

MINUTES OF COUNCIL REGULAR MEETING – JULY 12, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JULY 12, 2016 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 PRO- TEM VINCENT.

THE FOLLOWING MEMBERS WERE PRESENT:

Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

ABSENT:

Ron Bigelow, Mayor
Don Christensen, Councilmember At-Large
Steve Buhler, Councilmember District 2

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

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

OPENING CEREMONY

The Opening Ceremony was conducted by Councilmember Karen Lang who asked 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 JULY 5, 2016

The Council considered the Minutes of the Regular Meeting held July 5, 2016. There were no changes, corrections or deletions.

Councilmember Karen Lang moved to approve the Minutes of the Regular Meeting held July 5, 2016. Councilmember Tom Huynh seconded the motion.

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

ESSENTIAL PIECE AWARDS PRESENTATION TO BOB HAYWARD

Councilmember Lars Nordfelt read the nomination and presented the award to Bob Hayward.

The nomination reads as follows:

Granger girls, you were being stalked August 15th and 16th, 1975. But thanks to our neighbor, friend, and Highway Patrol Officer Bob Hayward (who lived in Granger for over 35 years), you didn't become Ted Bundy's 26th victim.

In the wee hours of August 16, 1975, Bob chased Ted Bundy through the Hillsdale Subdivision at high rates of speed. Ted Bundy finally pulled over at the Service Station located on the southeast corner of 3500 South 2700 West.

Ted had an excuse for running from him but Bob felt uneasy. He felt he needed to search the VW Bug and found many suspicious instruments that could have been used for burglary.

Without any solid reason to arrest Ted Bundy, he took him to the Salt Lake Courthouse and had him booked, fingerprinted, and jailed overnight. Officer Bob Hayward asked the jailers to DOUBLE fingerprint Ted so that no mistakes or fingerprint smears could occur.

Ted was soon released but because of Bob Hayward's intuition, Ted Bundy was soon linked to murders throughout the Country.

Bob Hayward saved possibly hundreds of lives by being the 1st officer to arrest Ted Bundy. His actions made it possible for other states to link murders to him and further stop deaths of young girls in the 1970's.

Thank you for your service Officer Bob Hayward... A real hero!

Sheri Biesinger, who provided the nomination, also thanked Mr. Hayward on behalf of the Granger Community in 1975.

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COMMENT PERIOD

A. PUBLIC COMMENTS

Upon inquiry by Mayor Pro- Tem Vincent there was no one desiring to address the City Council during the comment period.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

C. CITY COUNCIL COMMENTS

Councilmember Tom Huynh stated that the City hosted the Wall that Heals from June 30, 2016 to July 5, 2016. He indicated that he was grateful to have had the wall here in the City and appreciated the opportunity to remember the 361 Utah Soldiers who were killed in Vietnam. Councilmember Huynh stated that his father was classified as Missing in Action during the war and thanked the soldiers who provide the ultimate sacrifice for their country. He also indicated that he is thankful to serve his community and expressed his sympathy to the police officers who were recently killed in Dallas, Texas.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-7-2016, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO ADD SECTIONS 7-6-1701 THROUGH 7-6-1709 AND TO AMEND VARIOUS SECTIONS OF THE ZONING AND SIGN CODE TO CREATE THE LIGHT INDUSTRIAL ZONE

Mayor Pro-Tem Vincent informed a public hearing had been advertised for the Regular Council Meeting scheduled July 12, 2016, in order for the City Council to hear and consider public comments regarding application ZT-7-2016, filed by West Valley City, requesting a Zone Text Change to add sections 7-6-1701 through 7-6-1709 and to amend various sections of the zoning and sign code to create the Light Industrial Zone.

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

West Valley City staff has submitted a zone text change application to add Sections 7-6-1701 through 7-6-1709 and amend various Sections of the Zoning and Sign Code to create the Light Industrial Zone. The reasons for the new zone are described below.

The West Valley City General Plan includes heavy and light manufacturing designations on the future land use map. While these designations are included in

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the General Plan document and future land use map, the City currently only has the M (Manufacturing) Zone which allows both heavy and light manufacturing uses.

When the City incorporated in 1980, there were two manufacturing zones – M-1 for light industrial uses and M-2 for heavy industrial uses. In 1986, the City consolidated these two zones into one with the M Zone. The ordinance enacting this consolidation stated that it was done to “provide a clear and more concise set of regulations regarding manufacturing uses in the City.” The current M Zone does designate heavy industrial uses as conditional uses; however, conditional uses are really permitted uses with conditions applied to mitigate any detrimental effects of the uses on their surroundings. In other words, a conditional use really can’t be denied unless it simply doesn’t meet the ordinance. Having a light industrial zone would allow the City to more effectively accomplish the goals in the General Plan.

In November of last year, the City Council passed a temporary land use regulation or moratorium on land use applications for a period of six months for the area between 2100 South and 2500 South along the west side of 5600 West. A copy of the ordinance enacting the temporary land use regulation is included with this issue paper. The reasons for the moratorium are outlined in the recitals of the ordinance. The proposed light industrial zone addresses the issues raised in the moratorium.

Mayor Pro-Tem Vincent opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Pro-Tem Vincent closed the public hearing.

ACTION: ORDINANCE NO. 16-31, AMEND SECTIONS 7-1-103, 7-2-116, 7-5-101, 7-6-101, 7-14-106, 7-14-202, 7-23-210, 11-5-101, 11-5-102, 11-5-104, 11-5-105, 11-5-106, 11-5-107, AND 11-6-106 AND ENACT PART 7-6-1700P OF THE WEST VALLEY CITY MUNICIPAL CODE TO CREATE THE LIGHT INDUSTRIAL ZONE

The City Council previously held a public hearing regarding Application No. ZT-7-2016 and proposed Ordinance No. 16-31 that would amend sections 7-1-103, 7-2-116, 7-5-101, 7-6-101, 7-14-106, 7-14-202, 7-23-210, 11-5-101, 11-5-102, 11-5-104, 11-5-105, 11-5-106, 11-5-107, and 11-6-106 and enact Part 7-6-1700P of the West Valley City Municipal Code to create the Light Industrial Zone.

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

Councilmember Nordfelt moved to approve Application ZT-7-2016, filed by West Valley City, and Ordinance No. 16-31, an ordinance that would amend sections 7-1-103, 7-2-116, 7-5-101, 7-6-101, 7-14-106, 7-14-202, 7-23-210, 11-5-101, 11-5-102, 11-5-104, 11-5-105, 11-5-106, 11-5-107, and 11-6-106 and enact Part 7-6-1700P of the West Valley City Municipal Code to create the Light Industrial Zone. Councilmember Lang seconded the

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motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Vincent	Yes

Unanimous.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-6-2016, FILED BY WEST VALLEY CITY, REQUESTING A ZONE CHANGE FROM ZONE 'M' (MANUFACTURING) TO ZONE 'LI' (LIGHT INDUSTRIAL) FOR PROPERTY LOCATED BETWEEN 2100 SOUTH AND 2500 SOUTH ON THE WEST SIDE OF 5600 WEST

Mayor Pro-Tem Vincent informed a public hearing had been advertised for the Regular Council Meeting scheduled July 12, 2016, in order for the City Council to hear and consider public comments regarding application Z-6-2016, filed by West Valley City, requesting a Zone Change from Zone 'M' (Manufacturing) to Zone 'LI' (Light Industrial) for property located between 2100 South and 2500 South on the west side of 5600 West.

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

West Valley City staff has submitted a zone change application for approximately 72 acres along the west side of 5600 West between 2100 South and 2500 South from the M (Manufacturing) Zone to the proposed new LI (Light Industrial) Zone. In November of last year, the City Council passed a temporary land use regulation or moratorium on land use applications for a period of six months for the subject property. The reasons for the moratorium, which is included with this issue paper, are outlined in the recitals of the ordinance. The reasons for this proposed change in zoning are outlined below.

Zoning is the primary tool for implementing the City's General Plan. If zoning and the General Plan are not aligned, the City's goals will not be realized. There are several uses allowed in the M Zone that are heavy industrial and not compatible with the General Plan designation of light industrial for this area.

5600 West is a critical, high visibility, commercial arterial and development along this gateway corridor will only become more visible in the future. New development along 5600 West has the potential to significantly grow employment opportunities and improve the image of the City. Heavy manufacturing uses such

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as those permitted in the M Zone will not promote these ends as effectively as development in accordance with the provisions of the LI Zone. In addition, heavy manufacturing uses are incompatible with current development patterns, the anticipated evolution of the 5600 West corridor, and the City's efforts to promote the 5600 West corridor as a gateway to the City.

Mayor Pro-Tem Vincent opened the public hearing.

Bill Molher, 2418 S 5600 W, stated that he does not object to improving and changing the area over time. He asked if he will still be able to eventually sell his property for development since it is under acre. Steve Pastorik, CED Department, replied yes and indicated that the property can continue in its same configuration. He added that the 3 acre minimum listed in the proposed ordinance is simply to prevent further subdivision of a property.

Mayor Pro-Tem Vincent closed the public hearing.

ACTION: ORDINANCE NO. 16-32, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED BETWEEN 2100 SOUTH AND 2500 SOUTH ON THE WEST SIDE OF 5600 WEST FROM ZONE 'M' (MANUFACTURING) TO ZONE 'LI' (LIGHT INDUSTRIAL)

The City Council previously held a public hearing regarding Application No. Z-6-2016 and proposed Ordinance No. 16-32 that would amend the Zoning Map to show a change of zone for property located between 2100 South and 2500 South on the west Side of 5600 West from Zone 'M' (Manufacturing) to Zone 'LI' (Light Industrial).

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

Councilmember Lang moved to approve Application Z-6-2016, filed by West Valley City, and Ordinance No. 16-32, an ordinance that would amend the Zoning Map to show a change of zone for property located between 2100 South and 2500 South on the west side of 5600 West from Zone 'M' (Manufacturing) to Zone 'LI' (Light Industrial). Councilmember Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Vincent	Yes

Unanimous.

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RESOLUTION NO. 16-109, APPROVE AN AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND WEST VALLEY CITY

Mayor Pro-Tem Vincent presented proposed Resolution No. 16-109 that would approve an amended and restated Interlocal Cooperation Agreement between Salt Lake County and West Valley City.

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

This agreement provides that the County will transfer \$2,564,000 to assist the City in completing the Plaza Level Project and establishes terms and conditions governing the use and expenditure of said funds.

Recently, the City Council approved a bid by Layton Construction to complete the Plaza Level at the Utah Cultural Celebration Center. The County has agreed to supply \$2,564,000 in matching funds (allocated from County Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act funds) to complete the project, provided the City complies with the following requirements:

- 1) The City must contribute \$1,234,859.97 to the project by the end of the 2016-2017 fiscal year.
- 2) The City must contribute an additional \$1,498,905 in related expenditures by the end of the 2026-2027 fiscal year.
- 3) The City must complete the project by December 31, 2018.
- 4) The City must comply with all applicable record-keeping requirements and be able to demonstrate proper expenditure of the County funds on the project.
- 5) Failure to match funding or to demonstrate proper expenditures of County funds will require the City to repay the \$2,564,000 in full.

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

Councilmember Huynh moved to approve Resolution No. 16-109, a resolution that would approve an amended and restated Interlocal Cooperation Agreement between Salt Lake County and West Valley City. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes

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Mayor Pro-Tem Vincent Yes

Unanimous.

RESOLUTION NO. 16-110, APPROVE AN ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY CITY AND BEST FRIENDS ANIMAL SOCIETY

Mayor Pro-Tem Vincent presented proposed Resolution No. 16-110 that would approve an addendum to the Memorandum of Understanding between West Valley City and Best Friends Animal Society.

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

The reason for this addendum is to support a previous Memorandum of Understanding between the three entities, West Valley City Animal Shelter (WVCAS), the City of Taylorsville, and Best Friends Animal Society (BF). Under this addendum, BF and WVCAS agree to meet certain goals set in the MOU and this addendum.

This Addendum is made and entered into by and between West Valley City Animal Services (WVCAS), the City of Taylorsville, and Best Friends Animal Society for the purpose to support a Memorandum of Understanding (MOU) dated October 14, 2014, pursuant to which they agreed to cooperate on certain animal welfare projects located within the areas served by WVCAS in efforts to create and sustain a “no-kill” community

WVCAS and BF have collaborated in an effort to achieve and maintain a “no-kill” status for the WVCAS. The program has four primary components:

1. Adoption Program (NKUT)
2. Community Cat Program (TNR)
3. Kitten Nursery
4. Pet Adoption Center (PAC)

Under these programs WVCAS and BF have been able to maintain a “no-kill” status.

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

Councilmember Lang moved to approve Resolution No. 16-110, a resolution that would approve an addendum to the Memorandum of Understanding between West Valley City and Best Friends Animal Society. Councilmember Huynh seconded the motion.

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A roll call vote was taken:

Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Vincent	Yes

Unanimous.

RESOLUTION NO. 16-111, AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN WEST VALLEY CITY AND KEDDINGTON & CHRISTENSEN, CERTIFIED PUBLIC ACCOUNTANTS, LLC TO PROVIDE AUDITING SERVICES TO WEST VALLEY CITY FOR THE FISCAL YEAR ENDING JUNE 30, 2016

Mayor Pro-Tem Vincent presented proposed Resolution No. 16-111 that would authorize the execution of an agreement between West Valley City and Keddington & Christensen, Certified Public Accountants, LLC to provide auditing services to West Valley City for the fiscal year ending June 30, 2016.

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

West Valley City is required by law to engage an independent audit firm to audit the City's financial operations. Keddington & Christensen auditors have demonstrated experience and proficiency in municipal audits and knowledge of City operations. This audit will be conducted in accordance with auditing standards generally accepted in the United States of America: the standards for financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States.

Keddington & Christensen, Certified Public Accountants, LLC. has provided audit services for the City in the past and has the technical expertise to evaluate and review all aspects of the City's complex operations.

Mayor Pro Tem Vincent asked if an RFP was advertised to provide the auditing opportunity to other accounting firms. City Manager, Wayne Pyle, replied no and stated that there is a benefit to keeping the same auditing firm for several years as they become familiar with City operations. He added that they work for the elected body and not the City staff so this ensures a close relationship is never developed.

Councilmember Huynh asked if this occurs once a year. Mr. Pyle replied yes.

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

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Councilmember Nordfelt moved to approve Resolution No. 16-111, a resolution that would authorize the execution of an agreement between West Valley City and Keddington & Christensen, Certified Public Accountants, LLC to provide auditing services to West Valley City for the fiscal year ending June 30, 2016. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Vincent	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, JULY 12, 2016, WAS ADJOURNED AT 7:04 P.M. BY MAYOR PRO-TEM 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, July 12, 2016.

Nichole Camac
City Recorder