

**MINUTES OF COUNCIL REGULAR MEETING – MAY 22, 2012**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 22, 2012, 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  
Steve Buhler  
Don Christensen  
Tom Huynh  
Karen Lang  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager  
Carel Hicks, Acting City Recorder

STAFF PRESENT:

Eric Bunderson, City Attorney  
Russell Willardson, Public Works Director  
Kevin Astill, Parks and Recreation Director  
Jim Welch, Finance director  
Layne Morris, CPD Director  
John Evans, Fire Chief  
Steve Lehman, Acting CED Director  
Mike Wells, Acting Police Chief  
Kevin Conde', Administration  
Jake Arslanian, Public Works Department

15764

**OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Buhler who recognized and commended those individuals in attendance who would receive the Mayor's Star of Excellence Award. He also expressed thoughts on education by Mahatma Gandhi, Oscar Wilde, Walter Cronkite, and Nelson Mandela. He also played music from Alice Cooper's "Schools Out."

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**SCOUTS**

Mayor Winder welcomed Scout Troop No. 1034 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

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15766      **APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 8, 2012**

The Council read and considered Minutes of the Regular Meeting held May 8, 2012. There were no changes, corrections or deletions.

After discussion, Councilmember Lang moved to approve the Minutes of the Regular Meeting held May 8, 2012, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15767      **COLLEEN DeGROOT, REPRESENTING TARGET – PRESENTATION OF GRANT FUNDS TO WEST VALLEY CITY FOR NATIONAL NIGHT OUT**

Mayor Winder recognized Colleen DeGroot, Executive Team Leader and representative of the West Valley City Target store.

Ms. DeGroot addressed the City Council and stated Target was committed to the West Valley City community and was not merely “in the community” but “part of it”. She presented \$500.00 to Lt. Dallon Taylor, Police Department, to be used for the National Night Out event. She also advised the Target store would open July 29, 2012.

The City Council expressed appreciation to Ms. DeGroot and Target for the donation of funds and welcomed her as a member of the West Valley business community.

15768      **PRESENTATION OF MAYOR’S STAR OF EXCELLENCE AWARDS**

Mayor Winder stated the Mayor’s Star of Excellence Award would be presented to students from Cyprus, Granger, Hunter and Taylorsville High Schools and he read names, as follows:

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Devon Anderson	Caleb Aston	Abigail Christensen
Margarita Goldberg	Lindsey Hall	Samantha Hansen
Mathew Helworth	Jeffrey Hepler	Miranda Lorenc
Alberto Martinez	Erica Miller	Jeffrey Olsen
Alex Peterson	Jessica Ramirez	Spencer Reed
Cody Sadler	Nicole Selman	Kylie Walker
Janiel Barney	Alyssa Dahl	Jeffrey Fulton
Wyatt Gehlen	Catherine Ipson	Devora Mayurova
Naomi Newton	Rosie Phetphouthay	Marisol Quiles
Fina Sombatsaphay	Dannia Tan	Blake Allred
Skyler Anderson	Amber Arrington	Ried Mackay
Quinn Parker	William Peterson	Kendall Taylor
Mai-Lan Trinh	Amy VanDen Akker	Jarom Vernon
Austin Anderson	Andy Bayardo	Aleksandra Bosnjak
Kylie Brown	Brooke Buhler	Rosario Chezem
Rilla Colson	Edgar Estrada	Charlee Holtey
Preston Hughes	Daniel Jepperson	Amber Lundgreen
Cody Ngo	Janiel Schlosser	Miranda Vanderheydehn
Elizabeth Williams		

The City Council congratulated and expressed appreciation to those students receiving the award.

15769

**COMMENT PERIOD**

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

Mike Markham addressed the City Council and stated community standards varied and he felt all standards needed to be raised. He referred specifically to property on Lancer Way and indicated the entire city needed to look nicer. He suggested property owners needed to take care of their properties and West Valley City standards needed to be higher.

Dave Butters addressed the City Council and stated traffic congestion at the intersection of 3500 South and 4000 West going northbound was a problem. He indicated there used to be a dedicated right hand turn, until construction took place in the area. He expressed the necessity of restriping to include the dedicated right hand turn lane, as there was a bottleneck in the morning and evening hours, but particularly bad in the mornings.

Upon inquiry by Mayor Winder there was no one else who desired to address the City Council during the comment period.

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**RESOLUTION NO. 12-69, AWARD A CONTRACT TO KILGORE CONTRACTING FOR THE 6200 SOUTH WIDENING PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 12-69 which would award a contract to Kilgore Contracting, in the amount of \$356,356.45, for the 6200 South Widening Project.

Mr. Pyle stated bids had been solicited and a total of 12 bids received, as follows:

Kilgore Contracting	\$356,356.45
Jordan Valley Construction	\$371,313.75
ACME Construction	\$383,802.87
Bowen Construction	\$391,027.90
Staker Parson Companies	\$396,198.60
Geneva Rock	\$405,004.00
Hughes General Contractor	\$413,996.90
Miller Paving	\$415,952.50
Condie Construction	\$444,469.00
Newman Construction	\$446,377.25
Lyndon Jones Construction	\$476,306.00
S & L Inc.	\$566,608.96

The City Manager reported the project consisted of installation of storm drainage, curb and gutter, raised median, pedestrian access ramps, asphalt pavement, and striping. He indicated the project was located on 6200 South from Laurel Canyon Drive tying into the improvements being installed by the Utah Department of Transportation (UDOT) for the Mountain View Corridor.

After discussion, Councilmember Vincent moved to approve Resolution No. 12-69, a Resolution Awarding a Contract to Kilgore Contracting for the 6200 South Widening Project. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

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15771

**RESOLUTION NO. 12-70, AUTHORIZE THE CITY TO PURCHASE EQUIPMENT FROM VARIOUS QUALIFIED VENDORS TO USE FOR GROWING NEW TURF AT THE WEST RIDGE GOLF COURSE**

City Manager, Wayne Pyle, presented proposed Resolution No. 12-70 which would authorize the City to purchase equipment from various qualified vendors, in a total amount not to exceed \$169,530.97, to be used for growing new turf at the West Ridge Golf Course.

Mr. Pyle stated West Ridge Golf Course was being reconstructed and would go through a grow-in process. He indicated certain pieces of equipment were now needed to accomplish that task and funding had been planned in the reconstruction budget. He reported bids had been solicited for various pieces of equipment and a total of four bids were received. He stated details regarding the equipment, prices, etc. were included in the Council's packet of information.

After discussion, Councilmember Christensen moved to approve Resolution No. 12-70, a Resolution Authorizing the City to Purchase Equipment from Various Qualified Vendors to use for Growing New Turf at the West Ridge Golf Course. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15772

**RESOLUTION NO. 12-71, AWARD A CONTRACT TO METRO BUILDERS, LLC FOR THE CONSTRUCTION OF FALCON CREST PARK**

City Manager, Wayne Pyle, presented proposed Resolution No. 12-71 which would award a contract to Metro Builders, LLC, in the amount of \$333,855.45, for the construction of the Falcon Crest Park Project located at 7009 West 4065 South.

The City Manager stated the City owned 1.5 acres of ground at 7009 West 4065 South that had been designated to be a park. He informed that public meetings had been held with residents who assisted in design for the park.

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Mr. Pyle stated bids for construction of Falcon Crest Park had been solicited and a total of five bids were received, as follows:

Metro Builders, LLC	\$338,500.00
MSCI	\$363,417.01
Miller Paving, Inc.	\$391,650.00
Bowen Construction	\$391,853.48
Wadman Construction	\$399,000.00

The City Manager informed the contract price was modified to \$333,855.45 reflecting a number of tabulation errors in the bid from Metro along with the deletion of three bid items associated with the residence to the south of the subject park property.

Councilmember Vincent recognized scouts in attendance at the meeting and stated they had worked hard improving the area for the park.

After discussion, Councilmember Vincent moved to approve Resolution No. 12-71, a Resolution Awarding a Contract to Metro Builders, LLC for the Construction of Falcon Crest Park. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15773

**APPLICATION NO. GPZ-2-2012, FILED BY DUAIN RASMUSSEN, REQUESTING A CHANGE TO THE GENERAL PLAN TO INCLUDE HIGH DENSITY RESIDENTIAL AND COMMERCIAL LAND USES IN THE MIXED USE DESIGNATION FOR HIGHBURY; AND A ZONE CHANGE FROM ‘M’ (MANUFACTURING) AND ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) ZONES TO ‘C-2’ (GENERAL COMMERCIAL) AND ‘RM’ (RESIDENTIAL MULTI-FAMILY) ZONES FOR PROPERTY LOCATED AT 2801 SOUTH DAYBURY DRIVE (PUBLIC HEARING HELD AT REGULAR MEETING OF APRIL 24, 2012, GENERAL PLAN AMENDMENT APPROVED / ZONE CHANGE AND DEVELOPMENT**

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### ***AGREEMENT DENIED; MOTION TO RECONSIDER AT REGULAR MEETING OF MAY 1, 2012)***

City Manager, Wayne Pyle, stated Application No. GPZ-2-2012, filed by Duaine Rasmussen, had been considered by the City Council subsequent to a public hearing held April 24, 2012. He indicated the General Plan amendment associated with the Application had been approved during the meeting; however, the zone change and associated Development Agreement with Castlewood had been denied. He stated that at the next meeting held on May 1, 2012, the City Council voted to reconsider the Application with some revisions having been made by the applicant. He reported the updated and amended Application included 3.38 acres of 'C-2,' 13.04 acres of 'RM,' and 12.88 acres of 'R-1-8.'

Mr. Pyle advised the Council had previously been provided with the following documents:

- Letter from Mr. Rasmussen to support his Application (unchanged from 4/24/12)
- Highbury at Lake Park Concept Master Site Plan – This updated plan highlighted the proposed zoning for the area as well as a conceptual site plan for the apartments. He indicated while the senior apartments were removed from this concept plan, the applicant is willing to add them back if the Council prefers.
- Apartment Elevations – Three elevations are included for the apartments (unchanged from 4/24/12)

In conclusion, Mr. Pyle discussed additional background information regarding the subject Application and advised that after the Regular Meeting held April 24, 2012, the applicant met with City staff to further review and discuss the proposal; which resulted in an amendment to the proposal. The City Manager reported the Application to change zoning was accompanied by two Development Agreements – one for the 'RM' apartment area and one for the 'R-1-8' single-family homes area. He further reviewed the Application and changes to the proposal in detail, summarized as follows:

- Added Development Agreement with Suburban Land Reserve (SLR)
- Changes to Development Agreement with Castlewood
- 'RM' to 'R-1-8' added

Councilmember Rushton commented on the development and, in particular, the applicant's willingness to work with the City for a successful development.

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**ACTION: CONSIDER ORDINANCE NO. 12-19, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2801 S. DAYBURY DRIVE FROM ‘M’ (MANUFACTURING), ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) AND ‘RM’ (RESIDENTIAL MULTI-FAMILY) ZONES TO ‘C-2’ (GENERAL COMMERCIAL), ‘RM’ (RESIDENTIAL MULTI-FAMILY) AND ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) ZONES**

The City Council previously held a public hearing regarding Application No. GPZ-2-2012, filed by Duaine Rasmussen, and proposed Ordinance No. 12-19 which would amend the Zoning Map to show a change of zone for property located at 2801 S. Daybury Drive from ‘M’ (Manufacturing), ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) and ‘RM’ (Residential Multi-Family) zones to ‘C-2’ (General Commercial), RM (Residential Multi-Family) and R-1-8 (Single Family Residential, Minimum Lot Size 8,000 Square Feet) zones.

After discussion, Councilmember Rushton moved to approve Ordinance No. 12-19, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 2801 S. Daybury Drive from ‘M’ (Manufacturing), ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) and ‘RM’ (Residential Multi-Family) Zones to ‘C-2’ (General Commercial), ‘RM’ (Residential Multi-Family) and ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) Zones. Councilmember Christensen seconded the motion.

Upon further discussion, Councilmember Lang indicated she was still not comfortable with the ‘C-2’ zoning and thought a more neighborhood friendly commercial would be more appropriate. Councilmember Vincent discussed the type of high density in the area.

Upon recommendation of the City Manager, the Mayor recognized representatives of Suburban Land Reserve (SLR) and Castlewood who were in attendance at the meeting.

Duaine Rasmussen, Applicant, 6740 South 1300 East, Salt Lake City, Castlewood Development, Inc., addressed the City Council. Mr. Rasmussen stated he had committed to granite counter tops, adjusted the number of three bedrooms versus other product, added six additional three-bedroom units and reduced the number of two bedroom units by six in the new development agreement. He expressed appreciation to the City Council for working with him to create a successful project.



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David Cannon, 4271 DeGray Drive, South Jordan, Utah, Suburban Land Reserve (SLR), addressed the City Council. He thanked the City Council and stated SLR would provide a high quality residential development in Lake Park. He stated their development standards were higher than the City standards.

Mayor Winder stated a motion and second had been made to approve proposed Ordinance No. 12-19 and called for a vote.

A roll call vote was taken:

Mr. Vincent	No
Ms. Lang	No
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Majority.

**ACTION: CONSIDER RESOLUTION NO. 12-72, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CASTLEWOOD DEVELOPMENT FOR APPROXIMATELY 13.04 ACRES OF PROPERTY LOCATED AT 5220 WEST Highbury PARKWAY**

The City Council considered proposed Resolution No. 12-72 which would authorize the City to enter into a Development Agreement with Castlewood Development for approximately 13.04 acres of property located at 5220 West Highbury Parkway.

After discussion, Councilmember Lang moved to approve Resolution No. 12-72, a Resolution Authorizing the City to enter into a Development Agreement with Castlewood Development, Inc., for Approximately 13.04 Acres of Property Located at 5220 West Highbury Parkway. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

