

MINUTES OF COUNCIL REGULAR MEETING – MAY 17, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 17, 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

ABSENT: Steve Vincent, Councilmember District 4 (Excused)

STAFF PRESENT:

Wayne Pyle, City Manager (Excused and left the meeting as noted)
Nichole Camac, City Recorder

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

OPENING CEREMONY

Councilmember Steve Buhler conducted the Opening Ceremony. He requested members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 3, 2016

The Council read and considered Minutes of the Regular Meeting held May 3, 2016. There were no changes, corrections or deletions.

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Councilmember Lang moved to approve the Minutes of the Regular Meeting held May 3, 2016. Councilmember Huynh seconded the motion.

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

COMMENT PERIOD

Upon inquiry by Mayor Bigelow the following individuals made remarks during the comment period:

A. PUBLIC COMMENTS

Mike Markham, 3008 Alive Circle, addressed the City Council. Mr. Markham stated he desired to comment on a map shown during the earlier Study Meeting when the Council discussed changes occurring to the street system in Fairbourne Station. He expressed concern that the proposed street was being built around an existing duplex and stated he felt it was important to ensure there was no gap between the street and the apartment complex fence closer to 3500 South.

Rhonda Perks, representing Congressman Chris Stewart, addressed the City Council. Ms. Perks expressed gratitude to the Council for operating in an orderly fashion and stated the City had support of the Congressional Office. She also stated she was very impressed with various organizations in West Valley City that addressed the needs of the neighborhoods and the community. She indicated she had attended high schools to help interested students join the military and her office had also held Town Hall meetings that were well attended. Ms. Perks added that Congressman Stewart had visited a local Charter School and noticed they had a significant lack of books. She explained a book drive had then been organized and a library was being started for that school.

Thomas Jackson, 3998 South 4050 West, addressed the City Council and informed he had lived in West Valley City for 28 years and was a retired music teacher. Mr. Jackson discussed several upcoming biking events including the “Mayors Bike To Work Day”, and a bicycling event at the Utah Cultural Celebration Center that would provide valuable information on biking. He stated there were few bikers in the City and of those most were men and most were riding on sidewalks. He indicated the City needed to further evaluate and prioritize its bike path goals and encourage connectivity between other cities and towns. Mr. Jackson discussed the need for bike racks at the Maverik Center, age groups of bicyclers, and areas in the City in need of bike trails.

Robert Erekson, 2559 South Derby Street, addressed the City Council and expressed concern regarding panhandlers. Mr. Erekson stated one of his biggest worries was public safety and many panhandlers ran out into the street which was

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a danger to not only them but to drivers as well. He added that it was unhealthy for people to stand next to the road all day and that trash accumulated from that kind of activity as well. Mr. Erekson stated he had witnessed a homeless man having a medical issue and the 911 response he received was slow and help had not been sent out in a timely manner.

B. CITY COUNCIL COMMENTS

Councilmember Buhler thanked Chris Stewart's office and expressed appreciation for the relationship the City had with the Congressional Office.

Councilmember Christensen echoed the sentiments expressed by Councilmember Buhler and added he also appreciated Mr. Markham's comments and staff could look into it further.

Mayor Bigelow stated he would like to contribute books to Senator Stewart's cause and indicated he would speak with Ms. Perks after the meeting. He stated he was not a bicyclist so probably would not attend the "Mayor's Bike to Work Day" but added the City was having an ongoing discussion regarding bike paths in the City. He stated panhandling was difficult to enforce as it was a right but entering a traffic area would be illegal.

City Manager, Wayne Pyle, was excused and left the meeting.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN AND BUDGET PROPOSAL OF RECOMMENDED PROJECTS FOR FY 2016-2017

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled May 17, 2016, in order for the City Council to hear and consider public comments regarding the Community Development Block Grant (CDBG) Annual Action Plan and budget proposal of recommended projects for fiscal year 2016-2017.

Mayor Bigelow presented proposed Resolution No. 16-78 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:

Each year West Valley City received grant funds from the U. S. Department of Housing and Urban Development (HUD) through the CDBG program and HOME funds in partnership with the Salt Lake County Consortium. Before HUD would approve any CDBG expenditures the City must have an approved Annual Action Plan describing goals for the CDBG and HOME programs and a budget listing the projects intended to be funded with CDBG for the 2016-2017 fiscal year. An Annual Action Plan and budget was being proposed that met the goals and federal guidelines of those funds. The City

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had made its Annual Action Plan and budget proposal available for public review and a public hearing scheduled for May 17, 2016 at 6:30 P.M. to allow for public comment.

The CDBG and HOME programs funded the City with annual amounts to run various programs pertaining to Low-Moderate income individuals and families. Estimated CDBG Program Income (PI) generated from the CDBG Home Rehabilitation Program paybacks would be approximately \$66,480.00. Program Income offset the funds allocated to the City's CDBG program from HUD and must be reinvested into the CDBG program's eligible projects. The Public Service projects and the Administration costs were capped by HUD with no more than 15% of the total allocation being to Public Services projects and 20% going toward Administration and operating expenses.

West Valley City had a CDBG Committee in place that currently had seven members consisting of both knowledgeable staff and City residents, as directed by HUD. The Committee had gone through an extensive process and each member dedicated over ten hours to hearing individual agencies present their projects/programs, interviewing the agencies, tracking past performance and meeting to discuss funding requests. The recommendations presented to the City Council were those that, by vote of the CDBG Committee members, ranked highest and those who Committee members felt would be most impactful to residents, making the best use of funds received, and staying in line with both the City's five-year Consolidated Plan goals and HUD'S direction.

Mayor Bigelow opened the public hearing.

Barbara Stallone, representing the Family Support Center, addressed the City Council. Ms. Stallone stated her local nonprofit organizations supported many causes and its Crisis Nurseries were a valuable asset to the community. She thanked West Valley City for its ongoing support and expressed appreciation for the recommendation for funding.

Jamaal Hamid, representing the Asian Association of Utah Refugee and Immigrant Center, addressed the City Council. He stated his nonprofit organization provided numerous services including after school programs, employment opportunities, and others. He thanked the City Council for their support and indicated he looked forward to working with the City.

Amy Dorsey, representing South Valley Services, addressed the City Council and stated she appreciated the relationship and funding provided by West Valley City. She also stated her organization had been able to reach out and help many City residents using the various programs, methods and funding.

Pam Boede, representing YWCA Utah, addressed the City Council. Ms. Boede expressed gratitude for the City funding the Women in Jeopardy program. She indicated

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this program offered women safe refuge and a path forward for those who had suffered from domestic violence.

Carl Miller, representing Legal Aide Society of Salt Lake, addressed the City Council and stated he had enjoyed a great relationship with West Valley City. He indicated funding had helped victims obtain restraining orders and other important legal services.

Nancy Bassinger, representing Big Brothers Big Sisters of Utah, addressed the City Council. She expressed appreciation for the funding provided and stated providing adult mentors to children could change the entire life of an individual.

Pamela Mokmora, representing People Helping People, addressed the City Council and expressed appreciation to the City for providing funding to her organization. She stated the money would help support people in need and also provide job opportunities for single mom's looking to improve their lives. She added that her organization saved tax payers significant amounts of money.

Bill Merritt, representing the West Valley City Police Department, addressed the City Council and thanked the Council for their consideration. He indicated an incredible amount of good had been done by various organizations as part of this program. He also stated one officer in the City's Police Department spent 77% of his time visiting people who were struggling and finding ways to better their lives.

Jan Carter, representing Odyssey House, addressed the City Council. Ms. Carter thanked the City for the recommendation and support. She also explained funding would be used to fix an HVAC system in one of the housing facilities.

Celeste Eggert, representing The Road Home Homeless Shelter, addressed the City Council. She expressed appreciation to West Valley City for funding. She also indicated her organization was one of the largest providers to homeless people in the State of Utah and their largest focus was to end homelessness by providing employment, counseling, housing, and other services.

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

ACTION: RESOLUTION NO. 16-78, APPROVING THE WEST VALLEY CITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET PROPOSAL ON RECOMMENDED PROJECTS FOR FISCAL YEAR 2016-2017

The City Council previously held a public hearing regarding proposed Resolution No. 16-78 that would approve the West Valley City Community Development Block Grant (CDBG) Budget proposal on recommended projects for Fiscal Year 2016-2017.

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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. 16-78, a Resolution Approving the West Valley City Community Development Block Grant (CDBG) Budget Proposal on Recommended Projects for Fiscal Year 2016-2017. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-8-2016 FILED BY ELIZABETH HUNT, REPRESENTING MAVERIK INC., REQUESTING FINAL PLAT APPROVAL FOR THE MAVERIK GATES AVENUE SUBDIVISION LOCATED AT 7200 WEST GATES AVENUE

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled May 17, 2016, in order for the City Council to hear and consider public comments regarding Application No. S-8-2016 filed by Elizabeth Hunt, representing Maverik Inc., requesting final plat approval for the Maverik Gates Avenue Subdivision located at 7200 West Gates Avenue.

Mayor Bigelow presented proposed Ordinance No. 16-18 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 proposal related to a commercial subdivision consisting of 3.78 acres in a Manufacturing zone with the address of 7200 West Gates Avenue. The subdivision had been proposed to consolidate and reconfigure Lots 1-3 in Block 1 of the East Magna Plat A Subdivision that would create two new developable lots. Maverik Inc. had proposed to build a new store on Lot 1 of the subdivision. Lot 2 would develop in the future as either a commercial and/or industrial use. Lot 1 was approximately 2.9 acres and would be the location of a future Maverik store. Lot 2 was approximately .77 acres and expected to develop with either a commercial or industrial use in the future.

The primary business access for both lots would be from Gates Avenue. A second

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temporary access for Lot 1 had been granted at the northwest corner but would be limited to right-in and right-out movements. The applicant would dedicate portions of property along 7200 West and Gates Avenue. Formal improvements were lacking on both streets but would be installed as development applications were submitted.

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. 16-18, APPROVING THE AMENDMENT OF LOTS 1-3 IN BLOCK 1, EAST MAGNA PLAT A SUBDIVISION LOCATED IN WEST VALLEY CITY, UTAH

The City Council previously held a public hearing regarding Application No. S-8-2016 and proposed Ordinance No. 16-18 that would approve the Amendment of Lots 1-3 in Block 1, East Magna Plat A Subdivision located in West Valley City, Utah.

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 Application No. S-8-2016 filed by Elizabeth Hunt and proposed Ordinance No. 16-18, an Ordinance Approving the Amendment of Lots 1-3 in Block 1, East Magna Plat A Subdivision Located in West Valley City, Utah. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-9-2016 FILED BY DEREK GASSER REQUESTING FINAL PLAT APPROVAL FOR THE SHOPPES AT LAKE PARK PHASE 2 – LOTS 2A AMENDED SUBDIVISION LOCATED AT 2927 SOUTH 5600 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled May 17, 2016, in order for the City Council to hear and consider public comments regarding Application No. S-9-2016 filed by Derek Gasser requesting final plat approval for the Shoppes at Lake Park Phase 2 – Lots 2A Amended Subdivision located at 2927 South 5600 West.

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Mayor Bigelow presented proposed Ordinance No. 16-19 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 purpose of the Amendment would be to create two lots from an existing amended lot.

The Shoppes at Lake Park Phase 2 Subdivision had been recorded with the County Recorder's Office in June of 2007. In April 2012, Lots 2 and 3 had been amended by consolidating them into one lot known as Lot 2A. The property owner desired to re-subdivide the property to allow one or both portions of the existing building to be sold independent of each other. In order to do so, the property would once again comprise two lots. However, the configuration of the lot line would be north/south, whereas the original property line was east/west.

The amended plat would require the property owner to prepare cross access and parking agreements that would need to be recorded along with the amended subdivision plat. In addition, storm water agreements would also need to be addressed as the existing drainage system would impact both lots.

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. 16-19, APPROVING THE AMENDMENT OF LOT 2A OF THE SHOPPES AT LAKE PARK PHASE 2 SUBDIVISION LOCATED IN WEST VALLEY CITY, UTAH

The City Council previously held a public hearing regarding Application No. S-9-2016 and proposed Ordinance No. 16-19 that would approve the Amendment of Lot 2A of The Shoppes at Lake Park Phase 2 Subdivision located in West Valley City, Utah.

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-9-2016 filed by Derek Gasser and Ordinance No. 16-19, an Ordinance Approving the Amendment of Lot 2A of The Shoppes at Lake Park Phase 2 Subdivision Located in West Valley City, Utah. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes

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Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-2-2016 FILED BY KEN MILNE REQUESTING A ZONE CHANGE FROM A (AGRICULTURE) TO RE (RESIDENTIAL ESTATE) ON PROPERTY LOCATED AT 3702 SOUTH 6400 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled May 17, 2016, in order for the City Council to hear and consider public comments regarding Application No. Z-2-2016 filed by Ken Milne requesting a zone change from A (Agriculture) to RE (Residential Estate) on property located at 3702 South 6400 West.

Mayor Bigelow presented proposed Ordinance No. 16-20 and proposed Resolution No. 16-79 to be considered by the City Council subsequent to the public hearing. The City Council had previously received written information as follows:

Ken Milne had requested a zone change on six parcels totaling 25.36 acres at the above-referenced location. Surrounding zones included A to the west; R-1-8 to the north; R-1-10, R-1-8 and A-2 to the east; and R-1-10 and A to the south. The property was surrounded by agricultural ground to the west, single-family homes to the north and east, and agricultural ground and a developing new 10,000 square foot lot subdivision to the south. The subject property had been designated as large lot residential that anticipated two to three units per acre, as prescribed in the West Valley City General Plan. The General Plan also indicated need for a park in this area.

The applicant had submitted a concept plan, included in the documentation, that showed the subject property being subdivided into 58 lots yielding a density of 2.3 units/acre. The Parks and Recreation Department had indicated need for a park in this area that would be at least one acre in size. The development Agreement associated with the application included provisions for a one-acre park.

The applicant had also submitted six renderings of homes representative of the quality that would be built at the location. The exact plans to be built on the property had not been developed as yet.

Proposed use for the subject property was a new single-family home subdivision.

The proposed Development Agreement included the following:

- Standards for landscaping that exceeded ordinance requirements

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- Standards for fencing that were not required by ordinance
- A rear yard setback reduction for lots with depths less than 100'
- Provisions that required the dedication of at least one acre for a park in exchange for City participation in the costs of the roads adjacent to the park, a reduction in the park impact fees and a reduction in lot size. The proposed reduction in lot size did not increase the number of lots but simply allowed the same number of lots as if no park was provided

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. 16-20, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3702 SOUTH 6400 WEST FROM ZONE A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO RE (RESIDENTIAL ESTATE)

The City Council previously held a public hearing regarding Application No. Z-2-2016 filed by Ken Milne and proposed Ordinance No. 16-20 that would amend the Zoning Map to show a change of zone for property located at 3702 South 6400 West from zone A (Agriculture, minimum lot size ½ acre) to RE (Residential Estate).

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. Z-2-2016 filed by Ken Milne and Ordinance No. 16-20, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 3702 South 6400 West from Zone A (Agriculture, Minimum Lot Size ½ Acre) to RE (Residential Estate). Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

ACTION: RESOLUTION NO. 16-79, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ARCADIA PROPERTIES LLC FOR APPROXIMATELY 25.36 ACRES OF PROPERTY

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The City Council considered proposed Resolution No. 16-79 that would authorize the City to enter into a Development Agreement with Arcadia Properties LLC for approximately 25.36 acres of property.

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 Resolution No. 16-79, a Resolution Authorizing the City to Enter Into a Development Agreement with Arcadia Properties LLC for Approximately 25.36 Acres of Property. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

PUBLIC HEARING, APPLICATION NO. GPZ-3-2015 FILED BY JOE COLOSIMO REQUESTING A GENERAL PLAN CHANGE FROM NON-RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL AND A ZONE CHANGE FROM A (AGRICULTURE) TO RM (RESIDENTIAL MULTI-FAMILY) ON PROPERTY LOCATED AT 4500 SOUTH CONSTITUTION BOULEVARD (2700 WEST)

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled May 17, 2016, in order for the City Council to hear and consider public comments regarding Application No. GPZ-3-2015 filed by Joe Colosimo requesting a General Plan change from Non-Retail Commercial to Medium Density Residential and a zone change from A (Agriculture) to RM (Residential Multi-Family) on property located at 4500 South Constitution Boulevard (2700 West).

Mayor Bigelow presented proposed Ordinance No. 16-21, proposed Ordinance No. 16-22, and proposed Resolution No. 16-80 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:

Joe Colosimo had submitted a General Plan/zone change application for a 15.6- acre parcel located at 4500 South 2700 West. The property was currently zoned A

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(Agriculture, minimum lot size ½ acre) with a General Plan designation of Non-Retail Commercial. The proposed zone was RM (Residential, Multi-Family) and the proposed General Plan designation was Medium Density Residential (7 to 12 units/acre).

The applicant planned to develop the property into a 98-unit senior condo project similar to other senior condo projects in the City like Valley Vu Villas, Hunter Villas, Reunion Woods and Majestic Villas. The “senior” designation signified that 80% of the units must have at least one resident at least 55 years or older. This provision would be included in the CCRs and the HOA (Homeowners Association) would be responsible for enforcement. The proposed density of the project would be 6.3 units per acre.

The General Plan designation along with many other properties through the City had been changed by the City in July of last year to encourage larger lots and higher value housing, and to limit further multi-family residential. The subject property had been changed from Residential Office that included office uses as well as medium density residential, to Non-Retail Commercial that did not include residential. At the time the General Plan change was made the zoning ordinance had also been amended to prohibit zone change applications to the RM zone. However, in November of last year, the Council changed the zoning ordinance again to allow zone change applications to the RM zone under certain conditions. The subject property was eligible for a zone change application to the RM zone under the most recent ordinance.

Proposed Resolution No. 16-80 that would authorize the City to enter into a Development Agreement with Macky Farms, LLC for approximately 15.6 acres of property located at 4500 South 2700 West.

Main points of the proposed Development Agreement included information as follows:

1. No more than 98 senior condos would be built
2. The condos would range in size between 1,500 square feet to 1,800 square feet and include two-car garages for each unit
3. The exteriors would be built as shown in the rendering
4. Exterior materials would be brick or stone, fiber cement siding and up to 15% stucco
5. A 6’ precast concrete wall would be constructed around the perimeter
6. Amenities would include a clubhouse, a pool, a hot tub, an entry feature, outdoor patio space for each unit, an E-system for each unit that allows lights, locks and the thermostat to be controlled remotely via a mobile device

Mayor Bigelow opened the public hearing.

Mike Markham, 3008 Alice Circle, addressed the City Council. Mr. Markham stated he

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was in favor of developing the property but traffic was already a concern in the area. He expressed concern that traffic would further increase in his neighborhood along Winchester and urged the City Council to evaluate and plan for this.

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

ACTION: ORDINANCE NO. 16-21, AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM NON-RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 4500 SOUTH CONSTITUTION BOULEVARD (2700 WEST) ON 15.6 ACRES

The City Council previously held a public hearing regarding Application No. GPZ-3-2015 filed by Joe Colosimo, and proposed Ordinance No. 16-21 that would amend the General Plan to show a change of land use from Non-Retail Commercial to Medium Density Residential for property located at 4400 South Constitution Boulevard (2700 West) on 15.6 acres.

Councilmember Buhler stated he felt that increase of traffic in the area was a valid concern.

Upon recognition, the Public Works Director, Russell Willardson, advised that speeds had been evaluated along Winchester and it was deemed not necessary to install speed bumps or other mitigating methods at the present time.

Councilmember Buhler indicated if traffic was anticipated to increase in the area with the new development it should be evaluated and planned for pre-emptively.

Mayor Bigelow stated traffic and speeds were common issues in all neighborhoods in cities across the country. He also indicated unfortunately there was not an easy and affordable resolution to this concern.

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

Councilmember Lang moved to approve Application No. GPZ-3-2015 filed by Joe Colosimo and Ordinance No. 16-21, an Ordinance Amending the General Plan to Show a Change of Land Use from Non-Retail Commercial to Medium Density Residential for Property Located at 4500 South Constitution Boulevard (2700 West) on 15.6 Acres. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Ms. Lang Yes

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

Unanimous.

ACTION: ORDINANCE NO. 16-22, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4500 SOUTH CONSTITUTION BOULEVARD FROM ZONE A (AGRICULTURE) TO RM (RESIDENTIAL MULTIFAMILY)

The City Council considered proposed Ordinance No. 16-22 that would amend the Zoning Map to show a change of zone for property located at 4500 South Constitution Boulevard from Zone A (Agriculture) to RM (Residential Multifamily).

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

Councilmember Christensen moved to approve Ordinance No. 16-22, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 4500 South Constitution Boulevard from Zone A (Agriculture) to RM (Residential Multifamily). Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

ACTION: RESOLUTION NO. 16-80, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MACKY FARMS, LLC FOR APPROXIMATELY 15.6 ACRES OF PROPERTY LOCATED AT 4500 SOUTH 2700 WEST

The City Council considered proposed Resolution No. 16-80 that would authorize the City to enter into a Development Agreement with Macky Farms, LLC for approximately 15.6 acres of property located at 4500 South 2700 West.

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

Councilmember Nordfelt moved to approve Resolution No. 16-80, a Resolution Authorizing the City to Enter Into a Development Agreement with Macky Farms, LLC for Approximately 15.6 Acres of Property Located at 4500 South 2700 West. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-81, SETTING FORTH AND REAFFIRMING WEST VALLEY CITY'S COMMITMENT TO FIGHT HOUSING INSECURITY AND HOMELESSNESS

Mayor Bigelow presented proposed Resolution No. 16-81 that would set forth and reaffirm West Valley City's commitment to fight housing insecurity and homelessness.

Written documentation previously provided to the City Council included information as follows:

Since incorporation, West Valley City had been an inclusive community seeking to offer a home to everyone who wished to be part of the community. The City was home to over 20,000 affordable housing units as part of its comprehensive effort to provide housing to individuals from all walks of life. The City's efforts had been particularly vigorous in assisting individuals struggling with homelessness and housing insecurity.

Recently, other communities had become similarly concerned about the issue of homelessness and sought solutions to this problem. As the issue was studied in detail, numerous public and private sector actors were reaching the conclusion that the kinds of efforts the City embraced for 30 years were the long-term solutions to homelessness and housing insecurity. Those efforts included:

- The City's commitment to permanent supportive housing such as the Kelly Benson Apartments that offered the best prospects for individuals struggling with chronic homelessness

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- The City’s tireless efforts to combat domestic violence and addiction through victim outreach, including its award winning Victim Advocate Program and several housing developments throughout the City. Domestic violence and addiction were second only to lack of affordable housing as a cause of homelessness
- The City’s hosting of housing targeted to particular populations with specialized needs, such as individuals struggling with mental illness, juveniles and women, and veterans
- The City’s commitment to the preservation and revitalization of neighborhoods, such as the Harvey Street project. The City’s efforts at Harvey Street had resulted in a dramatic turnaround in an entire neighborhood and offered hundreds of families the opportunity to enjoy safe, affordable, high quality housing.
- The City’s support of programs to help individuals in homes keep their homes, such as down payment and repair assistance programs
- The City’s work to preserve infrastructure of the City to encourage economic prosperity, effective planning, and a vision for the community, including economic development efforts and a commitment to inclusive, insightful and integrated approaches to zoning and transportation

The proposal expressed the City’s support for other communities who were embracing similar solutions and reaffirmed the City’s efforts to continuing the work toward the vision of an inclusive community.

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. 16-81, a Resolution Setting Forth and Reaffirming West Valley City’s Commitment to Fight Housing Insecurity and Homelessness. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-82, APPROVING AN AMENDMENT TO A PARKING EASEMENT AGREEMENT WITH PRISTINE ALPINE ENTERTAINMENT

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LLC, RELEASING A PORTION OF THE EASEMENT IDENTIFIED AS EASEMENT 5 GENERAL PARKING AREA

Mayor Bigelow presented proposed Resolution No. 16-82 that would approve an Amendment to Parking Easement Agreement and Release of a Portion of a Parking Easement with Pristine Alpine Entertainment LLC, releasing part of the easement identified as easement 5 general parking area.

Written documentation previously provided to the City Council included information as follows:

The proposed amendment would release an inaccessible area of City-owned property from the parking easement in favor of Pristine Alpine Entertainment (PAE) at the USANA Amphitheater.

The area released from the easement was not currently used for parking. The existing terrain made it inaccessible. There was no benefit to PAE keeping this land encumbered by the parking easement.

The release of this area from the easement would allow for realignment of the Mountain View Corridor shared use path on the City property. Safety and ride-ability of the trail would be improved with the realignment. After construction the shared use path would be managed and maintained by the City.

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

Councilmember Nordfelt moved to approve Resolution No. 16-82, a Resolution Approving an Amendment to a Parking Easement Agreement with Pristine Alpine Entertainment LLC, Releasing a Portion of the Easement Identified as Easement 5 General Parking Area. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-76, A RESOLUTION OF THE CITY COUNCIL OF WEST

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VALLEY CITY, UTAH, AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY, UTAH (THE “AUTHORITY”), AND A GROUND LEASE AGREEMENT; AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE AND REFUNDING BONDS, SERIES 2016 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$36,000,000; AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY BY THE AUTHORITY OF A GENERAL INDENTURE OF TRUST AND A FIRST SUPPLEMENTAL INDENTURE OF TRUST, BOND PURCHASE AGREEMENT, CERTAIN SECURITY DOCUMENTS, AN OFFICIAL STATEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS

Mayor Bigelow presented proposed Resolution No. 16-76 that would authorize and approve the execution and delivery of a Master Lease Agreement by and between the City and the Municipal Building Authority of West Valley City, Utah and a Ground Lease Agreement; authorize the issuance and sale by the Authority of its Lease Revenue and Refunding Bonds, Series 2016 in the aggregate principal amount of not more than \$36,000,000; authorize and approve the execution and delivery by the Authority of a General Indenture of Trust and a First Supplemental Indenture of Trust, Bond Purchase Agreement, certain security documents, an Official Statement, and other documents required in connection therewith; authorize the taking of all other actions necessary to the consummation of the transaction contemplated by this Resolution; and related matters.

Written documentation previously provided to the City Council included information as follows:

An economic analysis of the outstanding 2006A and 2006B Bonds had identified significant savings that could be realized by refunding the outstanding balance. These Bonds had been originally issued to finance construction of the Maverik Center, hale Centre Theatre and Fire Station #75. In addition to the economic savings realized by this refunding a new fire station would be financed to replace an outdated facility (#72). Additional bond funds would be used to remodel and reconfigure an existing fire station (#71) to accommodate increased needs for space and equipment.

Mayor Bigelow stated he remained concerned about this item as it would increase debt.

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 Resolution No. 16-76, a Resolution of the

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City Council of West Valley City, Utah, Authorizing and Approving the Execution and Delivery of a Master Lease Agreement By and Between the City and the Municipal Building Authority of West Valley City Utah (the “Authority”), and a Ground Lease Agreement; Authorizing the Issuance and Sale by the Authority of Its Lease Revenue and Refunding Bonds, Series 2016, in the Aggregate Principal Amount of Not More Than \$36,000,000; Authorizing and Approving the Execution and Delivery by the Authority of a General Indenture of Trust and a First Supplemental Indenture of Trust, Bond Purchase Agreement, Certain Security Documents, an Official Statement, and Other Documents Required in Connection Therewith; Authorizing the Taking of All Other Actions Necessary to the Consummation of the Transaction Contemplated by This Resolution; and Related Matters. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, MAY 17, 2016, WAS ADJOURNED AT 7:43 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, May 17, 2016.

Nichole Camac
City Recorder