

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014**

**-1-**

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 21, 2014, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor  
Corey Rushton, Councilmember At-Large  
Lars Nordfelt, Councilmember At-Large  
Tom Huynh, Councilmember District 1  
Steve Buhler, Councilmember District 2  
Karen Lang, Councilmember District 3  
Steve Vincent, Councilmember District 4

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Jim Welch, Finance Director  
Layne Morris, CPD Director  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Lee Russo, Police Chief  
John Brubaker, Acting Parks and Recreation Director  
Steve Lehman, CED Department  
Jake Arslanian, Public Works Department

- 16446      **OPENING CEREMONY**  
The Opening Ceremony was conducted by Karen Lang who led the Pledge of Allegiance to the Flag.
- 16447      **SCOUTS**  
Mayor Bigelow welcomed Scout Troop Nos. 4944 and 440 in attendance to complete requirements for the Citizenship in the Community merit badge.
- 16448      **APPROVAL OF MINUTES OF SPECIAL REGULAR MEETING AND SWEARING-IN CEREMONY HELD JANUARY 6, 2014**  
The Council considered Minutes of the Special Regular Meeting and Swearing-In Ceremony held January 6, 2014. There were no changes, corrections or deletions.

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014**

**-2-**

After discussion, Councilmember Vincent moved to approve the Minutes of the Special Regular Meeting and Swearing-In Ceremony held January 6, 2014, as written. Councilmember Lang 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16449      **APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 7, 2014**

The Council considered Minutes of the Regular Meeting held January 7, 2014. There were no changes, corrections or deletions.

After discussion, Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held January 7, 2014, 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16450      **EAC DIVISION OF QUARTER AWARD – “GROUP C” DETECTIVE SQUAD, POLICE DEPARTMENT (*RESCHEDULED FROM REGULAR MEETING HELD JANUARY 14, 2014*)**

Councilmember Buhler read the nomination of the “Group C” Detective Squad, Police Department, to receive the EAC Division of Quarter Award, and presented the award. The Squad had been nominated for their added responsibilities and

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014**

**-3-**

investigations regarding domestic violence, death, child, abuse, rape, homicide and other types of cases.

The City Council expressed appreciation to the Squad and congratulated them on outstanding service to West Valley City.

Upon recognition, Sgt. Steve Burke addressed the City Council and stated the unit had a very high caseload and all were very dedicated detectives. He also thanked the EAC Committee and City Council for the well-deserved recognition.

16451 **COMMENT PERIOD**

Upon inquiry by Mayor Bigelow there was no one in attendance who desired to address the City Council during the comment period.

16452 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-25-2013, FILED BY GARDNER COMPANY, REQUESTING A PLAT AMENDMENT FOR LOT 7 IN THE Highbury CENTRE SUBDIVISION LOCATED AT 5520 WEST HIGH MARKET DRIVE**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. S-25-2013, filed by Gardner Company, requesting a plat amendment for Lot 7 in the Highbury Centre Subdivision located at 5520 West High Market Drive. He discussed proposed Ordinance No. 14-11 related to the Application to be considered by the City Council subsequent to the public hearing as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 14-11 that would approve the amendment of Lot 7 in the Highbury Centre Subdivision located at 5520 West High Market Drive.

Mr. Isaac stated Mark Murdock (representing the Gardner Company) had requested the plat amendment. He advised the Highbury Centre Subdivision consisted of nine lots and had been recorded in June of 2011. He indicated the purpose for the amended plat was to divide Lot 7 into four individual lots for future commercial uses.

The Acting City Manager reported Lot 7 was approximately 4.8 acres in size and bordered on the north by High Market Drive, on the south by Lake Park Boulevard, the west by High Commons Way, and on the east by vacant ground.

He advised the proposed amendment of the lot had been expected as the original developer Suburban Land Reserve Inc. intentionally platted larger lots within the subdivision knowing they would be pared down at a later date to accommodate a

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014**

**-4-**

variety of commercial uses. He explained that while discussing the subdivision layout with the developer, City staff had expressed the need to ensure the lot designs would work with building designs and other City standards relating to development.

Mr. Isaac also reported access to all lots would be gained by High Commons Way, High Market Drive, and most likely a shared access with Lot 8 to the east. Lots ranged in size from 38,300 square feet to 87,900 square feet. While there were no area requirements in the ‘M’ zone, the lots did exceed the area requirements of the ‘C-2’ zone. He stated this was an important detail because uses at this location would be commercially based. He indicated the larger lots should allow for sufficient parking, landscaping and other standards that would be reviewed as part of the conditional use processes.

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

**ACTION: CONSIDER ORDINANCE NO. 14-11, APPROVING THE AMENDMENT OF LOT 7 IN THE HIGHBURY CENTRE SUBDIVISION**

The Council previously held a public hearing regarding Application S-25-2013, filed by Gardner Company, and proposed Ordinance No. 14-11 that would approve the amendment of Lot 7 in the Highbury Centre Subdivision located at 5520 West High Market Drive.

After discussion, Councilmember Rushton moved to approve Ordinance No. 14-11, an Ordinance Approving the Amendment of Lot 7 in the Highbury Centre Subdivision Located at 5520 West High Market Drive. 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014

-5-

16453

**RESOLUTION NO. 14-09, APPROVE A REAL ESTATE PURCHASE AGREEMENT WITH PERRY HOMES, INC. TO PURCHASE PROPERTY LOCATED AT 6482 SOUTH MOUNT ADAMS DRIVE IN WEST VALLEY CITY**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-09 that would approve a Real Estate Purchase Agreement with Perry Homes, Inc., in the amount of \$37,624.00, to purchase Lot 15C in the Diamond Summit Subdivision.

Mr. Isaac stated the subject lot was proposed to be purchased to provide Mountain View Corridor trail access for residents of the Diamond Summit Subdivision, and for access to the large vacant property owned by the Utah Department of Transportation (UDOT) between the trail and the highway. He indicated the property would always be in public ownership and by purchase of the lot the City could access the property in the future if desired.

He further stated the City had contacted the developer of the subdivision over the years, but was never able to work out an open space dedication of property within the subdivision proper. The Lodestone Park being developed by Salt Lake County would have to meet the recreational needs of the residents, but there was still a need for accessing the trail and the potential public property west of the trail. He explained the developer had been approached and agreed to sell one of the remaining lots in the last phase of Diamond Summit. He further explained once this phase was developed no property in the area would remain undeveloped. The City and developer had agreed on Lot 15C and the purchase agreement drawn up and signed.

After discussion, Councilmember Vincent moved to approve Resolution No. 14-09, a Resolution Approving a Real Estate Purchase Agreement between West Valley City and Perry Homes, Inc. to Purchase Property Located at 6482 South Mount Adams Drive in West Valley City. Councilmember Lang 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014

-6-

16454

**RESOLUTION NO. 14-10, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR A UTAH POLLUTION DISCHARGE ELIMINATION SYSTEM (UPDES) CO-PERMIT**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-10 that would approve an Interlocal Cooperation Agreement with Salt Lake County for a Utah Pollution Discharge Elimination System (UPDES) co-permit.

Mr. Isaac stated the proposal would provide for West Valley City, Salt Lake County and other municipalities within Salt Lake County to renew a UPDES co-permit from the Utah Department of Environmental Quality, in compliance with the application rules and regulations for storm water discharges to municipal separate storm sewer systems.

He explained the Environmental Protection Agency (EPA) had published its Final Rule setting forth the National Pollutant Discharge Elimination System (NPDES) permit application rules and regulations for storm water discharges to municipal separate storm sewer systems. He indicated these rules and regulations provided that where more than one public entity owned or operated a municipal separate storm sewer within a geographic area, such operators may be co-applicants to the same application and permit renewal. He indicated West Valley City first became a co-permittee with Salt Lake County in 2003, and again in 2006. He stated the new permit would run from 2013 to September of 2018.

The Acting City Manager reported the City and Salt Lake County had agreed to be co-permittees covered in the permit for the geographic area that included municipal separate storm water systems, and which belonged to the City. The City and County would agree to implement and enforce within their specific jurisdictions their respective responsibilities for complying with the UPDES Permit requirements. He further reported the City would agree to pay for costs related to its own storm water systems. The City and County would jointly agree they would reimburse each other for expenses incurred in providing services to each other and the City would pay the County for a public education and involvement campaign as set forth in the existing 2011-2016 UPDES Media Campaign agreement.

The Acting City Manager advised that the expenditures necessary, \$1.7 million, to meet the requirements of the UPDES co-permit had been included in the FY 2013-2014 Budget and no additional budget would be needed to renew the permit.

After discussion, Councilmember Huynh moved to approve Resolution No. 14-10, a Resolution Approving an Interlocal Cooperation Agreement between West

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014**

**-7-**

Valley City and Salt Lake County for a Utah Pollution Discharge Elimination System (UPDES) Co-Permit. 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16455

**RESOLUTION NO. 14-11, ADOPT THE FEDERAL LEGISLATIVE AGENDA OF WEST VALLEY CITY FOR THE 2013-2015 LEGISLATIVE CYCLE**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-11 that would adopt the federal legislative agenda of West Valley City for the 2013-2015 legislative cycle.

Mr. Isaac stated every year the City identified issues and goals for the upcoming congressional legislative cycle, and as set forth on the federal agenda. He indicated the City was constantly engaged in activities at the federal level each year and pursuant to that activity, the City employed multiple resources in that regard. He explained in an effort to both inform and set forth the general policy direction on these matters the guidelines for these activities were specified in the proposed resolution. Because specific legislative and lobbying efforts could change on a daily and sometimes hourly basis, he advised the guidelines set forth in the proposal were meant to be guidelines only to allow for maximum flexibility in obtaining success.

After discussion, Councilmember Rushton moved to approve Resolution No. 14-11, a Resolution Adopting the Federal Legislative Agenda of West Valley City for the 2013-2015 Legislative Cycle. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014**

**-8-**

Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16456

**RESOLUTION NO. 14-12, ADOPT THE STATE LEGISLATIVE AGENDA OF WEST VALLEY CITY FOR THE 2014 LEGISLATIVE SESSION**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-12 that would adopt the State legislative agenda of West Valley City for the 2014 legislative session.

Mr. Isaac stated every year the City identified issues and goals for the upcoming legislative session set forth on the state legislative agenda. He indicated the City actively engaged in activities at the state legislature each year and pursuant to that activity employed multiple resources in that regard. He indicated in an effort to both inform and set forth the general policy direction on these matters the guidelines for those activities were set forth in the proposed resolution. He explained because specific legislative and lobbying efforts during the legislative session changed on a daily and sometimes hourly basis, the guidelines set forth in the proposal were meant to be guidelines only to allow for maximum flexibility in obtaining success.

After discussion, Councilmember Rushton moved to approve Resolution No. 14-12, a Resolution Adopting the State Legislative Agenda of West Valley City for the 2014 Legislative Session. 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014

-9-

16457

**APPLICATION NO. S-29-2013, FILED BY MOUNTAIN OASIS HOLDING LTD., REQUESTING FINAL PLAT APPROVAL FOR STONEBRIDGE COMMERCE CENTER SUBDIVISION LOCATED AT 4050 WEST LINKS DRIVE**

Acting City Manager, Paul Isaac, presented Application No. S-29-2013, filed by Mountain Oasis Holding Ltd., requesting final plat approval for Stonebridge Commerce Center Subdivision located at 4050 West Links Drive.

Mr. Isaac stated Brandt Bird (representing Mountain Oasis Holding Ltd.) had requested approval for Stonebridge Commerce Center Subdivision. He indicated the subject property was presently vacant and located north of Links Drive and east of Commerce Drive. He advised the proposal would divide the existing property into two lots and it was anticipated future uses would be light manufacturing and office. He advised access would be gained from Links Drive and from Commerce Center Drive. Links Drive and Commerce Center Drive had been dedicated as part of the first phase of the 201 Commerce Center Subdivision located to the north and west of the subject property. The cross section used for both streets was a 66 feet right-of-way. He stated a park strip and sidewalk would be located on the east side of Commerce Center Drive and on the north side of Links Drive.

The Acting City Manager reported internal access would be accomplished by cross access easements. He explained although the subdivision plat would denote these easement locations, the developer would need to record documents setting forth conditions upon which easements would be used. He advised further both Commerce Center Drive and Links Drive were dedicated streets and therefore maintained by the City.

He also explained that at a future date, City staff would review either conditional use and/or permitted use applications. At that time, City staff comments would be more thoroughly addressed as part of the site plan review process. He stated the subdivision plat would contain easements and dedication of right-of-way and other information applicable to division of property.

After discussion, Councilmember Vincent moved to approve Application No. S-29-2013, filed by Mountain Oasis Holding Ltd., and give final plat approval for Stonebridge Commerce Center Subdivision Located at 4050 West Links Drive. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014

-10-

Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16458

**CONSENT AGENDA:**

**A. RESOLUTION NO. 14-13, RATIFY THE CITY MANAGER'S APPOINTMENT OF DON CHRISTENSEN AS CHAIR OF THE SISTER CITY COMMITTEE, TERM: JANUARY 21, 2014 – DECEMBER 31, 2014**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-13 that would ratify the City Manager's appointment of Don Christensen as Chair of the Sister City Committee for the term January 21, 2014 through December 31, 2014.

Mr. Isaac stated Mr. Christensen had expressed willingness to serve as Chair of the Sister City Committee and would serve a one year term.

**B. RESOLUTION NO. 14-14, RATIFY THE CITY MANAGER'S APPOINTMENT OF DON CHRISTENSEN AS MEMBER OF THE CULTURAL ARTS BOARD (CAB) EXECUTIVE BOARD, TERM: JANUARY 21, 2014 – DECEMBER 31, 2014**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-14 that would ratify the City Manager's appointment of Don Christensen as a member of the Cultural Arts Board (CAB) Executive Board, for the term January 21, 2014 through December 31, 2014.

Mr. Isaac stated Mr. Christensen had expressed willingness to serve as a member of the Cultural Arts Board (CAB) Executive Board for a one year term.

**C. RESOLUTION NO. 14-15, RATIFY THE CITY MANAGER'S APPOINTMENT OF KAREN LANG AS MEMBER OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JANUARY 21, 2014 – JUNE 30, 2017**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-15 that would ratify his appointment of Karen Lang as a member of the Clean and Beautiful Committee for the term January 21, 2014 through June 30, 2017.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014

-11-

Mr. Isaac stated Ms. Lang had expressed willingness to serve as a member of the Clean and Beautiful Committee.

**D. RESOLUTION NO. 14-16, APPROVE A RIGHT-OF-WAY AGREEMENT WITH ROBERTO DELGADO AND LESLIE DELGADO FOR PROPERTY LOCATED AT 2808 SOUTH 6400 WEST, AND ACCEPT A SPECIAL WARRANTY DEED**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 14-16 that would approve a Right-of-Way Agreement with Roberto Delgado and Leslie Delgado for property located at 2808 South 6400 West; and accept a Special Warranty Deed.

Mr. Isaac stated Roberto Delgado and Leslie Delgado had signed a Right-of-Way Agreement and Special Warranty Deed for 348 square feet of property located at 2808 South 6400 West. He advised the parcel was one of the properties affected by construction of the 6400 West Extension Project extending from Parkway Boulevard to the SR-201 Frontage Road. He indicated this acquisition would allow for construction of a future signal at the intersection of 6400 West and Parkway Boulevard. He reported compensation would be in the amount of \$1,200.00 based on an appraisal report prepared by Fortis Group, LLC.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 14-13, 14-14, 14-15, and 14-16, as presented on the Consent Agenda. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JANUARY 21, 2014, WAS ADJOURNED AT 6:59 P.M., BY MAYOR BIGELOW.

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 21, 2014**

**-12-**

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, January 21, 2014.

---

Sheri McKendrick, MMC  
City Recorder