

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 24, 2015

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 24, 2015, AT 6:35 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
John Evans, Fire Chief
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Anita Schwemmer, Acting Police Chief
Jake Arslanian, Public Works Department

_____ **OPENING CEREMONY**

The Opening Ceremony was conducted by Tom Huynh who asked members of the City Council, City staff and audience to rise and recite the Pledge of Allegiance.

_____ **APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 10, 2015**

The Council read and considered Minutes of the Regular Meeting held November 10, 2015. There were no changes, corrections or deletions.

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Councilmember Vincent moved to approve the Minutes of the Regular Meeting held November 10, 2015. Councilmember Lang seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

PROCLAMATION DECLARING NOVEMBER 28, 2015 AS SMALL BUSINESS SATURDAY IN WEST VALLEY CITY

Councilmember Buhler read a Proclamation declaring November 28, 2015, as Small Business Saturday in West Valley City.

COMMENT PERIOD

Upon inquiry by Mayor Bigelow the following individuals addressed the City Council during the comment period:

A. PUBLIC COMMENTS

Richard Spencer Valentine, Salt Lake County Health Department, addressed the City Council. He presented proclamations regarding alternative fuel and idle free awareness signed by Governor Gary Herbert. He also encouraged West Valley City to do whatever possible to promote these two important things.

Ellen Hanson, 2372 South 5700 West, addressed the City Council and stated she was concerned about the moratorium to be discussed during tonight's meeting. She indicated she desired to know what the City was trying to accomplish and how this was tied to downzoning. She expressed concern about the length of the moratorium and the City condemning property.

Joe Herrera, 2801 S Harrow Court, addressed the City Council. Mr. Herrera stated he was concerned about vacant land in Highbury. He indicated Ivory Homes had met with the community and displayed plans. Mr. Herrera expressed concern the City was asking for homes that were too large and would need to be priced too high. He also indicated Ivory's latest proposal met the intent of the City's ordinance with larger lot sizes and home sizes.

Matt Slade, 2774 S Redbridge Way, addressed the City Council. Mr. Slade advised he was a resident of Highbury as well and homes were priced higher on the east side of the Valley because land was very limited and had appreciated in value. He stated land was not limited on this side of the Valley and therefore not as expensive. Mr. Slade urged the City Council to work with developers to ensure new homes built in the city were marketable and affordable. He explained people would not be able to purchase homes if there was no way for banks to compare

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home values in certain area. He indicated the plan shown to the Highbury Community by Ivory met the City's goals and he urged the Council to consider ordinance regulations. He added he was concerned about a stem junior high school not being built in Highbury as well.

Roman Gurlov, 2384 South 5600 West, addressed the City Council. Mr. Gurlov stated he desired more information on the proposed moratorium. He indicated he would like to see the proposed ordinance and rules and regulations dictating the moratorium and added he desired to establish better communication between the City and business owners in the affected area.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, stated if residents had questions regarding the moratorium they were welcome to visit with City staff to discuss regulations, view maps and have questions answered.

He advised that Ivory had met with City staff and their latest proposal did not meet current standards. He stated the City would continue to work with developers with open communication and conversation.

C. CITY COUNCIL COMMENTS

Mayor Bigelow thanked members of the community for attending the meeting and expressing comments and concerns.

ORDINANCE NO. 15-37, ENACTING A TEMPORARY LAND USE REGULATION REGARDING LAND USE APPLICATIONS IN CERTAIN AREAS WITHIN THE CITY

Mayor Bigelow presented proposed Ordinance No. 15-37 that would enact a temporary land use regulation applicable to all land use applications for property located between 5600 West and 5800 West and from 2200 South to 2400 South.

Written information previously provided to the City Council included the following:

The purpose for the temporary land use regulation was to allow time for the City to prepare and adopt new zoning for the subject area. The current General Plan and the proposed General Plan update to be considered by the City Council December 1, 2015, showed the subject area as light manufacturing. The Manufacturing (M) Zone in place currently allowed both heavy and light manufacturing uses. The 5600 West Street was an important gateway into the City with average annual daily traffic exceeding 40,000 trips and, as such, heavy industrial uses were no longer appropriate here.

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Upon discussion, Councilmember Buhler clarified the City was not considering any condemnation of property.

City Manager, Wayne Pyle, also advised the City was not considering any condemnation of property and advised the moratorium would end at a maximum of six months with no intent for extension.

Councilmember Buhler indicated any zone change would be noticed to all the property owners.

Councilmember Vincent stated he desired to expand the borders of the proposal to ensure UDOT was included in the moratorium.

Councilmember Lang stated there had been no changes occurring in the area for over a year therefore she did not see the need for a moratorium.

The City Manager advised the City would like to evaluate the area with changes occurring including the introduction of the Mountain View Corridor and commercial moving forward.

Councilmember Vincent clarified that if the zone was ever changed existing landowners would maintain their current zoning and not be affected until their property was sold.

Councilmember Rushton concurred and added that no changes were even being proposed and indicated a zone change would be a completely different process.

Upon inquiry by Councilmember Huynh regarding if UDOT intended to purchase more property in the area, the City Manager advised in the negative.

Mayor Bigelow inquired what property owners would not be able to do during the moratorium.

Nicole Cottle, Assistant City Manager/CED Director, advised no zone changes, subdivision, or condition uses would be permitted during the moratorium. The City Manager added that it would not prohibit property owners from selling land

Councilmember Vincent moved to approve Ordinance No. 15-37, an Ordinance Enacting a Temporary Land Use Regulation Regarding Land Use Applications in Certain Areas Within the City. Councilmember Huynh seconded the motion.

Upon further discussion, Councilmember Vincent stated he would accept an amendment

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to his motion to allow the extended map provided to be used as the boundary for the moratorium.

Councilmember Buhler moved to amend the motion by Councilmember Vincent to allow the extended map provided to be used as the boundary for the moratorium. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

Mayor Bigelow called for a motion.

Councilmember Vincent moved to approve the motion as amended that encompassed the expanded area provided in the map. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	No
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Majority.

____ **RESOLUTION NO. 15-188, AUTHORIZING THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH TOUCHSTONE INVESTMENTS, LIMITED LIABILITY COMPANY, AND TO ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 3920 WEST AND 3940 WEST ON 4100 SOUTH**

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Mayor Bigelow presented proposed Resolution No. 15-188 that would authorize the City to enter into a Right-of-Way Contract with Touchstone Investments, Limited Liability Company, and to accept a Warranty Deed and a Temporary Construction Easement for property located at 3920 West and 3940 West on 4100 South.

Written information previously provided to the City Council included the following:

The parcels owned by Touchstone Investments were two of the properties affected by the 4100 South, 4000 West, 2700 West, and 1300 West Signal Improvements Project. The project would widen intersections and improve signals on 4100 South at 4000 West, 2700 West, and 1300 West. The acquisition of property from Touchstone included 1,296 square feet of right-of-way. Compensation for purchase of the Warranty Deed, Temporary Construction Easement, and improvements would be in the amount of \$31,800.00 based on an appraisal report prepared by DH Group, LLC.

The project was being funded under the Highway Safety Improvement Project (HSIP) with federal funds. Under a previously executed federal aid agreement, West Valley City was responsible for 6.77% of all project costs, including right-of-way acquisition. With the total value of the easements for this acquisition being \$31,800.00, the City's share would be \$2,152.86.

Upon inquiry by Mayor Bigelow there were no further questions or concerns and he called for a motion.

Councilmember Rushton moved to approve Resolution No. 15-188, a Resolution Authorizing the City to Enter Into a Right-of-Way Contract with Touchstone Investments, Limited Liability Company, and to accept a Warranty Deed and a Temporary Construction Easement for Property Located at 3920 West and 3940 West on 4100 South. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

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MOTION TO ADJOURN

Upon motion by Councilmember Huynh all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, NOVEMBER 24, 2015, WAS ADJOURNED AT 7:23 P.M. BY MAYOR BIGELOW.

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, November 24, 2015.

Nichole Camac
City Recorder