

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 20, 2015, AT 6:32 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

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

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
Kevin Astill, Parks and Recreation Director
Layne Morris, CPD Director
John Evans, Fire Chief
Lee Russo, Police Chief
Sam Johnson, Strategic Communications Director
Steve Lehman, CED Department
Mark Nord, CED Department
Jeff Jackson, CED Department
Jake Arslanian, Public Works Department

16865 **OPENING CEREMONY**

The Opening Ceremony was conducted by Karen Lang who led the Pledge of Allegiance to the Flag.

16866 **SPECIAL RECOGNITIONS**

Mayor Bigelow recognized State Representative Fred Cox in attendance at the meeting.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-2-

16867 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 6,**

The Council read and considered Minutes of the Regular Meeting held January 6, 2015. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held January 6, 2015, 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.

16868 **EMPLOYEE OF THE MONTH AWARD, JANUARY 2015 – COURTNEY FREHNER, JUSTICE COURT**

Councilmember Lang read the nomination of Courtney Frehner as Employee of the Month for January 2015. Ms. Frehner had been nominated for her extra effort in providing assistance to people wading through the court process and for her inspiration to co-workers in her supervisory role.

The City Council expressed appreciation and offered congratulations to the award recipient.

16869 **DIVISION OF THE QUARTER AWARD – JUSTICE COURT, ADMINISTRATION**

Councilmember Buhler read the nomination of the Justice Court to receive the Division of the Quarter award. The Justice Court had been nominated for their outstanding customer service and for taking responsibilities and tasks sometimes outside their regular court duties.

The award was presented to Justice Court staff in attendance at the meeting.

The City Council expressed appreciation to the Justice Court employees and congratulated them on receiving the award.

16870 **COMMENT PERIOD**

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

16871 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-6-2014, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO THE CITY CENTER ZONE TO EXPAND THE LIST OF PROHIBITED USES**

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public input regarding Application No. ZT-6-2014, filed by West Valley City, requesting a zone text amendment to the City Center Zone to expand the list of prohibited uses.

Mayor Bigelow presented proposed Ordinance No. 15-03 related to the proposal to be considered by the City Council subsequent to the public hearing, as follows:

The proposed amendment to expand the list of prohibited uses would further the purposes of the City Center ('CC') Zone specifically by encouraging development that supported transit, encouraged redevelopment and enhanced neighborhood identity. Each of the proposed additions to the prohibited use list fell into at least one of the following three categories:

Low Intensity Uses

Higher intensity uses had more people per square foot and supported transit more effectively than lower intensity uses. Examples of low intensity uses included furniture stores and moving truck rental businesses.

Uses that Discourage Redevelopment

Since adoption of the CC Zone, the City Center project (now known as Fairbourne Station) had been the highest priority project for the City. This was evidenced by the City's huge investment in staff time and capital for this project. To protect the City's investment and further the City Center Zone purpose of promoting redevelopment, the City wanted to discourage uses that would be incompatible with high quality uses like Class A office. Examples of uses that would be incompatible included bail bonds, blood plasma centers, laundromat, and retail tobacco specialty stores.

Uses that Already Exist Nearby

The Fairbourne Station Vision that was adopted as part of the General Plan included the goals of creating a mix of land uses, diverse shopping choices and a unique town center with a strong sense of place. Uses like supermarkets and movie theaters were already nearby and would not add to the diversity or uniqueness of the area.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-4-

Mayor Bigelow opened the public hearing.

Fred Cox, architect, addressed the City Council. He stated he represented an interested party, one of the properties currently in the City Center zone but not originally included in that zone. He indicated his client was Firestone and they desired to locate north of Embassy Suites Hotel on 3500 South. He explained a loophole in the current zoning and referenced some language. He proposed an amendment to the proposal that would allow his client to meet all requirements and set up their business at the desired location. He cited other uses in the area that were perhaps not ideal. He stated the client had a five- year lease and would leave the building boarded up if not able to use. He explained the hope was the Council would consider amending language as suggested for a single use building.

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

ACTION ORDINANCE NO. 15-03, AMENDING SECTION 7-6-1605 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND THE CITY CENTER ZONE

The Council previously held a public hearing regarding Application No. ZT-6-2014 and considered proposed Ordinance No. 15-03 that would amend Section 7-6-1605 of the West Valley City Municipal Code to amend the City Center Zone.

Upon discussion, Councilmember Vincent indicated he still had concerns and questions regarding uses and language in the proposed ordinance.

City Manager, Wayne Pyle, discussed reasons for increased restrictions for the City Center zone.

Councilmember Buhler discussed some uses being prohibited and stated the market would drive some away but “high end” uses would stay.

The City Manager expressed agreement that given special circumstances some uses on the proposed list would fit in the City Center zone; however, that was why the existing process was in place.

Councilmember Rushton stated when the issue had first come up he looked at uses and how they would fit with the vision for the City Center. He reflected and clarified regarding goals and what was being attempted to be accomplished, such as Transit Oriented Development (TOD), high intensity uses, economics, increasing property values, increased height of buildings, and other matters.

Councilmember Lang stated in the TOD’s big parking lots and cars would not be

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-5-

desirable. She discussed if some uses should be conditional uses and have design standards. She suggested different uses could use various levels of a building and the Council may need more time to discuss the proposal.

Mayor Bigelow discussed how best to handle the north side of 3500 South Street regarding existing buildings. He stated the best controls were those that met a standard as attempting to be achieved by the City Council. He indicated necessities such as a grocery store should be in a walkable community.

Councilmember Rushton indicated consideration should also be given that the City has taken on being master developer of the Fairbourne Station project. He also discussed worst case scenarios of certain uses and emphasized it was a “matter of timing.”

City Manager, Wayne Pyle, advised this was not a normal consideration or process in developing a list of prohibited uses and conditional uses. He stated this was specific to a narrow geographic area of the City. He indicated the Council was the master developer and if the ordinance was adopted at this time it could then be amended at a later date, if desired. He also suggested the City Council could also continue the matter for further study or make minor modifications at this time.

Councilmember Vincent stated moving forward with the proposal would allow for the opportunity to get what the City wanted in this area.

Councilmember Vincent moved to approve Ordinance No. 15-03, Amending Section 7-6-1605 of the West Valley City Municipal Code to Amend the City Center Zone. Councilmember Rushton seconded the motion.

Mayor Bigelow called for additional discussion on the motion.

Councilmember Buhler stated he did not want to miss out on something in the future.

Mayor Bigelow stated a negative vote would be in order if Councilmembers had reservations about the proposal.

Councilmember Lang expressed reservation regarding passing the proposal as presently drafted. She stated parking standards had not always been addressed in this area and that needed to be done quickly. She indicated grocery and fitness centers were still “hang-ups” on this.

Hearing no further discussion, Mayor Bigelow called for a vote on the motion.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-6-

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	No
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	No

Majority.

16872

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-7-2014, FILED BY HILLCREST INVESTMENT, REQUESTING A ZONE TEXT AMENDMENT TO ALLOW SECONDHAND STORES WITHIN 6,000 SQUARE FEET OR LESS WITHIN THE DECKER LAKE STATION OVERLAY ZONE

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. ZT-7-2014, filed by Hillcrest Investment, requesting a zone text amendment to allow secondhand stores within 6,000 square feet or less within the Decker Lake Station Overlay Zone.

Mayor Bigelow presented proposed Ordinance No. 15-04 related to the proposal to be considered by the City Council subsequent to the public hearing, as follows:

The proposal would allow secondhand stores with 6,000 square feet or less within the Decker Lake Station Overlay Zone. Chris Howells with Hillcrest Investment Company, LLC, had proposed an amendment that included a list of prohibited uses. Hillcrest was the owner of the Shops at Decker Lake, formerly known as Grizzly Plaza; that was located on both the northwest and northeast corners of 3500 South Decker Lake Drive.

Included in the Council’s information packet was a letter from the applicant outlining the proposed amendment. In summary, the amendment would change the prohibited use of secondhand stores to secondhand stores over 6,000 leasable square feet. In other words, if the application were approved, secondhand stores with 6,000 square feet or less would be allowed in the Overlay Zone whereas they were currently prohibited. For reference, a secondhand store was defined as: “any location of a store, office or place of business which is engaged in the purchase, barter, exchange or sale of any secondhand merchandise of value or in the business of dealing in secondhand goods.”

While the proposed amendment would apply to the entire Overlay Zone, the

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-7-

applicant's purpose in submitting the application was to allow a Kid to Kid store to locate within the Shops at Decker Lake.

The Decker Lake Station Overlay Zone had first been adopted in 1996 at the time the Maverik Center and surrounding property began to develop. The stated the purpose of the Overlay Zone was: "The Decker Lake Station Overlay Zone permits a full range of office, retail commercial and service uses which are oriented to serve the City as a whole. The Decker Lake Station Overlay Zone is intended to encourage uses in a planned commercial setting which will be compatible and complimentary with the existing entertainment, restaurant and hospitality uses as well as nearby residential neighborhoods. The Overlay Zone also promotes quality architecture that complements the Maverik Center and landscape themes." The original Overlay Zone included a list of prohibited uses and the list had been expanded in 2002 and again in 2013.

The application was supported by City staff as it was believed the addition of small secondhand stores would not detract from the area nor undermine the purpose of the Overlay Zone.

Mayor Bigelow opened the public hearing.

Kris Howells, representing the applicant Hillcrest Investment, addressed the City Council. He discussed reasons why they were requesting the text change amendment. He also gave reasons why Kid to Kid secondhand store fit in shopping centers such as this one. He stated over \$2,000,000 had been spent on remodeling the shopping center and flexibility regarding leasing was needed. He listed other types of uses and retailers that would fit well in their shopping center and indicated Kid to Kid would complement and be compatible with existing tenants. Mr. Howells answered questions from members of the Council.

Merrick Wright, real estate broker and representing the Kid to Kid group, addressed the City Council. He discussed background information regarding the retailer and indicated they would be a good partner with the city as they provided a needed service to the community. He stated Kid to Kid was a high quality operator and support of the change would allow a long-time business of West Valley City to remain in the community. Mr. Wright requested approval of the proposal.

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

ACTION: ORDINANCE NO. 15-04, AMENDING SECTION 7-22-104 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND THE DECKER LAKE STATION OVERLAY ZONE

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-8-

The City Council previously held a public hearing regarding Application No. ZT-7-2014 and considered proposed Ordinance No. 15-04 that would amend Section 7-22-104 of the West Valley City Municipal Code to amend the Decker Lake Station Overlay Zone.

Councilmember Rushton expressed the need to clarify the definition of a secondhand store in the ordinance in the future.

After further discussion, Councilmember Huynh moved to approve Ordinance No. 15-04, an Ordinance Amending Section 7-22-104 of the West Valley City Municipal Code to Amend the Decker Lake Station Overlay Zone. 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.

16873

ORDINANCE NO. 15-05, AMENDING ORDINANCE NO. 14-38 REGARDING THE RE-ZONING OF PROPERTY WITHIN THE CITY

Mayor Bigelow presented proposed Ordinance No. 15-05 that would amend Ordinance No. 14-38 regarding the re-zoning of property within the City.

He stated the proposed ordinance would amend Ordinance No. 14-38 to exclude certain property from the restrictions set forth therein.

Pursuant to Utah Code Section 10-9a-504, the City Council may enact temporary land use regulations within the City. Accordingly, the Council passed Ordinance No. 14-38 on October 7, 2014, that restricted re-zone applications for properties over two acres that proposed to re-zone property to any residential zone. That ordinance would expire in April 2015.

The proposed amendment would permit the consideration of applications governing certain property in the City that was the subject of re-zone applications immediately prior to the moratorium. This amendment would permit the Planning Commission and City Council to consider the applications and continue the re-zone discussions that were initiated prior to the passage of the moratorium.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-9-

Specifically, the property to be exempted from the moratorium by the proposed ordinance was the subject of two applications by Fieldstone Utah Investors and Hallmark Homes and Development concerning property held by the Newton family and anticipated to be developed as low density residential construction. Those applications had been denied by the Council on September 23, 2014, with Council members expressing concerns about the lack of a compelling vision for the property in those applications.

Councilmember Rushton moved to approve Ordinance No. 15-05, Amending Ordinance No. 14-38 Regarding the Re-zoning of Property within the City. Councilmember Nordfelt seconded the motion.

Upon inquiry, the City Manager answered questions regarding reasons for the proposal and progress in discussions with developers and property owners.

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	No

Majority.

16874

RESOLUTION NO. 15-14, APPROVE A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE RELOCATION OF A SIGNAL POLE AS PART OF THE 2400 SOUTH 5600 WEST PROJECT

Mayor Bigelow presented proposed Resolution No. 15-14 that would approve a Cooperative Agreement with the Utah Department of Transportation for the relocation of a signal pole as part of the 2400 South 5600 West Project.

He stated that the Utah Department of Transportation (UDOT) would participate in the relocation of a traffic signal at 5600 West from 2455 South to 2400 South. West Valley City was preparing to construct a new roadway at 2400 South to intersect into the east side of 5600 West. It was desired by the City and UDOT to relocate the existing traffic signal to accommodate the new roadway and the future relocation of the SR-201 Frontage Road into the west side of 5600 West as part of the proposed Mountain View Corridor. It was estimated the signal relocation would cost \$140,000.00. Through the subject agreement, UDOT would

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-10-

commit \$28,128.00 toward the project and the remaining cost would be paid with State funds received from HB-377 from the 2013 Legislative Session.

After discussion, Councilmember Nordfelt moved to approve Resolution No. 15-14, a Resolution Approving a Cooperative Agreement between West Valley City and the Utah Department of Transportation for the Relocation of a Signal Pole as Part of the 2400 South 5600 West Project. 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.

16875

RESOLUTION NO. 15-15, APPROVE AN AGREEMENT WITH J-U-B ENGINEERS, INC. TO PROVIDE PROFESSIONAL SERVICES FOR THE METRO BUSINESS PARK POND RENOVATION PROJECT

Mayor Bigelow presented discussed proposed Resolution No. 15-15 that would approve an Agreement with J-U-B Engineers, Inc., in the amount of \$47,950.00, to provide professional services for the Metro Business Park Pond Renovation Project.

Over time the storm water pond at Metro Business Park, 1400 West 2200 South, had deteriorated and become a detriment to the surrounding business park, rather than the attraction initially intended. Under the subject contract, J-U-B Engineers would assess the existing conditions, identify infrastructure and landscape improvements to resolve erosion, water quality and aesthetic issues, and complete construction drawings.

West Valley City had acquired the pond in 2013 as part of an economic development effort to attract and retain businesses in the Metro Business Park, by improving the pond and surrounding property. Storm water runoff from the adjacent business park and residential properties was collected in this pond and, subsequently, pumped to the Jordan River.

Funding for both this design contract and construction of future improvements would come from the Storm Water Utility. The City collected approximately

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-11-

\$35,000 annually from the businesses and residents north of 2320 South and east of Redwood Road. Following completion of the design work included in the contract, a construction contract would be advertised in the spring of 2015.

After discussion, Councilmember Lang moved to approve Resolution No. 15-15, a Resolution Authorizing the City to enter into an Agreement with J-U-B Engineers, Inc. to Provide Professional Services for the Metro Business Park Pond Renovation Project. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

16876

RESOLUTION NO. 15-16, ADOPT THE STATE LEGISLATIVE AGENDA OF WEST VALLEY CITY FOR THE 2015 UTAH STATE LEGISLATIVE SESSION

Mayor Bigelow presented proposed Resolution No. 15-16 that would adopt the State legislative agenda of West Valley City for the 2015 Utah State Legislative Session.

He stated the City was actively engaged in activities at the State Legislature each year. Pursuant to this activity the City employed multiple resources. In an effort to both inform and set forth the general policy direction on these matters, the guidelines for these activities were set forth in the proposed Resolution. Because specific legislative and lobbying efforts during the legislative session changed on a daily and sometimes hourly basis, the guidelines set forth in the Resolution were meant to be guidelines only to allow for maximum flexibility in obtaining success.

This year the likely topics of discussion would be as follows:

1. Transportation funding

There was discussion of an increase across the state but there were currently several very preliminary proposals on how to accomplish this.

Support for funding increase and monitor methodologies. The City also

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-12-

had specific funding requests this year which would be pursued.

2. Redevelopment Law Amendments

There was a bill being drafted that would amend the definition of “new growth.” Currently that definition was confusing and not applied consistently.

Support the new definition and monitor to ensure that this was the only change and that the definition was accurate.

3. Township, Annexation and Incorporation Law Changes

There was a bill that would modify the methodology by which unincorporated townships act. The proposal currently being drafted was the Salt Lake County proposal and was an effort to provide alternatives but limit the status quo.

Support moving toward wall-to-wall cities and monitor the methodology by which this would occur to ensure it was beneficial to the City.

4. Land Use

There were various land use topics being discussed including prohibiting outside consultants who provided impact fee studies from also building, engineering or providing financial advice after the study was completed.

Monitor this and the other land use matters to ensure beneficial outcome.

5. Law Enforcement

There were multiple law enforcement topics of discussion including funding and policy surrounding body cameras.

Monitor each of these matters and ensure the City’s benefit.

After discussion, Councilmember Vincent moved to approve Resolution No. 15-16, a Resolution Adopting the State Legislative Agenda for West Valley City for the 2015 Utah State Legislative Session. 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 20, 2015

-13-

Mr. Nordfelt Yes
Mayor Bigelow Yes

Unanimous.

16877

RESOLUTION NO. 15-17, ADOPT THE FEDERAL LEGISLATIVE AGENDA OF WEST VALLEY CITY FOR THE 2015-2016 LEGISLATIVE CYCLE

Mayor Bigelow presented proposed Resolution No. 15-17 that would adopt the Federal Legislative Agenda of West Valley City for the 2015-2016 legislative cycle.

He stated the City was actively engaged in activities at the Congressional level. Pursuant to this activity the City employed multiple resources. In an effort to both inform and set forth the general policy direction on these matters, the guidelines for these activities were set forth in the proposed Resolution. Additionally, attached to the Resolution were the items currently being pursued and the list would change as the year moved forward.

After discussion, Councilmember Rushton moved to approve Resolution No. 15-17, a Resolution Adopting the Federal Legislative Agenda of West Valley City for the 2015-2016 Legislative Cycle. 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.

16878

RESOLUTION NO. 15-18, RATIFY THE CITY MANAGER'S APPOINTMENT OF CAROL HUNTER AND TOM ALDER AS MEMBERS OF THE UTAH CULTURAL CELEBRATION CENTER FOUNDATION COMMITTEE, TERM: JANUARY 20, 2015 – SEPTEMBER 30, 2016

Mayor Bigelow presented proposed Resolution No. 15-18 that would ratify the City Manager's appointment of Carol Hunter and Tom Alder as members of the Utah Cultural Celebration Center Foundation Committee for the term January 20,

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-14-

2015, through September 30, 2016.

Carol Hunter and Tom Alder had expressed willingness to serve as members of the Utah Cultural Celebration Center Foundation Committee for the above-referenced term. The Committee consisted of up to 13 members who served for a term of two years. The Committee worked to further the interests of the Foundation and the Utah Cultural Celebration Center by assisting in program development, fundraising, and promoting the cause of cultural diversity in the City.

After discussion, Councilmember Huynh moved to approve Resolution No. 15-18, a Resolution Ratifying the City Manager’s Appointment of Carol Hunter and Tom Alder as Members of the Utah Cultural Celebration Center Foundation Committee. Councilmember Nordfelt 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.

16879

APPLICATION NO. S-29-2013, FILED BY BRANDT BIRD, REQUESTING FINAL PLAT APPROVAL FOR STONEBRIDGE COMMERCE PARK SUBDIVISION LOCATED AT 4100 WEST LINKS DRIVE

Mayor Bigelow presented Application No. S-29-2013, filed by Brandt Bird, requesting final plat approval for Stonebridge Commerce Park Subdivision located at 4100 West Links Drive.

Brandt Bird represented Mountain Oasis Holding Ltd. had requested final plat approval for the Stonebridge Commerce Park Subdivision. An earlier version of the Stonebridge Commerce Park Subdivision had been approved by the Council in January of 2014. The subdivision plat however had not been recorded. The original subdivision consisted of two lots on 8.5 acres. After re-evaluating the project site, a determination had been made to add two additional lots. The subject property was presently vacant and located north of Links Drive and east of Commerce Center Drive.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-15-

The subdivision was being requested to divide the existing property into four lots with expected future uses to be light manufacturing and office. Access would be gained from Links Drive and from Commerce Center Drive. Internal access would be accomplished by cross access easements. Although the subdivision plat would denote these easement locations, the developer would need to record documents that set forth conditions upon which these easements would be used. Both Commerce Center Drive and Links Drive were dedicated streets and therefore maintained by the City.

Lot 4 in the subdivision was a flag lot designed for water and sewer purposes. It was not anticipated the stem to the flag lot would be used for access. Access would be provided between the buildings on Commerce Center Drive and Links Drive.

After discussion, Councilmember Vincent moved to approve Application No. S-29-2013 and give final plat approval for Stonebridge Commerce Park Subdivision Located at 4100 West Links Drive. 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.

16880

APPLICATION NO. S-20-2014, FILED BY LESLIE MORTON, REQUESTING FINAL PLAT APPROVAL FOR CVS WEST VALLEY PLAZA SUBDIVISION LOCATED AT 3200 WEST 3500 SOUTH

Mayor Bigelow presented Application No. S-20-2014, filed by Leslie Morton, requesting final plat approval for CVS West Valley Plaza Subdivision located at 3200 West 3500 South.

He stated CVS Pharmacy LLC had requested final subdivision approval for a commercial subdivision in the 'C-2' zone.

CVS Pharmacy had been issued a permitted use application in 2013. The project site consisted of multiple parcels, but did not include the existing car wash and inspection/emission parcels. As part of the permitted use application, staff requested that CVS consolidate all of the parcels into one development parcel.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-16-

CVS chose to leave the portion adjacent to 3200 West undeveloped with a future expectation of subdividing this area along with the two corner parcels when they could be acquired.

Recently, CVS had been able to secure the inspection/emission parcels and would like to formally divide the property into two lots. Lot 1 (CVS Pharmacy) would consist of 2.04 acres and Lot 2 would consist of .80 acres. Access would be gained from the drive approaches approved during the permitted use process along 3500 South and 3200 West.

After discussion, Councilmember Huynh moved to approve Application No. S-20-2014 and give final plat approval for CVS West Valley Plaza Subdivision located at 3200 West 3500 South. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

16881

APPLICATION NO. S-21-2014, FILED BY SANI MALICEVIC, REQUESTING FINAL PLAT APPROVAL FOR ARGUS SUBDIVISION LOCATED AT 4390 SOUTH 4000 WEST

Mayor Bigelow presented Application No. S-21-2014, filed by Sani Malicevic, requesting final plat approval for Argus Subdivision located at 4390 South 4000 West.

He stated the proposed subdivision would divide an existing parcel into two lots. There was an existing dwelling on what would become Lot 2 in the subdivision. Lot 1 would be created for a new single-family dwelling. The subdivision was bordered on the north and west by the Fairlane Heights No. 7 Subdivision, the east by 4000 West, and the south by Paskay Drive.

The subdivision would consist of two lots on .56 acres. The existing dwelling had been constructed in 1949 and would remain on what would be Lot 2. An existing detached garage located on Lot 1 would be removed and replaced with a future single-family dwelling. Lot 1 was approximately 8,341 square feet with Lot 2

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-17-

being 10,582 square feet. Both the area and frontage requirements exceeded City standards in the ‘R-1-8’ zone.

Access to the subdivision would be gained from 4000 West and from Paskay Drive. All public improvements along 4000 West were currently in place. The applicant would need to coordinate new improvements along Paskay Drive, which improvements would tie in with the existing improvements on 4000 West and with those existing to the west of Lot 1.

The applicant would need to address the potential of ground water impacts at the time of a new building permit. The Building Official, in conjunction with the Engineering Division, would do an on-site investigation and evaluate surrounding development to determine if a soils report was needed.

After discussion, Councilmember Buhler moved to approve Application No. S-21-2014 and give final plat approval for Argus Subdivision Located at 4390 South 4000 West. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

16882

HEAR AND CONSIDER APPEAL OF CITY MANAGER’S DENIAL OF GRAMA REQUEST FROM HOLLY ZIEGENHORN

Mayor Bigelow stated a hearing had been scheduled for the Council to consider an appeal of the City Manager’s denial regarding a GRAMA request from Holly Ziegenhorn.

City Manager, Wayne Pyle, requested the City Council consider continuing the hearing for two weeks to the Regular Council Meeting scheduled February 3, 2015.

After discussion, Councilmember Vincent moved to continue the hearing for two weeks. Councilmember Lang seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-18-

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

Unanimous.

16883

MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Vincent moved to adjourn and reconvene in an Executive Session immediately following the Redevelopment Agency Meeting for discussion of pending litigation and professional competence of an individual. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JANUARY 20, 2015, WAS ADJOURNED AT 8:05 P.M., BY MAYOR BIGELOW.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-19-

THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, JANUARY 20, 2015, AT 8:14 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER 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

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF JANUARY 20, 2015, WAS ADJOURNED AT 8:59 P.M., BY MAYOR BIGELOW.

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 20, 2015

-20-

SWORN STATEMENT

As the Mayor, I presided at a closed meeting of the West Valley City Council on January 20, 2015. Pursuant to Section 52-4-206(6)(a) Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

SWORN to this _____ day of _____, 2015.

MAYOR

ATTEST:

City Recorder

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting and Executive Session of the West Valley City Council held Tuesday, January 20, 2015.

Sheri McKendrick, MMC
City Recorder