

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 7, 2014**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 7, 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

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  
Kevin Astill, Parks and Recreation Director  
Layne Morris, CPD Director  
Lee Russo, Police Chief  
John Evans, Fire Chief  
Russell Willardson, Public Works Director  
Sam Johnson, Strategic Communications Director  
Steve Pastorik, CED Department  
Jake Arslanian, Public Works Department

16423

**OPENING CEREMONY**

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

16424

**APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 10, 2013**

The Council read and considered Minutes of the Regular Meeting held December 10, 2013. There were no changes, corrections or deletions.

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After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held December 10, 2013, as written. 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.

16425

**APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 17, 2013**

The Council read and considered Minutes of the Regular Meeting held December 17, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held December 17, 2013, as written. 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.

16426

**COMMENT PERIOD**

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

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**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2013-2014 BUDGET**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding re-opening the FY 2013-2014 Budget. He discussed proposed Ordinance No. 14-01 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 14-01 that would amend the Budget of West Valley City for the fiscal year beginning July 1, 2013, and ending June 30, 2014, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds.

Mr. Pyle stated State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allowed the City to amend its budget during the year. He advised two public hearings on budget amendments were held each fiscal year. He also reported the required public notices had been given.

City Manager, Wayne Pyle, advised that in the upcoming fiscal year budget openings would be scheduled on a quarterly basis.

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

**ACTION: CONSIDER ORDINANCE NO. 14-01, AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS**

The City Council previously held a public hearing regarding re-opening the FY 2013-2014 Budget and proposed Ordinance No. 14-01.

After discussion, Councilmember Rushton moved to approve Ordinance No. 14-01, an Ordinance Amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds. Councilmember Vincent 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.

16428

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-8-2013, FILED BY LIFE CHURCH OF THE ASSEMBLIES OF GOD, REQUESTING A ZONE CHANGE FROM ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) TO ZONE ‘C-2’ (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT 3818 WEST 4700 SOUTH**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-8-2013, filed by Life Church of the Assemblies of God, requesting a zone change from ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) to zone ‘C-2’ (General Commercial) for property located at 3818 West 4700 South. He discussed proposed Ordinance No. 14-02 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 14-02 that would amend the Zoning Map to show a change of zone for property located at 3818 West 4700 South from zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) to zone ‘C-2’ (General Commercial).

Mr. Pyle stated John Heckathorn with the Life Church had requested a zone change for four parcels of property totaling 6.28 acres at the above stated location. He advised surrounding zones included ‘C-2’ to the north, ‘C-2’ and ‘RM’ (residential, multi-family) to the west, ‘H’ (hospital) to the south in Taylorsville City, and ‘C-2’ and ‘R-1-8’ on the east side of the Bangerter Highway. He indicated the property was surrounded by vacant land to the north, Home Depot and apartments to the west, an IHC (Intermountain Health Care) clinic to the south, and commercial and single-family homes to the east. He advised the subject property was designated as General Commercial in the City’s General Plan.

The City Manager advised the Life Church planned to expand at some point in the future and referenced a letter from Pastor Heckathorn (previously distributed to the City Council) explaining why the zone change application had been submitted. He also referenced two expansion options for the Church, school and community center. He advised churches, schools and community centers were all considered community uses in the City’s Zoning Ordinance and allowed in any zone within the City.

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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. 14-02, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3818 WEST 4700 SOUTH FROM ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) TO ZONE ‘C-2’ (GENERAL COMMERCIAL)**

The City Council previously held a public hearing regarding Application No. Z-8-2013, filed by Life Church of the Assemblies of God, and proposed Ordinance No. 14-02 that would amend the Zoning Map to show a change of zone for property located at 3818 West 4700 South from zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) to zone ‘C-2’ (General Commercial).

Upon discussion, Councilmember Vincent discussed the location of the subject property and stated this proposal would be a great addition to that area.

After further discussion, Councilmember Vincent moved to approve Ordinance No. 14-02, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 3818 West 4700 South from Zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) to Zone ‘C-2’ (General Commercial). 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.

16429

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-8-2013, FILED BY WEST VALLEY CITY, REQUESTING AN ORDINANCE TEXT AMENDMENT TO ADD PART 3 – 3500 SOUTH STREETScape BETWEEN 2700 WEST AND BANGERTER HIGHWAY TO CHAPTER 7-13 OF THE WEST VALLEY CITY MUNICIPAL CODE**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application

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No. ZT-8-2013, filed by West Valley City, requesting an ordinance text amendment to add Part 3 – 3500 South Streetscape between 2700 West and Bangerter Highway to Chapter 7-13 of the West Valley City Municipal Code. He discussed proposed Ordinance No. 14-03 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 14-03 that would enact Part 7-13-300P of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, regarding the 3500 South Streetscape between 2700 West and Bangerter Highway.

Mr. Pyle stated the purpose of the referenced section of the Code was to preserve the unifying streetscape along 3500 South Street by preserving existing trees, ensuring any lost trees were adequately replaced, and requiring new trees when existing curb cuts were removed.

He reported the Utah Department of Transportation (UDOT) had made significant streetscape improvements during the widening of 3500 South Street. He indicated those improvements included stamped concrete park strips with regularly spaced tree wells and trees. He stated the improvements had been installed around existing curb cuts and generally existed within the UDOT right-of-way. He also advised the City maintained those trees as well as irrigation and electrical lines within that right-of-way.

The City Manager indicated as new development was proposed along the referenced stretch of 3500 South, new curb cuts could be created and others could be closed, so existing trees would be removed and new ones planted. He stated as this was one of the City's high image arterials, the City had an interest in ensuring that resulting alterations would result in an attractive streetscape with trees of uniform spacing and size to the extent possible.

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. 14-03, ENACTING PART 7-13-300P OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE, LAND USE DEVELOPMENT AND MANAGEMENT ACT, REGARDING THE 3500 SOUTH STREETSCAPE BETWEEN 2700 WEST AND BANGERTER HIGHWAY**

The City Council previously held a public hearing regarding Application No. ZT-8-2013, filed by West Valley City, and proposed Ordinance No. 14-03 that would enact Part 7-13-300P of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, regarding the 3500 South streetscape between 2700 West and Bangerter Highway.

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After discussion, Councilmember Lang Moved to approve Ordinance No. 14-03, an Ordinance Enacting Part 7-13-300P of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, Regarding the 3500 South Streetscape between 2700 West and Bangerter Highway. 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.

16430

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-7-2013, FILED BY DAN NORTHRUP, REQUESTING A ZONE CHANGE FROM ZONE ‘A-1’ (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) FOR PROPERTY LOCATED AT 5200 WEST 3500 SOUTH**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-7-2013, filed by Dan Northrup, requesting a zone change from zone ‘A-1’ (Agriculture, Minimum Lot Size 1 Acre) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) for property located at 5200 West 3500 South Street. He discussed proposed Ordinance No. 14-04 and proposed Resolution No. 14-01 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 14-04 that would amend the Zoning Map to show a change of zone for property located at 5200 West 3500 South from zone ‘A-1’ (Agriculture, Minimum Lot Size 1 Acre) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.).

Mr. Pyle stated the applicant had requested a re-zone to change a .82 acres parcel of property located at 5200 West 3500 South from ‘A-1’ to ‘R-1-8.’ He advised the subject parcel itself was within a pocket of an ‘A-1’ zone, and surrounding zones included ‘RB’ to the south and west, and ‘R-1-8’ to the north, west and east. He also advised surrounding land uses included single-family homes to the

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north, west and east, and a strip mall to the south. He reported the subject property was designated as Residential Office in the City's General Plan within a stretch of 3500 South that was recommended for office and medium density residential uses.

He advised if the application was approved, the applicant planned to divide the property into two lots – one for the existing home built in 1942 on the south portion of the property, and a flag lot for a new home on the north portion of the property. Each lot would be over 15,000 square feet. The new lot on the north would be combined with a portion of the adjacent lot to form a flag lot with access to 3500 South. He advised the applicant had proposed to follow the point system for design features as outlined in the City's ordinance and build a home larger than 1,600 square feet.

City Manager, Wayne Pyle, presented proposed Resolution No. 14-01 that would authorize the City to enter into a Development Agreement with Dan Northrup for approximately 0.82 acres of property located at 5200 West 3500 South.

Mr. Pyle stated the proposed agreement would establish minimum standards for a new single-family home to be built on a flag lot created from the re-zoned property. He advised the Planning Commission had recommended approval of the proposed zone change subject to a development agreement.

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. 14-04, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5200 WEST 3500 SOUTH FROM ZONE 'A-1' (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO ZONE 'R-1-8' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET)**

The City Council previously held a public hearing regarding Application No. Z-7-2013, filed by Dan Northrup, and proposed Ordinance No. 14-04 that would amend the Zoning Map to show a change of zone for property located at 5200 West 3500 South from zone 'A-1' (Agriculture, Minimum Lot Size 1 Acre) to zone 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.).

After discussion, Councilmember Rushton moved to approve Ordinance No. 14-04, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 5200 West 3500 South from Zone 'A-1' (Agriculture, Minimum Lot Size 1 Acre) to Zone 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 Square Feet). Councilmember Buhler 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.

**ACTION: CONSIDER RESOLUTION NO. 14-01, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH DAN NORTHRUP FOR APPROXIMATELY 0.82 ACRES OF PROPERTY LOCATED AT 5200 WEST 3500 SOUTH**

The City Council previously approved Application No. Z-7-2013, filed by Dan Northrup, and Ordinance No. 14-04 amending the Zoning Map. The Council considered proposed Resolution No. 14-01 that would authorize the City to enter into a Development Agreement with Dan Northrup for approximately 0.82 acres of property located at 5200 West 3500 South.

After discussion, Councilmember Vincent moved to approve Resolution No. 14-01, a Resolution Authorizing the City to enter into a Development Agreement with Dan Northrup for Approximately 0.82 Acres of Property Located at 5200 West 3500 South. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

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16431

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-9-2013, FILED BY MOORE HOMES, L.C., REQUESTING A ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) FOR PROPERTY LOCATED AT 4410 AND 4438 SOUTH 3600 WEST**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-9-2013, filed by Moore Homes, L.C., requesting a zone change from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) for property located at 4410 and 4438 South 3600 West. He discussed proposed Ordinance No. 14-05 and proposed Resolution No. 14-02 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 14-05 that would amend the Zoning Map to show a change of zone for property located at 4410 and 4438 South 3600 West from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.).

Mr. Pyle stated the applicant had requested a zone change for two parcels totaling 3.79 acres from ‘A’ to ‘R-1-8.’ He explained surrounding zones included ‘R-1-8’ to the north and west, ‘R-1-6’ and ‘R-1-8’ to the east and ‘A’ to the south. He indicated the property was surrounded by single-family homes to the west and south, a church to the north and single-family homes and a duplex to the east. The subject property was designated in the City’s General Plan as Low Density Residential that anticipated three to four units per acre.

He advised the applicant had submitted a concept plan that had been previously distributed to the City Council. He indicated the plan showed the subject property being subdivided into 13 lots, one of which was for the existing home on the northeast corner of the north parcel. He indicated while ‘R-1-8’ zoning had been requested, the proposed lot sizes ranged from 9,011 to 12,311 square feet with an average size of 9,677 square feet (not including the lot on the east end for the existing home). He further advised the infill property was relatively narrow from east to west so the proposed lots were wider (just over 100 feet) than they were deep and there was no park strip proposed for the new street. He reminded for reference the minimum lot widths for ‘R-1-8’ and ‘R-1-10’ were 80-feet and 90-feet respectively.

City Manager, Wayne Pyle, presented proposed Resolution No. 14-02 that would authorize the City to enter into a Development Agreement with Moore Homes, L.C. for approximately 3.79 acres of property located at 4410 South 3600 West.

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Mr. Pyle stated the proposal would establish minimum standards for a new single-family home subdivision located at 4410 South 3600 West. He advised the application, if approved, would change zoning for two parcels totaling 3.79 acres. He also advised the Planning Commission had recommended approval subject to a development agreement and he discussed those requirements, as follows:

1. All home exteriors shall be 100% masonry consisting of a combination of stucco, stone, brick or hardie board type material
2. A minimum of 25% of all homes shall have a 3- car or larger garage
3. The minimum house size shall be 1,500 square feet for ramblers and 1,900 square feet for other floor plans; for the entire subdivision, the average shall be at least 1,600 square feet
4. The following minimum number of points shall be required from Table 1 in Section 7-14-105 (3)(1) of the West Valley City Zoning Ordinance:
  - a. 300 points for ramblers with less than 1,600 square feet
  - b. 200 points for ramblers with 1,600 square feet or more
  - c. 220 points for all other floor plans

Table 2 in Section 7-14-105 (3)(1) of the West Valley City Zoning Ordinance shall apply to all corner lots

Mr. Pyle further advised the proposed agreement also included requirements for repairs and clean-up needed on the existing home and the surrounding yard.

Mayor Bigelow opened the public hearing.

Mike Bennett addressed the City Council and stated originally the development was going to remain agricultural. He indicated as the development proposal went along, the developer only developed three properties and sold property back to the previous owner. He stated now the developer wanted to zone differently. Mr. Bennett indicated he did not have concerns with agricultural properties as there was an irrigation ditch at the back of the property but he was concerned with runoff onto his property. He stated he had not seen any plans and he would propose a city drain be installed at the end of his property, as he was liable for runoff, or an easement be placed on the property. He discussed a second concern that residential neighbors may have small children that could affect the miniature horses raised by his wife. Mr. Bennett indicated he had been told there would be fencing on adjacent properties; however, it had not been installed with the original construction. He inquired regarding the type of fencing to be required with the new proposal so no harm would come to his animals.

Upon recognition by the Mayor, the City Manager, Wayne Pyle, summarized Mr. Bennett's questions and requested permission to have staff respond to issues

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brought up by Mr. Bennett. He also requested a map of the subject property be shown.

Upon direction, Steve Pastorik, CED Department, addressed the City Council. Mr. Pastorik discussed the questions regarding fencing and explained terms of a development agreement for the three existing homes, including ordinance requirements for a chain link fence for another home.

Mr. Bennett expressed continued misgivings regarding land to the back of his property, which did not relate to the subject property.

Using the displayed map, Mr. Pastorik discussed ownership of three properties and development requirements for vinyl fencing as part of the reconstruction/remodel of three existing homes.

Mr. Bennett pointed out his property on the map and where stalls and pasture for horses were located. He expressed concern of not being able to protect his animals. He also showed the location of an irrigation line where the water ran off causing potential damage and liability issues related to irrigation.

Mr. Pastorik further discussed procedures regarding zoning changes and a subsequent subdivision application, which he advised would be the next step. He stated at the subdivision stage the engineering would be completed and irrigation issues addressed as part of the comprehensive subdivision review. He answered additional questions from members of the City Council.

Doug Eldredge addressed the City Council. He advised his property was two lots south of Mr. Bennett's home and was an old pioneer home that belonged to his grandfather. He expressed pleasure the subject property was being developed, but was concerned regarding the irrigation ditch that could be as much as 100 years old. He discussed the ditch not being covered over and stated a culvert could be used to divert wastewater. He also stated residents desired to continue to irrigate their properties.

Fred Eldredge addressed the City Council and expressed concern that when fields were irrigated, some of the adjacent homes might be flooded as the water table rose when land was watered. He requested this concern be kept in mind as the land was developed.

Mike Markham addressed the City Council and discussed water issues. He stated he had some similar water issues to deal with on his property and as development occurred near irrigation ditches it would become a bigger and bigger problem.

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Randy Moore, applicant, addressed the City Council and stated he was excited to bring this application to the City Council. He discussed issues and concerns previously expressed. Mr. Moore pointed out this proposal was at the zoning stage. He advised plans and designs were mostly complete and if the application was approved the subdivision application would be submitted tomorrow. Referring to an aerial map, Mr. Moore pointed out the Bennett and Eldredge properties where the irrigation ditch was located. He stated the plan would be to provide pipe for the irrigation tail water and he pointed out where that would be constructed. He indicated the water users would need to control the water. Mr. Moore also stated he would install fencing as required by City ordinance, which would be part of the subdivision approval process. He explained reasons for the zoning request as related to the buildable area of lots. He explained the proposal was for 11 lots with an average of 9,500 square feet with a proposed development agreement that exceeded requirements. Mr. Moore requested approval of the application.

Upon request of the City Council, Steve Pastorik, CED Department, explained processes for the subdivision application that went first to the Planning Commission and then to the City Council.

Upon inquiry, the City Manager advised the fencing requirement could be changed in the proposed development agreement.

Randy Moore, applicant, again addressed the City Council and discussed issues regarding fencing. He noted agricultural property was adjacent to the Hunter Village development that had a chain link fence as required in the ordinance. He suggested that fence worked well and that vinyl fencing might not hold up next to horse properties.

Upon inquiry regarding if a smaller gauge chain link could be considered, Mr. Moore advised he would be willing to look into a type of chain link that might be more appropriate. He also advised adding slats to a chain link fence could also be investigated.

Councilmember Buhler pointed out fence issues could be discussed at a later time and he expressed appreciation to Mr. Moore for his willingness to compromise regarding some of the issues of concern.

In response to inquiry regarding reasons for vinyl fencing for the three adjacent properties, Mr. Pastorik advised the applicant had offered this as part of the development agreement.

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

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**ACTION: CONSIDER ORDINANCE NO. 14-05, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4410 AND 4438 SOUTH 3600 WEST FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET)**

The City Council previously held a public hearing regarding Application No. Z-9-2013, filed by Moore Homes, L.C., and proposed Ordinance No. 14-05 that would amend the Zoning Map to show a change of zone for property located at 4410 and 4438 South 3600 West from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.).

After discussion, Councilmember Rushton moved to approve Ordinance No. 14-05, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 4410 and 4438 South 3600 West from Zone ‘A’ (Agriculture) to Zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet). 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.

**ACTION: CONSIDER RESOLUTION NO. 14-02, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MOORE HOMES, L.C. FOR APPROXIMATELY 3.79 ACRES OF PROPERTY LOCATED AT 4410 SOUTH 3600 WEST**

The City Council previously held a public hearing and subsequently approved Ordinance No. 14-05 amending the Zoning Map. The City Council considered proposed Resolution No. 14-02 that would authorize the City to enter into a Development Agreement with Moore Homes, L.C. for approximately 3.79 acres of property located at 4410 South 3600 West.

After discussion, Councilmember Rushton moved to approve Resolution No. 14-02, a Resolution Authorizing the City to enter into a Development Agreement with Moore Homes, L.C. for Approximately 3.79 Acres of Property Located at 4410 South 3600 West. Councilmember Buhler 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.

16432

**RESOLUTION NO. 14-03, ACCEPT A PUBLIC SIDEWALK, LIGHTING AND UTILITY EASEMENT FROM MIDLAND ENTERPRISES, LLC, FOR PROPERTY LOCATED AT 2851 SOUTH REDWOOD ROAD**

City Manager, Wayne Pyle, presented proposed Resolution No. 14-03 that would accept a Public Sidewalk, Lighting and Utility Easement from Midland Enterprises, LLC, for property located at 2851 South Redwood Road.

Mr. Pyle stated the subject easement was for a proposed Car Care Retail Center at the above-referenced location. He indicated the project would be subject to requirements of the Redwood Road Streetscape requiring wider sidewalks and landscape frontage along with decorative sidewalk lighting on Redwood Road. He explained as portions of the proposed sidewalk and lighting fell outside of the public right-of-way, an easement would be required as a condition of approval for this project.

After discussion, Councilmember Vincent moved to approve Resolution No. 14-03, a Resolution Authorizing West Valley City to Accept a Public Sidewalk, Lighting and Utility Easement From Midland Enterprises, LCC for Property Located at 2851 South Redwood Road. 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

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Unanimous.

16433

**ELECT MAYOR PRO TEM FOR FOUR-YEAR TERM**

It was noted procedures for election of a Mayor Pro Tem had previously been made available to members of the Council.

Mayor Bigelow expressed appreciation to Councilmember Rushton serving as Mayor Pro Tem for the past four years. On behalf of the City Council a plaque was presented to Mayor Pro Tem Rushton.

Mayor Bigelow called for nominations for Mayor Pro Tem for a four-year term.

Councilmember Buhler nominated Corey Rushton to serve a second term as Mayor Pro Tem.

Speaking to the nomination, Councilmember Rushton expressed gratitude for the vote of confidence and stated it had been a privilege to sit in the front row and hear the newly-elected officials speak at the recent swearing-in ceremony. He indicated it was good to hear their words and it renewed his commitment to the City, a city that he loved. Councilmember Rushton accepted the nomination and expressed willingness to serve a second term as Mayor Pro Tem.

After discussion, Councilmember Nordfelt moved to close the nominations for Mayor Pro Tem. 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.

Mayor Bigelow advised the floor was closed to nominations, after which Councilmember Vincent moved to elect Corey Rushton as Mayor Pro Tem for a second term by acclamation. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

16434

**APPOINTMENT TO SALT LAKE COUNTY COUNCIL OF GOVERNMENTS (COG) EXECUTIVE BOARD**

City Manager, Wayne Pyle, stated two City appointments were open on the Salt Lake County Council of Governments (COG) Executive Board. He advised historically one appointment had been the Mayor and the second a Council member.

Mayor Bigelow opened the floor to nominations.

After discussion, Councilmember Buhler moved to appoint Mayor Ron Bigelow and Councilmember and Mayor Pro Tem Corey Rushton to serve on the Salt Lake County Council of Governments (COG) Executive Board. Councilmember Vincent seconded the motion.

Mayor Bigelow and Councilmember and Mayor Pro Tem Rushton confirmed their willingness to serve on the Council of Governments Executive Board.

After further discussion, Councilmember Vincent moved nominations cease. 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.

Mayor Bigelow advised the floor was closed to nominations, after which Councilmember Vincent moved to appoint Mayor Ron Bigelow and Councilmember and Mayor Pro Tem Rushton to the Salt Lake County Council of

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Governments (COG) Executive Board. 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, JANUARY 7, 2014, WAS ADJOURNED AT 7:53 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, January 7, 2014.

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Sheri McKendrick, MMC  
City Recorder