THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 27, 2007, 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 BY MAYOR PRO TEM BROOKS.

THE FOLLOWING MEMBERS WERE PRESENT:

Russ Brooks  
Carolynn Burt  
Steve Vincent  
Mike Winder  
Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

ABSENT: Dennis J. Nordfelt  
Joel Coleman  
Margaret K. Peterson

STAFF PRESENT:

Russell Willardson, Public Works Director  
Joseph Moore, CED Director  
Jim Welch, Finance Director  
Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Craig Black, Acting Chief of Police  
Claire Gilmoor, Acting City Attorney  
John Brubaker, Parks and Recreation Department

13143 OPENING CEREMONY
The Opening Ceremony was conducted by Russ Brooks who led the Pledge of Allegiance to the Flag.

13144 SCOUTS & STUDENTS
Mayor Pro Tem Brooks welcomed a scout in attendance to complete requirements for the Citizenship in the Community merit badge.

Mayor Pro Tem Brooks also welcomed a student from Hunter Jr. High School in attendance to complete a school assignment.
APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 13, 2007
The City Council read and considered the Minutes of the Regular Meeting held February 13, 2007. There were no changes, corrections or deletions.

After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held February 13, 2007, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent   Yes
Ms. Burt   Yes
Mr. Winder   Yes
Mayor Pro Tem Brooks   Yes

Unanimous.

COMMENT PERIOD
Upon inquiry by Mayor Pro Tem Brooks there was no one in attendance desiring to address the City Council during the Comment Period.

PUBLIC HEARING, APPLICATION NO. PUD-3-2006, FILED BY LAKE PARK DEVELOPMENT CORPORATION, REQUESTING AMENDMENT OF LOT 3 IN HIBBURY COMMONS AT LAKE PARK SUBDIVISION; AND FINAL PLAT APPROVAL FOR ARBOR SQUARE AT LAKE PARK, 5432 WEST HIBBURY PARKWAY
Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the City Council to hear and consider public comments regarding Application No. PUD-3-2006, filed by Lake Park Development Corporation, requesting amendment of Lot 3 in Highbury Commons at Lake Park Subdivision; and final plat approval for Arbor Square at Lake Park, located at 5432 West Highbury Parkway. Mr. Isaac discussed the Application and proposed Ordinance No. 07-18 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 07-18 which would approve amendment of Lot 3 in the Highbury Commons at Lake Park Subdivision located at approximately 5432 West Highbury Parkway; and give final plat approval for Arbor Square at Lake Park.
Mr. Isaac stated Arbor Square at Lake Park development was a residential community consisting of 64 townhome units. He also stated the project was located on 4.72 acres equating to an overall density of 13.6 units per acre. He further stated the development would consist of both 4-plex and 6-plex units and be located on what was known as Lot 3 Highbury Commons at Lake Park.

The Acting City Manager reported the site had been designed with buildings fronting public streets which would provide a more pleasing street scene. The project was located immediately to the east of the Liberty Commons development which had also been designed in a similar fashion. The roadway separating those projects would be private, but all residential units would front this road. Mr. Isaac stated this concept had been discussed in early planning stages and would nicely tie together the two developments.

Mr. Isaac indicated the project architecture was the first of its kind for this developer. He stated Garbett Homes had proposed a building that did not typify a standard townhome. He further indicated there was a great deal of movement in both the exterior facade and roof line. He reported this was a positive element in the overall design of this project, as more than half of the units fronted major streets in this area. In addition, Garbett Homes had worked closely with Zion’s Securities regarding the development plan and proposed architecture.

The Acting City Manager stated buildings would consist of 100% masonry products. Stucco, hardiplank siding and brick materials would be used. He indicated the applicant had suggested using three color schemes to help create a more attractive development. Roofing materials would consist of architectural shingles and flat seam metal. He stated material colors, floor plans and building elevations had been approved during the Planning Commission hearings.

Mr. Isaac indicated all residential units would have a garage for parking. Both single and two car garages had been approved. Additional parking spaces had been provided for resident and guest parking throughout the development. The overall parking had been calculated at 2.38 spaces per unit.

The Acting City Manager stated the project site contained approximately 50.04% open space. He further stated the developer had proposed two separate recreational areas. The central location would have a playground and picnic area. The northwest location would have similar amenities; but would also have a gazebo. Both amenity sites had good pedestrian access via the walkway system designed for the development.
Mr. Isaac indicated that although fencing had not been proposed in the residential portion of the development; there would be fencing along Daybury Drive and Highbury Parkway. The developer would like to separate the residential uses from those major roadways and had decided a 3-rail fence would be most appropriate. He further indicated staff supported this fence type as it did provide separation of uses, but would not give the appearance of walling in the development.

The Acting City Manager reported all streets within the development, including Old Arbor Lane, would be private. He stated the developer might manage the site or would use a land management company they had used in the past. He also reported staff had expressed concern about past projects being turned over to an uneducated association or projects that were turned over to the association without all development items having been completed. He further stated staff had informed the developer that prior to the project being turned over, a meeting with staff, the developer, the management company, and/or association, would be required.

Mr. Isaac stated the project contained a variety of evergreen and deciduous trees. He also stated that according to the plan, evergreen trees would be a minimum height of 10 feet and deciduous trees would be a minimum of two inches in caliper. Other shrubs, grasses and perennials would also be planted to accentuate the development site. He stated entry features would be located at both points of access to better define this community.

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

**ACTION:** CONSIDER ORDINANCE NO. 07-18, APPROVE AMENDMENT OF LOT 3 IN THE Highbury Commons AT LAKE PARK SUBDIVISION LOCATED AT APPROXIMATELY 5432 WEST HIGHBURY PARKWAY; AND GIVING FINAL PLAT APPROVAL FOR ARBOR SQUARE AT LAKE PARK

The City Council previously held a public hearing regarding Application No. PUD-3-2006, filed by Lake Park Development Corporation, and proposed Ordinance No. 07-18 which would approve an Amendment of Lot 3 in the Highbury Commons at Lake Park Subdivision and give final plat approval for Arbor Square at Lake Park; located at 5432 West Highbury Parkway.

After discussion, Councilmember Winder moved to approve Ordinance No. 07-18, an Ordinance Approving the Amendment of Lot 3 in the Highbury Commons
at Lake Park Subdivision; and Giving Final Plat Approval for Arbor Square at Lake Park, located at 5432 West Highbury Parkway. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent   Yes
Ms. Burt   Yes
Mr. Winder   Yes
Mayor Pro Tem Brooks Yes

Unanimous.

13148

PUBLIC HEARING, APPLICATION NO. S-42-2006, FILED BY REID MITCHELL – ASWN, REQUESTING AMENDMENT OF LOTS 1 AND 2 OF THE BRIAR ESTATES SUBDIVISION; AND FINAL PLAT APPROVAL FOR THE VH SENIOR HOUSING SUBDIVISION, 3122 SOUTH 3600 WEST

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the City Council to hear and consider public comments regarding Application No. S-42-2006, filed by Reid Mitchell – ASWN, requesting amendment of Lots 1 and 2 of the Briar Estates Subdivision; and final plat approval for the VH Senior Housing Subdivision, located at 3122 South 3600 West. Mr. Isaac discussed proposed Ordinance No. 07-19 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 07-19 which would approve an Amendment of Lots 1 and 2 of the Briar Estates Subdivision located at approximately 3690 West 3100 South.

Mr. Isaac stated Reid Mitchell, representing the property owner, had requested final plat approval for the VH Senior Housing Subdivision. He also stated the proposed subdivision would amend Lots 1 and 2 of the Briar Estates Subdivision and allow the developer the opportunity to create one new lot for a senior residential community.

The Acting City Manager reported the proposed subdivision had been submitted to create a 2.38 acre parcel for a future senior residential housing development. He indicated the subdivision was located on the corners of 3600 and 3690 West and 3100 South. He advised the proposed subdivision would gain access from
both 3690 and 3600 West. He reported the Public Works Department recommended a note be placed on the plat prohibiting access onto 3100 South.

Mr. Isaac noted the subdivision plat would provide additional dedication along 3100 South and would contain easements and other information applicable to the division of property.

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

**ACTION:** CONSIDER ORDINANCE NO. 07-19 APPROVING AMENDMENT OF LOTS 1 AND 2 OF THE BRIAR ESTATES SUBDIVISION; AND FINAL PLAT APPROVAL FOR THE VH SENIOR HOUSING SUBDIVISION, 3122 SOUTH 3600 WEST

The City Council previously held a public hearing regarding Application No. S-42-2006 filed by Reid Mitchell – ASWN, and proposed Ordinance No. 07-19 which would approve an Amendment of Lots 1 and 2 of the Briar Estates Subdivision and give final plat approval for the VH Senior Housing Subdivision, located at 3122 South 3600 West.

After discussion, Councilmember Vincent moved to approve Ordinance No. 07-19, an Ordinance Approving the Amendment of Lots 1 and 2 of the Briar Estates Subdivision; and Giving Final Plat Approval for the VH Senior Housing Subdivision, located at 3122 South 3600 West. Councilmember Winder seconded the motion.

A roll call vote was taken:

- Mr. Vincent: Yes
- Ms. Burt: Yes
- Mr. Winder: Yes
- Mayor Pro Tem Brooks: Yes

Unanimous.

**RESOLUTION NO. 07-39, AWARD CONTRACT TO BOWEN CONSTRUCTION CO. FOR CONSTRUCTION OF THE VOLTA AVENUE STORM DRAIN PROJECT LOCATED AT 3950 SOUTH 4070 WEST (VOLTA AVENUE)**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-39 which would award a contract to Bowen Construction Co. in the amount of $183,983.00.
for construction of the Volta Avenue Storm Drain Project located at 3950 South 4070 West (Volta Avenue).

Mr. Isaac stated two bids had been received as follows: 1) Bowen Construction: $183,983.00; and 2) Marathon Maintenance: $184,596.44. The Acting City Manager reported the Engineer’s estimate had been in the amount of $146,922.00.

Mr. Isaac reported Bowen Construction Co. had submitted the lowest responsible bid.

The Acting City Manager stated the project had been proposed to alleviate flooding problems that had occurred frequently on Volta Avenue over the past several years. He also stated the City had paid several claims for flooded basements on Volta Avenue due to insufficient capacity in the storm drain. He indicated this project would add significant extra capacity to the storm system drainage of Volta Avenue to the 4000 West Storm Drain.

Mr. Isaac reported the project consisted of supplying and installing approximately 750 lineal feet of reinforced concrete storm drain pipe, both in the public right-of-way and on private property. He further reported the project consisted of construction of various clean out boxes and catch basins, and surface restoration.

After discussion, Councilmember Burt moved to approve Resolution No. 07-39, a Resolution Awarding a Contract to Bowen Construction Co. and Authorizing its Execution in to Perform Construction of the Volta Avenue Storm Drain Project at 3950 South 4070 West (Volta Avenue). Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent   Yes
Ms. Burt      Yes
Mr. Winder    Yes
Mayor Pro Tem Brooks Yes

Unanimous.
RESOLUTION NO. 07-40, AUTHORIZE THE CITY TO PURCHASE MAINTENANCE EQUIPMENT FROM VARIOUS QUALIFIED VENDORS TO BE USED BY THE PARKS AND RECREATION DEPARTMENT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-40 which would authorize the City to purchase maintenance equipment from various qualified vendors, in a total amount not to exceed $346,311.00, to be used by the Parks and Recreation Department.

Mr. Isaac stated competitive sealed bids had been solicited from vendors through newspaper ads for rough mowers, fairway mowers, bunker rakes, a 72-inch rotary mower, and utility trucks.

The Acting City Manager indicated West Ridge and Stonebridge Golf Courses were in need of new maintenance equipment. He stated, in addition to advertising, phone calls to local vendors had been made to provide them an opportunity to bid. He indicated vendors picked up a list of equipment and requirements for each piece of equipment. The Acting City Manager reported bids, by category of equipment, had been received, and recommendations were as follows:

4 each: Five Gang Rotary Mowers
1) Rocky Mountain Turf Equipment Co. (Jacobsen): $38,698.00 each/Total: $154,792; 2) Turf Equipment Company (Toro): $40,299.00 each/Total: $161,196; and 3) Greenline Equipment Co. (John Deere): $34,565.00/Total: $138,260.00.

Acting City Manager, Paul Isaac, stated he recommended Rocky Mountain be approved in this category even though it had not been the lowest bid; but had been chosen because it met the specification of 60 HP while the John Deere had only 48 HP.

3 each: Fairway Reel Mowers
1) Rocky Mountain Turf Equipment Co. (Jacobsen): $42,056.00/Total: $126,168.00; 2) Turf Equipment Company (Toro): $41,780.00/Total: $125,340.00; 3) Greenline Equipment Co. (John Deere): $33,477.00/Total: $100,431.00.

Acting City Manager, Paul Isaac, stated he recommended Greenline Equipment Co. be recommended for approval in this category as they had submitted the
lowest responsible bid and met specifications. He also advised this equipment had been used by golf courses a few years previous and had performed nicely.

2 each: Bunker Rakes
1) Rocky Mountain Turf Equipment Co. (SmithCo): $8,655.00/Total: $17,310.00; 2) Turf Equipment Company (Toro): $9,999.00/Total: $19,998.00; 3) Greenline Equipment Co. (John Deere): $8,623.00/Total: $17,246.00.

Acting City Manager, Paul Isaac, stated he recommended Greenline Equipment Co. be recommended for approval in this category as they had submitted the lowest responsible bid and met specifications. He advised this equipment performed very well.

1 each: 72 inch, Rotary, Front Deck Mower with Snow Removal Attachments
1) Rocky Mountain Turf Equipment Co. (Jacobsen): $23,000.00; 2) Rocky Mountain Turf Equipment Co. (New Holland): $21,803.00; 3) Turf Equipment Company (Toro): $33,528.00; 4) Greenline Equipment Co. (John Deere): $20,772.00.

Acting City Manager, Paul Isaac, stated he recommended Greenline Equipment Co. for approval in this category as they had submitted the lowest responsible bid and met specifications. He advised this equipment would perform nicely.

5 each: Utility Vehicle
1) Rocky Mountain Turf Equipment Co. (Kawasaki): $7,264.00/Total: $36,320.00; 2) Turf Equipment Company (Toro): $8,975.00/Total: $44,875.00; 3) Club Car: $7,185.00/Total: $35,925.00.

Acting City Manager, Paul Isaac, stated he recommended Rocky Mountain Turf Equipment Co. for approval in this category even though it had not been the lowest bid; but had been chosen because it met the specification of 600cc while the Club Car was 400cc.

2 sets: Verticutter Reels
1) Wolf Mountain Equipment: $8,375.00/Total: $16,750.00.

After discussion, Councilmember Winder moved to approve Resolution No. 07-40, a Resolution Authorizing the City to Purchase Maintenance Equipment from Various Qualified Vendors to be used by the Parks and Recreation Department. Councilmember Burt seconded the motion.
A roll call vote was taken:

Mr. Vincent   Yes
Ms. Burt   Yes
Mr. Winder   Yes
Mayor Pro Tem Brooks   Yes

Unanimous.

APPLICATION NO. S-48-2006, FILED BY SHANE SANDERS, REQUESTING FINAL PLAT APPROVAL FOR THE AFCU SUBDIVISION LOCATED AT 4960 WEST 3500 SOUTH

Acting City Manager, Paul Isaac, presented Application No. S-48-2006, filed by Shane Sanders, requesting final plat approval for the AFCU Subdivision located at 4960 West 3500 South.

Mr. Isaac stated the subject proposed commercial subdivision was in the ‘C-2’ zone and located west of Shopko. He also stated the proposal would divide an existing parcel into two lots and create a new lot adjacent to 3500 South for a new credit union.

The Acting City Manager reported Lot 1 consisted of 1.9 acres and was located in the southwest corner of the subdivision. He also reported the remaining 8.4 acres would remain undeveloped for the present time. He indicated as part of the subdivision process, 3500 South would be dedicated to its full half width of 53 feet. He stated the developer would coordinate street improvements and other site developments as part of the conditional use permit process.

After discussion, Councilmember Winder moved to approve Application No. S-48-2006, filed by Shane Sanders, and give final plat approval for AFCU Subdivision located at 4960 West 3500 South. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent   Yes
Ms. Burt   Yes
Mr. Winder   Yes
Mayor Pro Tem Brooks   Yes

Unanimous.
CONSENT AGENDA:
A. RESOLUTION NO. 07-41, ACCEPT PUBLIC SIDEWALK AND LIGHTING EASEMENT, AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LAKE LAND DEVELOPMENT AT 1670 WEST 3500 SOUTH, 3500 SOUTH ENHANCEMENT PROJECT
Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-41 which would accept a Public Sidewalk and Lighting Easement, and Grant of Temporary Construction Easement from Lake Land Development at 1670 West 3500 South, regarding the 3500 South Enhancement Project.

Mr. Isaac stated Lake Land Development had signed the Public Sidewalk and Lighting Easement and Grant of Temporary Construction Easement.

The Acting City Manager indicated the subject parcel was one of the properties affected and benefited by construction of the subject project. He further indicated the owner had agreed to provide the easements in exchange for improvements being constructed as part of the project. He stated improvements on the property would include a 10 foot wide sidewalk, a 15 foot wide landscaped park strip, and sidewalk lighting. He reported the Grant of Temporary Construction Easement would automatically expire December 31, 2007.

B. RESOLUTION NO. 07-42, ACCEPT PUBLIC SIDEWALK AND LIGHTING EASEMENT, AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LAKE LAND DEVELOPMENT AT 1638 WEST 3500 SOUTH, 3500 SOUTH ENHANCEMENT PROJECT
Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-42 which would accept Public Sidewalk and Lighting Easement and Grant of Temporary Construction Easement from Lake Land Development at 1638 West 3500 South, regarding the 3500 South Enhancement Project.

Mr. Isaac stated Lake Land Development had signed the Public Sidewalk and Lighting Easement and Grant of Temporary Construction Easement.

The Acting City Manager indicated the subject parcel was one of the properties affected and benefited by construction of the subject project. He further indicated the owner had agreed to provide the easements in exchange for improvements being constructed as part of the project. He
stated improvements on the properties would include construction of a 10 foot wide sidewalk, a 15 foot wide landscaped park strip, and sidewalk lighting. He reported the Grant of Temporary Construction Easement would automatically expire December 31, 2007.

After discussion, Councilmember Burt moved to approve Resolution Nos. 07-41 and 07-42 as presented on the Consent Agenda. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent Yes
Ms. Burt Yes
Mr. Winder Yes
Mayor Pro Tem Brooks Yes

Unanimous.


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 February 27, 2007.

Sheri McKendrick, MMC
City Recorder