

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 25, 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
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Tom Huynh, Councilmember District 1

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
John Evans, Fire Chief
Lee Russo, Police Chief
Sam Johnson, Strategic Communications Director
Layne Morris, CPD Director
Steve Lehman, Acting CED Director
Jake Arslanian, Public Works Department

16491 **OPENING CEREMONY**

Upon invitation by Mayor Bigelow, a West Valley City resident, Harry James, conducted the opening ceremony. Mr. James said a prayer and blessing in Navajo and repeated in English.

16492 **SCOUTS**

Mayor Bigelow welcomed Scout Troop No. 561 in attendance to complete requirements for the Communications merit badge.

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-2-

16493 **APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 11, 2014**

The Council read and considered Minutes of the Regular Meeting held February 11, 2014. There were no changes, corrections or deletions.

After discussion, Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held February 11, 2014, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

16494 **COMMENT PERIOD:**

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

PUBLIC COMMENTS

Ken Norris, Vice President of Granger Baseball League, addressed the City Council. Mr. Norris expressed appreciation for everything the City and Parks and Recreation Department staff did for their league. He advised they played ball at the fields adjacent to the post office located at 4400 West 3500 South and their league had grown by two teams this year. He also expressed appreciation for police patrols that kept the park safe.

Scott Watson, advisor for Utah *FIRST* Robotics team at Hunter High School, addressed the City Council. Mr. Watson stated he desired to tell the City Council about the program and how amazing it was because of opportunities provided to students including scholarships. He gave some examples of benefits to students and the community. (Prior to the meeting written materials were distributed to the City Council.)

Alan Navarro, student representing the *FIRST* Robotics team from Granger High School, addressed the City Council. He stated the program was in its first year and discussed what he had learned including opportunities made available by being part of the program.

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-3-

Daisy Singh addressed the City Council and stated she was also part of the Granger High *FIRST* Robotics team. She indicated the program had been a new beginning for her and would prepare her for college. She expressed hope to win a scholarship as her dream was to be a civil engineer.

CITY MANAGER COMMENTS

City Manager, Wayne Pyle, stated as a parent and resident of West Valley City he was proud to see these students and programs in the City.

CITY COUNCIL COMMENTS

Councilmember Rushton expressed appreciation to Harry James for the Navajo prayer and the other individuals for their participation in the meeting.

16495

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-30-2013, FILED NOEL CRUZ, REQUESTING APPROVAL FOR AN AMENDMENT TO LOTS 6 AND 7 OF THE LEE ANN NO. 1 SUBDIVISION LOCATED AT 3251 WEST LEMAY AVENUE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. S-30-2013, filed by Noel Cruz, requesting approval for an amendment to Lots 6 and 7 of the LeeAnn No. 1 Subdivision located at 3251 West Lemay Avenue. He discussed proposed Ordinance No. 14-16 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. 14-16 that would approve the amendment to Lots 6 and 7 of the Lee Ann No. 1 Subdivision located at 3251 West Lemay Avenue.

Mr. Pyle stated the subject property was zoned ‘R-1-6’ and the proposed subdivision would create a new flag lot to be situated between the existing dwellings on Lots 6 and 7. He advised the LeeAnn No. 1 Subdivision had been recorded in December of 1958 and in 1999 a Quit-Claim Deed was recorded that parceled out a portion of Lot 6. He indicated this was subsequently deeded to the owner of Lot 7. He explained while these transactions had not been reviewed or approved by the City, the resulting lot sizes, including frontage for each lot, continued to meet the City’s ordinances.

He reported that in 2005, the previous owner of Lot 7 approached the City about the possibility of dividing the lot to create a flag lot to the east. He reported the owner had been told that sufficient size existed for the new lot but that the resulting frontage of Lot 7 would not meet City requirements. As a result, an application was submitted to the Board of Adjustment and the Board granted a frontage variance that cleared the way for a potential subdivision.

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-4-

Mr. Pyle advised that the current owner of the property met with City staff to determine whether the approvals from the Board were still valid, and to determine whether the property would be sufficient in size to be subdivided. At the time the Board approved the variance, the required lot size of the flag had been 7,500 square feet. However, the subdivision ordinance was modified in 2010 requiring a minimum size of 12,000 square feet. The owner was also advised a survey of the property would be needed in order for that determination to be made, and a new subdivision would provide an opportunity to clean up old deed lines and legitimize the deeds recorded in 1999.

The City Manager reported the proposed subdivision consisted of three lots on .71 acres and square footage of Lot 6 would be 8,563 square feet; square footage for Lot 7 would be 7,913; and for Lot 7A the square footage would be 12,015 square feet. He indicated square footage within the flag lot did not include the stem portion that was approximately 1,055 square feet.

Mr. Pyle stated the area and frontage requirements of all lots would meet the Zoning Ordinance of the 'R-1-6' zone. Access would be gained from the existing right-of-way. He also stated the cross section consisted of rolled gutter without sidewalk; however, the front property line was approximately 10 feet behind the gutter. He advised this would allow for construction of a sidewalk in the future.

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. 14-16, APPROVING THE AMENDMENT TO LOTS 6 AND 7 OF THE LEE ANN NO. 1 SUBDIVISION

The City Council previously held a public hearing regarding Application No. S-3-2013, filed by Noel Cruz, requesting the amendment of Lots 6 and 7 of the Lee Ann No. 1 Subdivision located at 3251 West Lemay Avenue.

After discussion, Councilmember Vincent moved to approve Ordinance No. 14-16, an Ordinance Approving the Amendment to Lots 6 and 7 of the Lee Ann No. 1 Subdivision Located at 3251 West Lemay Avenue. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-5-

Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16496

RESOLUTION NO. 14-27, ADOPT A PRELIMINARY PROPOSED REVENUE STATEMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2014 AND ENDING JUNE 30, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 14-27 that would adopt a Preliminary Proposed Revenue Statement for the fiscal year commencing July 1, 2014 and ending June 30, 2015.

Mr. Pyle advised the proposed Resolution would adopt the Statement in preparation for consideration of adoption of the Tentative and Final Budget.

Upon request of the Mayor, the City Manager provided a summary of revenues also attached to the Resolution that would guide preparation of the City's budget.

After discussion, Councilmember Rushton moved to approve Resolution No. 14-27, a Resolution Adopting a Preliminary Proposed Revenue Statement for the Fiscal Year Commencing July 1, 2014 and Ending June 30, 2015. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

After further discussion, Councilmember Rushton moved that the City Manager be directed to prepare two lists of additional expenditures, one list for on-going operations and another list for one-time projects that would be funded if there were sufficient funds, and the lists to be in order of priority. Councilmember Buhler seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-6-

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

Unanimous.

Mayor Bigelow stated that the process or City Manager's responsibilities would not change; however, the adopted resolution would formalize preparation of the budget.

16497

APPLICATION NO. S-32-2013, FILED BY GEORGE NEWTON, REQUESTING FINAL PLAT APPROVAL FOR NEWTON INVESTMENTS SUBDIVISION LOCATED AT 3694 SOUTH 6400 WEST
City Manager, Wayne Pyle, presented Application No. S-32-2013, filed by George Newton, requesting final plat approval for Newton Investments Subdivision located at 3694 South 6400 West.

Mr. Pyle stated the subject property was identified as Parcel Number 14-34-276-052. He indicated that while not part of a formal subdivision, there was an existing single-family dwelling sitting at the northeast corner of the 6.5-acre piece of property. He advised that the applicant desired to divide the property to create a separate lot for the existing single-family dwelling. He also advised the larger parcel would remain undeveloped for the present time.

The City Manager indicated the lot with the single-family dwelling was zoned 'R-1-10,' and the remaining property would retain the agricultural designation. He explained Lot 1 was approximately 17,270 square feet and Parcel A was approximately 6.1 acres.

He reported access to the subdivision would be gained from 6400 West. He stated a few years back the City had completed a street improvement project along this road with curb, gutter, sidewalk and right-of-way acquisition being completed at that time. He advised modifications along 6400 West might be needed in the future, but those would be addressed when Parcel A developed.

After discussion, Councilmember Buhler moved to approve Application No. S-32-2013 give final plat approval for Newton Investments Subdivision located at 3694 South 6400 West. Councilmember Vincent seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-7-

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

Unanimous.

16498

CONSENT AGENDA:

- A. **RESOLUTION NO. 14-28, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM IVAN LAMAR JONES, JR., TRUSTEE OF THE IVAN LAMAR JONES, JR. TRUST, A REVOCABLE TRUST CREATED UNDER AN INSTRUMENT DATED APRIL 25, 1987, AND GUNHILD JONES, TRUSTEE OF THE GUNHILD JONES TRUST, A REVOCABLE TRUST CREATED UNDER AN INSTRUMENT ALSO DATED APRIL 25, 1987, FOR PROPERTY LOCATED AT 1352 WEST 3500 SOUTH (PARCEL #15-27-477-012)**

City Manager, Wayne Pyle, presented proposed Resolution No. 14-28 that would authorize the City to accept a Grant of Temporary Construction Easement from Ivan LaMar Jones, Jr., Trustee of the Ivan LaMar Jones, Jr. Trust, a Revocable Trust created under an instrument dated April 25, 1987, and Gunhild Jones, Trustee of the Gunhild Jones Trust, a Revocable Trust created under an instrument also dated April 25, 1987, for property located at 1352 West 3500 South (Parcel #15-27-477-012).

Mr. Pyle stated the aforementioned property owners had signed the Grant of Temporary Construction Easement.

He advised as part of the Lund Park to Brighton Canal Storm Drain Project, the City was replacing an old existing storm drain line that ran from the grantors' property through an old undersized storm drain line and to an outlet ditch on the adjacent property to the north. The existing storm drain was too small and the existing pipe elevations were too low to connect to the new 36-inch storm drain line to the north. He indicated the easement would allow the City and its contractor to enter onto the grantors' property to construct a new inlet box and storm drain pipe.

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-8-

B. RESOLUTION NO. 14-29, AUTHORIZE THE CITY TO GRANT A RIGHT-OF-WAY EASEMENT IN FAVOR OF QUESTAR GAS COMPANY ON A PORTION OF CITY PROPERTY LOCATED AT 2813 SOUTH 3600 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 14-29 that would authorize the City to grant a Right-of-Way Easement in favor of Questar Gas Company on a portion of City property located at 2813 South 3600 West.

Mr. Pyle stated the proposed easement had been required in order for Questar Gas Company to provide natural gas service to a UTOPIA utility location at the City Shops. He advised UTOPIA was currently expanding its telecommunications infrastructure in the City and construction would require installation of certain hut sites to connect the infrastructure. He indicated the subject easement would allow Questar to provide service to the hut site at Centennial Park.

C. RESOLUTION NO. 14-30, AUTHORIZE THE CITY TO GRANT A RIGHT-OF-WAY EASEMENT IN FAVOR OF QUESTAR GAS COMPANY ON A PORTION OF CITY PROPERTY LOCATED AT 6800 WEST MEADOW FARM DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 14-30 that would authorize the City to grant a Right-of-Way Easement in favor of Questar Gas Company on a portion of City property located at 6800 West Meadow Farm Drive.

Mr. Pyle stated the proposed easement had been required in order for Questar Gas Company to provide natural gas service to a UTOPIA utility location on Meadow Farm Drive at 6800 West.

He indicated UTOPIA was currently expanding its telecommunications infrastructure and construction required installation of certain hut sites to connect that infrastructure. He indicated the easement would allow Questar to provide service to the hut site.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 14-28, 14-29 and 14-30 as presented on the Consent Agenda. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 25, 2014

-9-

Mr. Buhler	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, FEBRUARY 25, 2014, WAS ADJOURNED AT 7:04 P.M., BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, February 25, 2014.

Sheri McKendrick, MMC
City Recorder