

**MINUTES OF COUNCIL REGULAR MEETING – MARCH 3, 2015**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 3, 2015, 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

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  
Sam Johnson, Strategic Communications Director  
Anita Schwemmer, Acting Police Chief  
Jake Arslanian, Public Works Department  
Steve Pastorik, CED Department

16923      **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Buhler who stated that many good things were happening in West Valley City. He showed a video regarding being pro-active and prepared in order to keep peace in our lives, and expressed appreciation to those who served to protect our freedoms.

16924      **SCOUTS**

Mayor Bigelow welcomed Scout Troop No. 6943 in attendance to complete requirements for the Citizenship in the Community merit badge.

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16925      **APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 17, 2015**

The Council read and considered Minutes of the Regular Meeting held February 17, 2015. There were no changes, corrections or deletions.

After discussion, Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held February 17, 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.

16926      **COMMENT PERIOD**

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

A.      **PUBLIC COMMENTS**

Tom Wood addressed the City Council and stated he had sent an e-mail to members of the City Council some time ago. He explained he did training for the Good Landlord program for 14 cities throughout Utah; however, West Valley City did not recognize his training and he was hoping to get that changed. He stated he desired landlords who took his class in other communities that met State statute to be accepted in West Valley City. He discussed his conversations with the City Attorney. He showed a copy of Salt Lake City's renewal reminder that mentioned the classes he taught. He stated this was a city-sponsored class and should be accepted by West Valley City if a landlord had units in other communities in addition to West Valley City.

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

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**A PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-6-2012, FILED BY DEE HANSEN, REQUESTING ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ‘C-1’ (NEIGHBORHOOD COMMERCIAL) FOR PROPERTY LOCATED AT APPROXIMATELY 5549, 5573 AND 5581 WEST 4100 SOUTH**

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-6-2012, filed by Dee Hansen, requesting a zone change from zone ‘A’ (Agriculture) to ‘C-1’ (Neighborhood Commercial) for property located at approximately 5549, 5573 and 5581 West 4100 South.

Mayor Bigelow presented proposed Ordinance No. 15-09 and proposed Resolution No. 15-41 related to the application to be considered by the City Council after the public hearing, as follows:

Application No. Z-6-2012 filed by Dee Hansen and proposed Ordinance No. 15-09 that would amend the Zoning Map to show a change of zone for property located at 5549, 5573 and 5581 West 4100 South from zone ‘A’ (Agriculture) to zone ‘C-1’ (Neighborhood Commercial).

The applicant requested the zone change for three parcels totaling 2.27 acres on the southeast corner of 5600 West 4100 South from ‘A’ to ‘C-1.’ The surrounding zones included ‘C-1’ to the west, ‘RB’ (Residential Business) to the north, ‘A’ to the east and ‘R-1-7’ (Single-Family Residential, minimum lot size 7,000 square feet) to the south. Surrounding uses included a vacant convenience store to the west, Walgreens on the northwest corner of the intersection, vacant land on the north and single-family homes to the east and south. The property was designated a Neighborhood Commercial in the General Plan.

The Planning Commission had reviewed the Application in November of 2012 and, at that time the proposed use for this corner was a retail building and convenience store with gas pumps. Following the Planning Commission’s review and approval recommendation, Mr. Hansen asked that the application be put on hold while he worked on several issues. The concept plan, included with the associated Development Agreement, had now changed to a CVS pharmacy. In addition to the concept plan, a letter from Mr. Hansen supporting the application had also been included in the Council’s packet of information.

The Utah Department of Transportation (UDOT) would be widening the intersection at 4100 South and 5600 West as part of the Mountain View Corridor project over the next few years. Staff and the Planning Commission did not want to have landscaping installed only to have it be displaced once the roads were

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widened. The Development Agreement would ensure that 20-feet of landscaping would be installed from the future right of way line.

Proposed Resolution No. 15-41 would approve a Development Agreement with the DRH Company for approximately 2.27 acres of property located at 4100 South 5600 West.

The proposed agreement would require landscaping along 5600 West and 4100 South, and he referenced above information regarding Application No. Z-6-2012 filed by Dee Hansen with the DRH Company. He restated UDOT would be widening the intersection at 4100 South and 5600 West as part of the Mountain View Corridor project and the proposed agreement would ensure that 10-feet of landscaping would be installed from the future right of way line.

Mayor Bigelow opened the public hearing.

Russ Dangerfield addressed the City Council and stated he was in favor of the proposal, but also would like his nearby property to be considered for a change of zone.

Mary Ann Turpin addressed the City Council and stated she and husband, Brad, were in favor of the proposal. She advised they had a contract with Dee Hansen that had been signed in 2012 and desired to see the process completed.

Dee Hansen, applicant, addressed the City Council and stated he had been working with property owners and UDOT regarding right-of-way for the Mountain View Corridor and issues had now been resolved. He requested approval of the proposal and offered to answer any questions from members of the City Council.

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

**ACTION: CONSIDER ORDINANCE NO. 15-09, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5549, 5573 AND 5581 WEST 4100 SOUTH FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘C-1’ (NEIGHBORHOOD COMMERCIAL)**

The City Council previously held a public hearing regarding Application No. Z-6-2012, filed by Dee Hansen, and considered proposed Ordinance No. 15-09 that would amend the Zoning Map to show a change of zone for property located at 5549, 5573 and 5581 West 4100 South from zone ‘A’ (Agriculture) to zone ‘C-1’ (Neighborhood Commercial).

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After discussion, Councilmember Vincent moved to approve Ordinance No. 15-09, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 5549, 5573, and 5581 West 4100 South from Zone ‘A’ (Agriculture) to Zone ‘C-1’ (Neighborhood Commercial). 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.

**ACTION: CONSIDER RESOLUTION NO. 15-41, APPROVING A DEVELOPMENT AGREEMENT WITH THE DRH COMPANY FOR APPROXIMATELY 2.27 ACRES OF PROPERTY LOCATED AT 4100 SOUTH 5600 WEST**

The City Council considered proposed Resolution No. 15-41 that would approve a Development Agreement with the DRH Company for approximately 2.27 acres of property located at 4100 South 5600 West, related to Application No. Z-6-2012 and Ordinance No. 15-09 previously approved.

After discussion, Councilmember Rushton moved to approve Resolution No. 15-41, a Resolution Authorizing the City to enter into a Development Agreement with the DRH Company for Approximately 2.27 Acres of Property Located at 4100 South 5600 West. 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.

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**RESOLUTION NO. 15-42, ADOPT THE 2015 WEST VALLEY CITY MITIGATION PLAN AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY**

Mayor Bigelow presented proposed Resolution No. 15-42 that would adopt the 2015 West Valley City Mitigation Plan as required by the Federal Emergency Management Agency.

The Mitigation document was the roadmap for disaster preparation services for West Valley City. The Federal Emergency Management Agency (FEMA) required each state, county and city to adopt a plan for mitigating emergencies within the area. The plan was a working document that allowed each area to continue to work on mitigating issues as they related to specific hazards.

The City had adopted a plan in 2009 that was now up for renewal. The plan was part of a Salt Lake County-wide plan with each area adopting the plan. The plan, as written, had been approved by the State of Utah and by the Federal Emergency Management Agency.

After discussion, Councilmember Lang moved to approve Resolution No. 15-42, a Resolution Adopting the 2015 West Valley City Mitigation Plan as Required by the Federal Emergency Management Agency. Councilmember Vincent 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.

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**RESOLUTION NO. 15-43, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MLB PROPERTY MANAGEMENT, LLC, FOR PROPERTY LOCATED AT 2608 SOUTH 3270 WEST**

Mayor Bigelow presented proposed Resolution No. 15-43 that would accept a Grant of Temporary Construction Easement from MLB Property Management, LLC, for property located at 2608 South 3270 West (Parcel 15-20-477-015).

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In July 2014, MLB Property Management, LLC had signed a Storm Drain Easement and a Grant of Temporary Construction Easement for the 2600 South Ditch Piping Project. The project had been delayed until the 2015 construction season. As the original Grant of Temporary Construction Easement expired December 31, 2014, a new Grant of Temporary Construction Easement had been required. The MLB Property Management property was one of eight properties affected and benefitted by construction of the project that would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600-feet to a storm drain clean-out box. The ditch ran along the rear property lines of properties located on either side of the ditch. This ditch was the last open section of the storm drain system that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

After discussion, Councilmember Vincent moved to approve Resolution No. 15-43, a Resolution Authorizing the City to Accept a Grant of Temporary Construction Easement from MLB Property Management, LLC, for Property Located at 2608 South 3270 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.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, MARCH 3, 2015, WAS ADJOURNED AT 6:55 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, March 3, 2015.

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Sheri McKendrick, MMC  
City Recorder