

**MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 12, 2013**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 12, 2013, 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 WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder  
Steve Buhler  
Don Christensen  
Tom Huynh  
Karen Lang  
Corey Rushton  
Steve Vincent

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
Layne Morris, CPD Director  
Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Anita Schwemmer, Acting Police Chief  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department  
Kevin Conde', Administration  
Mike Richards, Parks and Recreation Department  
Lee Logston, CED Department  
Russ Bailey, Public Works Department  
Fabian Zullo, Public Works Department  
Winston Burns, Public Works Department  
Matt Atkinson, Public Works Department  
Brian Masarone, Public Works Department

16040 **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Buhler who discussed the grand opening event for the Embassy Suites Hotel and Shula's 347 Restaurant attended earlier by members of the City Council. He showed a video in honor of Don Shula, the former coach of the Miami Dolphins, with the most wins in NFL

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history. Councilmember Buhler stated he had been most impressed with those things that were important to Mr. Shula like family and hard work. He indicated those were the things that were valued in West Valley City. He acknowledged the greatness of Mr. Shula and that he was now a friend of the City.

16041 **SCOUTS**

Mayor Winder welcomed Scout Troop Nos. 926 and 179 and Pack 4151 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

16042 **EMPLOYEE OF THE MONTH, JANUARY 2013 – BRIAN MASARONE, PUBLIC WORKS DEPARTMENT**

Councilmember Christensen read the nomination of Brian Masarone, Public Works Department, to receive the Employee of the Month Award for January 2013. Mr. Masarone had been nominated for his work values which extended over and above the job description, his ability to work with a minimal amount of supervision, and in recognition of many commendations of his work by citizens.

The City Council congratulated Mr. Masarone and expressed appreciation for his efforts on behalf of the City.

16043 **EAC DIVISION OF THE QUARTER AWARD – FACILITIES DIVISION, PUBLIC WORKS DEPARTMENT**

Councilmember Huynh read the nomination of the Facilities Division of the Public Works Department, to receive the EAC Division of the Quarter Award. The Facilities Division had been nominated for their outstanding abilities in overseeing a vast variety of projects and facilities.

The City Council congratulated the Facilities Division employees and expressed appreciation for their work on behalf of West Valley City.

16044 **COMMENT PERIOD**

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

16045 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-7-2012, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO UPDATE THE CITY CENTER ZONE (CHAPTER 7-6-16-P PART 16) OF THE WEST VALLEY CITY MUNICIPAL CODE TO INCORPORATE CHANGES BASED ON ADOPTION OF THE FAIRBOURNE STATION VISION SMALL AREA PLAN**

Acting City Manager, Paul Isaac, stated a public hearing was advertised in order for the City Council to hear and consider public comments regarding Application

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No. ZT-7-2012, filed by West Valley City, requesting a Zone Text Amendment to update the City Center Zone (Chapter 7-6-16-P Part 16) of the West Valley City Municipal Code to incorporate changes based on adoption of the Fairbourne Station Vision Small Area Plan. He discussed proposed Ordinance No. 13-06 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. 13-06 which would amend Sections 7-6-1601, 7-6-1602, 7-6-1604, 7-6-1605, 7-6-1606, 7-6-1607, 7-6-1608 and 7-6-1610 of Title 7, repeal Section 7-6-1609 of title 7, and enact Section 7-6-1610.1 of Title 7, of the West Valley City Municipal Code to update the City Center Zone in accordance with the Fairbourne Station Vision.

Mr. Isaac stated that on September 11, 2012, the City Council adopted the Fairbourne Station Vision as the new small area plan for the City Center Redevelopment Area, replacing the City Center Vision. He also stated the proposal would approve necessary text changes to the City Center Zone in order to incorporate changes to the vision document. He indicated the proposed update would incorporate the new street network into the City Center zone, eliminate references to streets which did not exist or were no longer planned, address standards for new streets which were unnamed or unanticipated previously, and amend streetscape standards to reflect already built streetscapes (3500 South and Constitution Boulevard). He indicated items such as street light spacing, building setbacks, street dimensions, and tree specifications had been updated throughout the zone text and intent language had been added to some design standards in order to clarify the reason for the standards.

The Acting City Manager reported some of the specific changes to the ordinance included the following:

1. Elimination of references to Brock Street and Holmberg Street
2. Inclusion of references to Weigh Station Road and Three Mill Lane
3. 3500 South grouped with Constitution Boulevard
4. Revision of street cross section drawings and descriptions based on new street plan
5. Revision of streetscape standards based on built projects, planned projects, and Promenade

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

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**ACTION: CONSIDER ORDINANCE NO. 13-06, AMENDING SECTIONS 7-6-1601, 7-6-1602, 7-6-1604, 7-6-1605, 7-6-1606, 7-6-1607, 7-6-1608 AND 7-6-1610 OF TITLE 7, REPEALING SECTION 7-6-1609 OF TITLE 7, AND ENACTING SECTION 7-6-1610.1 OF TITLE 7, OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE THE CITY CENTER ZONE IN ACCORDANCE WITH THE FAIRBOURNE STATION VISION**

Acting City Manager, Paul Isaac, stated the Council had previously held a public hearing regarding Application No. ZT-7-2012 and proposed Ordinance No. 13-06 which would amend Sections 7-6-1601, 7-6-1602, 7-6-1604, 7-6-1605, 7-6-1606, 7-6-1607, 7-6-1608 and 7-6-1610 of Title 7, repeal Section 7-6-1609 of Title 7, and enact Section 7-6-1610.1 of Title 7, of the West Valley City Municipal Code to update the City Center Zone in accordance with the Fairbourne Station Vision.

After discussion, Councilmember Vincent moved to approve Ordinance No. 13-06, an Ordinance Amending Sections 7-6-1601, 7-6-1602, 7-6-1604, 7-6-1605, 7-6-1606, 7-6-1607, 7-6-1608, and 7-6-1610 of Title 7, Repealing Section 7-6-1609 of Title 7, and Enact Section 7-6-1610.1 of Title 7, of the West Valley City Municipal Code to Update the City Center Zone in Accordance with the Fairbourne Station Vision. Mr. 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. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16046

**ORDINANCE NO. 13-07, AMEND SECTION 1-2-108 OF THE WEST VALLEY CITY MUNICIPAL CODE TO REFLECT CHANGES IN THE CONSOLIDATED FEE SCHEDULE FOR THE POLICE DEPARTMENT**

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 13-07 which would amend Section 1-2-108 of the West Valley City Municipal Code to reflect changes in the Consolidated Fee Schedule for the Police Department.

Mr. Isaac stated the proposed amendment would allow the Police Department to increase fees charged for services such as fingerprinting, police reports and criminal history reports, and allow collection of fees for sex offender registrations and renewals, copies of audio and video recordings, and expungements.

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The Acting City Manager explained the current ordinance allowed the Police Department to collect fees for providing copies of accident and police reports, fingerprinting, criminal checks on visas, work cards and BCI/Criminal History Reports. He recommended an increase in fees to cover the rising costs of the services presently being provided and amending the ordinance to recoup costs of other requested and provided services. He indicated the Police Department charged nominal fees, which had not increased since 2006 in spite of increased cost in employee time and supply costs. In addition, the Department now provided additional services such as registering sex offenders, providing copies of audio and video recordings, and processing of expungement requests. He stated the revenue of the proposed increases and new fees would be approximately \$30,000 calculated on the amount of services provided over the past several years.

After discussion, Councilmember Christensen moved to approve Ordinance No. 13-07, an Ordinance Amending Section 1-2-108 of the West Valley City Municipal Code to Reflect Changes in the Consolidated Fee Schedule for the Police Department. 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. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16047

**RESOLUTION NO. 13-20, AUTHORIZE PURCHASE OF STORM DRAIN INSPECTION CAMERA EQUIPMENT FROM R.S. TECHNICAL SERVICES**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-20 which would authorize purchase of a storm drain inspection camera equipment from R.S. Technical Services, in the amount of \$33,021.19.

Mr. Isaac stated the Public Works Department currently used a trailer mounted camera purchased in 2001 to inspect the storm drain system. He indicated the camera, tractor and other miscellaneous equipment were in need of replacement. He explained the original camera system had been manufactured and sold by R.S. Technical Services and the new camera would be purchased from that same supplier as the sole source vendor.

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After discussion, Councilmember Huynh moved to approve Resolution No. 13-20, a Resolution Authorizing the Purchase of Storm Drain Inspection Camera Equipment from R.S. Technical Services. Councilmember Christensen 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. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16048

**RESOLUTION NO. 13-21, AUTHORIZE PURCHASE OF A 2013 F150 TRUCK FROM KEN GARFF FORD FOR USE BY THE FIRE DEPARTMENT**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-21 which would authorize purchase of a 2013 F150 truck from Ken Garff Ford, in an amount not to exceed \$39,000.00, for use by the Fire Department.

Mr. Isaac stated the Fire Department had requested replacement of the subject vehicle which was on the vehicle replacement list. He indicated the vehicle being replaced was a 2008 Ford F250, 4-door truck with 80,000 miles with mechanical issues that could not be resolved by the City Shops or the authorized Ford dealerships. He stated the vehicle was a first line response vehicle. He also reported the Fleet Manager had met with the Fire Department and determined the vehicle recommended for purchase best suited the needs of the Department and would be most efficient for its intended purposes.

The Acting City Manager advised that Ken Garff Ford held the State contract for the subject vehicle.

After discussion, Councilmember Lang moved to approve Resolution No. 13-21, a Resolution Authorizing West Valley City to Purchase a 2013 F150 Truck from Ken Garff Ford for use by the Fire Department. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16049

**RESOLUTION NO. 13-22, AUTHORIZE PURCHASE OF A SHORETEL PHONE SYSTEM FROM VALCOM COMPUTER CENTER**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-22 which would authorize purchase of a Shoretel Phone System from Valcom Computer Center, in the amount of \$305,673.00.

Mr. Isaac stated purchase of the new phone system would provide improved features and replace the current Avaya Phone System which was antiquated and at the end of its life. He reported the new system would deliver a complete VoIP business phone system that integrated voice, unified communications and contact center capabilities for an all-in-one communications solution. He indicated the new system utilized state of the art hardware and network equipment to provide increased stability. He also advised that if approved, the purchase would be financed at 1.59% interest rate by SunTrust Equipment Finance & Leasing Corporation.

After discussion, Councilmember Vincent moved to approve Resolution No. 13-22, a Resolution Authorizing the Purchase of a Shortel Phone System from Valcom Computer Center. Councilmember Christensen 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. Christensen	Yes
Mayor Winder	Yes

Unanimous.

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16050

**RESOLUTION NO. 13-23, AUTHORIZE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 5, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, WITH SUNTRUST EQUIPMENT FINANCE & LEASING CORPORATION, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-23 which would authorize execution and delivery of a Master Lease Agreement, Equipment Schedule No. 5, an Escrow Agreement, and related instruments, with SunTrust Equipment Finance & Leasing Corporation, and determine other matters in connection therewith.

Mr. Isaac stated approval of the proposed resolution would authorize execution and delivery of a Lease Agreement with SunTrust Equipment to finance the new Shoretel Phone System, with a lease term of five years, semi-annual payments and interest rate at 1.59%.

After discussion, Councilmember Rushton moved to approve Resolution No. 13-23, a Resolution Authorizing the Execution and Delivery of a Master Lease Agreement, Equipment Schedule No. 05, an Escrow Agreement, and Related Instruments, and Determining Other Matters in Connection Therewith. 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. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16051

**RESOLUTION NO. 13-26, APPROVE PURCHASE OF NEW GOLF CARTS FOR USE AT WEST RIDGE GOLF COURSE**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-26 which would approve purchase of new golf carts, in an amount not to exceed \$348,969.00, for use at West Ridge Golf Course.

Mr. Isaac stated all golf carts had been sold at the end of the 2011 season in anticipation of purchasing new carts in 2013. He reported bids had been solicited through the public process, with three bids received and summarized as follows:

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Rocky Mountain Turf	E-Z-GO	\$377,663.00
Intermountain Golf Carts	CLUB CAR	\$357,095.00
Highland Equipment Company	YAMAHA	\$348,969.00

Mr. Isaac stated Highland Equipment Company had submitted the lowest responsible bid. The Acting City Manager indicated the proposed purchase would include 80 golf carts, two beverage carts, two marshal carts and one range cart.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-26, a Resolution Approving the Purchase of New Golf Carts for use at the West Ridge Golf Course. 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. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16052

**CONSENT AGENDA:**

**A. RESOLUTION NO. 13-24, ACCEPT A PUBLIC LIGHTING AND UTILITY EASEMENT FROM TRUONG PROPERTIES, LLC, FOR PROPERTY LOCATED AT 1681 WEST 3860 SOUTH**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-24 which would accept a Public Lighting and Utility Easement from Truong Properties, LLC, for property located at 1681 West 3860 South.

Mr. Isaac stated the proposed Truong Commercial Development required installation of street lighting along its frontage on 3860 South. He explained the existing sidewalk along the south side of 3860 South was adjacent to the curb and gutter with no parkstrip. He further explained typically the streetlights would be placed in the parkstrip area within the public right-of-way. He indicated, as the required street lighting would need to be placed outside the public right-of-way and behind the existing sidewalk an easement would be required as a condition of approval for the project.

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**B. RESOLUTION NO. 13-25, ACCEPT A PUBLIC SIDEWALK, LIGHTING AND UTILITY EASEMENT FROM TRUONG PROPERTIES, LLC, FOR PROPERTY LOCATED AT 1681 WEST 3860 SOUTH**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-25 which would accept a Public Sidewalk, Lighting and Utility Easement from Truong Properties, LLC, for property located at 1681 West 3860 South.

Mr. Isaac stated the proposed Truong Commercial Development was subject to requirements of the Redwood Road Streetscape which required 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 of the project.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 13-24 and 13-25 as presented on the Consent Agenda. 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. Christensen	Yes
Mayor Winder	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, FEBRUARY 12, 2013, WAS ADJOURNED AT 7:02 P.M., BY MAYOR WINDER.

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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, February 12, 2013.

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Sheri McKendrick, MMC  
City Recorder