location of the future house on the flag lot, an emergency turnaround may be required. The 20-foot paved driveway must also be cleared of all overhanging branches so emergency vehicles will have a clear path. These improvements will need to be completed as part of the Building Permit process for the new house on the flag lot. Notes have been added to the subdivision plat indicating these requirements.

The City Engineer has reviewed the proposal. There are some technical changes, i.e. addition of addresses, notations, etc., that need to be included on the final subdivision plat, otherwise the subdivision plat complies with the City's subdivision requirements. There is no sidewalk along this portion of 1095 East. The applicant will be required to construct the section of public sidewalk along this property frontage in accordance with the City's sidewalk standards. The applicant has submitted a construction plan for this section of sidewalk that is currently being reviewed by the City Engineer. This sidewalk will need to be constructed or guaranteed with a cash bond prior to the subdivision plat being recorded. Water for the new lot will be provided by Jordan Valley Water Conservancy District; sewer will be provided by Cottonwood Improvement District. Both entities have indicated they are able to provide these services.

The Planning Commission reviewed this proposal and conducted a public hearing on September 24, 2014. At this time, the Planning Commission approved the Conditional Use Permit for the flag lot and forwarded a positive recommendation for the City Council's consideration on the Subdivision Plat with the following conditions:

1. A final subdivision plat shall be prepared for review and approval by the City Engineer, Fire Marshal and City Council.
2. All new development on Lot 1 shall comply with the flag lot requirements, i.e. setbacks, height/single-story, parking, and 20-foot wide paved driveway. A note indicating these requirements shall be included on the final subdivision plat.
3. Depending on the location of the house on Lot 1, an emergency turnaround may be required in addition to a 20 foot wide paved driveway, cleared of overhanging branches. The Fire Marshal shall review and approve the plans for these improvements as part of the Building Permit process for the new house. A note indicating this shall be included on the final subdivision plat.
4. A 6-foot high screening fence shall be constructed along the north, south and west boundaries of the banner portion of Lot 1 to protect the privacy of the adjacent property owners. This fence shall be completed prior to a Certificate of Occupancy being issued for a house on this lot. A note indicating this requirement shall be included on the final subdivision plat.

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5. A shared access and maintenance easement shall be indicated and noted on the final subdivision plat for the shared driveway area on Lot 1 to ensure Lot 2 can access its off-street parking.
6. The two car garage on the existing house and the detached carport structure shall be removed prior to the subdivision plat being recorded. The applicant shall obtain a demolition permit from the City prior to commencing this work. The exposed remaining exterior wall on the house shall be appropriately finished, with all work approved by the Building Department.
7. The original driveway for the house shall be removed and replaced with front yard landscaping, including two 2-inch caliper deciduous street trees, prior to the subdivision plat being recorded. If the time of year precludes the installation of the required landscaping, the landscaping can be guaranteed with a cash bond. Healthy, existing street trees can count towards the street tree requirement.
8. All dead plant materials, including trees, shall be removed from the property, and the property shall be brought into compliance with the City's Weed Control provisions prior to the subdivision plat being recorded.
9. Two off-street parking spaces shall be constructed in the side or rear yard of the existing house, along with a paved driveway, prior to the subdivision plat being recorded. No parking shall be constructed in the front yard.
10. The applicant shall construct a sidewalk along the property frontage that complies with the City's public sidewalk standards. The sidewalk plan and construction shall be coordinated with the City Engineer and will need to be completed or guaranteed with a bond prior to the subdivision plat being recorded.
11. Duty to serve letters for water and sewer connections for Lot 1 shall be obtained prior to the subdivision plat being recorded.
12. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to final approval.

The applicant has submitted a final subdivision plat. This plat includes all of the notes required by the Planning Commission. Evidence of water and sewer availability for the new lot has been provided. The applicant has notified the required utility companies regarding public utility easements. The garage on the existing house has been removed, and the applicant has submitted a sidewalk construction plan that is currently being reviewed by the City Engineer. With these items completed, the proposed subdivision plat complies with the City's subdivision standards; however, the following items need to be addressed by the applicant before the subdivision plat can be recorded:

- The City Engineer's technical items need to be addressed on the subdivision plat and the sidewalk construction plan approved.
- The original driveway for the house needs to be removed and replaced with front yard landscaping, to include two street trees.
- All dead plant materials, including trees, need to be removed from the property, and the property brought into compliance with the City's weed control provisions.
- Two off-street parking spaces need to be constructed in the side or rear yard of the existing house, along with a paved driveway.

Jeff Jackson said he is the applicant. He said the city hall is a great building, which will be a timeless feel for downtown Midvale. He said Lesley has been very helpful with this project and he appreciates her efforts.

MOTION: Councilmember Robert Hale **MOVED** to close a public hearing. 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.

ACTION: **APPROVE THE FINAL SUBDIVISION PLAT FOR A FLAG LOT SUBDIVISION, JACKSON COVE SUBDIVISION LOCATED AT 7658 SOUTH 1095 EAST**

MOTION: Councilmember Paul Hunt **MOVED** to approve the Jackson Cove Subdivision, a flag lot subdivision with two lots, at 7658 South 1095 East, with the following conditions:

1. The applicant shall obtain all required signatures on the final subdivision plat Mylar. This will require that the City Engineer's technical items are appropriately addressed on the plat and the sidewalk construction plan is approved with a guarantee for completion.
2. Prior to the subdivision plat being recorded, the following items shall be completed:
 - The original driveway for the house shall be removed and replaced with front yard landscaping, including the planting of two 2-inch caliper deciduous street trees. If the time of year precludes the installation of the required landscaping, the landscaping can be guaranteed with a cash bond.
 - All dead plant materials, including trees, shall be removed from the property, and the property shall be brought into compliance with the City's weed control provisions.
 - Two off-street parking spaces shall be constructed in the side or rear yard of the existing house, along with a paved driveway.

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:

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|------------------------------|-----|
| Council member Paul Glover | Aye |
| Council member Robert Hale | Aye |
| Council member Paul Hunt | Aye |
| Council member Wayne Sharp | Aye |
| Council member Stephen Brown | Aye |

The motion passed unanimously.

VIII. CONSENT AGENDA

A. APPROVE MINUTES OF OCTOBER 7, 2014

B. SET DATE AND TIME (NOVEMBER 18, 2014 AT 7:00 PM) FOR A PUBLIC HEARING TO 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)

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 vote. The motion passed unanimously.

VIII. DISCUSSION ITEMS

A. ARTS COUNCIL REPORT

Suzanne Walker reported to the Council on their accomplishments over the past year. Ricky Parkinson with Architectural Nexus discussed the possible upgrades to the Performing Arts Center.

Councilmember Hunt thanked Suzanne for her dedication to the arts in Midvale.

B. DISCUSS KIMPTON SQUARE PROPOSED AMENDMENTS

Phillip Hill discussed a proposed amendment to the Kimpton Square development. They currently have a waiting list of 100 people for Tuscany. They are asking to add 31 units to the density of that zone for affordable senior living units. Because of the low income affordable house credits they've applied for the 80% of the project must be restricted for 99 years to low income senior living.

Jeff Nielsen said the parking will be underground so there won't be any surface parking visible. It will have store front windows on the main level with housing on the upper levels.

Councilmember Glover said he felt the density was too high.

Councilmember Sharp said he was concerned that residents will see it as just more apartments.

Councilmember Brown loved the idea of helping our senior citizens, but not the location of it.

Councilmember Hale said he had no problem with it but would have the exit go out west of the building so the height is diminished some.

The Council instructed staff to go back and see what they can put together with the developer that may work.

C. DISCUSS 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 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.

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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 City Engineer has reviewed the amended subdivision plat and has required some technical corrections, but otherwise has approved the proposal. Because no changes are being made to the 2 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).

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 recommendation to the City Council to approve the View 72 Retail Subdivision 2nd Amended plat with the following condition:

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

The applicant is working on this condition.

D. DISCUSS AMENDING BUSINESS DENIAL APPEALS

Chad Woolley said not too long ago, the City amended the municipal code so a hearing officer would hear most appeals before the City. However, it has been discovered that the business license code was missed and still indicates the City Council is still the appeal board for denials of business licenses. A recent business license was denied and he proceeded with the hearing officer before finding out the City Council was the appeal board. The hearing officer still heard the appeal although was unable to make a final decision without further direction from the City Council. The City Council can give the hearing officer the authority to hear the recent appeal and then change the code by ordinance so all appeals will go before a hearing officer.

The Council agreed to allow the hearing officer to hear the recent appeal and then proceed with amending the Municipal Code to reflect the change in process.

IX. ADJOURN

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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.

Mayor Seghini adjourned the regular meeting at approximately 9:10 p.m.

Rori L. Andreason, MMC
CITY RECORDER

Approved this 18th day of November, 2014.