

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 28, 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
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: Don Christensen, Councilmember At-Large (excused)

STAFF PRESENT:

Paul Isaac, Acting City Manager/ HR Director
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Scott Freckleton, Acting Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Steve Pastorik, CED Department

OPENING CEREMONY

Mayor Ron Bigelow conducted the Opening Ceremony and discussed the Vietnam Veteran Wall that the City will be hosting, “The Wall That Heals”. He encouraged people to attend the event and see the Wall. Mayor Bigelow then asked members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 14, 2016 AND JUNE 21, 2016

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-2-

The Council read and considered Minutes of the Regular Meeting held June 14, 2016 and June 21, 2016. There were no changes, corrections or deletions.

Councilmember Karen Lang moved to approve the Minutes of the Regular Meeting held June 14, 2016 and the Regular Meeting held June 21, 2016. Councilmember Tom Huynh seconded the motion.

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

PROCLAMATION DECLARING JULY 1 THROUGH JULY 7, 2016 AS “INDEPENDENTS WEEK 2016” IN WEST VALLEY CITY

Mayor Ron Bigelow read a proclamation declaring July 1 through July 7, 2016 as “Independents Week 2016”

COMMENT PERIOD

A. PUBLIC COMMENTS

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

B. CITY MANAGER COMMENTS

Upon inquiry, Acting City Manager Paul Isaac had nothing to comment.

C. CITY COUNCIL COMMENTS

Upon inquiry, the City Council had nothing to comment.

PUBLIC HEARING, ACCEPT PUBLIC INPUT ON APPLICATION NO. Z-7-2016, FILED BY KEN MILNE, REQUESTING A ZONE CHANGE FROM 'A' (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO 'RE' (RESIDENTIAL ESTATE) ON PROPERTY LOCATED AT 3654 AND 3664 SOUTH 6400 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 28, 2016, in order for the City Council to hear and consider public comments regarding Application No. Z-7-2016 filed by Ken Milne, requesting a zone change from 'A' (Agriculture, Minimum Lot Size 1/2 Acre) to 'RE' (Residential Estate) on Property Located at 3654 and 3664 South 6400 West

Mayor Bigelow presented proposed Ordinance No. 16-30 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:

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-3-

Ken Milne has requested a zone change on two parcels totaling 1.38 acres at 3654 and 3664 South 6400 West from A (agriculture, minimum lot size of ½ acre) to RE (residential estate). A large portion of the surrounding property was rezoned to the RE Zone on the 17th of this month. The neighborhoods to the north and east are zoned R-1-8. The property is surrounded largely by single family homes to the north and east and agricultural ground to the west and south. The subject property is designated as large lot residential, which anticipates 2 to 3 units/acre, in the West Valley City General Plan.

The applicant has submitted a concept plan, which is attached, that shows the subject property, together with the Newton property that was just rezoned, being subdivided into 61 lots plus a 1 acre park yielding a density of 2.3 units/acre. The parcel on 6400 West includes a home that, according to the County Assessor, was built in 1895. This home will likely remain.

The applicant has proposed that the same development agreement approved for the Newton property be used for the subject property with one amendment. On the north portion of the property along 6400 West, the total frontage is about 179'. Given the minimum lot width of 100', the applicant is requesting a lot width reduction to 80' to allow for two lots fronting on 6400 West.

Mayor Bigelow also presented proposed Resolution No. 16-102 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:

Ken Milne with Arcadia Properties, LLC has submitted a rezone application (Z-7-2016) to change 1.38 acres at 3664 S 6400 W from A (agriculture, minimum lot size ½ acre) to RE (residential estate). The Council recently rezoned 25.36 acres adjacent to the subject property to the new RE Zone and approved a development agreement for the property. This resolution replaces the original development agreement with a new one that adds the 1.38 acres of property and includes a provision to reduce the minimum lot width to 80' for two lots along 6400 West. Aside from these two changes, the development agreement is the same as approved before.

As a reminder, the development agreement includes:

- Standards for landscaping that exceed ordinance requirements
- Standards for fencing that are not required by ordinance
- A rear yard setback reduction for lots with depths less than 100'
- Provisions that require the dedication of at least 1 acre for a park in exchange for City participation in the costs of the roads adjacent to the park, a reduction in the park impact fees and a reduction in lot size. The proposed reduction in lot size

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-4-

does not increase the number of lots but simply allows the same number of lots as if no park was provided.

Mayor Bigelow opened the public hearing.

Ken Milne (PO Box 710, Draper, UT) indicated that he represents the applicant. He stated that the rest of the surrounding property has been rezoned and this is a smaller addition to the project. Mr. Milne stated that the existing historic home on the property will remain but will be renovated and used as a sales office.

Mr. Milne requested a modification to the Development Agreement and stated that he would like a minimum roof pitch of 4:12 to be added as a possibility. He indicated that Prairie Homes are becoming increasingly popular and part of their design is a lower roof pitch.

Mayor Bigelow closed the public hearing.

ACTION: ORDINANCE NO. 16-30, AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3654 AND 3664 SOUTH 6400 WEST FROM ZONE ‘A’ (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE TO ‘RE’ (RESIDENTIAL ESTATE)).

The City Council previously held a public hearing regarding Application No. Z-7-2016 and proposed Ordinance No. 16-30 that would approve amending the zoning map to show a change of zone for property located at 3654 and 3664 South 6400 West from Zone ‘A’ (agriculture, minimum lot size ½ acre to ‘RE’ (residential estate)).

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

Councilmember Steve Vincent moved to approve Application No. Z-7-2016 filed by Ken Milne and Ordinance No. 16-30, an Ordinance approving amending the zoning map to show a change of zone for property located at 3654 and 3664 South 6400 West from Zone ‘A’ (agriculture, minimum lot size ½ acre to ‘RE’ (residential estate)). Councilmember Steve Buhler seconded the motion.

A roll call vote was taken:

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

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-5-

Mayor Bigelow Yes

Unanimous.

ACTION: RESOLUTION NO. 16-102, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ARCADIA PROPERTIES LLC FOR APPROXIMATELY 26.74 ACRES OF PROPERTY

The Council considered proposed Resolution No. 16-102 related to Application No. Z-7-2016 previously considered and approved.

Upon inquiry, Steve Pastorik (CED Department) presented images submitted by the applicant that showed the difference between a Prairie Home and a Craftsman Home. He indicated that if the Council is comfortable modifying the minimum roof pitch, this can be added under exhibit B in the proposed development agreement. Councilmember Steve Vincent clarified that both Craftsman and Prairie Homes could still be built, it would just be an additional option. Steve replied yes. Councilmember Vincent stated that he would be in favor of modifying the development agreement to provide a greater mix of styles in the neighborhood. Councilmember Karen Lang verified that stucco would still not be allowed.

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

Councilmember Steve Vincent moved to approve Resolution No. 16-102 that would authorize the City to Enter into a Development Agreement with Arcadia Properties LLC for Approximately 26.74 Acres of Property subject to allowing a minimum roof pitch of 412 to be modified in the development agreement. Councilmember Tom Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

A. RESOLUTION NO. 16-103, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF BRENT FULLER TO THE PLANNING

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-6-

COMMISSION, TERM: JULY 1, 2016 TO JULY 1, 2020

Mayor Bigelow presented proposed Resolution No. 16-103 that would ratify the City Manager's reappointment of Brent Fuller to the Planning Commission, Term: July 1, 2016 to July 1, 2020

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

The Planning Commission is composed of seven members and one alternate appointed and reappointed by the City Manager with the advice and consent of the City Council. Any Planning Commission member may be reappointed for an additional term and there is no limit to the number of terms a member may serve.

Brent Fuller is a current Planning Commissioner and his term is due to expire on July 1, 2016. He was first appointed to the Planning Commission on August 6, 1992.

B. RESOLUTION NO. 16-104, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LATAI TUPOU TO THE PLANNING COMMISSION, TERM: JULY 1, 2016 TO JULY 1, 2020

Mayor Bigelow presented proposed Resolution No. 16-104 that would ratify the City Manager's reappointment of Latai Tupou to the Planning Commission, Term: July 1, 2016 to July 1, 2020

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

The Planning Commission is composed of seven members and one alternate appointed and reappointed by the City Manager with the advice and consent of the City Council. Any Planning Commission member may be reappointed for an additional term and there is no limit to the number of terms a member may serve.

Latai Tupou is a current Planning Commissioner and her term is due to expire on July 1, 2020. She was first appointed to the Planning Commission as an alternate on March 4, 2014.

C. RESOLUTION NO. 16-105, AUTHORIZING THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH ALBERT E. GUTHRIE AND GLENDA C. GUTHRIE AND TO ACCEPT A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 3909 SOUTH 7200 WEST (14-34-305-001)

Mayor presented proposed Resolution No. 16-105 that would authorize the City to

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-7-

enter into a Right-Of-Way Contract with Albert E. Guthrie and Glenda C. Guthrie and to accept a Temporary Construction Easement for property located at 3909 South 7200 West (14-34-305-001).

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

The Albert E. Guthrie and Glenda C. Guthrie parcel located at 3909 South 7200 West is one of the properties affected by the 7200 West 3900 South Canal Bridge Rehabilitation Project. This project will reconstruct and widen the canal bridge on 7200 West at approximately 3900 South. No additional right-of-way is needed from Albert E. Guthrie and Glenda C. Guthrie parcel, however a Temporary Construction Easement is needed to facilitate construction of the project. Compensation for the purchase of the Temporary Construction Easement and improvements is \$2,000.00 based upon the compensation estimate prepared by Integra Realty Resources.

The project is being funded under the Surface Transportation Program (STP) with federal funds, and is a joint project between Salt Lake County and West Valley City. Salt Lake County executed the Federal Aid Agreement between the county, UDOT and Federal Highways. West Valley City previously executed an interlocal agreement with Salt Lake County, detailing how matching funds will be shared between the two entities. The city and county are jointly responsible for 6.77% of all project costs, including right of way. The city's portion of the matching funds on the project will be paid to Salt Lake County. The total value of the Temporary Construction Easement is \$2,000.00, making the West Valley City share of the easement \$135.40.

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

Councilmember Lars Nordfelt moved to approve Resolution Nos. 16-103, 16-104, and 16-105 as presented on the Consent Agenda. Councilmember Karen Lang seconded the motion.

A roll call vote was taken:

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

MINUTES OF COUNCIL REGULAR MEETING – JUNE 28, 2016

-8-

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 28, 2016, WAS ADJOURNED AT 6:55 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 28, 2016.

Nichole Camac
City Recorder