

MINUTES OF COUNCIL REGULAR MEETING – DECEMBER 13, 2011

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, DECEMBER 13, 2011, 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 WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Eric Bunderson, City Attorney
Jim Welch, Finance Director
John Evans, Fire Chief
Nicole Cottle, CED Director
Layne Morris, Community Preservation Director
Jake Arslanian, Public Works Department

OTHERS PRESENT:

Karen Lang, Councilmember-elect
Kent Winder, Granger-Hunter Improvement District

15585 **OPENING CEREMONY**

The Opening Ceremony was conducted by Russ Brooks. He read a poem he had written regarding “saying goodbye.” He stated he and Carolynn Burt had enjoyed being on the City Council and serving the West Valley City community.

15586 **SCOUTS**

Mayor Winder welcomed Scout Troop Nos. 244 and 171 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

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15587 **APPROVAL OF MINUTES OF REGULAR MEETING HELD
NOVEMBER 22, 2011**

The Council read and considered Minutes of the Regular Meeting held November 22, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held November 22, 2011, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15588 **APPROVAL OF MINUTES OF REGULAR MEETING HELD
NOVEMBER 29, 2011**

The Council read and considered Minutes of the Regular Meeting held November 29, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held November 29, 2011, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

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COMMENT PERIOD

Upon inquiry by Mayor Winder the following individuals addressed the City Council during the comment period:

Kent Winder, Winder Farms, addressed the City Council. He gave each Council member eggnog and chocolate milk in appreciation for his or her service to West Valley City.

Mayor Winder noted that Kent Winder was recently appointed by the Governor to serve on the Jordan Valley Water Conservancy District Board as Granger-Hunter Improvement District's representative, along with Corey Rushton as the City's representative.

Steve Fisher addressed the City Council and stated he had been a West Valley City resident for 20 years. He indicated he had received a citation for a vehicle parked at his home. He advised the vehicle was registered to his son who was on leave from active duty in the military. Mr. Fisher stated the citation was also for no insurance. He informed the City needed better information as the vehicle did have insurance and had never been without insurance. He questioned why the City was "blindly" issuing citations in this manner. Mr. Fisher stated, in his opinion the officer issuing citations needed better information and should do it right or quit doing it.

City Manager, Wayne Pyle, stated officers issued citations based upon information called up in the State database. He advised if a mistake had been made it would be rectified.

Scott Bohn, representing Willow Cove neighborhood, addressed the City Council. Mr. Bohn stated he had lived here for 17 years and grown to love the City. He also stated there were many good things that happened in West Valley, however, it was blighted by graffiti and other problems. Mr. Bohn stated he called West Valley dispatch almost two weeks ago to report graffiti. He was informed if the graffiti was not on public property; the property owner would be required to take care of it. He stated the graffiti was still there today so he had cleaned it up. Mr. Bohn indicated he had worked with the City's graffiti officer, but one employee could not take care of all the graffiti problems. He stated most graffiti was on utility boxes and he inquired if the City could force utility companies to clean it off in a timelier manner.

City Manager, Wayne Pyle, responded regarding enforcement efforts on fences and other surfaces that caused taggers to move to utility boxes. He indicated it was more difficult for City staff to coordinate with utility companies to get it cleaned up. Mr. Pyle advised City staff tried to coordinate with utility companies or they just took care of it when not working on other projects. The City Manager

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thanked Mr. Bohn for his efforts in assisting to clean up the neighborhood and stressed the importance of removing graffiti as soon as possible.

Ralph Astorga addressed the City Council. Mr. Astorga thanked the City Council for lighting up the overflow parking lot near the Maverik Center and increasing safety of TRAX riders. He expressed appreciation for the City's response to his concerns.

15590

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. GPZ-3-2011, FILED BY WEST VALLEY CITY, REQUESTING TO AMEND THE WEST VALLEY CITY GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO LIGHT MANUFACTURING AND TO CHANGE THE ZONE FROM 'R-1-8' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) TO 'M' (MANUFACTURING) ZONE FOR PROPERTY LOCATED AT 5722 AND 5810 WEST 4700 SOUTH

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. GPZ-3-2011, filed by West Valley City, requesting to amend the West Valley City General Plan from Low Density Residential to Light Manufacturing and to change the zone from 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) to 'M' (Manufacturing) zone for property located at 5722 and 5810 West 4700 South. He presented proposed Ordinance Nos. 11-30 and 11-31 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 11-30 which would amend the General Plan to show a change of land use from Low Density Residential to Light Manufacturing; and proposed Ordinance No. 11-31 which would amend the Zoning Map to show a change of zone from 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) to 'M' (Manufacturing) zone for property located at approximately 5722 and 5810 West 4700 South.

Mr. Pyle stated the proposal included two parcels totaling 14.4 acres. He explained the property was currently zoned 'R-1-8' with a General Plan designation of Low Density Residential, three to four units per acre. He also explained the proposed zone of 'M' and the proposed General Plan designation was Light Manufacturing.

The City Manager reported surrounding zones included 'R-1-8' to the west, 'M' to the south, 'A' and 'M' to the east, and 'R-1-7' to the north. He indicated surrounding land uses included single-family homes to the north, manufacturing uses to the east, and mini-storage to the south. He indicated the property was currently vacant as were most lands immediately adjacent to the parcels.

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City Manager, Wayne Pyle, stated the subject property had been re-zoned from ‘M’ to ‘R-1-8’ during the housing boom. At that time, there had been a perceived surplus of ‘M’ zoned land. Now, with the alignment of the Mountain View Corridor determined, the parcels only had one access point crossing a rail line making them no longer suitable or desirable for single-family housing. He stated this re-zone would allow for a cooperative effort with the Utah Department of Transportation (UDOT) to provide critical storm water detention for the Mountain View Corridor and for West Valley City to gain vehicle and salt storage in the southwest region of the City. He also reported if the subject Application was approved, the parcels would be split and the northern portions would become a detention basin for UDOT while the southern portions of the parcels would become a shop and storage space for West Valley City. He stated UDOT and West Valley City were still working out the details for mutual access from 4700 South and across the railroad tracks.

Mayor Winder opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Winder closed the public hearing.

ACTION: CONSIDER ORDINANCE NO. 11-30, AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LOW DENSITY RESIDENTIAL TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT APPROXIMATELY 5722 AND 5810 WEST 4700 SOUTH

The City Council previously held a public hearing regarding Application No. GPZ-3-2011, filed by West Valley City, and proposed Ordinance No. 11-30 which would amend the General Plan to show a change of land use from Low Density Residential to Light Manufacturing for property located at approximately 5722 and 5810 West 4700 South.

After discussion, Councilmember Christensen moved to approve Ordinance No. 11-30, an Ordinance Amending the General Plan to Show a Change of Land Use from Low Density Residential Land Uses to Light Manufacturing Land Uses for Property Located at Approximately 5722 and 5810 West 4700 South. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes

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Mayor Winder Yes

Unanimous.

ACTION: CONSIDER ORDINANCE NO. 11-31, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5722 AND 5810 WEST 4700 SOUTH FROM ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) TO ‘M’ (MANUFACTURING) ZONE

The City Council previously held a public hearing regarding Application No. GPZ-3-2011, filed by West Valley City, and proposed Ordinance No. 11-31 which would amend the Zoning Map to show a change of zone for property located at 5722 and 5810 West 4700 South from zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) to ‘M’ (Manufacturing) zone.

After discussion, Councilmember Buhler moved to approve Ordinance No. 11-31, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 5722 and 5810 West 4700 South from Zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) to ‘M’ (Manufacturing) Zone. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15591

RESOLUTION NO. 11-198, APPROVE AN INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY AND THE UNIFIED FIRE AUTHORITY FOR THE PROVISION OF HAZARDOUS MATERIALS RESPONSE AND EXPLOSIVE DEVICE OPERATIONS

City Manager, Wayne Pyle, presented proposed Resolution No. 11-198 which would approve an Interlocal Agreement between West Valley City and the Unified Fire Authority, for the provision of hazardous materials response and explosive device operations.

Mr. Pyle stated the proposal set forth terms defining the agreement between the Unified Fire Authority (UFA) and the City. He explained the City would assume

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the primary responsibility for explosive device response operations and hazardous materials response within the City. He stated the UFA would compensate the City in an amount equal to 6.1176% of the annual compensation UFA received from Salt Lake County for these types of services, which for this calendar year would be in the amount of \$104,000.00.

The City Manager further explained the City had been providing, and would continue to provide, hazmat and bomb squad services within the City. He stated, traditionally, the County had paid for the services through its general fund and those funds would now flow through UFA to West Valley City.

After discussion, Councilmember Brooks moved to approve Resolution No. 11-198, a Resolution Authorizing the Approval of an Interlocal Agreement between West Valley City and the Unified Fire Authority for the Provision of Hazardous Materials Response and Explosive Device Operations. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15592

CONSENT AGENDA

- A. **RESOLUTION NO. 11-199, AUTHORIZE THE CITY TO EXECUTE AN EASEMENT AGREEMENT AND ACCEPT A STORM DRAIN EASEMENT AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM 3RD CAMMY GARDNER AND STEVEN MIKLOVID LLC, FOR PROPERTY LOCATED AT APPROXIMATELY 2781 SOUTH REDWOOD ROAD**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-199 which would authorize the City to execute an Easement Agreement and accept a Storm Drain Easement and Grant of Temporary Construction Easement from 3rd Cammy Gardner and Steven Miklovid LLC, for property located at approximately 2781 South Redwood Road.

Mr. Pyle stated 3rd Cammy Gardner & Steven C. Miklovik, LLC had signed the Easement Agreement, Storm Drain Easement and Grant of

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Temporary Construction Easement across and under its property located at 2781 South Redwood Road.

The City Manager reported the Storm Drain Easement and Grant of Temporary Construction Easement would allow for construction of a storm drain system to drain a portion of Russet Avenue near Redwood Road. He also reported storm water that currently ponded on both sides of Russet Avenue east of Redwood would be accommodated by these new storm drain facilities. He indicated this project was one of several small storm drain projects to address flooding problems as part of the 2011 Storm Drain Projects. He stated compensation for the Storm Drain Easement and Grant of Temporary Construction Easement would be in the amount of \$1,000.00.

B. RESOLUTION NO. 11-200, ACCEPT A STORM DRAIN EASEMENT FROM THE UTAH TRANSIT AUTHORITY AND ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT APPROXIMATELY 1692 WEST CLAYBOURNE AVENUE

City Manager, Wayne Pyle, presented proposed Resolution No. 11-200 which would accept a Storm Drain Easement from the Utah Transit Authority (UTA) and accept a Grant of Temporary Construction Easement for property located at approximately 1692 West Claybourne Avenue.

Mr. Pyle stated the Storm Drain Easement and Grant of Temporary Construction Easement would allow for construction of a storm drain system to drain a portion of Claybourne Avenue near Redwood Road. He advised that storm water which currently ponded on both sides of Claybourne Avenue east of Redwood Road would be accommodated by the new storm drain. He indicated this project was one of several small storm drain projects to address flooding problems as part of the 2011 Storm Drain Projects. He also reported compensation to UTA for the easements would be in the amount of \$901.00.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 11-199 and 11-200 as presented on the Consent Agenda. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes

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Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, DECEMBER 13, 2011, WAS ADJOURNED AT 6:58 P.M., BY MAYOR WINDER.

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, December 13, 2011.

Sheri McKendrick, MMC
City Recorder