

MINUTES OF COUNCIL REGULAR MEETING – JUNE 7, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 7, 2016, 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 AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Don Christensen, 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

ABSENT:

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Acting/Assistant City Manager/HR Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Steve Pastorik, Acting CED Director
Jake Arslanian, Public Works Department
Steve Lehman, CED Department
Steve Pastorik, CED Department
Jody Knapp, CED Department

OPENING CEREMONY

Councilmember Steve Vincent conducted the Opening Ceremony. He provided a YouTube presentation that commemorated D-Day and requested members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 17, 2016

The Council read and considered Minutes of the Regular Meeting held May 17, 2016. There were no changes, corrections or deletions.

Councilmember Don Christensen moved to approve the Minutes of the Regular Meeting held May 17, 2016. Councilmember Karen Lang seconded the motion.

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

EMPLOYEE OF THE MONTH AWARD, JUNE 2016- RACHELLE HILL, LEGAL DEPARTMENT

Councilmember Steve Vincent read the award. The nomination was as follows:

Rachelle is the calm in the storm of domestic violence. She provides victims a steady hand for support and is very knowledgeable in services available to help victims in their time of need. Not only does she do this for cooperative victims, but she also does this for uncooperative victims. She lets them know that West Valley Victim Advocates are in the background ready and willing to help whenever they want and need it. She is not judgmental and always starts by believing. She supports the attorneys as well. She lets us know how a victim should be approached and what their worries are. She researches past issues the victim has faced and alerts the attorneys to other open, closed, or unfiled matters. She helps us resolve and protect victims. She reminds us to remember the human in the case and to carefully evaluate their position and safety concerns. Rachelle should be employee of the month every month because of her un-wavering support to all those involved in criminal cases, but especially the victims for which she advocates.

Ms. Hill was presented with the award and congratulated by the Mayor and City Council.

COMMENT PERIOD

Upon inquiry by Mayor Bigelow the following individuals made remarks during the comment period:

A. PUBLIC COMMENTS

Candice Pierucci, representing Congressman Stewart's office, addressed the City Council. She stated that 2,000 books were raised for a local school and the book drive was extremely successful. Ms. Pierucci also stated that she works with military and veterans. She added that Congressman Stuart has been doing a lot with the wild horse population in southern Utah, passing a Zika Bill, etc.

B. CITY MANAGER COMMENTS

Acting City Manager, Paul Isaac, had no comments.

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B. CITY COUNCIL COMMENTS

Councilmember Buhler thanked Congressman Stewart's office and their efforts.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2015-2016 BUDGET

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 7, 2016, in order for the City Council to hear and consider public comments regarding amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds

Mayor Bigelow presented proposed Ordinance No. 16-27 related to the proposal to be considered by the City Council subsequent to the public hearing. The City Council had previously received written information as follows:

State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the City of West Valley to amend its budget during the year. The West Valley City holds four such public hearings on budget amendments quarterly.

A Public Notice was posted May 19, 2016 in (the Salt Lake Tribune and the Deseret Morning News) general circulation to the general public. Notice was given that a public hearing is to be held June 7, 2016 at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

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

ACTION: RESOLUTION NO. 16-27 AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016 TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS

The City Council previously held a public hearing regarding proposed Resolution No. 16-27 that would approve amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Vincent moved to approve Resolution No. 16-27, an ordinance amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016 to Reflect Changes in the Budget from Increased Revenues and Authorize

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the Disbursement of Funds. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-6-2016, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO SECTION 7-2-116 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING FIREWORK STORAGE CONTAINERS

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 7, 2016, in order for the City Council to hear and consider public comments regarding Application No. ZT-6-2016 filed by West Valley City, requesting a Zone Text Change to Section 7-2-116 of the West Valley City Municipal Code regarding firework storage containers.

Mayor Bigelow presented proposed Ordinance No. 16-28 related to the proposal to be considered by the City Council subsequent to the public hearing. The City Council had previously received written information as follows:

West Valley City staff is recommending an amendment to Section 7-2-116(2)(b) of the Zoning Ordinance. Currently, the code allows for one temporary fireworks storage container per site and the container must be under 120 square feet. Staff has recently been contacted by several fireworks companies who have indicated that the Code is too restrictive due to the volume of sales and size of fireworks that can be sold.

Most companies in the fireworks industry store their merchandise in Conex containers. These containers are made of metal and are a safe and secure method of storage. The Fire Department has indicated these are the preferred method of storage as well.

The standard sizes of the Conex containers are 8' x 20' (160 sqft) and 8' x 40' (320 sqft). Firework stands that have a higher volume of customers usually have two containers that are 8' x 40' for a total of 640 sqft of storage space.

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Staff feels that increasing the size of the containers will bring the City Code in line with current standards in the fireworks industry. Staff is proposing to allow up to two containers per site and the combined square footage of the containers shall be no greater than 640 square feet.

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

ACTION: ORDINANCE NO. 16-28, AMENDING SECTION 7-2-116 OF THE WEST VALLEY CITY MUNICIPAL CODE TO CLARIFY PROVISIONS GOVERNING THE STORAGE OF FIREWORKS.

The City Council previously held a public hearing regarding Application No. ZT-6-2016 and proposed Ordinance No. 16-28 that would approve amending section 7-2-116 of the West Valley City Municipal Code to clarify provisions governing the storage of fireworks.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to approve Application No. ZT-6-2016 filed by West Valley City and proposed Ordinance No. 16-28, an Ordinance amending section 7-2-116 of the West Valley City Municipal Code to clarify provisions governing the storage of fireworks.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-93, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY CITY AND THE FEDERAL BUREAU OF INVESTIGATION (“FBI”), CHILD EXPLOITATION TASK FORCE (“CETF”).

Mayor Bigelow presented proposed Resolution No. 16-93 that would authorize the West Valley City Police Department to enter into a memorandum of understanding to participate in the Federal Bureau of Investigation (FBI) Child Exploitation Task Force (CETF).

Written documentation previously provided to the City Council included information as follows:

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The FBI CETF provides rapid, proactive, and intelligence-drive investigative response to the sexual victimization of children, and other crimes against children within the FBI's jurisdiction. The FBI will reimburse the West Valley City Police Department and other participating law enforcement agencies for overtime payments made to the officers assigned to the task force, incurred during CETF-related investigations.

The West Valley City Police Department has been asked by the FBI to participate in the CETF, based upon having personnel who are already trained in techniques and skills necessary for these types of investigations. Participation will be a part-time collateral assignment, determined by operational needs of the CETF. The police department will benefit from additional specialized training and resources provided by participation in the CETF.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve Resolution No. 16-93, a Resolution approving a memorandum of understanding between West Valley City and The Federal Bureau of Investigation (FBI) Child Exploitation Task Force (CETF). Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

APPLICATION S-2-2016, FINAL PLAT APPROVAL FOR THE ALBERT ACRES SUBDIVISION LOCATED AT 3681 SOUTH 5600 WEST

Mayor Bigelow presented application S-2-2016 that would grant final plat approval for the Albert Acres Subdivision located at 3681 South 5600 West.

Written documentation previously provided to the City Council included information as follows:

Mr. Albert is proposing a 4 lot subdivision on 1.8 acres in the R-1-8 zone. At the present

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time, there is an existing dwelling on what will be known as lot 1. It is anticipated that this dwelling will remain in place with three new dwellings planned for lots 2, 3 and 4. The accessory building currently located on the east end of the property will be removed.

The City's Subdivision Ordinance requires that all flag lots have a minimum square footage of 12,000 square feet. The square footage of the flag lot excludes the stem portion that serves as an access to the lot. In this case, the proposed flag lots are in excess of the minimum requirement.

Due to the location of the existing dwelling and out-building to the north, setback and frontage variances were granted by the Board of Adjustment in May 2015. The granting of these variances allows Mr. Albert to subdivide the property as proposed. The new driveway will be positioned in accordance with the setback variance from the existing dwelling and out-building as granted by the Board of Adjustment.

As 5600 West is under the jurisdiction of UDOT, any improvements to the right-of-way will need to be coordinated through them. It is staff's understanding that the existing circular drive will be removed in favor of a single point of access. All lots within the subdivision will utilize the private driveway for access. As with other similar situations, staff will require that cross access and maintenance agreements be recorded with the plat.

Property to the east is zoned agriculture. As such, the applicant will need to install a 6-foot chain link fence. A different fence material can be used but would need to be coordinated with the adjacent land owner and staff.

The subject property is slightly higher in elevation than the property to the north. With development of three new lots, the elevation could increase in height. The City Engineering Division has recommended that on site retention be part of the grading and drainage plan approvals.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Vincent moved to approve application S-2-2016 that would grant final plat approval for the Albert Acres Subdivision located at 3681 South 5600 West. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes

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Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

APPLICATION S-6-2016, FINAL PLAT APPROVAL FOR THE CHASE MEADOWS SUBDIVISION LOCATED AT 3380 WEST 3100 SOUTH

Mayor Bigelow presented application S-6-2016 that would grant final plat approval for the Chase Meadows Subdivision located at 3380 West 3100 South.

Written documentation previously provided to the City Council included information as follows:

Roger Chase is requesting subdivision approval for the Chase Meadows Subdivision. This is a residential subdivision consisting of 2.26 acres in the R-1-8 zone located at 3380 West 3100 South.

The proposed subdivision consists of 7 lots. There is an existing home on the property that will remain on Lot 101 of the subdivision, leaving six developable lots for new single family homes. Lot sizes range from 9,222 to 15,580 square feet. The average lot size in the subdivision has been calculated at 10,479 square feet.

Access to the subdivision will be gained from 3100 South. The road will meet our typical 54-foot right-of-way. This will allow for the City's standard improvements of 29 feet of asphalt, 5 feet for curb and gutter, along with a 5-foot parkstrip and 5-sidewalk.

All new homes will need to meet the single-family development requirements as outlined in 7-14-105 of the West Valley City Code.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve application S-6-2016 that would grant final plat approval for the Chase Meadows Subdivision located at 3380 West 3100 South. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes

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Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

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, JUNE 7, 2016, WAS ADJOURNED AT 6:51 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, June 7, 2016.

Nichole Camac
City Recorder