

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 11, 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
Steve Pastorik, Acting CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Layne Morris, CPD Director
Jason Erekson, Acting Parks and Recreation Director
Craig Thomas, Acting Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

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

APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 4, 2017

The Council considered the Minutes of the Regular Meeting held April 4, 2017. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Regular Meeting held April 4, 2017. Councilmember Buhler seconded the motion.

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-2-

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Eugene Sorenson stated that his home is 1.4 miles from the new homeless shelter that will be constructed in South Salt Lake City. He indicated that he will be equally effected by increased crime, decreased property values, etc. Mr. Sorensen stated that there is a tavern 500 feet from the shelter, the closest business for shopping is 1.1 miles, West Valley City Hall is 2.3 miles, the Maverik Center is 2.2 miles, and another shopping center, Smith's, is 2.1 miles. Mr. Sorensen quoted Salt Lake Tribune articles and words spoken by Mayor McAdams and Lieutenant Governor Spencer Cox. Mr. Sorensen stated that he would request that the Council continue to discuss and bring this issue up as often as possible. He also stated that he would ask that the City request financial support, and any other support, from the County to offset issues that will impact West Valley City residents.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, stated that he agrees with comments made by Mr. Sorensen and stated that the City wants to help the homeless population but has been frustrated with the process of selecting a homeless shelter site. He indicated that the City will continue to work with the State and the County to ensure that issues are handled appropriately and problems are mitigated effectively. Mr. Pyle added that the City will also be working closely with South Salt Lake to find resolutions and solutions to issues that arise.

C. CITY COUNCIL COMMENTS

Councilmember Buhler stated that people have congratulated him on the City not being selected to host the new homeless shelter. He indicated that he doesn't feel that there has been a winner in this process whether it be West Valley, South Salt Lake, Salt Lake City, or members of the homeless population. He indicated that West Valley is a great City with a lot of positive things happening and there will be a lot of political, logistical, and community efforts that will need to be done moving forward to mitigate impacts the new homeless shelter will have.

Councilmember Huynh agreed with comments made by Councilmember Buhler and City Manager Wayne Pyle. He indicated that the City staff and Council have worked diligently on the homeless shelter issue and will continue to work with the community on resolving concerns moving forward. He stated that he has received a lot of emails and calls from residents and he is working with the impacted neighborhoods as much as he can. Councilmember Huynh added that the City has cleaned up the west side of the river in an effort to maintain clear visibility and safety.

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-3-

Councilmember Vincent stated that the City's battle over the homeless shelter site isn't over just because it wasn't selected to be in West Valley. He stated that it is important that the community continue to stay engaged and point out deficiencies in the proposed location to help the County possibly rethink the location. He indicated that the homeless shelter will increase existing problems on the Jordan River and this needs to stay on the forefront of the County's thoughts.

Mayor Bigelow stated City boundaries are meaningless, particularly when it comes to homeless issues. He indicated that the City wants to be involved in the new shelter location and will continue to commit time and resources to ensuring residents and the community are well represented. He stated that nothing has changed but the dynamics and the fight will likely continue for many years.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION Z-1-2017, FILED BY GAIL WARR, REQUESTING A ZONE CHANGE FROM 'A' (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO 'R-1-10' (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) FOR PROPERTY LOCATED AT 3771 SOUTH 6000 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled April 11, 2017, in order for the City Council to hear and consider public comments regarding application Z-1-2017, filed by Gail Warr, requesting a Zone Change from 'A' (Agriculture, Minimum Lot Size 1/2 Acre) to 'R-1-10' (Single Family Residential, Minimum Lot Size 10,000 Square Feet) for property located at 3771 South 6000 West.

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

The Council recently denied a zone change request from A to R-1-10 on the subject property. However, due to a noticing issue, the applicant did not receive notice of the City Council meeting. For this reason, staff allowed the property owner to resubmit the same zone change request so she could be present at the City Council meeting.

Gail Warr has requested a zone change on a 0.63 acre parcel at 3771 South 6000 West from A (agriculture, minimum lot size of 1/2 acre) to R-1-10 (single family residential, minimum lot size 10,000 square feet). As a reminder, the Zoning Ordinance does allow zone change requests to R-1-10 for properties less than 2 acres.

The applicant has submitted a concept plan, which is attached, that shows the subject property being divided into two lots. One lot would be a flag lot for a new

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-4-

home and the other lot would be for the existing home. Both of the proposed lots are over 12,000 square feet.

A development agreement is required for this project. Section 7-14-105 (3)(r) of the West Valley City Zoning Ordinance states: “All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(q)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD.”

The Zoning Ordinance includes an exception to the latest single family home standards that allows a home with a two car garage and reduced habitable floor area on a lot under one acre that is large enough to be subdivided to create no more than one new lot. The subject property meets the criteria for this exception.

Mayor Bigelow opened the Public Hearing.

Gail Warr, the applicant, stated that this is her family’s property and she is the trustee. She indicated that the purpose of this split is to sell the property as two separate pieces to make the cost of purchasing more affordable since the property is so large. Ms. Warr described the existing property and indicated that the proposal meets all City requirements.

Mayor Bigelow closed the Public Hearing.

ACTION: ORDINANCE NO. 17-15, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3771 SOUTH 6000 WEST FROM 'A' (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO 'R-1-10' (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET)

The City Council previously held a public hearing regarding proposed Ordinance 17-15 that would amend the Zoning Map to show a change of Zone for property located at 3771 South 6000 West from 'A' (Agriculture, Minimum Lot Size 1/2 Acre) to 'R-1-10' (Single Family Residential, Minimum Lot Size 10,000 Square Feet).

Councilmember Buhler stated that he doesn’t feel a flag lot in this location is best for the City. He indicated that he feels there are residents who enjoy living on large properties and the City values large lots with agricultural use. Councilmember Buhler stated that there are not many areas left in the City that this type of lot can be purchased and indicated that he feels it should be kept as it is.

Councilmember Christensen stated that neighbors attended the Council meeting last time and expressed concern regarding the proposal. He asked if they were re-notified this time.

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-5-

Nichole Camac replied yes.

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 17-15.

Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	No
Mr. Huynh	No
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	No

Majority.

ACTION: RESOLUTION 17-50, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE RONALD G. AND HOPE LATHAM TRUST FOR APPROXIMATELY 0.63 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3771 SOUTH 6000 WEST

Mayor Bigelow presented proposed resolution 17-50 that would authorize the City to enter into a Development Agreement with the Ronald G. and Hope Latham Trust for approximately 0.63 acres of property located at approximately 3771 South 6000 West.

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

Gail Warr has submitted a rezone application (Z-1-2017) to change a 0.63 acre property at 3771 S 6000 W from A (agriculture, minimum lot size ½ acre) to R-1-10 (single family residential, minimum lot size 10,000 square feet). This property is eligible for an exception to the three car garage and latest house size requirements because the property is less than one acre and is large enough to be subdivided to create no more than one new lot.

The proposed development agreement includes the following standards for the new home:

1. A two car garage shall be required.

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-6-

2. The minimum square footage of finished, above-ground, habitable floor space for homes with at least a three-quarter basement shall be 1,400 square feet for ramblers and 1,600 square feet for two story or multi-level homes, not including the garage. The minimum square footage of finished, above-ground, habitable floor space for homes without a three-quarter basement shall be 1,900 square feet for ramblers and 2,100 square feet for two story or multi-level homes, not including the garage.
3. The design standards in Section 7-14-105(3)(q) of the Zoning Ordinance shall apply.

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 17-50.

Councilmember Lang seconded the motion.

Councilmember Nordfelt suggested potentially amending the motion to requiring a south facing home with an additional setback. Councilmember Lang disagreed and indicated that imposing a greater setback than what already exists in the area seems unfair. Mayor Bigelow agreed and stated that he feels there would need to be a significant justification and reasoning, other than a neighbor requesting it, for granting such a modification. Councilmember Nordfelt withdrew his request.

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 17-51, RATIFY THE CITY MANAGER'S APPOINTMENT OF DAVID MCEWEN TO THE WEST VALLEY PLANNING COMMISSION FOR A TERM FROM APRIL 11, 2017 TO JULY 1, 2020**

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-7-

Mayor Bigelow presented proposed Resolution No. 17-51 that would ratify the City Manager's appointment of David McEwen to the West Valley Planning Commission for a Term from April 11, 2017 to July 1, 2020.

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

The Planning Commission is composed of seven members and one alternate member appointed and reappointed by the City Manager with the advice and consent of the City Council.

David McEwen has been recommended for appointment as a member to the Planning Commission. He has been serving as an alternate member of the Planning Commission since January 2016. He will fill the position previously held by Commissioner Latai Tupou who resigned in December 2016. Latai Tupou's term would have expired on July 1, 2020. Therefore, David McEwen's term will run from April 11, 2017 to July 1, 2020.

Mr. McEwen has worked at RC Willey and Intermountain Healthcare and is currently an at-home father. We believe David McEwen will be a valuable asset to the City in serving on the Planning Commission.

B. RESOLUTION 17-52, RATIFY THE CITY MANAGER'S APPOINTMENT OF CINDY WOOD TO THE WEST VALLEY PLANNING COMMISSION FOR A TERM FROM APRIL 11, 2017 TO JULY 1, 2020

Mayor Bigelow presented proposed Resolution No. 17-52 that would ratify the City Manager's Appointment of Cindy Wood to the West Valley Planning Commission for a Term from April 11, 2017 to July 1, 2020.

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

The Planning Commission is composed of seven members and one alternate member appointed and reappointed by the City Manager with the advice and consent of the City Council.

Cindy Wood has been recommended for appointment as a member to the Planning Commission. She will fill the position previously held by Commissioner Jack Matheson who resigned in March 2017. Cindy Wood's term will run from April 11, 2017 to July 1, 2020.

Cindy Wood was born and raised in Magna, Utah and graduated from Cyprus High School. She has a B.S. degree in Accounting from the

MINUTES OF COUNCIL REGULAR MEETING – APRIL 11, 2017

-8-

University of Utah. She currently works for a Salt Lake based law firm as their controller and is a Certified Public Accountant. She is married to Evan Wood and has lived in West Valley City for 30 years.

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's 17-51 and 17-52 on the Consent Agenda.

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.

MOTION TO ADJOURN

Upon motion by Councilmember Buhler voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, APRIL 11, 2017, WAS ADJOURNED AT 7:04 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, April 11, 2017.

Nichole Camac
City Recorder