

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 3, 2011, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Russell Willardson, Public Works Director
Nicole Cottle, CED Director
Layne Morris, Community Preservation Director
Jim Welch, Finance Director
Buzz Nielsen, Police Department
John Evans, Fire Department
Eric Bunderson, Acting City Attorney
John Brubaker, Acting Parks and Recreation Director
Steve Lehman, CED Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

15311 **OPENING CEREMONY**

The Opening Ceremony was conducted by Russ Brooks who discussed an incident and actions taken by a police officer and neighbors that made him proud to be a resident of West Valley City.

15312 **APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 19, 2011**

The Council read and considered Minutes of the Regular Meeting held April 19, 2011. There were no changes, corrections or deletions.

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-2-

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held April 19, 2011, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15313

COMMENT PERIOD

Upon inquiry by Mayor Winder there was no one in attendance who desired to address the City Council during the comment period.

15314

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-4-2011, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR PHASE 5 OF WESTRIDGE ESTATES SUBDIVISION AND AMENDMENT OF LOTS 3, 6 AND PORTIONS OF LOTS 2 AND 5 OF THE RIDGE ESTATES SUBDIVISION

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. S-4-2011, filed by Ivory Homes, requesting final plat approval for Phase 5 of Westridge Estates Subdivision and Amendment of Lots 3, 6 and portions of Lots 2 and 5 of the Ridge Estates Subdivision. He discussed proposed Ordinance No. 11-12 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 11-12 which would approve an amendment of Lots 3, 6 and portions of Lots 2 and 5 in the Ridge Estates Subdivision; and give final plat approval for Westridge Estates Phase 5 Subdivision located at 5755 West Westridge Boulevard.

Mr. Pyle stated the subject property had been re-zoned from the Manufacturing zone to the 'R-1-7' zone and received preliminary plat approval in April 2005.

The City Manager reported this phase of the Westridge Estates Subdivision consisted of 38 lots on approximately 11.5 acres. He indicated lots ranged in size from 7,500 square feet to 21, 300 square feet. He stated the average lot size in the

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-3-

phase had been calculated at 9,980 square feet. As part of the purchase agreement between the City and Ivory Homes, a development agreement had been recorded. He indicated the development agreement ensured the community would have a combination of varying lots sizes, streetscape improvements, and upscale housing options.

Mr. Pyle further explained access to this phase of the development would be gained from phases 1, 3A, 4A and Westridge Boulevard. Internal streets would be designed with a 54-foot right-of-way. He indicated this would allow for a five-foot sidewalk and five foot park strip. He explained a masonry wall and stamped concrete park strip would be installed along all lots backing Westridge Boulevard. Construction of the wall and park strip would match the wall and paving types already installed in previous phases of the Westridge Subdivision.

The City Manager indicated a small portion of this phase would contain a parcel designated as open space. Property to the east of lots 534 thru 537 would be dedicated to West Valley City for use as a City park when that property developed. The City had required Ivory Homes to provide a connection with the future park space. He explained that after evaluating the open space designed to the east, the Parks and Recreation Department determined the best location for this space would be at the southwest corner of the subdivision. He stated said location would be immediately to the north of Lot 416 in Phase 4A.

Mr. Pyle stated the proposed subdivision was located in the outer ring of the overpressure zone. He also stated City ordinance would require certain construction standards be applied for all new dwellings. He explained Ivory Homes was familiar with those standards and would coordinate building permit requirements with the Building Division.

The City Manager reported a geotechnical report had been prepared for the subdivision. The report indicated ground water had not been encountered to a depth of 12 feet. He stated a copy of that report and recommendations had been provided to the City Engineering Division and Building Official.

City Manager, Wayne Pyle, stated the west boundary of the subdivision was adjacent to the West Ridge Golf Course. He further advised that during review of Phase 4A to the south, concerns had been expressed regarding the proximity of new housing adjacent to the golf course. The distance from the center of the fairway to the west boundary of the subdivision ranged from approximately 140 to 225 feet. He stated it had been determined at that time that additional fencing would not be required. He stated Ivory Homes indicated that potential buyers of those lots were fully aware of the golf course and Ivory would inform them that additional fencing would not be installed.

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-4-

Mayor Winder opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Winder closed the public hearing.

ACTION: ORDINANCE NO. 11-12, APPROVING AMENDMENT OF LOTS 3, 6 AND PORTIONS OF LOTS 2 AND 5 IN THE RIDGE ESTATES SUBDIVISION; AND GIVING FINAL PLAT APPROVAL FOR WESTRIDGE ESTATES PHASE 5 SUBDIVISION LOCATED AT 5755 WEST WESTRIDGE BOULEVARD

The City Council previous held a public hearing regarding Application No. S-4-2011, filed by Ivory Homes, and proposed Ordinance No. 11-12 which would approve an Amendment of Lots 3, 6 and portions of Lots 2 and 5 in the Ridge Estates Subdivision; and give Final Plat approval for Westridge Estates Phase 5 Subdivision located at 5755 West Westridge Boulevard.

After discussion, Councilmember Burt moved to approve Ordinance No. 11-12, an Ordinance Approving the Amendment of Lots 3, 6 and Portions of Lots 2 and 5 in the Ridge Estates Subdivision Located at 5755 West Westridge Boulevard; and giving final plat approval for Westridge Estates Phase 5 Subdivision. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15315

RESOLUTION NO. 11-57, ADOPT A TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2011, AND ENDING JUNE 30, 2012; AND SET AUGUST 9, 2011, AS THE DATE FOR PUBLIC HEARING

City Manager, Wayne Pyle, presented proposed Resolution No. 11-57 which would adopt a Tentative Budget for the fiscal year commencing July 1, 2011, and ending June 30, 2012; and set August 9, 2011, as the date for public hearing.

Mr. Pyle stated West Valley City would adopt a Tentative Budget to be made available for public inspection during regular office hours in the City Recorder's Office, and give notice of a hearing to receive public comment before final adoption of the Tentative Budget for FY 2011-2012.

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-5-

After discussion, Councilmember Brooks moved to approve Resolution No. 11-57, a Resolution Adopting a Tentative Budget for the Fiscal Year Commencing July 1, 2011, and Ending June 30, 2012; and Setting August 9, 2011, as the Date for Public Hearing. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15316

RESOLUTION NO. 11-58, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY, SANDY CITY, WEST JORDAN CITY, WEST VALLEY CITY AND TAYLORSVILLE CITY, RELATING TO THE CONDUCT OF THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2012 THROUGH 2014

City Manager, Wayne Pyle, presented proposed Resolution No. 11-58 which would approve an Interlocal Cooperation Agreement with Salt Lake County, Sandy City, West Jordan City, West Valley City and Taylorsville City relating to the conduct of the HOME Investment Partnership Program for federal fiscal years 2012 through 2014.

Mr. Pyle stated West Valley City was part of a County-wide consortium of cities that received U.S. Department of Housing and Urban Development (HUD) HOME funds. He further stated as part of a larger consortium of cities, however, West Valley City had succeeded in qualifying for these funds, with Salt Lake County being the receiving agency. He indicated that after being notified of our HOME award each year West Valley City applied to Salt Lake County for reimbursement of our eligible expenses. He explained the Interlocal Agreement detailed the relationship between West Valley City and Salt Lake County. He further reported the Interlocal Agreement had been renewed every three years in the past but a new HUD ruling allowed for a five year agreement, thus the increased length of time.

After discussion, Councilmember Rushton moved to approve Resolution No. 11-58, a Resolution Approving and Authorizing the Execution of an Interlocal

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-6-

Cooperation Agreement with Salt Lake County, Sandy City, West Jordan City, West Valley City and Taylorsville City Relating to the Conduct of the HOME Investment Partnership Program for Federal Fiscal Years 2012 through 2014. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15317

RESOLUTION NO. 11-59, APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BATES GOLF COURSE DESIGN GROUP FOR THE DESIGN, DEVELOPMENT AND CONSTRUCTION OF THE WEST RIDGE GOLF COURSE

City Manager, Wayne Pyle, presented proposed Resolution No. 11-59 which would approve a Professional Services Agreement with Bates Golf Course Design Group, in the amount not to exceed \$875,000.00, for the design, development and construction of the West Ridge Golf Course.

Mr. Pyle stated the Mountain View Corridor would cut through the existing West Ridge Golf Course thus the City would need to rebuild that course. He also stated the Utah Department of Transportation (UDOT) hired Bates Golf Course Design Group to work with City staff to prepare a new course layout. He indicated City staff desired to retain Bates Golf Course Design Group services to complete the design and construction management of the new course.

The City Manager reported UDOT hired Bates Golf Course Design Group to work with City staff to prepare a new course layout. He stated staff had been satisfied with the new layout and secure in the expertise exhibited by Bates Golf through the process. He recommended continuing to work with Bates Golf Course Design Group to complete the design and construction of the new course. He stated the fee included course design, project and civil engineering, surveying, aerial photography, irrigation designer, environmental consultant, project management and contingency. He indicated with this agreement the expertise and experience of Bates Golf would be with City staff through all phases of demolition, construction and grow-in of the new course.

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-7-

After discussion, Councilmember Brooks moved to approve Resolution No. 11-59, a Resolution Approving a Professional Services Agreement with Bates Golf Course Design Group for the Design, Development, and Construction of the West Ridge Golf Course. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15318

RESOLUTION NO. 11-60, APPROVE A PERMIT ALLOWING DANCING MOOSE COMMUNITY GARDEN, LLC, TO CULTIVATE A COMMUNITY GARDEN ON CITY PROPERTY

City Manager, Wayne Pyle, presented proposed Resolution No. 11-60 which would approve a permit allowing Dancing Moose Community Garden, LLC, to cultivate a community garden on City property.

Mr. Pyle stated Dancing Moose Community Garden, LLC, desired to cultivate a community garden on City property adjacent to the Dancing Moose Montessori School. He also stated the entity had been created for the purpose of cultivating the community garden. He advised the City-owned property adjacent to the School which would provide an ideal location for a community garden.

After discussion, Councilmember Buhler moved to approve Resolution No. 11-60, a Resolution Authority a Permit Allowing Dancing Moose Community Garden, LLC, to Cultivate a Community Garden on City Property. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-8-

Unanimous.

15319

RESOLUTION NO. 11-56, APPROVE AMENDMENT NO. 5 TO AN AGREEMENT BETWEEN WEST VALLEY CITY AND IVORY LAND CORPORATION FOR PURCHASE AND DEVELOPMENT OF LAND AT APPROXIMATELY 5200 SOUTH 5600 WEST (CONTINUED FROM REGULAR MEETING OF APRIL 26, 2011)

City Manager, Wayne Pyle, presented proposed Resolution No. 11-56 which would approve Amendment No. 5 to an Agreement between West Valley City and Ivory Land Corporation for purchase and development of land at approximately 5200 South 5600 West.

Mr. Pyle stated that in May 2005, the City Council approved Resolution No. 05-175 authorizing the West Ridge Agreement for the Purchase and Development of Land with Ivory Land Corporation. He also stated the proposed amendment would adjust the purchase price, acreage, and one of the development standards for the last phase of the agreement.

The City Manager reported Ivory Homes had submitted drawings for the final phase in the West Ridge Estates Subdivision. He indicated based on the development agreement the minimum dwelling size in the subdivision would be 1,500 square feet. He stated Ivory Homes had proposed to modify the agreement to allow homes with a minimum dwelling size of 1,300 square feet.

Mr. Pyle explained the development agreement allowed Ivory Homes to prepare and submit new residential plans to be reviewed by the Planning and Zoning Division. He indicated as new plans had been created, some of which were being built in Highbury; Ivory Homes had requested these plans be an option for West Ridge Estates. The minimum square footage used in Highbury was 1,300 square feet. Ivory Homes believed these newer plans along with their architectural diversity would be an addition for the remaining lots in West Ridge.

The City Manager also reported the purchase price for the last phase of the agreement required an adjustment based on a small reduction in acreage and negotiations with Ivory Land Corporation.

City Manager, Wayne Pyle, stated this matter had been continued from the Regular Council Meeting held April 26, 2011.

After discussion, Councilmember Rushton moved to approve Resolution No. 11-56, a Resolution Approving Amendment No. 5 to an Agreement between West Valley City and Ivory Land Corporation for the Purchase and Development of

MINUTES OF COUNCIL REGULAR MEETING – MAY 3, 2011

-9-

Land at Approximately 5200 South 5600 West. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, MAY 3, 2011, WAS ADJOURNED AT 6:43 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, May 3, 2011.

Sheri McKendrick, MMC
City Recorder