

**MINUTES OF COUNCIL REGULAR MEETING – MARCH 26, 2013**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 26, 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  
Karen Lang  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager (Arrived as noted)  
Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

ABSENT: Tom Huynh

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Layne Morris, CPD Director  
Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Russell Willardson, Public Works Director  
Anita Schwemmer, Acting Police Chief  
Scott Freckleton, Acting Finance Director  
Craig Thomas, Administration  
Jake Arslanian, Public Works Department  
Steve Pastorik, CED Department  
Steve Lehman, CED Department  
Nancy Day, Parks and Recreation Department  
Chad George, Parks and Recreation Department  
Jamie Young, Parks and Recreation Department  
Valerie Custer, Parks and Recreation Department  
Candace Mayweather, Parks and Recreation Department  
Richard Juricic, Parks and Recreation Department

16084

**OPENING CEREMONY**

The Opening Ceremony was conducted by Karen Lang who led the Pledge of Allegiance to the Flag.

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16085      **EMPLOYEE OF THE MONTH, MARCH 2013 – CHAD GEORGE, PARKS AND RECREATION DEPARTMENT**

Councilmember Vincent read the nomination of Chad George, Parks and Recreation Department, to receive the Employee of the Month Award for March 2013. Mr. George had been nominated for his positive interaction with patrons as well as his outstanding attention to details in accommodating all maintenance requests in an efficient and timely manner.

The City Council expressed appreciation and congratulations to Mr. George.

Chad George addressed the City Council and introduced family members and co-workers in attendance at the meeting.

16086      **COMMENT PERIOD**

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

16087      **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-1-2013, FILED BY ADAM NASH, 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 3128 SOUTH 6400 WEST**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-1-2013, filed by Adam Nash, 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 3128 South 6400 West. He discussed proposed Ordinance No. 13-12 and proposed Resolution No. 13-35 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. 13-12 which would amend the Zoning Map to show a change of zone for property located at 3128 South 6400 West from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, minimum lot size 8,000 sq. ft.).

Mr. Isaac stated the application requested a zone change for a 2.24 acre parcel at the above stated location. He reported surrounding zones included ‘R-1-8’ to the north and west, ‘R-1-7’ (Single Family Residential, minimum lot size 7,000 sq. ft.) to the east and ‘A’ to the south. He advised the property was surrounded by single-family homes. He further stated the subject property was designated as

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low density residential, which anticipated three to four units per acre in the West Valley City General Plan.

He reported the applicant had submitted a concept plan which had previously been distributed to members of the City Council, and showed the subject property being subdivided into seven lots. He indicated that while 'R-1-8' zoning had been requested the proposed lot sizes ranged from 10,049 to 15,044 square feet. He explained the reason for the 'R-1-8' zone request was to allow for a minimum lot width of 80-feet as opposed to the minimum lot width in the 'R-1-10' zone of 90-feet. He advised homes on the lots along 3100 South would face south.

The Acting City Manager informed a development agreement had been required for the project. He referenced Section 7-14-105 (3)(1)(x) of the West Valley City Zoning Ordinance which stated: "All new subdivisions involving a re-zone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(1)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 2,600 square feet."

He also advised for the development agreement the applicant had proposed to follow the standards outlined in the ordinance. He stated staff had added a standard to the development agreement requiring the fence along the north side of the property be a 6-foot vinyl fence with brick pillars to match the fence on the north side of 3100 South.

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-35 which would authorize the City to enter into a Development Agreement with MJS Real Properties, L.L.C. and DRP Family Limited Partnership, for approximately 2.24 acres of property located at 3128 South 6400 West.

Mr. Isaac stated the proposal would authorize a development agreement to establish minimum standards for a new single-family home subdivision located at the above stated address. He indicated MJS Real Properties, LLC and DRP Family Limited Partnership had proposed a seven lot subdivision and the Planning Commission recommended approval of the application subject to execution of a development agreement. He reported the proposed agreement contained the following requirements:

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1. The minimum house size for all new homes shall be 1,600 square feet.
2. All new homes shall abide by the standards in Section 7-14-105 (3)(1) of the West Valley City Zoning Ordinance.
3. A 6-foot tall vinyl fence with brick pillars shall be installed along the entire length of the north side of the property.

Mayor Winder opened the public hearing.

Teresa Allred, 3184 South 6400 West, addressed the City Council and inquired what size of new homes would be built on the corner. She stated if they were the same size as adjacent homes that would help the property values.

Upon direction, Nicole Cottle, Assistant City Manager/CED Director, read aloud terms of the development agreement regarding sizes of homes. Ms. Allred expressed appreciation for the clarification.

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

**ACTION: CONSIDER ORDINANCE NO. 13-12, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3128 SOUTH 6400 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-1-2013, filed by Adam Nash, and proposed Ordinance No. 13-12 which would amend the Zoning Map to show a change of zone to show a change of zone from zone ‘A’ (Agriculture) to zone ‘R-1-8’ (Single-Family Residential, minimum lot size 8,000 sq. ft.) for property located at 3128 South 6400 West.

After discussion, Councilmember Vincent moved to approve Ordinance No. 13-12, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 3128 South 6400 West from Zone ‘A’ (Agriculture) to Zone ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet). Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes



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No. 13-13 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. 13-13 which would approve the Amendment of Parcel A of the West Valley Pavilion Subdivision and Lots 101-106 of the Harker's Landing PUD Phase 1.

Mr. Isaac stated the West Valley Pavilion Subdivision had been recorded with the Salt Lake County Recorder's Office in August, 2008. He also stated the Harker's Landing PUD had been recorded with the Salt Lake County Recorder's Office in October, 2010. Although it was expected this property would develop as a townhome community, a sluggish economy made it difficult for the project to move forward. He indicated the applicant had petitioned the City to modify the development agreement allowing more density and a change in use from townhomes to apartments. He advised that during negotiations of a new development agreement, the City required a public park and trailhead be provided at the northwest corner of the subject property. He stated ownership and maintenance of the park would be private but accessible to the public via easements to be recorded with the plat. He explained staff was working with the applicant to ensure the legal aspects of this requirement, as well as others pertaining to the existing homeowners, were resolved. He indicated easements along with other legal matters associated with the common and limited common areas of the existing townhome units would be prepared by the property owner's attorney.

Mr. Isaac advised the City Council would be required to approve the public recreation and public access easement later on this agenda.

He indicated the subdivision was somewhat complex due to the existing townhome building constructed as part of the first phase of Harker's Landing. However, the owners had secured the consent of each townhome owner and the Home Owner's Association would be a signer of the subdivision plat. He stated residents living in the existing townhomes would have access to the amenities of the new apartment project.

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

**ACTION: CONSIDER ORDINANCE NO. 13-13, APPROVING THE AMENDMENT OF PARCEL A OF THE WEST VALLEY PAVILION SUBDIVISION AND LOTS 101-106 OF THE HARKER'S LANDING PUD PHASE 1**

The Council previously held a public hearing regarding Application No. S-4-2013, filed by Tim Soffe, requesting to amend Parcel A of the West Valley

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Pavilion Subdivision and Lots 101-106 of Harker's Landing PUD Phase 1 and final plat approval for the Sage Gate at Haynes Landing Subdivision located at 2606 South Anna Caroline Drive.

After discussion, Councilmember Rushton moved to approve Ordinance No. 13-13, an Ordinance Approving the Amendment of Parcel A West Valley Pavilion Subdivision and Lots 101-106 Harker's Landing PUD Phase 1; and give Final Plat Approval for the Sage Gate at Haynes Landing Subdivision Located at 2606 Anna Caroline Drive. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

City Manager, Wayne Pyle, arrived at the meeting at 6:46 P.M.

16089      **ORDINANCE NO. 13-14, AMEND SECTION 1-2-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO REFLECT CHANGES IN THE CONSOLIDATED FEE SCHEDULE FOR THE FIRE DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-14 which would amend Section 1-2-105 of the West Valley City Municipal Code to reflect changes in the Consolidated Fee Schedule for the Fire Department.

Mr. Pyle stated Section 1-2-105 of the West Valley City Municipal Code listed fees charged for various services provided by the Fire Department, such as plan reviews, operational permits and copies of investigative and emergency medical services reports. He informed the proposed ordinance would update the Fee Schedule to reflect the current costs and charges for those services.

He explained the Fire Department charged nominal fees for certain services provided to individuals and businesses in order to cover costs of those services. He indicated the Fire Department's portion of the Consolidated Fee Schedule had last been updated five years ago, in 2008.

After discussion, Councilmember Lang moved to approve Ordinance No. 13-14, an Ordinance Amending Section 1-2-105 of the West Valley City Municipal Code

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to Reflect Changes in the Consolidated Fee Schedule for the Fire Department. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

16090

**RESOLUTION NO. 13-36, AWARD A CONTRACT TO LYNDON JONES CONSTRUCTION FOR THE 3850 WEST SR-201 FRONTAGE ROAD STORM DRAIN PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-36 which would award a contract to Lyndon Jones Construction, in an amount not to exceed \$280,357.00, with a possible increase of up to five percent of the contract amount, or \$30,000.00, whichever is greater, for change orders for the 3850 West SR-201 Frontage Road Storm Drain Project.

Mr. Pyle stated bids had been solicited and eight bids received as follows:

Lyndon Jones:	\$280,357.00
Hughes General:	\$293,762.50
Westbrook Construction:	\$309,088.72
Bowen Construction:	\$319,716.00
MC Green & Sons:	\$349,357.20
Vancon:	\$355,179.00
Wolff Excavating:	\$426,518.00
Davis Construction:	\$427,529.84

The City Manager reported the engineers estimate had been in the amount of \$297,242.00, with Lyndon Jones submitting the lowest responsible bid.

Mr. Pyle explained the project included piping of an existing open ditch along the SR-201 Frontage Road near 3850 West. He indicated the open ditch had been a maintenance problem and was a safety hazard along the roadside. The project included installation of approximately 950 feet of 36-inch concrete storm drain pipe and storm drain cleanout boxes. The project also included installation of a storm water quality device to remove pollutants prior to leaving the City's storm system.

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After discussion, Councilmember Vincent moved to approve Resolution No. 13-36, a Resolution Awarding a Contract to Lyndon Jones Construction for the 3850 West SR-201 Frontage Road Storm Drain Project. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

16091

**RESOLUTION NO. 13-37, AUTHORIZE CHANGE ORDER NO. 1 TO THE CONTRACT WITH KILGORE CONSTRUCTION FOR THE 2012 ASPHALT OVERLAY PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-37 which would authorize Change Order No. 1 to the contract with Kilgore Construction, in the amount of \$24,516.99, for the 2012 Asphalt Overlay Project.

Mr. Pyle stated the subject change order would cover various items of additional work encountered during construction of the 2012 Asphalt Overlay Project, including pipe replacement of collapsed pipe, reconstruction of a portion of LeAnn Drive, and others.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-37, a Resolution Authorizing Change Order No. 1 to the Contract with Kilgore Construction for the 2012 Asphalt Overlay Project. Councilmember Rushton seconded the motion. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

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16092

**RESOLUTION NO. 13-38, AUTHORIZE CHANGE ORDER NO. 2 TO THE CONTRACT WITH M.C. GREEN AND SONS FOR THE FAIRBOURNE STATION PHASE 1 ROADWAY PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-38 which would authorize Change Order No. 2 to the contract with M.C. Green and Sons, in the amount of \$22,517.20, for the Fairbourne Station Phase 1 Roadway Project.

Mr. Pyle stated the subject change order would cover various items of additional work added to the project during construction including various modifications to UTA Parking Lot landscaping, storm drain modifications, pavement markings, signs, and other miscellaneous work. He reported the change order amount would be paid for using Storm Water Utility fees and from the General Fund.

After discussion, Councilmember Buhler moved to approve Resolution No. 13-38, a Resolution Authorizing Change Order No. 2 to the Contract with M.C. Green and Sons for the Fairbourne Station Phase 1 Roadway Project. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

16093

**RESOLUTION NO. 13-39, APPROVE AN AGREEMENT WITH CAL BROWN BODY SHOP FOR WRECKER, TOWING AND IMPOUND YARD SERVICES**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-39 which would approve an Agreement with Cal Brown Body Shop in the amounts described below for wrecker, towing and impound yard services.

Mr. Pyle stated Cal Brown Body Shop would provide services for Class A and Class B tows for the City. He explained the Police Department, Ordinance Enforcement, and other City departments, had vehicles towed on a regular basis during the normal course of duties. He indicated the last City contract for this service had been approved in 2010 and had been for a one year period with the possibility of additional extensions not to exceed three years. He indicated that

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contract with Cal Brown Body Shop would expire on July 1, 2013, and they had done an excellent job executing the terms of the contract.

He reported bids had been solicited and three bids received, as follows:

Cal Brown Body Shop:

A \$45.00 flat fee for Class A & B tows and a \$65.00 flat fee for Class C tows involving City vehicles, and a \$58.00 flat fee for Class A & B tows with a \$100.00 flat fee for Class C tows involving citizen vehicles; a \$0.75 charge per mile for tow calls outside Salt Lake County for one way only; and a \$15.00 cleanup fee for crash scenes.

Evans & Son's Auto & Towing:

A \$55.00 flat fee for Class A & B tows and a \$100.00 flat fee for Class C tows involving City vehicles and a \$75.00 flat fee for Class A & B with a \$125.00 flat fee for Class C tows involving citizen vehicles; a \$1.00 to \$1.50 charge per mile for tow calls outside of Salt Lake County for one way only.

Mountain West Towing:

No fee for Class A & B tows involving City vehicles if they were not involved in a crash; if City vehicle was involved in a crash the cost would be a \$30.00 flat fee. Class A & B citizen tows would be charged a \$125.00 flat fee with an administrative charge of \$25.00 added. The fee charged for a Class C tow involving a City vehicle would be \$25.00 (flat fee) if there was not a crash involved. With a crash involved the Class C tow involving a City vehicle would be \$35.00. The fee for a citizen owned vehicle for a Class C tow would be \$175.00 flat fee with an administrative charge of \$25.00 added. There would also be a \$1.00 to \$1.50 charge per mile outside of Salt Lake County for City vehicles and a charge of \$2.00 to \$2.50 for miles outside of Salt Lake County for a citizen's vehicle.

The City Manager reported Cal Brown Body Shop had four tow trucks and three drivers. He indicated Cal Brown Body Shop was currently the contract tow company for West Valley City and had held that contract since 2007. He stated during that time only one complaint from Police Department personnel had been documented. He also stated Cal Brown had a flat rate fee for City and private citizen vehicles and no administrative fee would be accessed unless the impounded vehicle was placed in their yard for storage, in which case a \$15.00 administrative fee would be charged. He indicated for 2013 Cal Brown had proposed a \$0.75 per mile added charge for vehicles located outside of Salt Lake County.

He reported Evans & Son's Auto & Towing had four tow trucks and three drivers. He stated there had been two complaints since 2008 and both complaints had been

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satisfactorily handled by the owners of that company. He stated a flat rate fee for City and private citizen vehicles had been submitted. There was no administrative fee assessed for either City or citizen vehicles. There would be a mileage charge assessed if a vehicle needed to be towed from outside of Salt Lake County.

He reported Mountain West Towing had three trucks and two drivers. He stated a third driver was listed on the proposal paperwork, which driver was not approved for this company through the rotation agreement. He further advised there were no complaints in the Mountain West Towing file. He reported Mountain West offered a no fee charge for City vehicles if they were not involved in a crash and were located within the borders of Salt Lake County. There would be a charge for any City vehicle that needed to be towed and had been involved in a crash. He stated there would also be a per mile charge added to the cost if a City vehicle was located outside of Salt Lake County. The charge for citizen vehicles towed by City request was considerably higher than the proposals received from the other bidders.

Mr. Pyle stated West Valley City had approximately 25 City-owned vehicle tows per year and there were over 250 citizen vehicle tows per year which included both hold for owner and police holds.

The City Manager advised that due to the condition of the economy it was important to look at the most cost effective proposal submitted for the towing services. He stated Cal Brown Body Shop had submitted a fair and balanced fee schedule which would benefit the City and its citizens. He further advised Cal Brown Body Shop had a professional demeanor and maintained an exceptional working environment with the City and its employees. He recommended the towing contract services be awarded to Cal Brown Body Shop with a contract period beginning July 1, 2013.

After discussion, Councilmember Rushton moved to approve Resolution No. 13-39, a Resolution Authorizing the Execution of an Agreement for Wrecker, Towing and Impound Yard Services between West Valley City and Cal Brown Body Shop. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

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Unanimous.

16094

**RESOLUTION NO. 13-40, APPROVE INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY, ON BEHALF OF THE SALT LAKE VALLEY HEALTH DEPARTMENT, TO PROVIDE A SAFETY PLAN AND SECURITY FOR THE HEALTH DEPARTMENT'S POINT OF DISTRIBUTION LOCATED AT HUNTER HIGH SCHOOL**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-40 which would approve an Interlocal Agreement with Salt Lake County on behalf of the Salt Lake Valley Health Department, to provide a safety plan and security for the Health Department's Point of Distribution (POD) located at Hunter High School.

Mr. Pyle stated the Salt Lake City Health Department had requested to enter into an agreement with West Valley City in regards to security for the Health Department's POD located at Hunter High School. He indicated the City, through the Police Department, would provide physical security and safety for the POD in the event of a public health emergency. He further explained the Police Department would also provide a site safety plan. In consideration for the time and effort for development of the site plan and costs of implementing the agreement, the City would receive up to \$3,500.

He reported the Salt Lake Valley Health Department had agreed to provide mass prophylaxis and other limited health services at certain Points of Distributions (PODs) throughout the Salt Lake Valley in the event of a public health emergency. One of those PODs had been located at Hunter High School in West Valley City. He stated it was important to the operation of this POD, and therefore to the welfare of the citizens, that the POD have a site safety plan in place prior to the event of a public health emergency, including the Police Department's participation in training exercises to implement the safety plan. He explained in this way when a real public health emergency occurred health services and medications could be provided to the citizens of West Valley City in an efficient and safe environment.

After discussion, Councilmember Vincent moved to approve Resolution No. 13-40, a Resolution Approving an Interlocal Agreement between West Valley City and Salt Lake County, on behalf of the Salt Lake Valley Health Department, to Provide a Safety Plan and Security for the Health Department's Point of Distribution Located at Hunter High School. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes

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Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16095

**RESOLUTION NO. 13-41, APPROVE AMENDMENT NO. 1 TO AN AGREEMENT BETWEEN WEST VALLEY CITY AND MCCLAREN, WILSON & LAWRIE, INC. FOR A SPACE AND SITE NEEDS ASSESSMENT FOR A NEW JOINT FORENSIC SCIENCE LABORATORY AND EVIDENCE FACILITY**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-41 which would approve Amendment No. 1 to an Agreement between West Valley City and McClaren, Wilson & Lawrie, Inc., in the amount of \$29,986.00, regarding a space and site needs assessment for a new joint forensic science laboratory and evidence facility.

Mr. Pyle stated West Valley City and Salt Lake City had recently received a complete needs assessment for the Salt Lake Valley Regional Forensic Investigations Center to be located in West Valley City. He advised the next step in the development process would be to prepare the concept key plan and the space needs assessment and West Valley City's portion of that cost would be in the amount of \$29,986.00, the requested amount for the amendment.

He reported that in August of 2011, West Valley City and Salt Lake City entered into a Needs Assessment/Case Load Agreement with consulting firm McClaren, Wilson and Lawrie, Inc. (MWL). In August of 2012, that Needs Assessment/Case Load Agreement had been completed and the report supported a proposal for a joint forensics science laboratory and evidence facility. He indicated information from the Needs Assessment/Case Load Assessment would be provided to MOCA Project Management to allow them to develop an initial project budget to construct the new building and site improvements for the new lab and evidence facility.

After discussion, Councilmember Buhler moved to approve Resolution No. 13-41, a Resolution Approving Amendment No. 1 to an Agreement between West Valley City and McClaren, Wilson & Lawrie, Inc. for a Space and Site Needs Assessment for a new Joint Forensic Science Laboratory and Evidence Facility. 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. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16096

**RESOLUTION NO. 13-42, ACCEPT AN ACCESS AND RECREATION EASEMENT FROM MILLER SAGE GATE ASSOCIATES, LLC, FOR PROPERTY LOCATED WITHIN THE APARTMENT DEVELOPMENT AT 2606 SOUTH ANNA CAROLINE DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-42 which would accept an Access and Recreation Easement from Miller Sage Gate Associates, LLC, for property located within the apartment development at 2606 South Anna Caroline Drive.

Mr. Pyle stated the proposed easement would allow the public to access the Cross Towne Trail, trailhead park and associated parking within the apartment development at the above stated location.

He reported the City Council recently approved a Development Agreement for a 278 unit apartment development at 2606 South Anna Caroline Drive just west of Winco. He indicated the project included the Cross Towne Trail along the north portion of the property as well as a trailhead park with associated parking. He explained the agreement for this project stated the developer shall grant to the City a public recreational easement which shall include public recreational access to the Cross Towne Trail and trailhead park, a duty to maintain the easement in a condition acceptable to the City and with public access to the trailhead park and associated parking. He pointed out the location of the easement was shown in Exhibit A of the easement.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-42, a Resolution Authorizing the Acceptance of an Access and Recreation Easement from Miller Sage Gate Associates, LLC, for Property Located Within the Apartment Development at 2606 South Anna Caroline Drive. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes

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Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16097

**RESOLUTION NO. 13-43, APPROVE AN AGREEMENT WITH THE BOARD OF EDUCATION OF GRANITE SCHOOL DISTRICT FOR PROPERTY LOCATED AT 3050 SOUTH 2700 WEST**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-43 which would approve an Agreement with the Board of Education of Granite School District for property located at 3050 South 2700 West.

Mr. Pyle stated the Granite School District had design plans and desired to remodel Stansbury Elementary School located at 3050 South 2700 West and the remodel plans included placement of parking improvements within the right-of-way owned by West Valley City. He indicated the subject agreement outlined the process for removal of the parking improvements upon receipt of written notice by the City.

After discussion, Councilmember Vincent moved to approve Resolution No. 13-43, a Resolution Authorizing the Execution and Recording of an Agreement between West Valley City and the Board of Education of Granite School District for Property Located at 3050 South 2700 West. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

16098

**APPLICATION NO. PUD-3-2013, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR Highbury Towns East Subdivision – Phase 3, LOCATED AT 3075 SOUTH 5290 WEST**

City Manager, Wayne Pyle, presented Application No. PUD-3-2013, filed by Ivory Homes, requesting final plat approval for Highbury Towns East Subdivision – Phase 3, located at 3075 South 5290 West.

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Mr. Pyle stated Nick Mingo, representing Ivory Homes, had requested final plat approval for the third phase of Highbury Towns East Subdivision located north of 3100 South and immediately east of the second phase. He reported the third phase would consist of 26 lots and two parcels on approximately 2.11 acres. He indicated buildings constructed thus far had been in accordance with the development agreement approved by the Planning Commission and City Council. He stated buildings in this phase would use the same footprint as in previous phases of this project.

He reported buildings would consist of 100% masonry materials with architecture reflective of the craftsman style, an American domestic style made popular in the early 1900's. He indicated although brick was limited with this style of architecture there were elements that would appear on the front elevation as well as the alleys. Stucco and hardi plank would comprise the other materials used in this development. He stated Ivory proposed three color schemes to be used to provide greater diversity between buildings.

The City Manager also reported staff had evaluated this project in regards to the multiple family design standards. He stated this project met the standards outlined in the ordinance governing architecture, color and variation. He advised the developer would be provided with a copy of these standards to ensure that all areas would be addressed.

After discussion, Councilmember Rushton moved to approve Application No. PUD-3-2013, filed by Ivory Homes, and Give Final Plat Approval for Highbury Towns East – Phase 3 Located at 3075 South 5290 West. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

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**APPLICATION NO. S-3-2013, FILED BY QUESTAR GAS COMPANY, REQUESTING FINAL PLAT APPROVAL FOR HUNTER PARK STATION SUBDIVISION, LOCATED AT 5866 WEST 3500 SOUTH**

City Manager, Wayne Pyle, presented Application No. S-3-2013, filed by Questar Gas Company, requesting final plat approval for Hunter Park Station Subdivision, located at 5866 West 3500 South.

Mr. Pyle stated Rick Hellstrom, representing Questar Gas Company, had requested the approval for a one lot subdivision. He advised the subdivision was bordered on the north by the Meadowlands Subdivision and the east by property owned by Rocky Mountain Power. He stated the property was adjacent to agricultural zoning to the west and immediately north of 3500 South.

He reported the subdivision had been proposed to consolidate a number of parcels to create one lot. The new subdivision would allow Questar the ability to expand their natural gas regulating facility. He explained due to increased demands and continued growth in the area, Questar believed the expansion to be necessary.

The City Manager explained Questar presently operated their facility on approximately .63 acres. Mr. Hellstrom had informed City staff that Questar recently purchased property from Rocky Mountain Power and from the Brown family. He advised these acquisitions were necessary in order to expand the facility, with the total acreage of all property within the subdivision boundary of 1.88 acres.

Mr. Pyle indicated the northern portion of the subdivision was located at the end of Water Leaf Way. He stated City ordinance required that whenever a dead end street was terminated at property to be subdivided, the street shall be extended and incorporated into the design of the subdivision. He stated City staff had met and discussed this issue with Questar and in order to meet those requirements Questar would dedicate a portion of property for a future right-of-way to serve the deep agricultural lots fronting 3500 South. He explained to help illustrate the proposed dedication was in the right location, a conceptual drawing had been prepared by Questar's engineer.

He also reported public improvements for this dedication would not be required at this time and this plat would simply provide dedication needed for the future. Water Leaf Way would remain in its current configuration until development to the west occurred. He stated it was not believed a delay agreement would be needed due to the size of this dedication. However, as discussed in the Planning Commission hearing, a letter of understanding regarding Questar's participation with these improvements would be reviewed by City staff and provided for

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Council review. He further advised as part of the subdivision application, the applicant would be required to dedicate a portion of 3500 South.

He stated the applicant had met with the Utah Department of Transportation (UDOT) and discussed the width needed. He concluded that although the plat identified the dedication area, public improvements would not be installed at this time.

After discussion, Councilmember Lang moved to approve Application No. S-3-201, filed by Questar Gas Company, and Give Final Plat Approval for Hunter Park Station Subdivision Located at 5866 West 3500 South. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

16100

**MOTION FOR EXECUTIVE SESSION**

After discussion, Councilmember Rushton moved to adjourn and reconvene in an Executive Session for discussion of potential and eminent litigation. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	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, MARCH 26, 2013, WAS ADJOURNED AT 7:02 P.M., BY MAYOR WINDER.**

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON MARCH 26, 2013, AT 7:04 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 WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

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

Wayne Pyle, City Manager (Arrived as noted)  
Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

ABSENT: Tom Huynh

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director  
Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Anita Schwemmer, Acting Police Chief

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF MARCH 26, 2013, WAS ADJOURNED AT 7:42 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting and Executive Session of the West Valley City Council held Tuesday, March 26, 2013.

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Sheri McKendrick, MMC  
City Recorder