

**MINUTES OF COUNCIL REGULAR MEETING – DECEMBER 2, 2014**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, DECEMBER 2, 2014, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

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

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

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

16821      **OPENING CEREMONY**

The Opening Ceremony was conducted by Tom Huynh who led the Pledge of Allegiance to the Flag.

16822      **APPROVAL OF MINUTES OF REGULAR MEETING HELD  
NOVEMBER 18, 2014**

The Council read and considered Minutes of the Regular Council Meeting held November 18, 2014. There were no changes, corrections or deletions.

After discussion, Councilmember Lang moved to approve the Minutes of the Regular Council Meeting held November 18, 2014, as written. Councilmember Huynh seconded the motion.

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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.

16823

**PRESENTATION OF ENGLISH LANGUAGE AWARDS TO STUDENTS FROM ENGLISH SKILLS LEARNING CENTER AND GRANITE PEAKS LEARNING CENTER**

Mayor Bigelow informed presentation of English Language awards to students from the English Skills Learning Center and Granite Peaks Learning Center was scheduled this night.

Upon invitation the following the students in attendance introduced themselves to the City Council and told their country of origin.

Members of the City Council congratulated the award recipients on their achievements and presented a certificate to each student.

16824

**COMMENT PERIOD**

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

**A. PUBLIC COMMENTS**

David Madsen addressed the City Council and stated he represented the Oquirrh Mountain Boy Scout District, Great Salt Lake Council. He introduced other scoutmasters in attendance. He thanked West Valley City and staff for assistance with a campout event held earlier this year on the USANA Amphitheater property. He indicated he was looking forward to doing this again at that location. As a token of appreciation, Mr. Madsen presented commemorative patches for that event to members of the City Council.

Rooster Jenson, Oquirrh Mountain District, addressed the City Council. Mr. Jenson stated he was trying to reach out to all boys, not just those from the LDS Church. He requested assistance from the Council and City

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staff who would be willing to help them reach out to other churches and groups to establish additional community scout troops.

**B. CITY COUNCIL COMMENTS**

Councilmember Vincent discussed background information regarding how the scouting event came together working with City staff and Jim McNeil, owner of the USANA Amphitheater.

16825

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-18-2014, FILED BY JOE CUNNINGHAM, REQUESTING FINAL PLAT APPROVAL FOR COLT PLAZA III SUBDIVISION – LOT 5 AMENDED AND EXTENDED, LOCATED AT 2938 SOUTH GLEN EAGLES DRIVE**

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. S-18-2014, filed by Joe Cunningham, requesting final plat approval for Colt Plaza III Subdivision – Lot 5 Amended and Extended, located at 2938 South Glen Eagles Drive.

Mayor Bigelow presented proposed Ordinance No. 14-45 related to the proposal to be considered by the City Council subsequent to the public hearing, and incorporated information into the record as follows:

Proposed Ordinance No. 14-45 would approve the amendment of Lot 5 in the Colt Plaza III Subdivision located at 2938 South Glen Eagles Drive. The purpose for the plat amendment was to extend the subdivision by including two properties to the west of the existing Lot 5.

The Colt Plaza III Subdivision had been recorded with the Salt Lake County Recorder's Office in January of 2006. The original subdivision plat consisted of five lots. To the west of Lot 5 were two properties previously used for residential and agricultural purpose. These properties recently came up for sale and were purchased by the applicant.

In October of 2014 the applicant submitted a zone change application to the Planning Commission. The request was to re-zone these properties from the 'A' zone to the 'C-2' zone, a change that the applicant believed was prudent given its limited access and lack of visibility from 5600 West. The re-zone application had been approved by the City Council in November 2014.

The applicant desired to extend the boundary of the original subdivision by including these two parcels, with the intent to consolidate Lot 5 with the two parcels creating one large lot. At a future date the property would be developed with a commercial use.

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Access would be gained from Glen Eagles Drive to the east. At the present time, Lot 5 was serviced from a 25-foot access drive, the same drive that would provide access to the new lot. Currently, there were no plans to develop this property in conjunction with vacant land to the north. However, should the property owners come up with a plan to utilize both properties for a joint venture, access could then be gained from the north as well.

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

**ACTION: CONSIDER ORDINANCE NO. 14-45, APPROVING THE AMENDMENT OF LOT 5 IN THE COLT PLAZA III SUBDIVISION**

The City Council previously held a public hearing regarding Application No. S-18-2014 and considered proposed Ordinance No. 14-45 that would approve the amendment of Lot 5 in the Colt Plaza III Subdivision.

After discussion, Councilmember Vincent moved to approve Ordinance No. 14-45, an Ordinance Approving the Amendment of Lot 5 in the Colt Plaza III Subdivision. 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.

16826

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-16-2014, FILED BY JOE CUNNINGHAM, REQUESTING FINAL PLAT APPROVAL FOR MOOSE LANDING SUBDIVISION – LOT 1 AMENDED AND EXTENDED, LOCATED AT 4133 SOUTH COLT COURT**

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. S-16-2014, filed by Joe Cunningham, requesting final plat approval for Moose Landing Subdivision – Lot 1 Amended and Extended, located at 4133 South Colt Court.

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Mayor Bigelow presented proposed Ordinance No. 14-46 related to the proposal to be considered by the City Council subsequent to the public hearing, and incorporated information into the record as follows:

Proposed Ordinance No. 14-46 would approve the amendment of Lot 1 in the Moose Landing Subdivision located at 4133 South Colt Court. The proposed plat amendment would create one new building lot within the original subdivision. The Moose Landing Subdivision had been recorded in June of 1999 and the original plat consisted of 11 lots on 4.6 acres.

The proposal would include modification to Lot 1 and from the adjacent parcel fronting 4100 South. The end result would be the addition of a new building lot to be known as Lot 1B.

Lot 1 had originally been platted as approximately 12,471 square feet, with the parcel to the north being approximately .48 acres in size. While it had a detached garage, the owners had apparently agreed to sell the southern portion to help in the creation of the new lot. The remaining portion of their property would be part of the new subdivision known as Lot 1C.

When the original subdivision was recorded, Lot 1 had a boundary that included property on the west side of what would be Lot 1C. This was the area landscaped with a meandering sidewalk and pine trees. The developer of Moose Landing wanted a nice entry into the subdivision and this was the chosen method. In order to keep this entry feature in place, the northwest portion of Lot 1B would have the same configuration. Staff assumed that Mr. Cunningham would make provisions to ensure this area was well kept and maintained.

Access to the new lots would be gained from Colt Court. Public improvements along this right-of-way were installed by the developer of the original subdivision. Any damage to existing improvements, or damage associated with new construction would need to be repaired by the builder of the new lot. The applicant and/or builder of the new lot would also be responsible to coordinate the new drive approach on Lot 1B

The original soils report for the Moose Landing Subdivision indicated that ground water had been encountered at a depth of nine feet. Recommendations outlined in the original report would apply for the new lot. To staff's knowledge, there had been no indications of high water table and/or problems associated with ground water in general.

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

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**ACTION: CONSIDER ORDINANCE NO. 14-46, APPROVING THE AMENDMENT OF LOT 1 IN THE MOOSE LANDING SUBDIVISION**

The City Council previously held a public hearing regarding Application No. S-16-2014 and considered proposed Ordinance No. 14-46 that would approve the amendment of Lot 1 in the Moose Landing Subdivision.

After discussion, Councilmember Huynh moved to approve Ordinance No. 14-46, an Ordinance Approving the Amendment of Lot 1 in the Moose Landing Subdivision. 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.

16827

**CONSIDER APPLICATION NO. S-17-2014, FILED BY JOE CUNNINGHAM, REQUESTING FINAL PLAT APPROVAL FOR COLT PLAZA SUBDIVISION LOCATED AT 3100 SOUTH 5600 WEST**

Mayor Bigelow presented Application No. S-17-2014, filed by Joe Cunningham, requesting final plat approval for Colt Plaza Subdivision located at 3100 South 5600 West.

The applicant had requested final subdivision approval for a commercial subdivision in the 'C-2' zone located at 3100 South 5600 West. The property was bordered on the west by what would be the Mountain View Corridor, the north by 3100 South, the east by 5600 West, and the south by existing commercial development.

In November of 2002, the subject property had been divided by metes and bounds and consisted of five parcels, and was the catalyst for getting West Valley City's first Walmart store. The property had originally been divided by metes and bounds that was a record of survey that created legal descriptions used to subsequently divide the property. It was generally used for commercial purposes and did not require road dedication.

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The application proposed to formally divide the property to create an additional commercial lot. In addition, the subdivision would establish cross access and parking easements on a recorded plat as opposed to documents that were previously recorded. Lots within the subdivision would accommodate a variety of commercial uses. Future land uses would be subject to the standards outlined in the 'C-2' zone and would be processed as either conditional or permitted uses.

Access would be gained from 3100 South. Although each of the three lots had frontage on 3100 South, access would be restricted to the two existing approaches approved for the original Walmart site plan. Internal access would be gained via the aforementioned cross access easements.

After discussion, Councilmember Rushton moved to approve Application No. S-17-2014, filed by Joe Cunningham, and give final plat approval to Colt Plaza Subdivision located at 3100 South 5600 West. 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.

16828

**CONSIDER APPLICATION NO. S-14-2014, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR Highbury Place Subdivision – Phase 10, Located at 5012 West 2860 South**

Mayor Bigelow presented Application No. S-14-2014, filed by Ivory Homes requesting final plat approval for Highbury Place Subdivision – Phase 10, located at 5012 West 2860 South.

The applicant had requested approval for the Phase 10 of the Highbury Place Subdivision located to the east of Phase 9. Property to the north and east was vacant and would be platted as future phases of Highbury in the future.

This phase consisted of 23 lots on 7.3 acres with lot sizes ranging from 8,400 square feet to 15,360 square feet. The average lot size had been calculated at just over 10,000 square feet.

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Access to the subdivision would be gained from Brixham Way and Sandwell Drive. Both of these streets had been dedicated as part of Phase 9 to the west. Sandwell Drive would stub to the east for a future connection out to Corporate Park Drive.

All streets in the subdivision would be dedicated and consist of a 54-foot right-of-way that would allow a 5-foot parkstrip and 5-foot sidewalk. Ivory Homes had submitted a tree-planting plan for the entire Highbury Place Subdivision. Ivory would provide homeowners with a voucher to purchase and plant the trees. The residential homeowners association (HOA) would ensure that trees were planted and maintained in accordance with the approved plan.

The Planning Commission and City Council had reviewed and approved a development agreement for the entire Highbury community. This agreement addressed dwelling size, building materials and other items related to construction of residential homes. Staff believed the requirements outlined in the development agreement had created a unique community with a variety of housing options along with ample open space and recreational opportunities.

The subdivision was located next to an existing waterway along the south boundary of the subdivision. In previous phases, Ivory Homes had installed a semi-private fence along the rear property lines adjacent to the waterway. That fence was constructed of Trex post and wrought iron that allowed visibility into the waterway. The same fence type would be installed along Lots 1008-1011 in this phase that were adjacent to the waterway.

Ivory Homes was planning to install basements for all homes. A soils report had been prepared indicating ground water was encountered at a depth ranging from 7-8 feet below existing grades. All homes were eligible for basements and would comply with the water table elevation as noted on the plat. In addition, Ivory would install a sub-drain system to provide an extra measure of protection for new homeowners.

After discussion, Councilmember Huynh moved to approve Application No. S-14-2014, filed by Ivory Homes, and give final plat approval for Highbury Place – Phase 10 located at 5012 West 2860 South. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

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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, DECEMBER 2, 2014, WAS ADJOURNED AT 6:58 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, December 2, 2014.

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Sheri McKendrick, MMC  
City Recorder