

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 20, 2013

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, AUGUST 20, 2013, 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
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Karen Lang

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Russell Willardson, Public Works Director
John Evans, Fire Chief
Anita Schwemmer, Acting Police Chief
Chris Curtis, Acting CPD Director
Nancy Day, Acting Parks and Recreation Director
Jake Arslanian, Public Works Department
Steve Lehman, CED Department
Steve Pastorik, CED Department

16259

OPENING CEREMONY

The Opening Ceremony was conducted by Don Christensen who led the Pledge of Allegiance to the Flag.

16260

SPECIAL RECOGNITIONS

Mayor Winder recognized Lars Nordfelt and Phil Conder, candidates in the municipal primary election.

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COMMENT PERIOD:

A. PUBLIC COMMENTS

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

Judy Weeks-Rohner addressed the City Council. She expressed concern regarding beautification of the City and advised she had organized cleanup projects in the past. She indicated she had always attempted to care for her own property and abide by the ordinances; but personal issues prevented her from cleaning weeds in a certain parts of her property that included an unfinished driveway. She explained she received a non-specific courtesy notice requiring compliance with ordinances. She stated she called the telephone number on the letter, left a voice message but received no response, and other neighbors received notices and were not treated well by code enforcement officers. She also stated she had notified a member of the City Council who in turn notified the City Manager and then she received a call back, but had missed that call. She called the next day, but missed Officer Harwood. She further discussed interaction and other conversations with Officer Harwood.

Ms. Rohner was advised by the Mayor that her allotted time was up; Ms. Rohner stated she had more to say. She requested the City Manager, department head and Council members meet her at her home to discuss her issues. She stated it was difficult when residents did not get a response or there was negative interaction with City staff.

Jim Glasker addressed the City Council and discussed an issue regarding 1590 West 2320 South indicating the road had not been built to handle semi-trucks traveling through a subdivision. He stated he had to have a new roof and sewer line due to vibrations caused from large trucks on the road not able to sustain weights from those trucks. He indicated he had called the City many times, as he had spent thousands of dollars trying to keep up his home. He explained the need to clean up and patch the road. He discussed issues experienced with City staff and stated he could get no help with his situation. He stated the neighbors were willing to sign a petition to get weight limitations back down and solicit needed repairs. He also discussed safety concerns regarding traffic and speed.

Debbie Hill addressed the City Council, on behalf of the Chelsie Hill 5K Lace Up to Buckle Up fundraising event. Ms. Hill stated she had lost her daughter in an accident due to not wearing a seat belt. She discussed a 5K run organized at Hunter High School in honor of her daughter and she desired to bring awareness of this issue to hopefully effect behavior

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changes. She further discussed the important issue and advised of a team up with Utah's Zero Fatalities effort. She extended an invitation to other families who had lost loved ones and invited participation in the event. She also invited Council members to participate in the event and she provided invitations. She informed proceeds from the event were donated to charity.

Grace Chumley addressed the City Council stated she lived in Washington State, but owned a house in West Valley City where her children lived. She explained she had never permanently lived in the house but stayed there during the summer. She indicated her son-in-law had chosen to let the grass grow dormant last year to save money and this year, due to a damaged sprinkling system, could not water. She indicated a courtesy notice had been received and her response had been hand delivered to the City. She advised she had received a second notice specifying requirements and a deadline for compliance with ordinances. She expressed anger at having not received a response from the City after her first letter. She stated the City acted like a homeowner's association. It was her home and property and she should be able to decide how it was landscaped. She discussed fines to be levied, her responsibility to make arrangements for staff to inspect her yard, not enough time given to come into compliance, and that it was expensive to hire out the job so they were trying to do the work themselves.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, stated he would direct the Public Works Director, Russell Willardson, to meet with Mr. Glasker to discuss the issues raised in the comments above.

The City Manager commented regarding code enforcement issues and stated the existing standards had been requested from many residents and, therefore, the City did actively encourage and require certain standards of maintenance and upkeep of homes and property. He stated the program had been designed to accommodate cleanup timelines and to meet needs and circumstances of individual residents. He indicated the standards were to achieve a minimum level of compliance and acknowledged that landscaping sometimes took longer due to a variety of issues. He discussed some circumstances that had recently affected operations in the CPD Department and stated he welcomed the opportunity to meet with Ms. Weeks-Rohner at her home and offered an apology for ineffective communications with the residents.

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C. CITY COUNCIL COMMENTS

Councilmember Rushton recognized State Representative Angela Romero in attendance at the meeting.

He commended the Hill family for turning their personal tragedy into a positive for the community.

Upon suggestion by Councilmember Buhler, Ms. Weeks-Rohner provided her notes to the City Recorder so they could be reviewed. He expressed the importance that code officers be courteous, professional and responsive. He also commented there had been an increase in compliance over the last few years, but it had not seemed to create an overall better impression of the City. He stated the standards should not be abandoned but he did not like the procedure. He indicated the procedure was effective and efficient but would rather see code enforcement be complaint driven. He also stated neighbors usually knew specific circumstances and might not complain for that reason. He stated a different system could be better than officer enforcement efforts taken section by section within the City.

Councilmember Huynh indicated concurrence with comments made by Councilmember Buhler and expressed appreciation to residents who had voiced concerns.

Mayor Winder expressed appreciation for the concerned citizens in attendance at the meeting and discussed overall code enforcement philosophy. He stated City staff should be lenient and reasonable and work with residents' circumstances and issues.

16262

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING THE POLICE DEPARTMENT'S APPLICATION FOR A JUSTICE ASSISTANCE GRANT (J.A.G.) THROUGH THE U.S. DEPARTMENT OF JUSTICE PROGRAMS

City Manager, Wayne Pyle, stated a public hearing was advertised in order for the City Council to hear and consider public comments regarding the Police Department's Application for a Justice Assistance Grant (J.A.G.) through the U.S. Department of Justice Programs. He discussed proposed Resolution No. 13-113 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Resolution No. 13-113 which would authorize the West Valley City Police Department to apply for a Justice Assistance Grant (J.A.G.) through the U.S. Department of Justice Programs.

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Mr. Pyle stated the proposal would allow the Police Department to apply for a grant amount of \$95,411.00 to be utilized to purchase civil disturbance equipment, forensic equipment, tactical rifles and pursuit intervention devices. He reported the Police Department would not be required to match funds as this was a non-matching grant. He also advised the 2013 J.A.G. program was a three year grant with additional funding possibly awarded in future years to continue the grant program. He explained the funds could be used to purchase equipment, fund training, fund approved programs, and pay salaries for approved programs. He stated the procedure for allocating J.A.G. funds was a formula based on population and crime statistics in combination with a minimum allocation to ensure each state and territory received an appropriate share. The Edward Byrne Memorial Justice Assistant Grant Program allowed states and local governments to support a broad range of activities to improve the criminal justice system. He further advised the J.A.G. replaced the Byrne Formula and Local Law Enforcement Block Grant programs.

The City Manager also reported the West Valley Police Department was forming a civil disturbance unit which would be available for large crowd and potential hostile situations. He indicated these officers would require special protective and enforcement equipment, and a public announcement system would also be required. Equipment purchased for evidence gathering would consist of the latest technologies and tactical rifles would be issued to officers for deployment as needed. He reported budget constraints had funneled resources to essential services thus not allowing for necessary upgrades in equipment and technology or training. The J.A.G. funding would be used to make those improvements.

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

ACTION: CONSIDER RESOLUTION NO. 13-113, AUTHORIZING THE WEST VALLEY CITY POLICE DEPARTMENT TO APPLY FOR A JUSTICE ASSISTANCE GRANT (J.A.G.) THROUGH THE U.S. DEPARTMENT OF JUSTICE PROGRAMS

The Council previously held a public hearing regarding proposed Resolution No. 13-113 which would authorize the West Valley City Police Department to apply for a Justice Assistance Grant (J.A.G.), in the amount of \$95,411.00, through the U.S. Department of Justice Programs.

After discussion, Councilmember Rushton moved to approve Resolution No. 13-113, a Resolution Authorizing the West Valley City Police Department to Apply for a Non-matching Justice Assistance Grant (J.A.G.) through the U.S. Department of Justice Programs. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

16263

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-3-2013, FILED BY UTAH REAL ESTATE DEVELOPMENT, REQUESTING A ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-10’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) AND ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET), FOR PROPERTY LOCATED AT 4434 AND 4471 SOUTH 5400 WEST

City Manager, Wayne Pyle, stated a public hearing was advertised in order for the City Council to hear and consider public comments regarding Application No. Z-3-2013, filed by Utah Real Estate Development, requesting a zone change from zone ‘A’ (Agriculture) to zone ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.) and zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) for property located at 4434 and 4471 South 5400 West. He discussed proposed Ordinance No. 13-31 and proposed Resolution No. 13-114 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-31 which would amend the Zoning Map to show a change of zone for property located at 4434 and 4471 South 5400 West from zone ‘A’ (Agriculture) to zones ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.) and ‘R-1-8’ (Single-Family Residential Minimum Lot Size 8,000 sq. ft.).

Mr. Pyle stated Utah Real Estate Development had requested a zone change on a portion of two parcels at 4434 and 4471 South 5400 West from ‘A’ to ‘R-1-7’ for the west parcel at 4434 South, and ‘R-1-8’ for the east parcel at 4471 South. He explained the west parcel was 5.11 acres, the south one-third of which was already zoned ‘R-1-7.’ The east parcel was 2.64 acres, the east half of which was already zoned ‘R-1-8.’ He indicated for the west parcel surrounding zones included ‘R-1-7’ to the south and west, ‘A’ to the north and ‘R-1-8’ to the east. For the east parcel surrounding zones included ‘R-1-7’ to the east, ‘A’ to the north and west, and ‘R-1-8’ to the south. The west parcel was surrounded by single-family homes and the east parcel was bordered by a school to the north, single-

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family homes to the east, a vacant lot to the south and a single-family home and vacant lot to the west. He stated the subject properties were designated as low density residential, which anticipated three to four units per acre in the West Valley City General Plan.

The City Manager reported the applicant had submitted a concept plan which had been included and distributed to members of the City Council, showing the west property being subdivided into 19 lots and the east parcel (combined with the parcel to the south already zoned 'R-1-8') being subdivided into 14 lots. He further stated the concept plan assumed the 'R-1-7' and 'R-1-8' zoning would be approved.

He also reported that after holding two public hearings where several residents requested 'R-1-10' zoning, the Planning Commission recommended 'R-1-10' for the west property and 'R-1-8' for the east property. He advised that at the time the written information had been prepared 18 letters/e-mails had been received from residents in the area requesting 'R-1-10' zoning, and had previously been distributed to the City Council. He reported the applicant and landowner were opposed to the 'R-1-10' zoning recommendations made by the Planning Commission.

City Manager, Wayne Pyle, presented proposed Resolution No. 13-114 which would authorize the City to enter into a Development Agreement with Utah Real Estate Development L.L.C. for approximately 7.75 acres of real property located at 4434 South and 4471 South on 5400 West.

Mr. Pyle stated the proposed agreement would establish minimum standards for a new subdivision of single-family homes at the above stated location. He advised the applicant had submitted a re-zone application to change a 2.64 acre parcel on the east side of 5400 West from 'A' (Agriculture, Minimum Lot Size 1/2 Acre) zoning to 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.), and a 5.11 acre parcel on the west side of 5400 West from 'A' zoning to 'R-1-7.' He reported the Planning Commission recommended approval of the zone change to 'R-1-8' for the east parcel; however, they recommended 'R-1-10' zoning for the west parcel. He stated the Planning Commission recommended approval with the condition the developer would enter into a binding development agreement with the City.

The City Manager reported the proposed agreement contained requirements summarized as follows:

1. The minimum house size for all new homes shall be 1,600 square feet.
2. All new homes shall abide by the standards in Section 7-14-105 (3)(1) of the West Valley City Code, Zoning Ordinance.

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3. No double frontage lots shall be allowed along 5400 West.

Mayor Winder opened the public hearing.

Blaine Walker, representing the applicant, addressed the City Council and stated he had enjoyed a good experience working with West Valley City and staff. He advised he also owned an industrial building in the City. He discussed the request for 'R-1-7' on the west parcel and 'R-1-8' on the east parcel. He also stated the recommendation would be subject to a development agreement and he read aloud the standards for that agreement. He expressed agreement to meet requirements for 'R-1-7' zoning as the quality of home would have to meet greater point structure than for on a larger lot. He stated just because the area was zoned 'R-1-7' did not mean all lots would be 7,000 square feet. He discussed surrounding zoning and lot sizes and pointed out the west parcel was already zoned 'R-1-7.' Mr. Walker requested the Council consider the desert-like conditions with limited water resources and maintenance issues on larger lots. He additionally discussed issues such as transportation and water and stated many cities were adopting xeriscaping. He displayed a map and discussed the original 7,000 square foot lot proposal with the smallest lot being 7,200 square feet and the largest at 11,000 square feet. He also discussed frontages and proposed size of homes with two and three car garages. He showed illustrations of types of homes that could be built on the property in compliance with city ordinances. He advised many cities were stepping back from mandatory one-acre lots and moving toward smaller lots and again pointed out his application was for zone 'R-1-7.'

Clyde Ahlquist addressed the City Council and stated he moved from West Valley City four years ago after having lived in the area for 27 years. He discussed a previous emotionally charged Planning Commission meeting and because of that his wife did not want to attend this meeting. He stated his wife had grown up in the Hunter area and further discussed the changes that had occurred over the years. He explained they had taken great pride in their home in West Valley City and did not want to see homes in the area lose value. He stated they had a chance to sell their property and have it beautified by very nice homes. Mr. Ahlquist discussed the desert conditions and the need to conserve water which was why many cities were moving to smaller rather than larger lots. He also stated many people did not want larger lots due to increased maintenance requirements. He indicated the surrounding areas were all zoned 'R-1-7' with the exception of a nine house tract north his land which was 'R-1-10' zoning. Mr. Ahlquist discussed the history of properties in the area and development plans of property owners. He stated the area was not suited for large lots and big homes as he had discovered the hard way. He indicated larger lots did not necessarily mean larger homes. He discussed the City's ordinances requiring nicer and larger homes on smaller lots. He advised this was the fourth contract with developers to sell his land and he discussed economics and financial matters affected by zoning. He

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stated he desired the best for the area and felt confident the proposal would be an upgrade and asset to the City. He expressed the desire for the Council to take into consideration there would be better and higher quality homes on smaller lots with this development.

Esther Olchewski addressed the City Council. Ms. Olchewski stated her and her husband were a rare one income family who purchased agricultural zoned property in West Valley City. She indicated area residents had chosen to live on 5400 West due to a perfect blend of rural and urban with a united neighborhood. She stated the proposed homes to be built would not be consistent with land to housing ratio in the area. She advised the homeowners in the 'R-1-7' zone had expressed a desire to buy additional property to add to their existing homes. She shared concerns of neighbors if the proposed development was approved including traffic issues and stated she hoped there would be a different plan put in place to alleviate some of those potential issues. She also advised the Planning Commission had heard all of the comments and had voted for 'R-1-10' zoning for the west property. She stated she did not desire any holdups for the property owners, but wanted more comparable homes matching those in the area.

Mayor Winder requested by show of hands how many in attendance shared the views expressed by Esther Olschewski and noted several hands raised.

Barbara Thomas addressed the City Council and stated large lots did not necessarily mean larger homes and expressed concurrence that nicer homes could be built on smaller lots. She indicated larger lots with smaller homes allowed space for people to store other items such as recreational vehicles in a convenient manner near their own homes. She also discussed the size of lots adjacent to the subject property indicating this was an unusual area with a good mix of lot and home sizes. She stated this would be an opportunity to have some variety and requested the City Council overturn the Planning Commission's recommendation.

Timothy Olchewski addressed the City Council and expressed agreement with comments made previously by Barbara Thomas. He discussed reasons for purchasing his current home, which was 1,700 square feet on a one-half acre lot. He stated people may want to have a smaller home on a larger lot and expand in the future rather than moving. Mr. Olchewski expressed concern that lot size to home size was being overlooked. He discussed his understanding of the developers' viewpoint, but stated it seemed it would be pushing people away who would like larger lots to accommodate future needs.

Mark Austin addressed the City Council and stated his home had been purchased 11 years ago and he lived just north of the subject property. He stated he and his wife had purposely moved into the area as they wanted a larger lot, having grown up in the Hunter area. He discussed five homes in the area zoned 'R-1-10' that

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had been quickly purchased. He indicated it would not be difficult to sell lots if the subject property was zoned 'R-1-10.' He advised his property was an 'R-1-10' lot and acknowledged it took work and effort to maintain. He expressed his hope that both sides of the street would be 'R-1-10' zoning which would be consistent with the area.

Melanie Miles addressed the City Council and stated she lived adjacent to the subject property. She advised she had lived in the city for 52 years and the entire issue was about community and neighborhood. Ms. Miles indicated she was not against progress, but this was an area of larger lots and stated "if you build it they will come." She expressed pride in the City and asked the City Council to consider larger lots in the area as there was a need for consistency of the neighborhood. She also expressed her hope for a solution somewhere in the middle to accommodate both sides.

Joan Rushton Carlson addressed the City Council and stated she was a realtor and listing agent for the subject property. Ms. Carlson discussed property rights and stated 'R-1-7' and 'R-1-8' zoning was in the master plan for this property. She discussed some small homes on large lots she had seen, in West Valley City and other cities, and were unkempt and had multiple vehicles. She advised developers were not planning to build starter homes as they would be "move-up" homes for most buyers. She stated rights of the seller should be considered in this matter and commented regarding opposing positions of Rushton family members.

Blaine Walker, applicant, was recognized to again address the City Council. Mr. Walker stated he found some of the comments interesting regarding the need for a variety of homes and lot sizes. He reiterated the proposal would provide a good mix of lot sizes and home sizes. He also restated the proposal was for 'R-1-7' with a mix of lots that would all be held to a higher standard. He indicated the area had been a great place for years and he expressed respect and concern for use of the property. He thanked the City Council for the opportunity to speak and consider the proposal.

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

ACTION: CONSIDER ORDINANCE NO. 13-31, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4434 AND 4471 SOUTH 5400 WEST FROM ZONE 'A' (AGRICULTURE) TO ZONES 'R-1-10' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) AND 'R-1-8' (SINGLE-FAMILY RESIDENTIAL MINIMUM LOT SIZE 8,000 SQUARE FEET)

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The City Council previously held a public hearing regarding Application No. Z-3-2013, filed by Utah Real Estate Development, and proposed Ordinance No. 13-31 which would amend the Zoning Map to show a change of zone for property located at 4434 and 4471 South 5400 West from zone 'A' (Agriculture) to zones 'R-1-10' (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.) and 'R-1-8' (Single-Family Resident, Minimum Lot Size 8,000 sq. ft.).

Mayor Winder discussed Council options for consideration which included approve the Planning Commission recommendation, deny the application, approve the original request of the 'R-1-7' zone, approve the 'R-1-10' zone, allow a combination of zones, amend the development agreement, or continue the matter to allow time for the developer and residents to further discuss a compromise proposal.

Councilmember Buhler expressed preference to consider the merits of the proposal as submitted by the applicant and give either approval or denial of the application.

Councilmember Vincent expressed agreement with comments made by Councilmember Buhler and stated the application should be considered as submitted. He also discussed earlier days when the trend was for smaller lots and stated now it seemed important to have options. He indicated it seemed backward thinking to revert to 30 years ago and reminded the City started off with small lots and had continually worked hard to offer other larger homes. He stated people had left West Valley City because no move-up homes were available on smaller lots.

Councilmember Christensen stated he had lived in a "cookie cutter" home in the Kearns area where the lots were all the same size. He indicated California had some of those same areas and it seemed the community did not depend on the size of a lot. He discussed his personal challenge in keeping up his property even though it was not a gigantic lot. He expressed concern that same thing could happen to others with larger lots. He expressed some positives for looking at the 'R-1-7' zone and he desired the City to expand and grow, but not just with larger lots.

After discussion, Councilmember Vincent moved to deny Application No. Z-3-2013. There was no second to the motion.

Upon inquiry, the City Manager advised if Application No. Z-3-2013 was denied the current zoning designation would remain unchanged.

The City Council discussed their understandings of the distinct and separate consideration of changing the zone designation(s) and the consideration of a

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development agreement, and articulated that the matter before them was a proposal to re-zone.

Councilmember Rushton advised he was related to some of the individuals involved in this matter, but stated he had no conflict of interest. He also expressed preference that the ‘R-1-8’ zone should be the minimum lot size standard in the City.

After further discussion, Councilmember Buhler moved to adopt the original Application requesting R-1-8 on the east and R-1-7 on west, as presented by the applicant, with the condition of an executed development agreement as approved by the City. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Motion failed, lack of majority.

After further discussion, Councilmember Vincent moved to approve the Planning Commission’s recommendation regarding Application No. Z-3-2013 and approve Ordinance No. 13-31, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 4434 and 4471 South 5400 West from Zone ‘A’ (Agriculture) to Zones ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 Square Feet) and ‘R-1-8’ (Single Family Residential, Minimum Lot Size 8,000 Square Feet). Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

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ACTION: CONSIDER RESOLUTION NO. 13-114, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH UTAH REAL ESTATE DEVELOPMENT, L.L.C. FOR APPROXIMATELY 7.75 ACRES OF REAL PROPERTY LOCATED AT 4434 SOUTH AND 4471 SOUTH ON 5400 WEST

The City Council previously held a public hearing and approved Application No. Z-3-2013, filed by Utah Real Estate Development, and Ordinance No. 13-31, amending the Zoning Map from Zone ‘A’ (Agriculture) to Zone ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 Square Feet) and Zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) for Property Located at 4434 and 4471 South 5400 West. The Council considered Resolution No. 13-114 which would authorize the City to enter into a Development Agreement with Utah Real Estate Development, L.L.C.

After discussion, Councilmember Vincent moved to approve Resolution No. 13-114, a Resolution Authorizing the City to enter into a Development Agreement with Utah Real Estate Development, L.L.C. for Approximately 7.75 Acres of Property Located at 4434 South and 4471 South on 5400 West. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

16264 **MOTION TO CONSIDER AGENDA ITEM OUT OF ORDER**

Councilmember Rushton stated there were many people in attendance who desired to speak regarding agenda item 6.E. and he moved to consider that item out of order. Councilmember Vincent seconded the motion and a unanimous voice vote was heard.

16265 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. SNC-1-2013, FILED BY WEST VALLEY CITY, REQUESTING A COMMEMORATIVE STREET NAME OF CESAR CHAVEZ DRIVE TO BE ADDED TO THE COORDINATE OF 2320 SOUTH BETWEEN 1000 WEST AND REDWOOD ROAD**

City Manager, Wayne Pyle, stated a public hearing was advertised in order for the City Council to hear and consider public comments regarding Application No.

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SNC-1-2013, filed by West Valley City, requesting a commemorative street name of Cesar Chavez Drive to be added to the coordinate of 2320 South between 1000 West and Redwood Road. He discussed proposed Ordinance No. 13-35 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-35 which would approve a commemorative street name be added to the coordinate of 2320 South between 1000 West and Redwood Road.

Mr. Pyle advised that Dale Cox, President of the AFL-CIO had submitted a petition to add the commemorative name of Cesar Chavez Drive to the street coordinate as described above. He discussed the three reasons for the requested change outlined by Mr. Cox, as follows:

1. The commitment to honor and celebrate cultural diversity and the positive impact that can foster within a community.
2. The rich historic and agricultural heritage of this area and how it grew from the efforts of farmers and laborers.
3. A fitting addition to the Union Labor Center campus, home to many working men and women of the Utah labor movement who promote safe working conditions for all Utah families.

The City Manager stated the proposal would not change the official street name of 2320 South. He explained although the proposal would not require residents and/or commercial property owners to change their address it could potentially cause confusion about which street name to use. He indicated to help eliminate problems the commemorative name would be filed with the Salt Lake County Addressing Department. The commemorative name would be entered into the County's centerline database for emergency services. The commemorative name and accompanying coordinate would also be recognized by the Valley Emergency Communications Center in the event residents and/or business owners called for service using the commemorative name.

Mayor Winder opened the public hearing.

Dale Cox, President of the Utah AFL-CIO, addressed the City Council and expressed appreciation to the City Council for consideration of the proposed commemorative street name change.

Robert "Archie" Archuleta, President of the Utah Coalition of La Raza, addressed the City Council and thanked them, the City Manager, and Acting Police Chief Schwemmer for the good relationship shared with the Latino community. He stated naming the subject street went a long way in cementing the relationship

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between the City and Latino community. He indicated in the past, this area along with the Latino community, had been known for agriculture work and as a result had many farmers and farm workers. He advised Cesar Chavez had been responsible for laborers to receive equal treatment and was valued by society and the community. He further stated West Valley City had become a mecca for a variety of communities and ethnicities and this was a good way to recognize that fact.

Angela Romero, State Representative, addressed the City Council. Ms. Romero stated she represented this area and the street name change had her full support and expressed appreciation to the Council for this consideration.

Liz Munoz addressed the City Council and stated she had resided in West Valley City for 25 years. She expressed appreciation for the Council taking the proposal to heart as it was important to honor working families. She also discussed accomplishments of Cesar Chavez.

Necia Christensen addressed the City Council and discussed memories of Cesar Chavez and what he had done for parents of children she taught in California. She also expressed appreciation for what Mr. Chavez had done for friends from other countries.

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

ACTION: CONSIDER ORDINANCE NO. 13-35, APPROVING A COMMEMORATIVE STREET NAME BE ADDED TO THE COORDINATE OF 2320 SOUTH BETWEEN 1000 WEST AND REDWOOD ROAD

The City Council previously held a public hearing regarding Application No. SNC-1-2013, filed by West Valley City, requesting approval for a commemorative street name of Cesar Chavez Drive to be added to the coordinate of 2320 South between 1000 West and Redwood Road.

After discussion, Councilmember Rushton moved to approve Ordinance No. 13-35, an Ordinance Approving a Commemorative Street Name of Cesar Chavez Drive be Added to the Coordinate of 2320 South Between 1000 West and Redwood Road in West Valley City, Utah. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes

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Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16266

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-4-2013, FILED BY PAUL AND MANUELA OJA, REQUESTING A ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) FOR PROPERTY LOCATED AT 3662 SOUTH 6000 WEST

City Manager, Wayne Pyle, stated a public hearing was advertised in order for the City Council to hear and consider public comments regarding Application No. Z-4-2013, filed by Paul and Manuela Oja, requesting a zone change from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) for property located at 3662 South 6000 West. He discussed proposed Ordinance No. 13-32 and proposed Resolution No. 13-115 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-32 which would amend the Zoning Map to show a change of zone for property located at 3662 South 6000 West from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.).

Mr. Pyle stated the applicants had requested a zone change for the east 150-feet of a 0.44-acre parcel at the above stated location. He indicated the west 62-feet of the subject property was already zoned ‘R-1-8,’ and surrounding zones included ‘R-1-8’ to the south and west and ‘A’ to the north and east. The surrounding land uses included single-family homes to the north, west and south and a church to the east. He explained the subject property was designated as low density residential which anticipated three to four units per acre in the West Valley City General Plan.

He further stated if the application was approved, the applicants planned to divide the property into two lots, one for the existing home built in 1940 on the east portion of the property and a lot for a new home on the west portion of the property. Each lot would be approximately 10,000 square feet.

The City Manager reported for the development agreement the applicant had proposed to follow the point system for design features outlined in the ordinance and build a home larger than 1,600 square feet. He indicated following a site

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visit, staff recommended additional requirements be added to address some maintenance issues that were observed. He discussed the maintenance issues summarized as follows:

- The fence along the north side of the property was in need of paint and sagging in some places
- The landscaping in the park strips along the north and east sides was either dead or weedy
- The shrubs and trees along the east side of the property were encroaching into the public sidewalk

City Manager, Wayne Pyle, presented proposed Resolution No. 13-115 which would authorize the City to enter into a Development Agreement with Paul and Manuela Oja for approximately .44 acres of property located at 3662 South 6000 West.

Mr. Pyle stated the proposal regarding a development agreement would establish minimum standards for a new single-family home, along with property maintenance, for a project at 3662 South 6000 West. He explained the applicants had submitted a re-zone application to change a 0.44 acre parcel from 'A' to 'R-1-8,' and the Planning Commission had recommended approval of the zone change subject to a development agreement. He reported the proposed agreement contained requirements summarized as follows:

1. The minimum house size for the new home shall be greater than 1,600 square feet
2. The new home shall abide by the standards in Section 7-14-105 (3) (1) of the West Valley City Zoning Ordinance
3. The fence along the north property line shall be painted and repaired so that there are no sagging portions
4. Any dead or weedy landscaping within the park strips on the north and east sides of the property shall be maintained in a healthy, weed-free condition, or paved
5. The shrubs along the east property line shall be trimmed so as not to encroach into the public sidewalk
6. The trees along the east property line shall be trimmed so they are at least 7-feet above the sidewalk

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

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ACTION: CONSIDER ORDINANCE NO. 13-32, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3662 SOUTH 6000 WEST FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET)

The City Council previously held a public hearing regarding Application No. Z-4-2013, filed by Paul and Manuela Oja, and proposed Ordinance No. 13-32 which would amend the zoning Map to show a change of zone for property located at 3662 South 6000 West from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.).

After discussion, Councilmember Vincent moved to Ordinance No. 13-32, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 3662 South 6000 West from Zone ‘A’ (Agriculture) to Zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet). Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

ACTION: CONSIDER RESOLUTION NO. 13-115, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH PAUL AND MANUELA OJA FOR APPROXIMATELY .44 ACRES OF PROPERTY LOCATED AT 3662 SOUTH 6000 WEST

The Council previously approved Ordinance No. 13-32 which amended the Zoning Map from zone ‘A’ to zone ‘R-1-8’ for property located at 3662 South 6000 West. The City Council considered proposed Resolution No. 13-115 which would authorize a Development Agreement with Paul and Manuela Oja for approximately .44 acres of property at the above stated location.

After discussion, Councilmember Rushton moved to approve Resolution No. 13-115, a Resolution Authorizing the City to enter into a Development Agreement with Paul and Manuela Oja for Approximately .44 Acres of Property Located at 3662 South 6000 West. Councilmember Christensen seconded the motion.

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A roll call vote was taken:

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

Unanimous.

16267

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. GPZ-2-2013, FILED BY IVORY DEVELOPMENT, REQUESTING A GENERAL PLAN CHANGE FROM LOW DENSITY RESIDENTIAL AND RURAL RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL AND LOW DENSITY RESIDENTIAL; AND A ZONE CHANGE FROM ‘A’ (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) AND ‘A-1’ (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO ‘R-1-10’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) AND ‘RM’ (RESIDENTIAL MULTI-FAMILY) FOR PROPERTY LOCATED AT 5886 WEST PARKWAY BOULEVARD

City Manager, Wayne Pyle, stated a public hearing was advertised in order for the City Council to hear and consider public comments regarding Application No. GPZ-2-2013, filed by Ivory Development, requesting a General Plan change from Low Density Residential and Rural Residential to Very High Density Residential and Low Density Residential; and a zone change from ‘A’ (Agriculture, Minimum Lot Size 1/2 Acre) and ‘A-1’ (Agriculture, Minimum Lot Size 1 Acre) to ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.) and ‘RM’ (Residential Multi-Family) for property located at 5886 West Parkway Boulevard. He discussed proposed Ordinance No. 13-33 and proposed Ordinance No. 13-34 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-33 which would amend the General Plan to show a change of land use from Low Density Residential land uses and Rural Residential land uses to Very High Density Residential land uses and Low Density Residential land uses for property located at 5886 West Parkway Boulevard; and proposed Ordinance No. 13-34 which would amend the Zoning Map to show a change of zone for property located at 5886 West Parkway Boulevard from zones ‘A’ (Agriculture, Minimum Lot Size 1/2 Acre) and ‘A-1’ (Agriculture, Minimum Lot Size 1 Acre) to zone ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.) and zone ‘RM’ (Residential Multi-Family).

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Mr. Pyle stated Ivory Development had submitted the above described application for 44.4 acres and to support the application had also submitted a letter and proposed development agreement standards including several drawings illustrating the proposed development. He summarized information contained in the documents previously distributed to the City Council as follows:

- Concept Plan – Shows a proposed planned unit development (PUD) which includes 94 single-family home lots ranging from 6,400 square feet to over 19,000 square feet, with an average size of 9,205 square feet, and 230 apartments housed in three buildings that are three stories tall. The density for the single-family home portion of the project is 2.7 units per acre and the density of the apartment portion is 23.2 units per acre. The overall density is 7.3 units per acre.
- Exhibit B Ivy Parkway – Proposed standards for a development agreement.
- Ivy Parkway Apartments – Conceptual elevations and floor plans for the proposed apartments.
- 2013 Ivory Home Designs – Home plans proposed for the single-family lots.
- Letter from Chris Gamvroulas with Ivory Development – Outlines the justification for this request.

The City Manager reported both City staff and the Planning Commission recommended denial of the application based on considerations from the General Plan. He stated these considerations included: maintaining the character of the neighborhood, minimizing potential conflicts between new residents and the Rocky Mountain Raceway, limiting development within an area with a high water table and alkaline soils, focusing higher density housing along opportunity corridors near transit, and encouraging a variety of housing. He indicated that while Ivory did propose standards for a development agreement, staff had not included a development agreement with this application since the Planning Commission recommended denial. He stated if the Council so directed a development agreement would be prepared for consideration.

Mayor Winder opened the public hearing.

Lars Nordfelt addressed the City Council and discussed a trail along the Mountain View Corridor that stopped at Parkway Boulevard across the street from the proposed development. He stated if approved, the trail should extend to the canal and connect with another trail and wetlands in the area.

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

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ACTION: CONSIDER ORDINANCE NO. 13-33, AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LOW DENSITY RESIDENTIAL LAND USES AND RURAL RESIDENTIAL LAND USES TO VERY HIGH DENSITY RESIDENTIAL LAND USES AND LOW DENSITY RESIDENTIAL LAND USES FOR PROPERTY LOCATED AT 5886 WEST PARKWAY BOULEVARD

The City Council previously held a public hearing regarding Application No. GPZ-2-2013, filed by Ivory Development, and proposed Ordinance Nos. 13-33 which would amend the General Plan to show a change of land use from Low Density Residential land uses and Rural Residential land uses to Very High Density Residential land uses and Low Density Residential land uses for property located at 5886 West Parkway Boulevard.

After discussion, Councilmember Vincent moved to deny Application No. GPZ-2-2013 and Ordinance No. 13-33. There was no second to the motion.

Jim Jacketta addressed the City Council and stated this was a unique area of agricultural properties which had a sense of community and should stay zoned as such. Mr. Jacketta advised he had expressed concern at the Planning Commission public hearing regarding proximity to the racetrack (Rocky Mountain Raceway) and the track noise on weekends combined with high traffic along Parkway Boulevard. He stated a balance was needed in the City and the subject property should remain zoned agriculture at this time.

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

City Manager, Wayne Pyle, stated he had been informed that Chris Gamvroulas of Ivory Development had been delayed and requested action be tabled until he arrived or the matter continued.

After further discussion, Councilmember Rushton moved to continue Application No. GPZ-2-2013 and table proposed Ordinance No. 13-33 to be considered at the Regular Council Meeting scheduled August 27, 2013. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

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Unanimous.

ACTION: CONSIDER ORDINANCE NO. 13-34, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5886 WEST PARKWAY BOULEVARD FROM ZONES ‘A’ (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) AND ‘A-1’ (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO ZONE ‘R-1-10’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) AND ZONE ‘RM’ (RESIDENTIAL MULTI-FAMILY)

After discussion, Councilmember Rushton moved to table proposed Ordinance No. 13-34 and continue the matter to the Regular Council Meeting scheduled August 27, 2013. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

16268

RESOLUTION NO. 13-116, APPROVE AN AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR LANDSCAPE MAINTENANCE OF PROPERTY LOCATED AT 5400 SOUTH 7000 WEST ON STATE ROUTE 173

City Manager, Wayne Pyle, presented proposed Resolution No. 13-116 which would approve an Agreement with the Utah Department of Transportation (UDOT) for landscape maintenance of property located at 5400 South 7000 West on State Route 173.

Mr. Pyle stated the proposed agreement would authorize landscaping to be installed within the public right-of-way by Hexcel along their frontage on 5400 South. He indicated as part of the Agreement for Disposition of Land for Private Development (ADL) between the City and Hexcel, Hexcel agreed to install landscaping along their frontage road which was just over one mile in length. He explained Hexcel had already completed the first two phases of landscaping and the proposed agreement would be for the third and final phase on the east side of the property adjacent to the Mountain View Corridor. He further explained since some of the landscaping to be installed fell within UDOT right-of-way, a landscape maintenance agreement with UDOT must be executed before the

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landscaping could be installed. He stated UDOT would only enter into a landscape maintenance agreement with the City and not a private entity. For this reason, he recommended entering into the agreement which would require the City to maintain the landscaping within the right-of-way. He explained the City, in turn, would enter into a landscape maintenance agreement with Hexcel since they would actually be maintaining the landscaping.

After discussion, Councilmember Huynh moved to approve Resolution No. 13-116, a Resolution Approving an Agreement with the Utah Department of Transportation for Landscape Maintenance of Property Located at 5400 South 7000 West on State Route 173. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

16269

RESOLUTION NO. 13-117, APPROVE AN AGREEMENT WITH HEXCEL CORPORATION FOR LANDSCAPE MAINTENANCE OF PROPERTY LOCATED AT 5400 SOUTH 7000 WEST ON STATE ROUTE 173

City Manager, Wayne Pyle, presented proposed Resolution No. 13-117 which would approve an Agreement with Hexcel Corporation for landscape maintenance of property located at 5400 South 7000 West on State Route 173.

Mr. Pyle stated the proposed agreement would authorize landscaping to be installed within the public right-of-way by Hexcel along their frontage on 5400 South. He indicated as part of the Agreement for Disposition of Land for Private Development (ADL) between the City and Hexcel, Hexcel agreed to install landscaping along their frontage road which was just over one mile in length. He explained Hexcel had already completed the first two phases of landscaping and the proposed agreement would be for the third and final phase on the east side of the property adjacent to the Mountain View Corridor. He further explained since some of the landscaping to be installed fell within Utah Department of Transportation (UDOT) right-of-way, a landscape maintenance agreement with UDOT must be executed before the landscaping could be installed. He stated UDOT would only enter into a landscape maintenance agreement with the City and not a private entity. For this reason, he recommended entering into the

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agreement which would require the City to maintain the landscaping within the right-of-way. He explained the City, in turn, would enter into a landscape maintenance agreement with Hexcel since they would actually be maintaining the landscaping.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-117, a Resolution Approving an Agreement with Hexcel Corporation for Landscape Maintenance of Property Located at 5400 South 7000 West on State Route 173. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

16270

RESOLUTION NO. 13-118, APPROVE SPONSORSHIP AGREEMENT BETWEEN WEST VALLEY CITY AND LAND O'FROST

City Manager, Wayne Pyle, presented proposed Resolution No. 13-118 which would approve a Sponsorship Agreement between West Valley City and Land O'Frost.

Mr. Pyle stated Land O'Frost desired to advertise their products by being a sponsor of West Valley City recreation programs and would pay the City \$12,000.00 for a one year sponsorship in return for having their name on uniforms and signs. He explained Land O'Frost was a food distributor to grocery stores and who had chosen to advertise their products across the country by sponsoring local recreational programs.

The City Manager reported the Land O'Frost name and logo would be placed on team uniforms, coupons would be distributed to the teams, a banner would be displayed at the programs, and other promotions undertaken as outlined in the contract. He advised that the Parks and Recreation Department often used sponsorships as a way to offset costs of programs and keep participation prices affordable to participants. He stated the Land O'Frost proposal was similar to sponsorships done in the past.

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After discussion, Councilmember Rushton moved to approve Resolution No. 13-118, a Resolution Approving a Sponsorship Agreement between West Valley City and Land O'Frost. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

16271

CONSENT AGENDA:

A. RESOLUTION NO. 13-119, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF SANDRA NAEGLE AS A MEMBER OF THE BOARD OF ADJUSTMENT, TERM: JULY 1, 2013 – JULY 1, 2018

City Manager, Wayne Pyle, presented proposed Resolution No. 13-119 which would ratify his reappointment of Sandra Naegle as a member of the Board of Adjustment for the term July 1, 2013, through July 1, 2018.

Mr. Pyle Stated Ms. Naegle had expressed an interest in serving another term of the Board. He indicated she had been a valuable and contributing member since July, 2003. He advised Ms. Naegle was currently employed at the Utah Governor's Office as a budget and accounting officer and was a certified governmental financial manager and her background had provided valuable information in evaluating Board of Adjustment applications.

B. RESOLUTION NO. 13-120, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF SCOTT SPENDLOVE AS A MEMBER OF THE BOARD OF ADJUSTMENT, TERM: JULY 1, 2013 – JULY 1, 2018

City Manager, Wayne Pyle, presented proposed Resolution No. 13-120 which would ratify his reappointment of Scott Spendlove as a member of the Board of Adjustment for the term July 1, 2013, through July 1, 2018.

Mr. Pyle stated Mr. Spendlove had expressed an interest in serving another term on the Board. He indicated Mr. Spendlove had been a valuable and contributing member of the Board since July 1, 2003, and was employed at ATK-Thiokol Propulsion, with an educational

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background in political science, international relations, sociology, criminology, social psychology and philosophy from the University of Utah and Weber State University. He stated these qualifications and others provided valuable evaluation skills while serving on the Board.

C. RESOLUTION NO. 13-121, AUTHORIZE THE CITY TO GRANT A RIGHT OF WAY EASEMENT IN FAVOR OF ROCKY MOUNTAIN POWER ON A PORTION OF CITY PROPERTY LOCATED AT 4109 SOUTH HOLDER DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 13-121 which would authorize the City to grant a Right of Way Easement in favor of Rocky Mountain Power on a portion of City property located at 4109 South Holder Drive.

Mr. Pyle stated the proposed easement would allow Rocky Mountain Power to install underground electrical lines to provide power for a UTOPIA utility location. He advised the electrical lines would run within an existing public utility easement and then within a non-exclusive right-of-way easement in favor of Rocky Mountain Power. He also indicated the alignment of the proposed Right of Way Easement was shown on Exhibit A attached to documentation previously provided to the City Council.

D. RESOLUTION NO. 13-122, AUTHORIZE THE CITY TO GRANT A RIGHT OF WAY EASEMENT IN FAVOR OF ROCKY MOUNTAIN POWER ON A PORTION OF CITY PROPERTY LOCATED AT 4314 WEST 4100 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 13-122 which would authorize the City to grant a Right of Way Easement in favor of Rocky Mountain Power on a portion of City property located at 4314 West 4100 South.

Mr. Pyle stated the proposed easement would allow Rocky Mountain Power to install underground electrical lines to provide power for a UTOPIA utility location. He advised the lines would be installed at Fire Station #72 and the alignment of the proposed Right of Way Easement was shown on Exhibit A previously distributed to the City Council.

E. RESOLUTION NO. 13-123, AUTHORIZE THE CITY TO GRANT A RIGHT OF WAY EASEMENT IN FAVOR OF ROCKY MOUNTAIN POWER ON A PORTION OF CITY PROPERTY LOCATED AT 4087 SOUTH 3670 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 13-123 which would authorize the City to grant a Right of Way Easement in favor

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of Rocky Mountain Power on a portion of City property located at 4087 South 3670 West.

Mr. Pyle stated the proposed easement would allow Rocky Mountain Power to install underground electrical lines to provide power for a UTOPIA utility location. He reported the alignment of the proposed Right of Way Easement was shown on Exhibit A previously distributed to the City Council.

F. RESOLUTION NO. 13-124, APPROVE A RIGHT OF ENTRY AGREEMENT BETWEEN WEST VALLEY CITY AND TERRAVENTURE RESERVE, LLC, FOR CONSTRUCTION OF A PORTION OF THE SR-201 FRONTAGE ROAD AS PART OF THE 7200 WEST ROAD WIDENING PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 13-124 which would approve a Right of Entry Agreement between West Valley City and Terraventure Reserve, LLC, for construction of a portion of the SR-201 Frontage Road as part of the 7200 West Road Widening Project.

Mr. Pyle stated the proposed agreement with Terraventure Reserve, LLC, would allow the City to construct a portion of the SR-201 Frontage Road as described above. He advised the parcel located at 7186 West Gates Avenue was one of the properties affected by construction of the SR-201 Frontage Road and 7200 West Road Widening Project extending from 6400 West to 7200 West, currently under construction. He reported Terraventure had agreed to deed 210 square feet of land to the City to allow for construction of the project. He also stated pending review of the conveyance documents by the property owner's legal counsel, the owner had signed a Right of Entry Agreement to allow construction to continue until a special warranty deed had been executed conveying the land to the City.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 13-119, 13-120, 13-121, 13-122, 13-123, and 13-124 as listed on the Consent Agenda. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

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Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, AUGUST 20, 2013, WAS ADJOURNED AT 8:41 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, August 20, 2013.

Sheri McKendrick, MMC
City Recorder