

MINUTES OF COUNCIL STUDY MEETING – JUNE 14, 2016

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JUNE 14, 2016, AT 4:30 P.M. IN THE MULTI-PURPOSE ROOM, 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

STAFF PRESENT:

Wayne Pyle, City Manager
DeAnn Varney, Deputy City Recorder

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Lee Russo, Police Chief
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Aaron Crim, Acting Strategic Communications Director
Jake Arslanian, Public Works Department
Steve Pastorik, CED Department
Jody Knapp, CED Department
Steve Lehman, CED Department
Freya Johnson, CED Department
Tallen Meeks, Finance Department
Mark Nord, CED Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD MAY 24, 2016**

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The Council read and considered Minutes of the Study Meeting held May 24, 2016. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Study Meeting held May 24, 2016. Councilmember Huynh seconded the motion.

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

2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED JUNE 14, 2016**

The City Council reviewed the Agenda for the Regular Meeting scheduled later this night.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

3. **PUBLIC HEARINGS SCHEDULED FOR JUNE 21, 2016**

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-8-2016, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO SECTION 7-1-103 OF THE WEST VALLEY CITY MUNICIPAL CODE TO DEFINE PATIO COVERS

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 21, 2016, in order for the City Council to hear and consider public comments regarding Application No. ZT-8-2016 filed by West Valley City requesting a zone text amendment to Section 7-1-103 of the West Valley City Municipal Code to define patio covers.

Proposed Ordinance No. 16-29 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ORDINANCE NO. 16-29, AMENDING SECTION 7-1-103 OF THE WEST VALLEY CITY MUNICIPAL CODE TO DEFINE PATIO COVERS

Jody Knapp, discussed proposed Ordinance No. 16-29 that would amend Section 7-1-103 of the West Valley City Municipal Code to define patio covers.

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

On April 19, 2016 the West Valley City Council approved a text amendment for setback exceptions for attached patio covers. Upon approval of that amendment the Council directed staff to prepare a definition of patio covers. Therefore, staff proposes the following definition be added to the City Code:

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“Patio Cover” means a single-story shade structure covering a patio or deck area consisting of a solid or open roof and structural supports, attached to or detached from the primary dwelling, which is used only for recreational, outdoor purposes and which is not used as a carport, garage, storage room, or habitable living space.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will hold a public hearing and consider Application No. ZT-8-2016 and proposed Ordinance No. 16-29 at the Regular Council Meeting scheduled June 21, 2016, at 6:30 P.M.

4. **RESOLUTION NO. 16-97, AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$9,750,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE REFUNDING BONDS, SERIES 2016 (THE "BONDS"); FIXING THE MAXIMUM AGGREGATE OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE AUTHORITY TO APPROVE THE FINAL TERMS SET FORTH HEREIN; PROVIDING FOR THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION OF A SUPPLEMENTAL INDENTURE, A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A BOND PURCHASE CONTRACT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS**

Jim Welch, Finance Director, discussed proposed Resolution No. 16-97 that would Authorize the Issuance and Sale of Not More Than \$9,750,000 Aggregate Principal Amount of Sales Tax Revenue Refunding Bonds, Series 2016 (The "Bonds"); Fixing the Maximum Aggregate of Years Over Which the Bonds May Mature, The Maximum Interest Rate Which The Bonds May Bear, And The Maximum Discount From Par At Which The Bonds May Be Sold; Delegating to Certain Officers Of The Issuer The Authority To Approve The Final Terms Set Forth Herein; Providing For The Publication Of A Notice of Bonds To Be Issued; Providing For The Running Of a Contest Period; Authorizing And Approving The Execution of a Supplemental Indenture, A Preliminary Official Statement, An Official Statement, A Bond Purchase Contract, And Other Documents Required in Connection Therewith; Authorizing The Taking of All Other Actions Necessary To The Consummation Of The Transactions Contemplated By This Resolution; And Related

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Matters

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

Analysis of existing debt and economic conditions has identified significant savings for the city by refunding all or a portion of the outstanding Sales Tax Revenue Refunding Bonds.

The bonds to be refunded were originally issued to provide funding for land acquisition, infrastructure improvements for the Stonebridge Golf Course and Public Safety Building. It is anticipated that by refinancing the 2006 Bonds that the City may realize savings of about 6.8% depending on market conditions at the time of the sale. This savings roughly translates to about \$602,000 over the life of the bonds. The bonds sold in this refunding will not extend the maturity of the original bonds but will reduce the annual payments.

Mayor Bigelow requested that the Council be informed of the rate prior to the Regular Meeting.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider proposed Resolution No. 16-97 at the Regular Council Meeting scheduled June 21, 2016, at 6:30 P.M.

5. NEW BUSINESS SCHEDULED JUNE 21, 2016

CONSIDER APPLICATION S-11-2016, FILED BY 4100 INVESTMENT LLC, REQUESTING FINAL PLAT APPROVAL FOR JMYL WEST VALLEY SUBDIVISION LOCATED AT 4100 SOUTH REDWOOD ROAD

Steve Lehman, CED Department, discussed Application No. S-11-2016, Filed by 4100 Investment LLC, Requesting Final Plat Approval for JMYL West Valley Subdivision Located at 4100 South Redwood Road

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

Jake Tate, representing 4100 Investment LLC, is requesting final plat approval for the JMYL West Valley Subdivision. The subject property is located on the northwest corner of 4100 South and Redwood Road. At the present time, Kmart occupies the majority of the property with three ancillary uses at the southwest corner of the property. The southeast corner parcel is not part of the subdivision application, but will be developed in the future as a CVS Pharmacy.

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The proposed subdivision is being requested as part of an overall redevelopment project. The proposed subdivision will consist of 9 commercial lots on 13.5 acres. The majority of lots within the subdivision will have access to Redwood Road and 4100 South. For those lots that lack dedicated frontage, internal cross access and parking easements will be needed.

Lots range in size from .5 acres to 6.8 acres. All lots meet the area requirements of the C-2 zone. Although the C-2 zone does not have frontage requirements, each lot has sufficient size and adequate frontage to be developed successfully.

Access will be gained by Redwood Road and 4100 South. Both streets have been dedicated to their full right-of-way width. As development occurs on those lots fronting these streets, various public improvements may need to be replaced or repaired if broken or found inadequate to service their intended purpose. These will be more fully addressed through the conditional use application.

There are three lots with frontage along Redwood Road. As this road is controlled by the Utah Department of Transportation, the developer will need to coordinate new access points. The future CVS store at the southeast corner has an existing access on Redwood Road at the present time. Staff believes that there will be separation requirements between accesses and these will be worked out as part of the conditional use.

Located at the southwest corner of the subdivision and adjacent to lots 8 and 9, is the North Jordan Canal. City ordinance requires that this portion of the canal be piped as part of the subdivision development.

The subdivision plat will be the mechanism to divide property and to create cross access and parking easements. It will also show any easement of record which will need to be taken into account when redeveloping this site. The redevelopment project will eventually be processed as a conditional use permit. Topics such as land use, building location, architecture and landscaping will be addressed as part of that process.

Councilmember Buhler asked if the property was owned by Kmart. Mr. Lehman replied that Kmart will be leaving this location. He added that there are six letters of intent and UDOT is working with the developer on access roads.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Application No. S-11-2016 at the Regular Council

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Meeting scheduled June 21, 2016, at 6:30 P.M.

6. CONSENT AGENDA SCHEDULED JUNE 21, 2016

A. RESOLUTION NO. 16-98, APPROVE AN AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND MAINTENANCE OF LANDSCAPING ON PROPERTY LOCATED AT 2443 SOUTH 7200 WEST IN THE RIGHT-OF-WAY OF STATE ROUTE 201

Jody Knapp, CED Department, discussed Resolution No. 16-98, approve an Agreement with the Utah Department of Transportation For Installation and Maintenance of Landscaping on Property Located at 2443 South 7200 West in the Right-Of-Way of State Route 201

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

This resolution authorizes a landscape maintenance agreement between the City and UDOT for landscaping to be installed at the intersection of 2443 South and 7200 West.

In order to comply with landscaping code requirements, Maverik, Inc., submitted plans to the City for landscaping on property owned by UDOT that abuts the Maverik gas station and convenience store located at 2443 South and 7200 West. UDOT requires a landscape maintenance agreement before landscaping can be installed on its property, but it will only enter into a landscape maintenance agreement with the City and not a private entity. For this reason, staff is proposing this landscape maintenance agreement with UDOT, which requires the City to maintain the landscaping at the intersection. The City in turn will have a landscape maintenance agreement with Maverik, and Maverik will install and maintain the landscaping.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Resolution No. 16-98 at the Regular Council Meeting scheduled June 21, 2016, at 6:30 P.M.

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B. RESOLUTION NO. 16-99, APPROVE AN AGREEMENT WITH MAVERIK, INC., FOR INSTALLATION AND MAINTENANCE OF LANDSCAPING ON PROPERTY LOCATED AT 2443 SOUTH 7200 WEST IN THE RIGHT-OF-WAY OF STATE ROUTE 201

Jody Knapp, CED Department, discussed Resolution No. 16-99, Approve an Agreement with Maverik, Inc., for Installation and Maintenance of Landscaping on Property Located at 2443 South 7200 West in the Right-Of-Way of State Route 201.

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

This resolution authorizes a landscape maintenance agreement between the City and Maverik for landscaping to be installed at the intersection of 2443 South and 7200 West.

In order to comply with landscaping code requirements, Maverik submitted plans to the City for landscaping on property owned by the Utah Department of Transportation (UDOT) that abuts the Maverik gas station and convenience store located at 2443 South and 7200 West. UDOT requires a landscape maintenance agreement before landscaping can be installed on its property, but it will only enter into a landscape maintenance agreement with the City and not a private entity. For this reason, staff is proposing a landscape maintenance agreement with UDOT, which requires the City to maintain the landscaping at the intersection. The City in turn will enter into this landscape maintenance agreement with Maverik, and Maverik will install and maintain the landscaping.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Resolution No. 16-99 at the Regular Council Meeting scheduled June 21, 2016, at 6:30 P.M.

C. RESOLUTION NO. 16-100, AUTHORIZE THE EXECUTION AND RECORDING OF A DELAY AGREEMENT BETWEEN WEST VALLEY CITY AND HD MAGNA, LLC, FOR PROPERTY LOCATED AT 3420 SOUTH 5600 WEST

Jody Knapp, CED Department, discussed Resolution No. 16-100, Authorize the Execution and Recording of a Delay Agreement Between West Valley City and HD Magna, LLC, For Property Located at 3420 South 5600 West

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

On October 26, 2015, VASA Fitness submitted a building permit for a tenant improvement for property owned by HD Magna, LLC. The estimated construction costs for this project totaled approximately \$2,300,000. The property has frontage along 5600 West, which is listed as one of West Valley City's High Image arterials. These frontages have specific landscaping requirements set forth in Chapter 7-13 of the West Valley City Municipal Code. These requirements take effect when any substantial modification to an existing site or structure in which the estimated construction cost exceeds \$50,000. These standards require a 20' bermed landscaped area be constructed between the sidewalk and parking area with one tree every 30'. The site currently has an 11' wide landscaped area so an additional 9' would be required to be installed.

This property is located in the UDOT notice area for the Mountain View Corridor project. Therefore, they received notice of the proposal. They have identified a conflict because this portion of 5600 W. will be widened as early as 2018. Therefore, their recommendation was to delay the improvements until the corridor project is completed. Staff supports this recommendation and has outlined the following delay agreement.

The final construction documents for the widening of 5600 West are not complete at this time but staff recommends that upon completion of the widening project there shall be at least 20' of landscaping installed west of the new sidewalk.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Resolution No. 16-100 at the Regular Council Meeting scheduled June 21, 2016, at 6:30 P.M.

D. RESOLUTION NO. 16-101, RATIFY THE CITY MANAGER'S APPOINTMENT OF DAVID MCEWEN AS CHAIR OF THE WEST VALLEY CITY CLEAN AND BEAUTIFUL COMMITTEE FOR A TERM COMMENCING JULY 1, 2016 AND ENDING JUNE 30, 2017

Mayor Ron Bigelow discussed Resolution No. 16-101, Ratify the City Manager's Appointment of David McEwen as Chair of the West Valley City

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Clean and Beautiful Committee for a Term Commencing July 1, 2016 and Ending June 30, 2017

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

David McEwen is willing to serve as Chair of the West Valley City Clean and Beautiful Committee.

Members of the West Valley City Clean and Beautiful Committee are appointed by the City Manager with the advice and consent of the City Council.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Resolution No. 16-101 at the Regular Council Meeting scheduled June 21, 2016, at 6:30 P.M.

7. **COMMUNICATIONS**

A. **BUDGET UPDATE**

City Manager, Wayne Pyle, presented information related to the City's budget. Mayor Bigelow commented that the Council needs to instruct Mr. Pyle on how to spend the money that is available to the City in the most effective way.

B. **COUNCIL UPDATE**

Mayor Ron Bigelow stated that the Council receives tickets to USANA events and indicated that he is unable to attend many of the concerts. He stated that his tickets are available to other Councilmembers that may be interested.

Councilmember Steve Buhler stated that he would like to attend the Wall that Heals event and would request more information. Kevin Astill replied that the program is still being prepared but indicated that he would like the Council to call the event to order and welcome citizens and media who will be attending.

C. **POTENTIAL FUTURE AGENDA ITEMS**

City Manager, Wayne Pyle, stated that the City would like to present members of the Youth City Council with a 'Key to the City'. Karen Lang added that a certificate should be presented to each member as well. The City Council discussed potential dates and Mr. Pyle indicated that this will happen within the next week or two.

City Manager, Wayne Pyle, stated that Intermountain Donor Services is asking for

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a representative to serve on their committee and would like someone who has been a recipient of a donor. Karen Lang suggested Ken Gardner.

9. **COUNCIL REPORTS**

A. **COUNCILMEMBER LARS NORDFELT – HISTORICAL SOCIETY**

Councilmember Nordfelt stated that the Historical Society will be receiving 3 million dollars that will need to be approved by the City Council.

B. **COUNCILMEMBER KAREN LANG- STATUES**

Councilmember Karen Lang indicated that she received an email from Bill Barton who feels that the City shouldn't utilize money to construct statues unless they are individually paid for.

Councilmember Nordfelt stated that there are artists in St. George who display their individual pieces to sell at no cost to the City.

City Manager, Wayne Pyle, stated that as windmill concept is being discussed.

Councilmember Lang sated that the Clean and Beautiful Committee will be adding two flag poles to Fairbourne Station.

C. **COUNCILMEMBER TOM HUYNH- DEANN VARNEY AND ROAD WIDTH**

Councilmember Tom Huynh welcomed DeAnn Varney back to work.

Councilmember Tom Huynh also added that he received a complaint from a citizen in his district regarding road widths in his neighborhood. He indicated that vehicles park on the street and the resident was concerned that a Fire Truck was unable to get into the neighborhood several weeks ago.

Councilmember Karen Lang suggested parking on different sides of the street alternating days.

City Manager Wayne Pyle indicated that Public Works will be doing analysis on various streets to determine which need to be looked at and potentially widened.

D. **COUNCILMEMBER DON CHRISTENSEN- WESTSHIRE BREAKFAST**

Councilmember Don Christensen stated that he attended the Westshire Breakfast and citizens requested that Code Enforcement visit the neighborhood more often.

E. **COUNCILMEMBER STEVE VINCENT- WESTFEST**

Councilmember Steve Vincent indicated that Westfest will begin Thursday and

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fireworks will be on Saturday at 10 PM.

10. **MOTION TO ADJOURN**

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY, JUNE 14, 2016, WAS ADJOURNED AT 5:23 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, June 14, 2016.

DeAnn Varney
Deputy City Recorder