



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

MIDVALE CITY COUNCIL MEETING AGENDA AUGUST 10, 2021

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold an electronic and in-person meeting on the **10th day of August 2021** as follows:

Electronic & In-Person City Council Meeting

This meeting will be held electronically and in-person. Midvale City no longer requires masks and social distancing; however, Midvale City recommends following the CDC guidelines. The meeting will be broadcast on the following: **You Tube:** www.MidvaleCity.org/YouTube

6:00 PM - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL

II. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for public hearing 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.

III. COUNCIL REPORTS

- A. Councilmember Bryant Brown
- B. Councilmember Heidi Robinson
- C. Councilmember Paul Glover
- D. Councilmember Dustin Gettel
- E. Councilmember Quinn Sperry

IV. MAYOR ROBERT M. HALE REPORT

V. CITY MANAGER REPORT

VI. CONSENT AGENDA

- A. Consider Minutes of July 20, 2021 [*Rori Andreason, H.R. Director/City Recorder*]

VII. ACTION ITEMS

- A. Consider a 10-Unit Final Condo Plat for Phase 1e of the Jordan Heights at View 78 Project located at 8342 S. Sky Mirror Lane [*Jason Binks, Senior Planner*]

- B. Consider a 10-Unit Final Condo Plat for Phase 1f of the Jordan Heights at View 78 Project located at 8362 S. Iris Lumi Lane **[Jason Binks, Senior Planner]**
- C. Consider a 2 Lot Final Subdivision Plat located at 7210 Union Park Avenue **[Jason Binks, Senior Planner]**

VIII. ADJOURN

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 day 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 also posted at the following locations on the date and time as posted above: 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.

DATE POSTED: AUGUST 5, 2021

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



COUNCIL MEETING
Minutes

Tuesday August 10, 2021
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert M. Hale

COUNCIL MEMBERS: Council Member Quinn Sperry
Council Member Dustin Gettel
Council Member Bryant Brown
Council Member Heidi Robinson
Council Member Paul Glover

STAFF: Matt Dahl, City Manager; Kyle Maurer, Assistant City Manager; Rori Andreason, HR Director/City Recorder; Lisa Garner, City Attorney; Jerimie Thorne, Deputy Public Works Director; Nate Rockwood, Community Development Director; Jason Binks, Senior Planner; Lt. Ken Malone, UPD; Chief Brad Larson, UFA; Matt Pierce, IT Director; Juan Rosario, Systems Administrator.

Mayor Hale called the meeting to order at 6:02 p.m.

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE

B. ROLL CALL - Council Members Heidi Robinson, Dustin Gettel, Bryant Brown, and Quinn Sperry, and Paul Glover were present at roll call.

II. PUBLIC COMMENTS - There was no one who desired to speak.

III. COUNCIL REPORTS

A. Council Member Bryant Brown – Thanked staff for the hard work that went into Harvest Days. He said the marketing for Utopia needs to be improved.

B. Council Member Heidi Robinson – Gave gratitude to staff and Public Works for the work they did to make Harvest Days a success.

C. Council Member Paul Glover – Thanked Harvest Days volunteers and staff for their involvement with Harvest Days. He said he enjoyed it and had a lot of fun. He said he received comments about how much the residents enjoyed the fireworks.

D. Council Member Dustin Gettel – said Harvest Days was great and the fireworks were great. He thanked Laura Magness for her efforts. He said the music on Main was a nice addition to the Harvest Days line up.

E. Council Member Quinn Sperry – Thanked staff for the good work with Harvest Days. He said the block party comments he received were about high density in Midvale.

IV. MAYOR REPORT

Mayor Robert Hale agreed with the remarks regarding a successful Harvest Days. He especially appreciated honoring Mayor JoAnn B. Seghini. He said the South Valley Chamber of Commerce would like to include Midvale in their group. He said the Council needs to hear from the business community to see if they would like to be part of this group. He said the Council needs to decide what to do with COVID thresholds. It needs to be simple for people to understand. He said he attended the Homeless Coordination Meeting where they discussed an overview of homeless needs and mitigation funds as well as the state structure for homelessness. It is possible that Midvale will be asked to provide help for the 2021 census for homeless on Saturday September 10th at 3 a.m. The city may need to provide a certain number of people for about 3 hours to count the homeless population.

V. CITY MANAGER REPORT

Matt Dahl thanked all of the employees for the additional work they have been doing due to the windstorm and Harvest Days. He thanked Heidi Robinson for gathering the food trucks for Harvest Days. He thanked Laura Magness for all of her work on Harvest Days and other events. He said the cleanup from the windstorm may continue for another couple of weeks. He said he is encouraging staff to wear masks for COVID. There are no mandates for wearing masks as of right now. If work is impacted by COVID, he will look at options at that time. He said currently the city has no planners since Jason Binks just gave his resignation. Two new planners have accepted job offers and will be starting employment within the next few weeks. He asked the Council how they'd like to proceed with meetings in respect to COVID.

Council Member Dustin Gettel said staff that hasn't been vaccinated should wear masks.

Council Member Paul Glover said he would like to continue with in person council meetings with masks for unvaccinated individuals.

Council Members Bryant Brown and Heidi Robinson agreed that they would like in person meetings with following the CDC recommendations.

VI. CONSENT AGENDA

A. CONSIDER MINUTES OF JULY 20, 2021

MOTION: Council Member Paul Glover MOVED to Approve the Consent Agenda. The motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VII. ACTION ITEMS

A. CONSIDER A 10-UNIT FINAL CONDO PLAT FOR PHASE 1E OF THE JORDAN HEIGHTS AT VIEW 78 PROJECT LOCATED AT 8342 SOUTH SKY MIRROR LANE

Jason Binks said Mark Garza, representing Holmes Jordan Bluffs LLC, is requesting approval to condominiumize property located at 8342 S. Sky Mirror Ln. into 10 units. The units created by this condo plat would allow for individual ownership of the units in Building 18 of the Jordan Heights at View 78 project. The subject property is 0.395 acres in size and is located along Bingham Junction Boulevard, west of the 700 West/Bingham Junction Boulevard intersection.

Condominium plats are reviewed following the same process as subdivisions, requiring a recommendation from the Planning Commission and approval from the City Council with public hearings held before each body. The Planning Commission conducted a public hearing on this subdivision plat and issued a recommendation to approve the preliminary plat on May 26, 2021. The City Council conducted a public hearing on the requested subdivision on June 15, 2021 and approved the preliminary plat with the following conditions:

1. The applicant shall prepare a final condominium plat to be reviewed and approved by the City Engineer, Fire Marshal, and City Council. The plat may be reviewed as a consent item when brought back to the Council.
2. The final condominium plat submittal shall include the Declaration of Covenants, Conditions, and Restrictions approved for earlier plats in the project.
3. The applicant shall provide evidence that courtesy notices has been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding the utility easements on the subdivision plat prior to final approval.

4. Prior to recording the final subdivision plat, the applicant shall obtain a duty to serve letter for sewer service.

The applicant has prepared a final plat and received approval from Area Fire Inspector and City Engineer. The required utility notices and duty to serve letters have been provided. The only remaining step in the process is to print the Mylar, obtain the required signatures, and record the plat with the Declaration.

STAFF RECOMMENDATION:

Staff recommended the City Council approve the final subdivision plat for the Jordan Heights at View 78 Phase 1E Condominium with the following condition:

1. The applicant shall obtain all required signatures on the final plat Mylar.
2. The Declaration of Condominium shall be recorded concurrently with the condo plat.

MOTION: Council Member Quinn Sperry **MOVED** to approve the final subdivision plat for the Jordan Heights at View 78 Phase 1E with the following conditions of approval:

1. The applicant shall obtain all required signatures on the final subdivision plat Mylar.
2. The Declaration of Condominium shall be recorded concurrently with the condo plat.

The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Hale called for discussion on the motion.

Council Member Dustin Gettel offered his support for these "for sale" condominiums.

There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

B. CONSIDER A 10-UNIT FINAL CONDO PLAT FOR PHASE 1F OF THE JORDAN HEIGHTS AT VIEW 78 PROJECT LOCATED AT 8362 SOUTH IRIS LUMI LANE

Jason Binks said Mark Garza, representing Holmes Jordan Bluffs LLC, is requesting approval to condominiumize property located at 8362 S. Iris Lumi Ln. into 10 units. The units created by this condo plat would allow for individual ownership of the units in Building 13 of the Jordan Heights at View 78 project. The subject property is 0.28 acres in size

and is located northwest corner of the intersection of Sky Mirror Lane and Iris Lumi Lane, within the Jordan Heights at View 78 project.

Condominium plats are reviewed following the same process as subdivisions, requiring a recommendation from the Planning Commission and approval from the City Council with public hearings held before each body. The Planning Commission conducted a public hearing on this subdivision plat and issued a recommendation to approve the preliminary plat on May 26, 2021. The City Council conducted a public hearing on the requested subdivision on June 15, 2021 and approved the preliminary plat with the following conditions:

1. The applicant shall prepare a final condominium plat to be reviewed and approved by the City Engineer, Fire Marshal, and City Council. The plat may be reviewed as a consent item when brought back to the Council.
2. The final condominium plat submittal shall include the Declaration of Covenants, Conditions, and Restrictions approved for earlier plats in the project.
3. The applicant shall provide evidence that courtesy notices has been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding the utility easements on the subdivision plat prior to final approval.
4. Prior to recording the final subdivision plat, the applicant shall obtain a duty to serve letter for sewer service.

The applicant has prepared a final plat and received approval from Area Fire Inspector and City Engineer. The required utility notices and duty to serve letters have been provided. The only remaining step in the process is to print the Mylar, obtain the required signatures, and record the plat with the Declaration.

STAFF RECOMMENDATION:

Staff recommended the City Council approve the final subdivision plat for the Jordan Heights at View 78 Phase 1F Condominium with the following condition:

1. The applicant shall obtain all required signatures on the final plat Mylar.
2. The Declaration of Condominium shall be recorded concurrently with the condo plat.

MOTION: Council Member Bryant Brown MOVED to Approve the final subdivision plat for the Jordan Heights at View 78 Phase 1F Condominium with the following conditions of approval:

1. The applicant shall obtain all required signatures on the final subdivision plat Mylar.

2. The Declaration of Condominium shall be recorded concurrently with the condo plat.

The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

C. CONSIDER A 2-LOT FINAL SUBDIVISION PLAT LOCATED AT 7210 UNION PARK AVENUE

Jason Binks said Anderson Wahlen & Associates requests approval of a final subdivision plat for a 2-lot subdivision of Lot 15 at The Shops at 7210 S Union Park Ave. The subdivision is proposed by the owners, Fort Union Shopping Center, LLC, in order to prepare the commercial lots for sale. The proposed plat retraces and honors the Lot 15 parcel from the 2020 Fort Union Commercial subdivision.

Lot 15 is 6.9 acres at the northeast corner of North Union Ave and 1035 East. It is part of the 55.6-acre Fort Union Shopping Center. The proposed plat would split the lots into parcels that are approximately 2.2 and 4.7 acres. The proposed subdivision is subject to Midvale City Municipal Code Title 16 (Subdivisions) and Chapter 17-7-12 (Regional Commercial [RC] Zone).

The subdivision does not propose any changes to existing access, parking easements, or building construction. The title insurance report incorporates several existing parking easements that allow access throughout the commercial subdivision.

Since the proposed subdivision is only establishing new lot lines for commercial resale, the existing developments comply with the design standard requirements of Title 16 Subdivisions. The lots conform to RC zone requirements. No new streets, landscaping, infrastructure, or lighting is proposed.

Some of the proposed lot lines overlay an existing building. The building code often has construction requirements where lot lines run through commercial buildings. The building reviewers do not have any concerns about the proposed lot lines in this 2-lot subdivision. The City Engineer approved the preliminary subdivision with some minor text modifications for the final plat. The Fire Marshal and Public Works reviewed and approved the proposed preliminary subdivision plat with no comments.

Utah Code Annotated 10-9a-603 requires the City to provide notice to canal owners or operators when a canal centerline is located within 100 feet of a proposed subdivision

and to allow the canal owner/operator 20 days to respond before approving the plat. Notice was provided to the East Jordan Irrigation Company on Apr 20, 2021. As of Aug 1, 2021 there was no response. Notice of the proposed final subdivision plat was mailed to 23 property owners within 300 feet of the project, posted to City and state websites, and advertised in the Salt Lake Tribune. Subdivisions of 3 lots or less require a preliminary plat recommendation from the Planning Commission and approval of the final plat from the City Council. Public hearings are required by each body. The Planning Commission conducted a public hearing on June 9, 2021 and recommended that the City Council approve the final plat with the following conditions:

Conditions of Approval:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal and City Council.
2. The applicant shall obtain duty to serve letters for water and sewer prior to the approval of the final subdivision plat.
3. The applicant shall provide evidence that courtesy notices have been sent to Dominion Energy, Rocky Mountain Power, Xfinity, Utopia, and Century Link regarding the utility easements on the subdivision plat prior to final approval.

The applicant submitted a proposed final subdivision plat on July 20, 2021. It was approved by the City Engineer, the Fire Marshall, and Public Works. The final plat complies with the Conditions of Approval required by City Council on June 9.

STAFF RECOMMENDATION:

Staff agreed with the Planning Commission's recommendation of approval with the following conditions:

1. The applicant shall obtain all required signatures on the final plat Mylar.

MOTION: Council Member Quinn Sperry MOVED to Approve the 2-lot final plat for the Fort Union Commercial, Lot 15 Amended Subdivision at 7210 South Union Park Ave with the following conditions:

1. The applicant shall obtain all required signatures on the final plat Mylar.

The motion was **SECONDED** by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

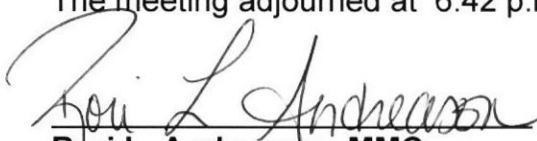
Council Member Quinn Sperry	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye

Council Member Dustin Gettel Aye
The motion passed unanimously.

VIII. ADJOURN

MOTION: Council Member Paul Glover MOVED to adjourn the meeting. The motion was SECONDED by Council Member Bryant Brown. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 6:42 p.m.


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



Approved this 24th day of August 2021.

Tuesday August 10, 2021

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