

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 12, 2016**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 12, 2016, 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  
Don Christensen, 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

STAFF PRESENT:

Wayne Pyle, City Manager  
Nichole Camac, City Recorder  
  
Paul Isaac, Assistant City Manager/HR Director  
Eric Bunderson, City Attorney  
Jim Welch, Finance Director  
John Evans, Fire Chief  
Layne Morris, CPD Director  
Russell Willardson, Public Works Director  
Kevin Astill, Parks and Recreation Director  
Sam Johnson, Strategic Communications Director  
Steve Sandquist, Police Department  
Jake Arslanian, Public Works Department  
Steve Lehman, CED Department

\_\_\_\_\_ **OPENING CEREMONY**

The Opening Ceremony was conducted by Lars Nordfelt who asked members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

\_\_\_\_\_ **SPECIAL RECOGNITIONS**

Mayor Bigelow recognized Senator Karen Mayne who was in attendance at the meeting.

\_\_\_\_\_ **APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 15, 2015**

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The Council read and considered Minutes of the Regular Meeting held December 15, 2015. There were no changes, corrections or deletions.

Councilmember Vincent moved to approve the Minutes of the Regular Meeting held December 15, 2015. Councilmember Huynh seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

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### COMMENT PERIOD

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

Senator Karen Mayne addressed the City Council and advised she had visited the County and Salt Lake City and was also meeting with other Councils in the Salt Lake Valley. She stated she wanted to encourage UTA (Utah Transportation Authority) to provide increased bus transit in residential areas. She provided a letter dated January 5, 2016, to the City Council and expressed desire that West Valley City, as the second largest City in the State, would support her proposal to improve bus service in neighborhoods by retooling and re-examining of neighborhood routes and bus stops.

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### PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-26-2015, FILED BY ADAM MAHER REQUESTING APPROVAL TO AMEND LOT 1B OF THE CABCO 5600 WEST SUBDIVISION AMENDED LOCATED AT 2514 SOUTH 5600 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled January 12, 2016, in order for the City Council to hear and consider public comments regarding Application No. S-26-2015 filed by Adam Mahler requesting approval to amend Lot 1B of the CABCO 5600 West Subdivision Amended located at 2514 South 5600 West.

Mayor Bigelow presented proposed Ordinance No. 16-01 related to the proposal to be considered by the City Council subsequent to the public hearing. The City Council had previously received written information as follows:

The subject subdivision had been recorded with the Salt Lake County Recorder's Office in November 2015.

The subdivision was located immediately to the north of the Riter Canal and west of 5600 West.

The proposed plat amendment had been requested in order to establish a condominium for each of the four proposed buildings within the subdivision. The previously recorded

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plat separated Lot 1B from the other property within the subdivision allowing the condominium development to take place.

Commercial and Industrial condominiums were not uncommon. According to Mr. Maher there were a variety of benefits associated with doing a commercial condominium project. For the property owner it was primarily the ability to sell units as opposed to leasing them. For business owners it was the ability to predict occupancy costs without having to renegotiate their lease every few years. There was also a sense of pride in ownership that could help keep the entire project viable because of the interest each owner had in wanting the overall project to succeed. For these reasons, Mr. Maher would like to amend the subdivision plat.

Dedication of 5600 West and Anna Caroline Drive had been done as part of the original subdivision application. All conditions related to the original plat were still in effect with this application.

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

**ACTION: ORDINANCE NO. 16-01, AMEND LOT 1B IN THE CABCO 5600 WEST SUBDIVISION AMENDED LOCATED IN WEST VALLEY CITY**

The City Council previously held a public hearing regarding Application No. S-26-2015 filed by Adam Maher, and proposed Ordinance No. 16-01 that would amend Lot 1B in the CABCO 5600 West Subdivision Amended located in West Valley City.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Vincent moved to approve Application No. S-26-2015 filed by Adam Maher and Ordinance No. 16-01, an Ordinance Approving the Amendment of Lot 1B in the CABCO 5600 West Subdivision Amended, Located In West Valley City, Utah. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

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Unanimous.

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-28-2015 FILED BY JUSTIN PETERSON REQUESTING APPROVAL TO AMEND LOT 1 OF THE WEST VALLEY COMMERCIAL RETAIL SUBDIVISION LOCATED AT APPROXIMATELY 6200 SOUTH 5600 WEST**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled January 12, 2015, in order for the City Council to hear and consider public comments regarding Application No. S-28-2015 filed by Justin Peterson requesting approval to amend Lot 1 of the West Valley Commercial Retail Subdivision located at approximately 6200 South 5600 West.

Mayor Bigelow presented proposed Ordinance No. 16-02 related to the proposal to be considered by the City Council subsequent to the public hearing. The City Council had previously received written information as follows:

Justin Peterson, representing Walmart, had requested to amend Lot 1 of the West Valley Commercial Retail Center Subdivision. The purpose for the amended lot was to create an additional building lot within what was part of Lot 1. The subject property was located at the corner of 6200 South and 5600 West and zoned C-2.

The subject subdivision had been recorded with the Salt Lake County Recorder's Office in August of 2003, with the original subdivision consisting of 5 lots. The newly created lot would be located in the northeast corner of Lot 1 and just to the south of an existing retail building on Lot 4.

Access to the subject lot would be gained from both 6200 South and 5600 West. The original subdivision contained various easements for water/sewer, parking and access. While these easements were still applicable for the amended plat, the applicant had proposed to create new access easements from both 6200 South and 5600 West that had not been defined on the original subdivision plat.

Parking spaces being eliminated to make way for the new lot would not negatively impact the overall parking requirements for the shopping center. There were approximately 965 existing parking stalls where 730 were required.

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

**ACTION: ORDINANCE NO. 16-02, AMEND LOT 1 IN THE WEST VALLEY COMMERCIAL RETAIL SUBDIVISION LOCATED IN WEST VALLEY CITY**

The City Council previously held a public hearing regarding Application No. S-28.2015 filed by Justin Peterson, and proposed Ordinance No. 16-02 that would amend Lot 1 in

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the West Valley Commercial Retail Subdivision located at approximately 6200 South 5600 West in West Valley City.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve Application No. S-28-2015 filed by Justin Peterson and Ordinance No. 16-02, an Ordinance approving the Amendment of Lot 1 in the West Valley Commercial Retail Subdivision. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

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**RESOLUTION NO. 16-01, AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN WEST VALLEY CITY AND AARON PRICE TO PROVIDE ADMINISTRATIVE LAW JUDGE SERVICES TO WEST VALLEY CITY**

Mayor Bigelow presented proposed Resolution No. 16-01 that would authorize the execution of an Administrative Law Judge Service Agreement between West Valley City and Aaron Price in the amount of \$45.00 per hour, to provide administrative law judge services to West Valley City.

Written information previously provided to the City Council included the following:

The proposed contract would award a non-exclusive one-year term to Aaron Price to be an Administrative Law Judge (AL) for West Valley City. The contract set forth the duties to include all ACE hearings, parking tickets and other matters as assigned by the City Administration. The contract would allow the City to dismiss Mr. Price for cause and either side to rescind the contract with 30 days written notice. The rate of pay would be in the amount of \$45.00 per hour and the agreement did not guarantee a minimum number of hours or any exclusivity.

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Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve Resolution No. 16-01, a Resolution Authorizing the Execution of an Agreement Between West Valley City and Aaron Price to Provide Administrative Law Judge Services to West Valley City. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

**RESOLUTION NO. 16-02, APPROVING THE PURCHASE OF FIVE VEHICLES FROM KEN GARFF FORD**

Mayor Bigelow presented proposed Resolution No. 16-02 that would approve the purchase of five vehicles from Ken Garff Ford in an amount not to exceed \$123,610.40.

Written information previously provided to the City Council included the following:

Ken Garff Ford held the State Contract to supply Ford Police Interceptor Sedans.

Vehicles being replaced were as follows:

<u>ICN</u>	<u>Mileage</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>
711309	101,000	2008	Ford	Crown Vic
711323	102941	2009	Ford	Crown Vic
711344	106395	2009	Ford	Crown Vic
711346	102791	2010	Ford	Crown Vic
711347	101726	2010	Ford	Crown Vic

Two of the Interceptor Sedans were being purchased in place of an Interceptor SUV and Ford Transit Van previously approved for purchase. The others were being funded with insurance funds recovered from other at-fault parties.

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Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for motion.

Councilmember Lang moved to approve Resolution No. 16-02, a Resolution Approving the Purchase of Five Vehicles from Ken Garff Ford. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

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**RESOLUTION NO. 16-03, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY TO SHARE THE COSTS OF CERTAIN ROAD CONSTRUCTION AND CAPITAL IMPROVEMENT PROJECTS**

Mayor Bigelow presented proposed Resolution No. 16-03 that would approve an Interlocal Cooperation Agreement between West Valley City and Salt Lake County in the amount of \$10,000.00, to share the costs of certain road construction and capital improvement projects.

Written information previously provided the City Council included the following:

Through the proposed agreement, Salt Lake County would pledge \$10,000,000 to West Valley City to pay for construction or reconstruction of highway or maintenance projects and capital improvements related to the enforcement of State motor vehicle and traffic laws.

The 2013 State Legislature had appropriated funds from the County of the First Class State Highway Projects Fund to the legislative body of Salt Lake County to be used for regional development of road construction and capital improvement projects. Salt Lake County desired to transfer \$10,000,000 to West Valley City for various transportation-related capital improvement projects. As these projects were designed, bid and prepared for construction, the use of the funds would be more specifically delineated.

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Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Huynh moved to approve Resolution No. 16-03, a Resolution Approving an Interlocal Cooperation Agreement Between West Valley City and Salt Lake County to Share the Costs of Certain Road Construction and Capital Improvement Projects. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

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**APPLICATION NO. S-27-2015 FILED BY COLBY ANDERSON REQUESTING FINAL PLAT APPROVAL FOR THE REDWOOD BUSINESS CENTER SUBDIVISION LOCATED AT 2850 SOUTH REDWOOD ROAD**

Mayor Bigelow presented Application No. S-27-2015 filed by Colby Anderson requesting final plat approval for the Redwood Business Center Subdivision located at 2850 South Redwood Road.

Written information previously provided the City Council included the following:

Colby Anderson, representing Redwood Broadbent SLC, LLC, had requested final plat approval for the Redwood Business Center Subdivision. The subject property was located at 2850 South Redwood Road and presently occupied with three existing buildings. The subdivision would be bordered on the north by Community Nursing Services, the south by vacant land, and the west by the Lake Point Office Complex.

The subdivision would consist of three lots on just under five acres. The required lot area in the C-3 zone was one acre. Building coverage could not exceed 75% of the lot area. For the proposed subdivision, Lot 1 would comprise 1.3 acres with the existing building covering approximately 33%. Lots 2 and 3 were approximately 1.7 acres in size with each existing building covering approximately 43%. The subdivision would allow the landowner to sell each building independent of each other, which was the ultimate objective of the subject application.



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Access to the subdivision would be gained from Redwood Road. There were two existing access points at the north and south ends of the property. The subdivision would require a cross access easement over Lot 1 in favor of Lots 2 and 3 along with cross parking easements. The existing buildings were used for office, business and retail purposes. Landscaping was installed along the front and sides of the project and was in good condition.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Christensen moved to approve Application No. S-27-2015 filed by Colby Anderson, representing Redwood Broadbent SLC, LLC, and give final plat approval for Redwood Business Center Subdivision, located at 2850 South Redwood Road. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

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**CONSENT AGENDA**

**A. RESOLUTION NO. 16-04, AUTHORIZING THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH ANAYA’S MARKET, LIMITED LIABILITY COMPANY, AND TO ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 4122 SOUTH AND 4000 WEST (21-06-229-007)**

Mayor Bigelow presented proposed Resolution No. 16-04 that would authorize the City to enter into a Right-of-Way Contract with Anaya’s Market, Limited Liability Company, and to accept a Warranty Deed and a Temporary Construction Easement for property located at 4122 South and 4000 West (21-06-229-007).

Written information previously provided to the City Council included the following:

The Anaya’s Market parcel was one of the properties affected by the 4100 South:

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4000 West, 2700 West, and 1300 West Signal Improvements Project. The project included widening intersection and improving signals on 4100 South at 4000 West, 2700 West, and 1300 West. Acquisition from Anaya's Market included 445 square feet of right-of-way. Compensation for the deed, easement and improvements would be in the amount of \$18,400.00 based on an appraisal report prepared by the DH Group, LLC.

The project would be funded under the Highway Safety Improvement Program (HSIP) with federal funds. Under a previously executed federal aid agreement, West Valley City would be responsible for 6.77% of all project costs, including right-of-way. With the total value of the acquisition and easement for this acquisition being \$24,800.00, the City's share of the easements would be in the amount of \$1,678.96.

**B. RESOLUTION NO. 16-05, AUTHORIZING THE CITY TO ACCEPT A WARRANTY DEED FROM CHUN S. HSIANG AND HONG XIAO FOR PROPERTY LOCATED AT 4758 WEST 4100 SOUTH (PARCEL NO. 15-31-354-014)**

Mayor Bigelow presented proposed Resolution No. 16-05 that would authorize the City to accept a Warranty Deed from Chun S. Hsiang and Hong Xiao for property located at 4758 West 4100 South (Parcel No. 15-31-354-014).

Written information previously provided to the City Council included the following:

Chun S. Hsiang and Hong J. Xiao had signed a Warranty Deed for right-of-way at the northeast corner of the intersection of 4800 West and 4100 South. Chun S. Hsiang and Hong J. Xiao were owners of the property for the proposed Wild General restaurant and office building site. As a condition of approval for the proposed project, conveyance of right-of-way had been required to match existing street improvements at the southwest corner of the property.

**C. RESOLUTION NO. 16-06, RATIFYING THE CITY MANAGER'S APPOINTMENT OF JOHNNY HAYES AS A MEMBER OF THE WEST VALLEY CITY ARTS COUNCIL**

Mayor Bigelow presented proposed Resolution No. 16-06 that would ratify the City Manager's appointment of Johnny Hayes as a member of the West Valley City Arts Council.

Written information previously provided to the City Council included the following:

Johnny Hayes had expressed willingness to serve as a member of the West Valley

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City Arts Council and would fill the unexpired term of Katherine St. John. Members of the Arts Council were appointed for a two-year term by the City Manager with the advice and consent of the City Council.

**D. RESOLUTION NO. 16-07, RATIFYING THE CITY MANAGER'S APPOINTMENT OF MARTELL WINTERS TO THE WEST VALLEY CITY PLANNING COMMISSION FOR A TERM FROM JANUARY 12, 2016 TO JULY 1, 2018**

Mayor Bigelow presented proposed Resolution No. 16-07 that would ratify the City Manager's appointment of Martell Winters to the West Valley City Planning Commission for a term from January 12, 2016 to July 1, 2018.

Written information previously provided to the City Council included the following:

The Planning Commission is comprised of seven members and one alternate member appointed and reappointed by the City Manager with the advice and consent to the City Council.

Martell Winters had been recommended for appointment to the Commission, having served as an alternate member since February 2015. Mr. Winters would fill the position previously held by Barbara Thomas who resigned in December of 2015. Ms. Thomas' term would have expired on July 1, 2018 therefore Mr. Winters' term would run from January 12, 2016 to July 1, 2018.

Mr. Winters had been a resident of the City for 20 years and currently worked as a senior scientist for Nelson Laboratories. It was believed he would be a valuable asset to the City in serving on the Planning Commission.

**E. RESOLUTION NO. 16-08, RATIFYING THE CITY MANAGER'S APPOINTMENT OF DAVID MC EWEN TO THE WEST VALLEY CITY PLANNING COMMISSION FOR A TERM FROM JANUARY 12, 2016 TO JULY 1, 2017**

Mayor Bigelow presented proposed Resolution No. 16-08 that would ratify the City Manager's appointment of David Mc Ewen to the West Valley City Planning Commission for a term from January 12, 2016 to July 1, 2017.

Written information previously provided to the City Council included the following:

The Planning Commission had seven members and one alternate member appointed and reappointed by the City Manager with the advice and consent of the City Council.

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David McEwen, currently serving as an alternate member, had been recommended as a regular member of the Planning Commission. He was being recommended for appointment as the alternate member to take Martell Winters' place. Mr. McEwen's term would run from January 12, 2016 to July 1, 2017.

Mr. McEwen had worked at RC Willey and Intermountain Healthcare and was currently an at-home father. It was believed he would be a valuable asset to the City in serving on the Planning Commission.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Vincent moved to approve Resolution Nos. 16-04, 16-05, 16-06, 16-07 and 16-08 as presented on the Consent Agenda. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

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**MOTION TO ADJOURN**

Upon motion by Councilmember Nordfelt all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, JANUARY 12, 2016, WAS ADJOURNED AT 6:51 P.M. BY MAYOR BIGELOW.

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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 12, 2016.

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Nichole Camac  
City Recorder