

**MINUTES OF COUNCIL REGULAR MEETING – JUNE 6, 2017**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 6, 2017, AT 6:34 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/General Counsel/ 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  
Nancy Day, Parks and Recreation Director  
Sam Johnson, 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 MAY 23, 2017**

The Council considered the Minutes of the Regular Meeting held May 23, 2017. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held May 23, 2017. Councilmember Lang seconded the motion.

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

**AWARDS, CEREMONIES, AND PROCLAMATIONS**

**A. EMPLOYEE OF THE MONTH, JUNE 2017- MADELEINE RAMOS, COMMUNITY PRESERVATION DEPARTMENT**

Councilmember Steve Buhler read the nomination of Madeleine Ramos, Community Preservation Department, to receive Employee of the Month Award for June 2017. Ms. Ramos was nominated by Cheryl Syme and Cindy Hobbs.

The nomination reads as follows:

Madeleine works with Housing clients that are at times extremely difficult. But with her "I can do anything" attitude, she uses her knowledge to assist everyone around her in a positive and helpful way. She is a single mother and sometimes struggles in the same ways the majority of the housing clients do and, with this personal understanding, her professionalism while speaking with clients on the phone or in person is always pleasant and courteous. Madeleine conducts herself with the utmost positive and proactive attitude even in the most stressful situations she faces. Madeleine on multiple occasions goes above and beyond in assisting clients and mediating with their landlords to remedy their housing situations. This helps participants of the Housing program maintain their housing assistance. Madeleine is always flexible. Clients and Landlords alike are drawn to her and her attention to their questions and needs. Madeleine assists them with everything from explaining "why is my rent so high?" to logging into software. She is very aware of the client's needs and exemplifies this above and beyond in her daily activities. Madeleine is extremely patient with other employees as well as she trains them on the software and processes of our agency. Madeleine is an excellent asset to the Housing Authority, Community Preservation Department, and the community in which she serves.

**COMMENT PERIOD**

**A. PUBLIC COMMENTS**

Upon inquiry, there were no comments from members of the Public.

**B. CITY MANAGER COMMENTS**

Upon inquiry, Wayne Pyle, City Manager, had no comments.

**C. CITY COUNCIL COMMENTS**

Upon inquiry, there were no comments from the City Council.

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**PUBLIC HEARINGS**

**A. ACCEPT PUBLIC INPUT REGARDING THE PROPOSED TRANSFER FROM THE HOUSING AUTHORITY OF WEST VALLEY CITY ENTERPRISE FUND TO THE CAPITAL IMPROVEMENT PROGRAM FUND**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 6, 2017, in order for the City Council to hear and consider public comments regarding the proposed transfer from the Housing Authority of West Valley City Enterprise Fund to the Capital Improvement Program Fund.

Mayor Bigelow opened the Public Hearing. There being no one to speak in favor or in opposition, Mayor Bigelow closed the Public Hearing.

**B. ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2016-2017 BUDGET**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 6, 2017, in order for the City Council to hear and consider public comments regarding re-opening the FY 2016-2017 Budget

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

Public notice was posted that a public hearing is to be held concerning the proposed budget amendments June 6, 2017 at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah. Notice was also posted of a separate hearing to consider the proposed transfer from the Housing Authority of West Valley City Enterprise Fund.

Mayor Bigelow opened the Public Hearing. There being no one to speak in favor or in opposition, Mayor Bigelow closed the Public Hearing.

**ACTION: ORDINANCE NO. 17-21, AMEND THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017 TO REFLECT CHANGES IN THE BUDGET**

The City Council previously held a public hearing regarding proposed Ordinance 17-21 that would amend the budget of West Valley City for the Fiscal Year Beginning July 1, 2016 and Ending June 30, 2017 to Reflect Changes in the Budget.

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 17-21.

Councilmember Buhler seconded the motion.

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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.

**C. ACCEPT PUBLIC INPUT REGARDING THE WEST VALLEY CITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN AND BUDGET PROPOSAL ON RECOMMENDED PROJECTS FOR FISCAL YEAR 2017-2018**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled June 6, 2017, in order for the City Council to hear and consider public comments regarding the West Valley City Community Development Block Grant (CDBG) Annual Action Plan and Budget Proposal on recommended projects for Fiscal Year 2017-2018.

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

Each year West Valley City receives grant funds from the U.S. Department of Housing and Urban Development (HUD) through the CDBG program and HOME funds in partnership with the Salt Lake County Consortium. Before HUD will approve any CDBG expenditures we must have an approved Annual Action Plan describing our goals for the programs and a budget listing the projects we intend to fund with CDBG for the 2017-2018 fiscal year. We have created an Annual Action Plan and budget proposal that meets the goals and federal guidelines of these funds. The City has made its Annual Action Plan and budget proposal available for public review and a public hearing was held on June 6, 2017 at 6:30 p.m. in the West Valley City Council Chambers, to allow for public comment.

The Community Development Block Grant (CDBG) and Salt Lake County HOME programs fund West Valley City with annual amounts to run various programs pertaining to Low-Moderate income individuals and families. Estimated CDBG Program Income (PI) generated from the CDBG Home Rehabilitation Program paybacks, will be approximately \$50,000. PI offsets the funds allocated to West Valley City CDBG program from HUD and must be reinvested into the CDBG program's eligible projects. The Public Service projects and the Administration

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costs are capped by HUD, with no more than 15% of the total allocation being to Public Services projects and no more than 20% going toward Administration and operating expenses.

West Valley City has a CDBG Committee in place, which currently has 8 members consisting of both knowledgeable staff and West Valley City residents, as directed by HUD. The Committee goes through an extensive process and each member dedicated over 10 hours to hearing individual agencies present their projects/programs, interviewing the agencies, reviewing applications and meeting to discuss funding requests. These recommendations presented to City Council are those that, by vote of the CDBG Committee members, ranked highest and that the Committee members feel will be most impactful to residents, making the best use of funds received, staying in line with both the City's 5-year Consolidated Plan goals and HUD's direction.

Mayor Bigelow opened the Public Hearing.

Kim Currea, In Between, thanked the Council for their support and indicated this is important funding for the homeless community. She discussed what the funding will provide.

Barbara Stallone, Family Support Services, thanked the Council for their support. She provided statistics on what her organizations does.

A representative of the Domestic Violence Victim Program provided statistics on what services they provide. He indicated that ongoing funding is extremely valuable.

Sarah Ivory, YMCA, thanked council for the funding they provided. She explained the various programs that are provided to the youth in the community.

Jordan, Big Brothers and Big Services, thanked the Council for their support. She stated that 70 youth and 29 mentors came from West Valley City in 2016 and indicated funding is extremely valuable.

Bill Merritt, West Valley City Police Department, stated that he is proud to be part of something that is bigger than just the City. An officer in the department spends close to 1200 hours conversing with various groups and members of the community to participate in events.

Margaret Begoin, House of Hope, thanked the Council for their support. She indicated that the community allows women and children to receive services that are necessary.

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Matt Minkovich, Road Home, stated that his team exists to help others overcome homelessness. He indicated that this is an increasing issue and his group has a long standing relationship with the City.

Jan Carter, Honesty House, stated that the City is a great supporter of their clients. She stated that the HVAC unit desperately needs to be replaced and this funding will help do that. She discussed what the Honesty House does and the services it provides.

Pam Body, YWCA Utah, explained the goals of her organization, the programs they offer, and the way the funds will be used to help the community.

Pamela Occura, People Helping People, described the mission of her program. She indicated the success of her program.

Peggy Daniel, South Valley Services, explained how her program works and described the valuable lessons they teach. Ms. Daniel provided specific statistics and thanked the Council for their support.

Danny Folks, Utah Health and Human Rights, stated that this is the first time this organization has been recommended for funding by West Valley City. She described what the program provides and the value it gives to the community.

Mayor Bigelow closed the Public Hearing.

**ACTION: RESOLUTION NO. 17-79, APPROVE THE WEST VALLEY CITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET PROPOSAL ON RECOMMENDED PROJECTS FOR FISCAL YEAR 2017-2018**

The City Council previously held a public hearing regarding proposed Resolution 17-79 that would approve the West Valley City Community Development Block Grant (CDBG) Budget Proposal on recommended projects for Fiscal Year 2017-2018.

Councilmember Buhler stated that the City tries to help as many agencies as they can. He indicated that the Council is thankful for everything they do.

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 17-79.

Councilmember Huynh seconded the motion.

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Councilmember Vincent indicated that CDBG funding is always under attack but the Council understands the value and always encourages representatives in Washington D.C. to support funding. Councilmember Christensen agreed. Councilmember Nordfelt thanked all the work and efforts of everyone in attendance.

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.

**D. ACCEPT PUBLIC INPUT REGARDING APPLICATION Z-4-2017, FILED BY ROGER CHASE, REQUESTING A ZONE CHANGE FROM R-1-8 (RESIDENTIAL SINGLE FAMILY) TO A (AGRICULTURE) FOR PROPERTY LOCATED AT 3396 WEST 3100 SOUTH**

Mayor Bigelow informed that this item has been withdrawn from the agenda due to noticing errors and will be rescheduled at a later date.

**ACTION: ORDINANCE NO. 17-22, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3396 WEST 3100 SOUTH FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO A (AGRICULTURE)**

Mayor Bigelow informed that this item has been withdrawn from the agenda due to noticing errors and will be rescheduled at a later date.

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 withdraw Ordinance 17-22 from the agenda.

Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

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Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous. Item withdrawn.

**CONSIDER APPLICATION S-4-2017, FILED BY MINDY DANSIE AND BRYAN FLAMM, REQUESTING FINAL PLAT APPROVAL FOR THE STEELY TERRACE PUD SUBDIVISION LOCATED AT 1483 WEST 2320 SOUTH**

Mayor Bigelow presented proposed application S-4-2017, filed by Mindy Dansie and Bryan Flamm, requesting final plat approval for the Steely Terrace PUD Subdivision located at 1483 West 2320 South

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

Mindy Dansie, representing DAI Utah, is requesting final approval for the Steely Terrace PUD. The subject property is approximately 2.3 acres in size and is bordered by existing multiple family development on the east, south and west.

The subject property was rezoned in May 2007 from the A zone to the RM zone. Subsequently, a residential project known as Chesterfield Cottages was submitted and approved by the Planning Commission. This project consisted of 22 townhome units but due to the downturn in the economy, the project stalled and was never built.

Earlier this year, DAI approached the City about the possibility of building a new residential community on this site but wanted to modify the development agreement to allow single family detached houses as opposed to the originally approved townhome project. As a result of this request, the City Council modified the development agreement in January 2017 to allow the project that is being presented.

The proposed development consists of 19 units on 2.3 acres. Housing will be single family detached units with the remaining property being common open space. The proposed land use fits well within the general area as you have multiple family units on the east, south and west sides of this project.

Access to the subdivision will be gained from 2320 South and will terminate with a hammerhead. The number of units with the proposed hammerhead turnaround will work for the fire department without a need for a secondary access. Staff inquired about a potential connection with the Center Pointe Hollow PUD to the west, but a connection with that stub street will not be made. According to the developer, connecting two private developments is not a good idea due to maintenance and safety issues. In addition, the elevation difference between the

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two streets is approximately 3.8 feet making a connection very difficult.

Proposed housing for this project was approved during the amended development agreement. Minimum dwelling size will be 1,825 square feet. According to the developer, there will be 5 different building plans for this subdivision. To help provide variety within the development, no two elevations will be allowed next to each other, or across the street. In addition, no two elevations adjacent to each other are allowed to have the same color scheme. Staff believes that this will create a more unique look and feel throughout the subdivision.

A soils report has been provided by the applicant. According to the report, ground water was encountered at depths ranging between 4 and 7 feet. The City requires that the lowest floor slab of the dwelling be 3 feet above the high water table. According to the preliminary grading plan, it appears that basements are planned on most lots. Since the developer is bringing fill to this site, it appears from early estimates that basements can work.

There are a number of mature trees along the east, south and southwest areas of the subdivision. Staff would suggest that the developer evaluate the nature of these trees and if possible retain as many as the development would allow. These trees can be used to help buffer the new project with existing developments along those boundaries having the trees.

The private street and common spaces will be managed by a Home Owner's Association. It is staffs understanding that the Association will be responsible to maintain the private street, all yard spaces and common open spaces as well. This is a positive component of this development as it will reduce private spaces that generally are not maintained.

City ordinance requires that 50% of the development be open space. The developer is allocating a portion of this open space for a common amenity. The development agreement requires a tot lot, but other amenities can be added as well. Formal plans for these improvements as well as a landscaping plan will be required as part of the final plat.

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 Application S-4-2017.

Councilmember Christensen seconded the motion.

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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 NO. 17-81: AUTHORIZE THE CITY TO EXECUTE AN ASSIGNMENT AND ASSUMPTION AGREEMENT WITH ARBOR GARDNER PLUM SUNSET HILLS, LLC TO ACCEPT A TEMPORARY TURNAROUND EASEMENT**

Mayor Bigelow presented proposed Resolution 17-81 that would authorize the City to execute an Assignment and Assumption Agreement with Arbor Gardner Plum Sunset Hills, LLC to accept a temporary turnaround easement.

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

Arbor Gardner Plum Sunset Hills, LLC, a Utah limited liability company, has signed an Assignment and Assumption Agreement for an existing Temporary Turnaround Easement over adjacent property owned by the Alma E. and Ethel B. Rushton Family Partnership. A Temporary Turnaround Easement was previously conveyed to Arbor Gardner by Agreement with the Alma E. and Ethel B. Rushton Family Partnership.

Arbor Gardner Plum Sunset Hills, LLC is the developer of the proposed Sunset Estates PUD Phase 2G, a four lot subdivision which will extend Luminous Way 180 feet to the west. As Luminous Way will continue to be a dead-end street, a Temporary Turnaround Easement is required until such time as the road is extended and connected to other roads.

**B. RESOLUTION NO. 17-82: AUTHORIZE THE CITY TO ENTER IN TO A RIGHT-OF-WAY CONTRACT WITH SUNNYBROOK PARK HOMEOWNERS' ASSOCIATION, INC. AND TO ACCEPT A WARRANTY DEED AND PERPETUAL EASEMENT FOR PROPERTY LOCATED AT 3121 WEST 4100 SOUTH (21-04-101-065)**

Mayor Bigelow presented proposed Resolution 17-82 that would authorize the City to enter in to a Right-of-Way Contract with Sunnybrook Park Homeowners' Association,

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Inc. and to accept a Warranty Deed and Perpetual Easement for property located at 3121 West 4100 South (21-04-101-065)

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

The Sunnybrook Park Homeowners' Association, Inc. parcel located at 3121 West 4100 South is one of the properties affected by the 4100 South 3200 West Signal Upgrade Project. This project will upgrade the signal equipment and add a dedicated right-turn lane to westbound 4100 South at 3200 West. The acquisition from Sunnybrook Park Homeowners' Association, Inc. includes 263 square feet of right-of-way along with a Perpetual Easement. Compensation for the purchase of the Warranty Deed, Perpetual Easement and improvements is \$3,100.00 based upon the compensation estimate prepared by the DH Group, LLC.

The project is being funded under the Highway Safety Improvement Program (HSIP) with federal funds. Under a previously executed federal aid agreement, West Valley City is responsible for 6.77% of all project costs, including right of way. With the total value of the acquisition and easement for this acquisition being \$3,100.00, the West Valley City share of these costs will be \$208.57.

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 Resolution's 17-81 and 17-82 on the Consent Agenda.

Councilmember Huynh 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 FOR EXECUTIVE SESSION**

Councilmember Buhler moved to adjourn and reconvene in an Executive Session following the adjournment of the Redevelopment Agency, Housing Authority, and Building

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Authority Meetings for discussion of disposition of real property, pending litigation, and professional competence. Councilmember Christensen seconded the motion.

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, JUNE 6, 2017, WAS ADJOURNED AT 7:19 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 6, 2017.

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Nichole Camac  
City Recorder

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THE WEST VALLEY CITY COUNCIL RECONVENED IN EXECUTIVE SESSION ON TUESDAY, JUNE 6, 2017, AT 7:34 P.M. , IN THE CITY COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER 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/General Counsel/ CED Director  
Eric Bunderson, City Attorney  
Russ Willardson, Public Works Director  
Jake Arslanian, Public Works

The City Council met in Executive Session and discussed disposition of real property and pending litigation.

Nichole Camac, Nicole Cottle, Eric Bunderson, Russ Willardson, and Jake Arslanian were excused at 7:52 PM.

The City Council discussed professional competence.

Wayne Pyle and Paul Isaac were excused at 8:30 PM

The City Council continued to discuss professional competence.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF JUNE 6, 2017 WAS ADJOURNED AT 8:58 P.M. BY MAYOR

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BIGELOW.

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Nichole Camac – City Recorder

**SWORN STATEMENT**

As the Mayor, I presided at a closed meeting of the West Valley City Council on June 6, 2017. Pursuant to Section 52-4-206(6)(a) Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss:

- (a) the character, professional competence, or physical or mental health of an individual; or
- (b) the deployment of security personnel, devices, or systems.

SWORN to this 6<sup>th</sup> day of June, 2017



ATTEST:

*Neuhale Comar*  
City Recorder

*Ron Bingham*  
MAYOR