



Midvale City
7505 South Holden Street
Midvale, UT 84047
801-567-7200
www.midvalecity.org

**MIDVALE CITY COUNCIL MEETING
AGENDA
May 03, 2016**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **3rd Day of May, 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
 - C. Proclamation - Kids to Parks Day

- 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 Paul Glover
 - B. Councilmember Paul Hunt
 - C. Councilmember Quinn Sperry
 - D. Councilmember Wayne Sharp
 - E. Councilmember Stephen Brown

- VI. MAYOR REPORT**
 - A. Mayor JoAnn B. Seghini

- VII. CONSENT AGENDA**
 - A. Approve minutes of April 19 & 26, 2016 [*Rori Andreason, H.R. Director/City Recorder*]
 - B. Set date and time (May 17, 2016 at 7:00 p.m.) White Pines Phase VIII located at 189-193 East

8000 South.; General Plan Amendment from Low Density Residential to Medium Density Residential and Rezone from Single Family Residential (SF-1) with Agricultural Overlay to Multi Family Residential (RM-12) *[Lesley Burns, City Planner]*

- C. Set date and time (May 17, 2016 at 7:00 p.m.) Fry Rezone located at 193 West 8600 South.; Rezone from Regional Commercial to Single Family Residential (SF-1) *[Lesley Burns, City Planner]*

VIII. ACTION ITEMS

- A. Approve Resolution No. 2016-R-16 Declaring Surplus Property *[David Starkey, Senior Accountant]*
- B. Approve Resolution No. 2016-R-15 Adopting the Midvale City Tentative Budget for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017 *[Kane Loader, City Manager; Laurie Harvey, Asst. City Manager/Admin Services Director]*
- C. Approve Ordinance No. 2016-O-04, a Text Amendment to eliminate the mixed-use requirement for buildings over five stories in the State Street Commercial and TOD zones *[Lesley Burns, City Planner]*

IX. DISCUSSION ITEMS

- A. Discuss the proposed Administration Budget for Utopia, Council, General Administration, Legal, Public Safety, Intergovernmental, and Harvest Days. *[Kane Loader, City Manager]*
- B. Discuss White Pines Phase VIII located at 189-193 East 8000 South.; General Plan Amendment from Low Density Residential to Medium Density Residential and Rezone from Single Family Residential (SF-1) with Agricultural Overlay to Multi Family Residential (RM-12) *[Lesley Burns, City Planner]*
- C. Discuss Fry Rezone located at 193 West 8600 South.; Rezone from Regional Commercial to Single Family Residential (SF-1) *[Lesley Burns, City Planner]*

X. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

XI. ADJOURN

XII. CALENDAR OF EVENTS

- A. April 27 - Planning Commission Meeting
- B. May 3 - Regular City Council Meeting
- C. May 4 - Community Council Meeting
- D. May 6 & 7 - Cinco De Mayo
- E. May 10 - Council Workshop Meeting
- F. May 11 - Planning Commission Meeting
- G. May 17 - Regular City Council Meeting
- H. May 19 - Legal Clinic
- I. May 25 - Planning Commission Meeting
- J. May 30 - Memorial Day

City Council Meeting

May 03, 2016

Page 3

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 2nd Floor City Hall Lobby, on the City's website at 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: APRIL 29, 2016

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



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, May 3, 2016
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor JoAnn B. Seghini

COUNCIL MEMBERS: Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry – arrived at 7:07 p.m.
Council Member Wayne Sharp

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; Lt. Kim Burgon, UPD Midvale Precinct; Chief Scott McBride, UFA; Danny Walz, RDA Director; Lesley Burns, City Planner; Dalin Hackett, Asst. Finance Director/City Treasurer; David Starkey, Senior Accountant; Annaliese Eichelberger, RDA Project Manager; and Jarin Blackham, IT Manager.

Mayor JoAnn Seghini called the meeting to order at 6:32 p.m.

I. INFORMATIONAL ITEMS

A. DEPARTMENT REPORTS

Lt. Burgon said Chief Mason will be out due to a medical condition. Councilmember Wayne Sharp asked that the officers monitor the Cinco de Mayo celebration and if it gets too noisy, to make sure the officers shut it down. Kane Loader said Councilmember Quinn Sperry sent an email asking that the officers watch for speeders on 1000 East. Lt. Burgon said she will make sure this issue is monitored.

Chief Scott McBride discussed a fatal fire that recently occurred. Fire school is scheduled for Friday.

Officer Corey Tsouras and Officer Jeff Nelson reviewed the call statistics for their areas in regards to the Good Landlord program.

Laurie Harvey informed the Council that two court clerks had left. One position will be filled soon but Michelle Henderson will hold off on the second one for now. She discussed the conversion from SIRE to OnBase and the demo that was held with the employees. She felt this will be a good move. She also informed the Council that Unified Fire Authority desires to purchase the generator from the Old City Hall so she will proceed with that sale. Also, the Senior Van is being sold to TransJordan.

Danny Walz discussed the next public art project. He said as they met and received the proposals with the selection committee, they had questions on terms of what they want the City identity to be. He discussed the possibility of conducting a City-wide study. Kane Loader discussed developing a gateway to the City. The signs will create a brand for the City. Ideas will be brought back to the City Council for approval.

Bob Davis said the roads in the cemetery have just been over-layed. Ace Disposal did a great job with the bulky waste cleanup for the City. He reported that they have also started the CDBG project on Lennox Street. He said a new Equipment Operator II has been hired and started Monday. Also, Larry Wright was hired as the new Facilities Manager. He said the vehicle for him was budgeted in next year's budget. He asked if the funds could be advanced in order to purchase that vehicle now? The Council agreed.

II. CITY MANAGER'S REPORT

Kane Loader said the Cinco de Mayo Committee is very well organized. They donate funds to the Boys and Girls Club. He said he did talk to them about the noise and turning it down if there is a problem. He discussed the TransJordan Landfill and the new Executive Director that started last week. He announced that VECC is moving forward with a new CAD system. Kane Loader discussed the need for overflow parking for City Hall and the Senior Center. He will be meeting with the County regarding this issue.

Council Member Quinn Sperry arrived at 7:07 p.m.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

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

C. Proclamation for Kids to Parks Day

The proclamation for Kids to Parks Day was read by Councilmember Paul Hunt and signed by the Mayor and Council.

IV. PUBLIC COMMENTS

Tim Cosgrove expressed his appreciation for Midvale City and their desire to help those in need. He discussed the CBC and said a letter was sent to the Council to discuss an agreement in attempts to try and repay what is owed to the City from the CBC. He also discussed the dental clinic.

Donna Roth said she had the opportunity to work in the Clinic and was amazed at the need. She then realized the true value of the clinic within the community. She said the board members want to be more visible and work on repayment of the loan for the clinic to continue functioning. With the new dental program, it's a win-win for the University of Utah and the Midvale community. Their goal is to continue to provide updates and share their progress. As they realize their grants awarded in June, they will report those results. They will continue to report their payment, growth and contribution to the City of Midvale.

Mayor Seghini read the letter from the CBC Board.

V. COUNCIL REPORTS

A. Councilmember Paul Glover – said there are homeless people on 7200 South camping out with garbage everywhere. Lt. Burgon said they are aware of the problem. She said it's an everyday occurrence. He said he has also received comments about Center Square and the developer removing landscaping that they shouldn't be. Phillip Hill said the Developer has agreements with each property owner to replace landscaping if it is in the way of installing the fence.

B. Councilmember Paul Hunt – had nothing to report.

C. Councilmember Quinn Sperry – had nothing to report.

D. Councilmember Wayne Sharp – had nothing to report.

E. Councilmember Stephen Brown – had nothing to report.

VI. MAYOR REPORT

Mayor JoAnn B. Seghini informed the Council about two fundraising events; the Road Home and the Boys and Girls Club Gala.

VII. CONSENT AGENDA

A. APPROVE MINUTES OF APRIL 19 & 26, 2016

B. SET DATE AND TIME (MAY 17, 2016 AT 7:00 P.M.) FOR A PUBLIC HEARING TO CONSIDER THE WHITE PINES PHASE VIII LOCATED AT 189-193 EAST SOUTH; GENERAL PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND REZONE FROM SINGLE FAMILY RESIDENTIAL (SF-1) WITH AGRICULTURAL OVERLAY TO MULTI-FAMILY RESIDENTIAL (RM-12)

C. SET DATE AND TIME (MAY 17, 2016 AT 7:00 P.M.) FOR A PUBLIC HEARING TO CONSIDER THE FRY REZONE LOCATED AT 193 WEST 8600 SOUTH; REZONE FROM REGIONAL COMMERCIAL TO SINGLE FAMILY RESIDENTIAL (SF-1)

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 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.

VIII. ACTION ITEMS

A. APPROVE RESOLUTION NO. 2016-R-16 DECLARING SURPLUS PROPERTY

David Starkey said the City was awarded a grant for two new senior citizen vans. Staff proposed the Council declare the 2007 Senior Citizen van "surplus property". The van is scheduled to be replaced during the current fiscal year. Trans Jordan Landfill has expressed interest in purchasing the van. They have been informed of the estimate of the fair market value. If an agreement cannot be reached on the sales price with TransJordan, the van will be listed on a public surplus website.

FISCAL IMPACT: The fair market value of the van is estimated at \$20,000. The revenue from the sale of the asset will be posted to the Fleet Fund.

MOTION: Councilmember Paul Hunt **MOVED** to that we adopt Resolution No. 2016-R-16 declaring the van listed on Attachment 'A' as surplus property and release said property for disposal. 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	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

B. APPROVE RESOLUTION NO. 2016-R-15 ADOPTING THE MIDVALE CITY TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017

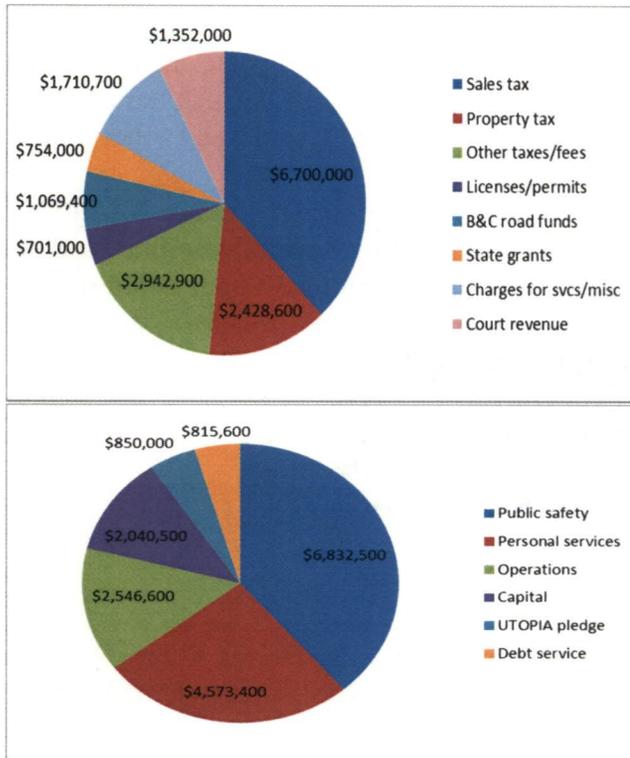
Kane Loader expressed his appreciation for all of Laurie's hard dedicated work on the budget each year.

Laurie Harvey discussed the following budget information:

Balanced budget

Revenues	Expenditures
\$17,658,600	\$17,658,600

Proceedings of the Midvale City Council Meeting
May 3, 2016



MOTION: Councilmember Paul Hunt **MOVED** that we adopt Resolution No. 2016-R-15, a resolution adopting the Midvale City Tentative Operating and Capital Budgets for Fiscal Year 2017. The motion was **SECONDED** by Councilmember Stephen Brown. 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	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

Dalin Hackett reviewed a model showing a few analyses of the water rate changes to an average home.

C. APPROVE ORDINANCE NO. 2016-O-04, A TEXT AMENDMENT TO ELIMINATE THE MIXED-USE REQUIREMENT FOR BUILDINGS OVER FIVE STORIES IN THE STATE STREET COMMERCIAL AND TOD ZONES

Lesley Burns stated that following discussions, public hearings, and recommendations on possible text amendments regarding building heights and setbacks in areas immediately adjacent to single family residential zones, specifically in the RM-12, RM-25, State Street Commercial (SSC) and Transit Oriented Development (TOD) zones, the City Council took action at its last meeting on April 19, 2016. It was the decision of the City Council to make no changes to the current ordinance, with the exception of removing the mixed use requirement for buildings over

five stories in the SSC and TOD zones, until a more comprehensive review of all of the issues can be done based on the considerations and goals of the General Plan update. Based on this decision, Staff has prepared an ordinance, Ordinance No. 2016-O-04, which amends the language requiring buildings over five stories to be mixed-use in the SSC and TOD zones.

MOTION: Councilmember Quinn Sperry **MOVED** that we adopt Ordinance No. 2016-O-04 as presented. The motion was **SECONDED** by Councilmember Paul Hunt. 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 Aye
Council member Paul Glover Aye
Council member Paul Hunt Aye
Councilmember Wayne Sharp Aye
Council member Quinn Sperry Aye

The motion passed unanimously.

IX. DISCUSSION ITEMS

A. DISCUSS THE PROPOSED ADMINISTRATION BUDGET FOR UTOPIA, COUNCIL, GENERAL ADMINISTRATION, LEGAL, PUBLIC SAFETY, INTERGOVERNMENTAL, AND HARVEST DAYS

Kane Loader presented the following information:

City Manager's Budgets

- City Council
- General Administration
- City Attorney
- Community/Intergovernmental Relations
- Harvest Days
- Public Safety
- Telecommunications

City Council

- Significant Changes
 - ✓ Personnel + \$72,700
 - Full-Time Mayor's salary and benefits
 - Will require the Council to amend Title 2
 - ✓ Professional Services (- \$15,000)
 - Lobbyist Contracts

Total Increase = \$56,400

General Administration

- Significant Changes
 - ✓ Personnel Costs (- \$4,000)
 - ✓ IT Equipment + \$600
 - ✓ Professional Services (- \$2,000)

Total Decrease = (\$5,400)

City Attorney

• **Significant Changes**

✓ Major Change to Budget	
▪ Going from Contract Service to In-house Service	
✓ Equipment	(- \$ 4,500)
✓ Professional Services	+ \$3,200
✓ Legal Defenders	+ \$25,000
	<u>Total Decrease = (\$5,900)</u>

Community/Intergovernmental Relations

• **Significant Changes**

✓ Personnel Costs	(- \$102,400)
▪ Delete salaries and benefits for CBC program	
✓ Vehicle Operating Costs	+ \$1,700
✓ Professional Services	
▪ Reduction for CBC use of Grant Writers	(-\$20,000)?
✓ Newsletter	+ \$5,000
✓ Boys & Girls Club grants	(- \$45,100)
▪ Not showing SLCo. pass through grant	
✓ Arts Council Grant	(- \$1,000)
✓ Homeless Services Fund	(- \$10,000)?
✓ CBC Grant (possible elimination) (-\$20,000)?	
✓ Senior Citizen after hours use program	+ \$7,200
✓ Fleet Vehicle Replacement	(- \$800)
	<u>Total Decrease = \$96,000 to \$136,000</u>

Harvest Days

• **Significant Changes**

✓ Supplies and Advertising	+ \$3,500
✓ Art Show	(- \$700)
✓ Harvest Days Activities	(- \$6,200)
✓ City Float	+ \$8,000
✓ Youth Ambassador Program	(- \$600)
	<u>Total Increase = \$4,800</u>

Public Safety

• **Significant Changes**

✓ Personnel Costs adjustments	(wash)
▪ Emergency Mgr. salary/benefits adjustments	
✓ Professional Services	(- \$5,000)
✓ UPD Contract Increase	+ \$378,000
▪ Includes HS Resource Officer & PT-CVA	
✓ Animal Control Contract	+ \$13,900
▪ Increased costs for No Kill Shelter	
✓ Public Safety (pass through grant)	(- \$34,700)
✓ Equipment	(- \$5,000)

✓ Fleet replacement	(- \$2,800)
	<u>Total Increase = \$344,500</u>
Telecommunications	
• Significant Changes	
✓ Pledge payment will increase by 2%	+ \$20,000
✓ UTOPIA Operations shortfall ended in December 2015	
	<u>Total Increase = \$20,000</u>

B. DISCUSS WHITE PINES PHASE VIII LOCATED AT 189-193 EAST 8000 SOUTH; GENERAL PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND REZONE FROM SINGLE FAMILY RESIDENTIAL (SF1) WITH AGRICULTURAL OVERLAY TO MULTI-FAMILY RESIDENTIAL (RM-12)

Lesley Burns stated that the applicant, Steve Brendle, is proposing to expand the White Pines townhouse development onto the two parcels to the west of the existing development along 8000 South. These parcels, located at 189 East and 193 East 8000 South, are narrow, deep lots with older single family homes and are currently zoned single family residential (SF-1) with an Agricultural Overlay (AO). As shown on the concept plan, the intent is to extend the existing private road from White Pines Phase VI to access some of the proposed new units, with other new units proposed along 8000 South. The applicant was the original developer of the White Pines project, and is working with the White Pines Homeowners Association on this proposed expansion. At this time, the applicant is requesting that the two parcels, totaling 0.66 acres, be re-designated from a low density residential use to a medium density residential use on the General Plan Proposed Land Use Map and rezoned from SF-1 AO to RM-12 (multi-family residential 12 units per acre). Provided this General Plan Amendment/Rezone request receives a favorable decision, the applicant will move forward with the development application for the project itself.

General Plan Amendment and Rezone

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan, and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or
3. Land surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The north side of 8000 South between the TRAX line and 300 East is primarily zoned RM-12, with some SF-1/Agricultural Overlay zoning interspersed. The adjacent RM-12 zoning was changed during 2000-2003 to accommodate the various phases of the White Pines development. This rezone request is on property directly west of the existing RM-12 zone. The General Plan shows this property as a low density residential designation. The City Council has amended the General Plan on the parcels that have become RM-12 to a medium density residential designation prior to the zone changes occurring. This request would be an orderly progression of the medium density land use designation and RM-12 zone, particularly with the existing development pattern providing a road access into the property. These properties have a history of code enforcement violations with weeds, storage of junk and general disrepair.

Planning Commission Recommendation

The Planning Commission conducted a public hearing and discussed these requests on April 27, 2016. At this time, the Planning Commission found that:

1. *This area is in an area of transition.*
2. *The single family homes to the north of the proposed area have different access points than this project.*
3. *This is an extension of an existing HOA, not a proposal for a single parcel or single unit of development.*

The Planning Commission also forwarded the following motions to the City Council for its consideration:

“Based on the development pattern in the area, I move that we forward a positive recommendation to the City Council to amend the General Plan proposed land use map changing the land use designation on the property at 189-193 East 8000 South from low density residential to medium density residential.”

“Based on compliance with the General Plan, the orderly progression of development that would occur as a result, and creating an opportunity to better utilize and maintain the property, I move that we forward a positive recommendation to the City Council to rezone the property at 189-193 East 8000 South from SF-1 with an Agricultural Overlay to RM-12 for the purpose of expanding the White Pines development.”

C. DISCUSS FRY REZONE LOCATED AT 193 WEST 8600 SOUTH; REZONE FROM REGIONAL COMMERCIAL TO SINGLE FAMILY RESIDENTIAL (SF-1)

Lesley Burns stated the applicant, Brandon Fry, is requesting that the property located at 193 West 8600 South be rezoned from Regional Commercial (RC) to Single Family Residential (SF-1). This property includes an older single family house and is 0.72 acres in size. The applicant is making this request in order to develop the property into three single family residential lots. The applicant has provided a concept plan illustrating the anticipated use of the property; however, the subdivision plat is not being reviewed at this time.

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan, and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or
3. Land surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The General Plan Proposed Land Use Map designates this property as a low density residential use. The current RC zoning designation is not consistent with the General Plan Proposed Land Use Map; the proposed rezone to SF-1 would make the zoning on the property consistent with the current land use designation. The property directly east, although zoned RC, is currently being used as single family residential. The property directly west is an existing commercial use.

With the exception of the properties to the west of this parcel, 8600 South is primarily a single family residential neighborhood west of the canal near State Street to Harrison Street. 8600 South functions and is designed as a neighborhood road. The location is not conducive to most commercial uses with its lack of visibility and traffic. It is better suited for a residential type development. The applicant has provided a narrative on the rezone request.

Planning Commission Recommendation

The Planning Commission conducted a public hearing and discussed this request on April 27, 2016. At this time, the Planning Commission found that:

1. *The existing use is compatible with the proposed rezone.*
2. *This rezone is necessary to comply with the General Plan proposed Land Use Map, and is consistent with the goals and policies of the General Plan.*

The Planning Commission also forwarded the following motion to the City Council for its consideration:

“Based on compliance with the Midvale City General Plan, the findings adopted by this Commission and the existing development in the area, I move that we forward a positive recommendation to the City Council to rezone the property at 193 West 8600 South from Regional Commercial (RC) to Single Family Residential (SF-1).”

MOTION: Councilmember Paul Glover MOVED to close the discussion and move the closed session after the Redevelopment Agency and Municipal Building Authority Meetings. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

The Council recessed the regular Council meeting at 9:03 p.m.

MOTION: Councilmember Wayne Sharp **MOVED** to reconvene into the regular Council meeting. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

The Council reconvened at 9:32 p.m.

X. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

MAYOR: Mayor JoAnn B. Seghini

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

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; and Jarin Blackham, IT Manager.

MOTION: Councilmember Wayne Sharp **MOVED** to go into closed session to discuss the character, professional competence or physical or mental health of an individual. The motion was **SECONDED** by Councilmember Stephen Brown. 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	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

The Council went into closed session at 9:33 p.m.

MOTION: Councilmember Wayne Sharp **MOVED** to reconvene into the regular Council meeting. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

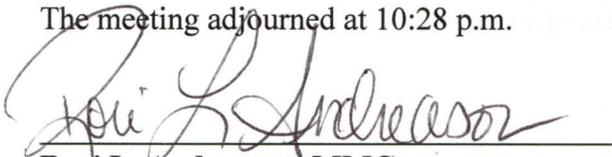
The Council reconvened into open session at 10:28 p.m.

X. ADJOURN

Proceedings of the Midvale City Council Meeting
May 3, 2016

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 10:28 p.m.



Rori L. Andreason, MMC
CITY RECORDER



Approved this 17th day of May, 2016.

