

**MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013**

**-1-**

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 8, 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

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT: Corey Rushton  
Steve Vincent

STAFF PRESENT:

Eric Bunderson, City Attorney  
Russell Willardson, Public Works Director  
Jim Welch, Finance Director  
Kevin Astill, Parks and Recreation Director  
Layne Morris, CPD Director  
Lee Russo, Police Chief  
Steve Pastorik, Acting CED Director  
Stan Varney, Acting Fire Chief  
Steve Lehman, CED Department  
Jake Arslanian, Public Works Department

16325 **OPENING CEREMONY**

The Opening Ceremony was conducted by Don Christensen who discussed the Battle of Gettysburg and dedication of Gettysburg National Cemetery by President Lincoln. Upon invitation of Mr. Christensen, a student at Hunter Elementary, Michael Rasmussen, recited Lincoln's Gettysburg Address.

16326 **SCOUTS**

Mayor Winder welcomed Scout Troop No. 96 in attendance to complete requirements for the Citizenship in the Community merit badge.

**MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013**

**-2-**

16327        **SPECIAL RECOGNITIONS**  
Mayor Winder recognized and welcomed Lars Nordfelt, At-Large candidate, and Necia Christensen, UTA board member.

16328        **APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 24, 2013**

The Council read and considered Minutes of the Regular Meeting held September 24, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Buhler moved to approve the Minutes of the Study Meeting held September 17, 2013, as written. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

16329        **PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER 2013 AS “NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH” IN WEST VALLEY CITY**

Mayor Winder read a Proclamation recognizing the month of October 2013 as “National Domestic Violence Awareness Month” in West Valley City.

16330        **COMMENT PERIOD**

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

16331        **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-16-2013 FILED BY THE UTAH DEPARTMENT OF TRANSPORTATION, REQUESTING TO VACATE LOTS 901-916 OF THE JONESDALE NO. 9 SUBDIVISION AND TWO CUL-DE-SAC STREETS KNOWN AS MASTER’S CIRCLE AND MASTER’S COURT LOCATED AT APPROXIMATELY 3745 SOUTH 5800 WEST**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to accept public input regarding Application No. S-16-2013, filed by the Utah Department of Transportation (UDOT), requesting to vacate Lots 901-916 of the Jonesdale No. 9 Subdivision and two cul-de-sac streets

## MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013

-3-

known as Master's Circle and Master's Court, located at approximately 3745 South 5800 West. He discussed proposed Ordinance No. 13-39 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. 13-39 that would amend Lots 901-916 and vacate all of Master's Circle and Master's Court in the Jonesdale No. 9 Subdivision located in West Valley City, Utah.

Mr. Pyle stated the applicant requested consideration to vacate Lots 901-916 of the Jonesdale No. 9 Subdivision that would also vacate all of Master's Circle and Master's Court along with all platted public utility easements. He advised the Jonesdale No. 9 Subdivision had been recorded in the office of the Salt Lake County Recorder in June 1979. He further advised this proposal was located north of Bills Drive, recently vacated by the City.

He advised that UDOT had acquired all properties mentioned for this application. He explained based on site visits all homes with access onto Master's Circle and Master's Court had been demolished. He stated the City would not record the ordinance vacating the right-of-way until UDOT provided verification the acquisition was complete and there were no pending condemnation proceedings.

The City Manager indicated although the streets would be vacated by plat, an ordinance would be recorded as well. However, the ordinance would have no force or effect of any franchise rights of any public utilities, nor would they be impaired thereby. The ordinance would protect any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as were or may be shown on the official plats and records of Salt Lake County.

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

### **ACTION: CONSIDER ORDINANCE NO. 13-39, AMENDING LOTS 901-916 AND VACATING ALL OF MASTER'S CIRCLE AND MASTER'S COURT IN THE JONESDALE NO. 9 SUBDIVISION LOCATED IN WEST VALLEY CITY, UTAH**

The Council previously held a public hearing regarding Application No. S-16-2013 filed by the Utah Department of Transportation (UDOT) and proposed Ordinance No. 13-39 that would amend Lots 901-916 and vacate all of Master's Circle and Master's Court in the Jonesdale No. 9 Subdivision located in West Valley City, Utah.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013

-4-

After discussion, Councilmember Christensen moved to Ordinance No. 13-39, an Ordinance Amending Lots 901-916 and Vacating all of Master's Circle and Master's Court in the Jonesdale No. 9 Subdivision Located in West Valley City, Utah. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

16332

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. SV-5-2013, FILED BY THE UTAH DEPARTMENT OF TRANSPORTATION, REQUESTING TO VACATE LOTS 14-21 INCLUDING ALL PUBLIC UTILITY EASEMENTS AND ALL OF WAYWARD CIRCLE IN THE GOLDEN HILLTOP ESTATES SUBDIVISION PHASE 1 LOCATED AT APPROXIMATELY 5860 WEST 4300 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. SV-5-2013, filed by the Utah Department of Transportation (UDOT), requesting to vacate Lots 14-21 including all public utility easements and all of Wayward Circle in the Golden Hilltop Estates Subdivision Phase 1, located at approximately 5860 West 4300 South. He discussed proposed Ordinance No. 13-40 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. 13-40 that would approve the vacation of Lots 14-21 and all of Wayward Circle in the Golden Hilltop Estates Subdivision Phase 1, located in West Valley City, Utah.

Mr. Pyle stated UDOT had requested amendment and vacation of Lots 14-21 of the Golden Hilltop Estates Phase 1 Subdivision, including Wayward Circle. He advised the subdivision had been recorded with the Salt Lake County Recorder's Office in October 1993 and the plat amendment would be necessary due to future construction of the Mountain View Corridor. He advised all homes with the exception of the dwelling on Lot 21 had been demolished. He indicated that as with similar requests, the street providing access to these lots would be vacated as well.

**MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013**

**-5-**

He further explained all public utility easements noted on the original subdivision would be vacated. UDOT would be responsible to coordinate the extraction of any existing utilities and street improvements with appropriate agencies. In addition, all property acquisition would need to be completed prior to the City's recordation of the amended plat.

The City Manager reported although these streets and lots would be vacated by plat and ordinance, the ordinance would have no force or effect of any franchise rights of any public utilities, nor would they be impaired thereby. He stated the ordinance would also protect any holders of existing franchises, water drainage pipelines, or other such uses as they presently existed under, over or upon said property or as were or may be shown on the official plats and records of Salt Lake County.

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

**ACTION: CONSIDER ORDINANCE NO. 13-40, APPROVING THE VACATION OF LOTS 14-21 AND ALL OF WAYWARD CIRCLE IN THE GOLDEN HILLTOP ESTATES SUBDIVISION PHASE 1, LOCATED IN WEST VALLEY CITY, UTAH**

The Council previously held a public hearing regarding Application No. SV-5-2013, filed by the Utah Department of Transportation (UDOT), and proposed Ordinance No. 13-40 that would approve the vacation of Lots 14-21 and all of Wayward Circle in the Golden Hilltop Estates Subdivision Phase 1, located in West Valley City, Utah.

After discussion, Councilmember Buhler moved to approve Ordinance No. 13-40, an Ordinance Approving the Vacation of Lots 14-21 and all of Wayward Circle in the Golden Hilltop Estates Subdivision Phase 1, Located in West Valley City, Utah. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013

-6-

16333

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. SV-4-2013, FILED BY THE UTAH DEPARTMENT OF TRANSPORTATION, REQUESTING TO VACATE LOTS 321-332 INCLUDING ALL PUBLIC UTILITY EASEMENTS AND ALL OF GOLDEN ARROW COVE IN THE GOLDEN HILLTOP ESTATES SUBDIVISION PHASE 3 LOCATED AT APPROXIMATELY 4415 SOUTHY 5875 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. SV-4-2013, filed by the Utah Department of Transportation, requesting to vacate Lots 321-332 including all public utility easements and all of Golden Arrow Cove in the Golden Hilltop Estates Subdivision Phase 3, located at approximately 4415 South 5875 West. He discussed proposed Ordinance No. 13-41 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. 13-41 that would approve the vacation of Lots 321-332 and all of Golden Arrow Cove in the Golden Hilltop Estates Subdivision Phase 3, located in West Valley City, Utah.

Mr. Pyle stated UDOT had requested to vacate Lots 321-332, public utility easements associated with the lots, and all of Golden Arrow Cove located at 4415 South 5875 West. He advised the Golden Hilltop Estates Phase 3 Subdivision had been recorded with the Salt Lake County Recorder's Office in July 1994, and the plat amendment would be necessary due to the future construction of the Mountain View Corridor.

He explained based on a recent site visit all homes along Golden Arrow Cove had been demolished. As part of the application all public utility easements noted on the original subdivision plat for the referenced lots would be vacated as well. He indicated although the streets and lots would be vacated by ordinance, the ordinance would have no force or effect of any franchise rights of any public utilities, nor would they be impaired thereby. He stated the ordinance would also protect any holders of existing franchises, water drainage pipelines, or other such uses as they might presently exist under, over or upon said property or as were or may be shown on the official plats and records of Salt Lake County.

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

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013

-7-

**ACTION: CONSIDER ORDINANCE NO. 13-41, APPROVING THE VACATION OF LOTS 321-332 AND ALL OF GOLDEN ARROW COVE IN THE GOLDEN HILLTOP ESTATES SUBDIVISION PHASE 3, LOCATED IN WEST VALLEY CITY, UTAH**

The Council previously held a public hearing regarding Application No. SV-4-2013, filed by the Utah Department of Transportation (UDOT), and proposed Ordinance No. 13-41 that would approve the vacation of Lots 321-332 and all of Golden Arrow Cove in the Golden Hilltop Estates Subdivision Phase 3 located in West Valley City, Utah.

After discussion, Councilmember Lang moved to approve Ordinance No. 13-41, an Ordinance Approving the Vacation of Lots 321-332 and all of Golden Arrow Cove in the Golden Hilltop Estates Subdivision Phase 3 Located in West Valley City, Utah. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

16334

**RESOLUTION NO. 13-146, APPROVE THE AWARD AND EXECUTION OF A CONTRACT WITH RALPH L. WADSWORTH COMPANY FOR CONSTRUCTION OF THE JORDAN RIVER PEDESTRIAN SUSPENSION BRIDGE (ADDED TO THE AGENDA AFTER OCTOBER 1, 2013 STUDY MEETING)**

City Manager, Wayne Pyle, presented proposed Resolution No. 13-146 which would approve the award and execution of a contract with Ralph L. Wadsworth Company, in the amount of \$372,851.80, and not to exceed a total of \$395,222.00, for construction of the Jordan River Pedestrian Suspension Bridge.

Mr. Pyle reported bids had been solicited and four bids received, as follows:

Ralph Wadsworth:	\$369,123.28
COP Construction:	\$390,378.00
Gerber Construction:	\$457,466.53
Granite Construction:	\$559,773.97

**MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013**

**-8-**

The City Manager advised Ralph L. Wadsworth Company had submitted the lowest responsible bid.

He indicated \$218,350.00 would be funded from HB377, and \$176,872.00 from the General Fund. He stated design and procurement of services had been completed for a flexible pedestrian suspension bridge over the Jordan River near the Utah Cultural Celebration Center. He also stated, as directed, the bridge would be a high-deflection wood-deck suspension bridge with cable suspension towers and boardwalk ramps on either side of the River.

City Manager, Wayne Pyle, also informed the contractor might not be able to start until November 1<sup>st</sup> due to a required State permit having a 45 day waiting period.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-146, a Resolution for the Award and Execution of a Contract with the Ralph L. Wadsworth Company for Construction of the Jordan River Pedestrian Suspension Bridge. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, OCTOBER 8, 2013, WAS ADJOURNED AT 6:47 P.M., BY MAYOR WINDER.**

**MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 8, 2013**

**-9-**

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, October 8, 2013.

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Sheri McKendrick, MMC  
City Recorder