

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 14, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 24, 2017, 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
Don Christensen, 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
Anita Schwemmer, Acting Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Mayor Ron Bigelow conducted the Opening Ceremony. He requested members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

SPECIAL RECOGNITIONS- SCOUTS

Mayor Bigelow welcomed Scout Troop No. 1465 in attendance at the meeting to complete requirements for the Communications merit badge.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 24, 2017

The Council considered the Minutes of the Regular Meeting held January 24, 2017. There were no changes, corrections or deletions.

Councilmember Lang moved to approve the Minutes of the Regular Meeting held January 24, 2017. Councilmember Huynh seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Kyle Pezer, a member of the Scout Group in attendance, asked what the Council is planning to do regarding the issue of homelessness in West Valley City and Salt Lake County.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

C. CITY COUNCIL COMMENTS

Councilmember Christensen complimented Kyle on talking to the Council. He stated that homelessness is a nationwide issue and he hopes that a solution can be found one day.

Mayor Bigelow stated that homelessness is being discussed widely across the State. He indicated that the City is working with other entities to find a resolution.

ORDINANCE NO. 17-08, AMEND SECTION 1-2-107 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE THE PARKS AND RECREATION CONSOLIDATED FEE SCHEDULE

Mayor Bigelow presented proposed Ordinance No. 17-08 that would amend Section 1-2-107 of the West Valley City Municipal Code to update the Parks and Recreation Consolidated Fee Schedule.

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

The Parks and Recreation Department charges fees to recover the costs of services and activities offered to the public. Fees need to be adjusted from time to time.

The new requested fees are as follows:

Senior 9-hole rate from \$10.00 to \$12.00

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Senior 18-hole rate from \$20.00 to \$24.00
Player Pass Small bucket of balls from \$2.50 to \$3.00
Player Pass Large bucket of balls from \$5.00 to \$6.00

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 Ordinance No. 17-08.

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.

RESOLUTION NO. 17-10, ADOPT THE 2016 BIENNIAL REVIEW OF THE MODERATE INCOME HOUSING PLAN

Mayor Bigelow presented proposed Resolution No. 17-10 that would adopt the 2016 biennial review of the Moderate Income Housing Plan.

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

This resolution approves the 2016 Biennial Report of Progress Made on the Moderate Income Housing Plan, which is required by State law.

Utah Code Section 10-9a-408 requires the legislative body of each city to biennially prepare a report outlining their review of the Moderate Income Housing Plan. The report must include a description of:

1. efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;
2. actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing;

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3. progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing; and
4. efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.

Staff has prepared a report for the Council to submit to the State in order to comply with State law.

Councilmember Buhler stated that providing affordable housing is a way that the City tries to prevent homelessness.

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

Councilmember Buhler moved to approve Resolution No. 17-10.

Councilmember Lang 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.

RESOLUTION NO. 17-11, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ZIONS FIRST NATIONAL BANK FOR APPROXIMATELY 0.79 ACRES OF PROPERTY LOCATED AT 2956 WEST 3500 SOUTH

Mayor Bigelow presented proposed Resolution No. 17-11 that would authorize the City to enter into a Development Agreement with Zions First National Bank for approximately 0.79 Acres of property located at 2956 West 3500 South.

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

Eric Storey with Zions Bank has submitted a request (M-1-2017) to reduce the C-2 Zone setbacks on a 0.79 acre property at 2956 West 3500 South to facilitate the

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construction of a new bank branch. The C-2 Zone includes the following provision: “Setbacks may be reduced or increased as negotiated in a development agreement through the Planning Commission and City Council.”

Staff is supportive of the requested setback reductions for the following reasons:

- The property to the east and south is zoned City Center (CC). The CC Zone allows buildings to be built at the property line.
- The property has very limited depth that in part is a result of the widening that occurred on 3500 South.
- Other nearby buildings are also very close to the front property line because of the widening that occurred on 3500 South.
- Allowing a reduced setback allows the building to be placed near the corner which is preferred by staff.
- The overall amount of landscaping proposed exceeds the ordinance.
- The parking will still meet the front setback.
- Most of the building will meet the setback along the east side of the property.
- Only the eastern portion of the property includes the 5’ setback next to residential.
- The setback reductions facilitate the redevelopment of the property.
- Without the front and rear setback reductions, there would be no room for handicapped accessible parking adjacent to the building.

Councilmember Huynh stated that he is grateful that Zions Bank will be constructing a nice and attractive building.

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

Councilmember Huynh moved to approve Resolution No. 17-11.

Councilmember Buhler 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

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Unanimous.

RESOLUTION NO. 17-12, AUTHORIZE WEST VALLEY CITY TO GRANT THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY A WARRANTY DEED FOR THE FORMER JULIE COOPER PROPERTY LOCATED AT 3027 WEST LEON AVENUE

Mayor Bigelow presented proposed Resolution No. 17-12 that would authorize West Valley City to grant the Redevelopment Agency of West Valley City a warranty deed for the former Julie Cooper property located at 3027 West Leon Avenue.

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

While platting Fairbourne Station, staff discovered that West Valley City owned the Julie Cooper parcel of land, while the Redevelopment Agency owned the rest of the surrounding land. This is because West Valley City had to condemn the Cooper property under Resolution No. 14-180. For purposes of the plat, the Redevelopment Agency should own all the property, and, as the eminent domain action has been completed and settled, there is no legal reason that this cannot be done.

Councilmember Buhler stated that the City rarely condemns property and the City will compensate the owner for this property at a fair market value. Wayne added that this is one of the only condemnations that he is aware of that the City has done.

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

Councilmember Buhler moved to approve Resolution No. 17-12.

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

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Unanimous.

RESOLUTION NO. 17-13, AUTHORIZE THE PURCHASE OF 30 PROTECH SAFARILAND BULLET PROOF VESTS FROM LN CURTIS AND SONS FOR USE BY THE POLICE DEPARTMENT

Mayor Bigelow presented proposed Resolution No. 17-13 that would authorize the purchase of 30 Protech Safariland Bullet Proof Vests from LN Curtis and Sons for use by the Police Department

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

The bullet proof vests currently worn by members of the Police Department SWAT Team have or will shortly surpass the manufacturer's expiration date. These vests are essential to the safety of these officers, who perform high risk entries on search warrants and who are called upon to deal with other armed threats to the community. The total cost of replacing these vests for each of the 30 team members is \$48,600.00. The monies for this purchase will come from the Police Department's current operational budget. The ProTech vests being purchased are a Safariland Product, which is on the State Bid Contract and LN Curtis is listed on the contract as the vendor for the State of Utah. As such, no bid process was needed.

Officers assigned to the Police Department's SWAT Team are equipped with specialized equipment in order to fulfill their specialized assignment which includes performing high risk entries into residences and other buildings to serve search warrants and arrest warrants on subjects with violent histories, and responding to contain other high risk threats to the community such as armed, barricaded subjects. A vital piece of this equipment is the officer's body armor or bullet proof vest. The vests assigned to the SWAT Team must meet the highest standards of protection. All body armor or bullet proof vests come with a manufacturer's expiration date. After this date, the manufacturer will no longer guarantee the efficacy of the vest. The vests currently assigned to members of the SWAT Team have passed or will shortly pass this expiration date. Therefore, it is essential that these vests are replaced.

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 Resolution No. 17-13.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 17-14, AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN WEST VALLEY CITY AND GRANGER HUNTER IMPROVEMENT DISTRICT TO RECONSTRUCT A PORTION OF THE MAVERIK CENTER PARKING LOT LOCATED AT APPROXIMATELY 3200 SOUTH DECKER LAKE DRIVE

Mayor Bigelow presented proposed Resolution No. 17-14 that would authorize the execution of an agreement between West Valley City and Granger Hunter Improvement District to reconstruct a portion of the Maverik Center parking lot located at approximately 3200 South Decker Lake Drive.

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

With this agreement, the City will pay GHID to reconstruct a portion of the Maverik Center Parking Lot C, adjacent to a parking area being replaced as part of GHID's sewer line construction project.

In 2016, GHID purchased an easement from the City to install a sewer main line through the driveway and parking area immediately north and east of the Maverik Center building. The easement required GHID to replace the asphalt paving removed or damaged during construction.

The City requested GHID reconstruct a portion of the parking lot that was in poor condition, adjacent to the construction zone, concurrent with the sewer line trench repair. GHID included the additional work in their construction contract. This agreement reimburses GHID for the added cost of the additional work.

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. 17-14.

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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.

APPLICATION NO. S-26-2016, FILED BY SUBURBAN LAND RESERVE, INC., REQUESTING FINAL PLAT APPROVAL FOR THE STONEBRIDGE PARK COMMERCIAL SUBDIVISION LOCATED AT 4669 WEST LAKE PARK BOULEVARD

Steve Lehman, CED Department, discussed application No. S-26-2016, filed by Suburban Land Reserve, Inc., requesting Final Plat Approval for the Stonebridge Park Commercial Subdivision located at 4669 West Lake Park Boulevard.

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

The proposed subdivision is being submitted to divide the existing 23 acres of property into 5 individual lots. The existing property boundary was created in the early days of Lake Park by a metes and bounds subdivision. The metes and bounds subdivision is a simple way to divide property by legal description where a defined lot design is not yet known. The division of property was not a formal subdivision and is therefore not recorded.

As the property owner is proposing to divide this property into multiple lots, a minor subdivision plat is required. At the present time, the subject property is vacant. The Spillman office building is located on the northeast parcel, but will not be part of the subdivision. However, this parcel will be used to provide access to the new development.

The proposed subdivision will be accessed from Lake Park Boulevard via a private street system through the Spillman parcel. The private street will meet City standards for width, cul-de-sac radius and fire hydrant locations. A sidewalk is proposed along the west side of the new street which will extend into the Spillman

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property for pedestrian access. Lots 1 and 2 will have an additional point of access through a private drive off Lake Park Boulevard.

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

Councilmember Christensen moved to approve application S-26-2016.

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.

CONSENT AGENDA

- A. RESOLUTION 17-15, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM THE STATE OF UTAH, DEPARTMENT OF ADMINISTRATIVE SERVICES, DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT FOR PROPERTY LOCATED AT 2588 WEST 2365 SOUTH (PARCEL 15-21-255-003)**

Mayor Bigelow presented proposed Resolution No. 17-15 that would authorize the City to accept a Grant of Temporary Construction Easement from the State of Utah, Department of Administrative Services, Division of Facilities Construction and Management for property located at 2588 West 2365 South (parcel 15-21-255-003).

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

The State of Utah, Department of Administrative Services, Division of Facilities Construction and Management property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain

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and upsize existing storm drain piping between 2365 South and SR-201. The Grant of Temporary Construction Easement along the Easterly 20 feet of the Westerly 32 feet of Grantor's property will allow for the construction of new 24 inch RCP storm drain piping to run parallel with an existing 36 inch storm drain line along the westerly portion of Grantor's property. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction.

B. RESOLUTION 17-16, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM FILIBERTO CARRILLO FOR PROPERTY LOCATED AT 3270 SOUTH LEE ANN STREET (PARCEL 15-29-427-019)

Mayor Bigelow presented proposed Resolution No. 17-16 that would authorize the City to accept a Grant of Temporary Construction Easement from Filiberto Carrillo for property located at 3270 South Lee Ann Street (parcel 15-29-427-019).

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

The Filiberto Carrillo property located at 3270 S. Lee Ann Street is one of the properties affected by the Tess Avenue Sidewalk Project. This project will include the installation of sidewalk, new curb and gutter, and other related improvements on portions of Tess Avenue and Lee Ann Street to provide safer pedestrian access to Hillsdale Elementary School. It will also include the installation of drive approaches, and textured, colored concrete park strip between the curb and the new sidewalk. Compensation for the purchase of the Grant of Temporary Construction Easement is \$250.00.

C. RESOLUTION 17-17, AUTHORIZE THE CITY TO ACCEPT A TEMPORARY TURNAROUND EASEMENT FROM ARCADIA PROPERTIES, LLC. FOR PROPERTY LOCATED AT APPROXIMATELY 6528 WEST ELENA STREET

Mayor Bigelow presented proposed Resolution No. 17-17 that would authorize the City to accept a temporary turnaround easement from Arcadia Properties, LLC. for property located at approximately 6528 West Elena Street.

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

Arcadia Properties, LLC has signed a Temporary Turnaround Easement over its property adjacent to the proposed Newton Farm Subdivision Phase 1A at the east end of Elena Street. Ordinance requires, "Dead-end streets,

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intended as access to future development parcels, shall be a maximum of one lot depth in length. With Planning Commission approval, any dead-end streets longer than one lot depth shall have a minimum of a 40-foot radius temporary turnaround area...”

Arcadia Properties, LLC is the developer of the proposed Newton Farm Subdivision Phase 1A. The Temporary Turnaround Easement to be located at approximately 6528 W. Elena Street will be required until Elena Street is extended and constructed as part of Newton Farm Subdivision Phase 1B.

D. RESOLUTION 17-18, AUTHORIZE THE ACCEPTANCE OF A STORM DRAIN EASEMENT FROM ARCADIA PROPERTIES, LLC IN FAVOR OF WEST VALLEY CITY FOR PROPERTY LOCATED AT 3702 SOUTH 6400 WEST

Mayor Bigelow presented proposed Resolution No. 17-18 that would authorize the acceptance of a Storm Drain Easement from Arcadia Properties, LLC in favor of West Valley City.

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

Arcadia Properties, LLC has signed a Storm Drain Easement over its property adjacent to the east of the proposed Newton Farm Subdivision Phase 1A. The Storm Drain Easement in favor of the West Valley City will take storm water from Newton Farm Subdivision Phase 1A and Clearstone Estates Subdivision Phase 2 to an existing City storm drain in 6400 West. Arcadia Properties, LLC is the developer of the proposed Newton Farm Subdivision Phase 1A and Phase 1B. The Storm Drain Easement from Arcadia Properties, LLC will be located with future Phase 1B roads.

E. RESOLUTION 17-19, AUTHORIZE THE ACCEPTANCE OF A STORM DRAIN EASEMENT FROM ARCADIA PROPERTIES, LLC IN FAVOR OF WEST VALLEY CITY

Mayor Bigelow presented proposed Resolution No. 17-19 that would authorize the acceptance of a Storm Drain Easement from Christal Rattanavilay and Thebandance Rattanavilay in favor of West Valley City.

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

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Christal Rattanavilay and Thepbandance Rattanavilay have signed a Storm Drain Easement through their property to take storm water from the proposed Newton Farm Subdivision Phase 1B to an existing City storm drain in 6400 West.

The Storm Drain Easement from Christal Rattanavilay and Thepbandance Rattanavilay will take storm water from Rowan Cove and through Lot 120 of the proposed Newton Farm Subdivision Phase 1B and through the Rattanavilay parcel to 6400 West.

F. RESOLUTION 17-20, RATIFY THE CITY MANAGER'S APPOINTMENT OF DANA COMBS AS CHAIR OF THE WEST VALLEY CITY ARTS COUNCIL FOR 2017

Mayor Bigelow presented proposed Resolution No. 17-20 that would ratify the City Manager's appointment of Dana Combs as Chair of the West Valley City Arts Council for 2017.

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

The Arts Council consists of 13 members who serve for a term of two years. A Chair is appointed annually by the City Manager and ratified by City Council.

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 Resolutions No. 17-15, 17-16, 17-17, 17-18, 17-19, and 17-20 on the Consent Agenda.

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

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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, FEBRUARY 14, 2017, WAS ADJOURNED AT 6:57 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, February 14, 2017.

Nichole Camac

Nichole Camac
City Recorder