

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 21, 2017, AT 5:11 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Steve Vincent, Councilmember District 4

ABSENT:

Karen Lang, Councilmember District 3

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/ HR Director
Nicole Cottle, Assistant City Manager/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Matt Ellson, Acting Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Steve Lehman, CED Department
Mark Nord, CED Department
Jonathan Springmeyer, CED Department

OPENING CEREMONY

Councilmember Lars Nordfelt conducted the Opening Ceremony. He requested members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-2-

APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 7, 2017

The Council considered the Minutes of the Regular Meeting held March 7, 2017. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Regular Meeting held March 7, 2017. Councilmember Vincent seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

COMMENT PERIOD

A. PUBLIC COMMENTS

Upon inquiry, there were no members of the public wishing to speak.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

C. CITY COUNCIL COMMENTS

Upon inquiry, there were no comments by members of the City Council.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. SV-1-2017, FILED BY WEST VALLEY CITY, REQUESTING A PARTIAL STREET VACATION FOR 2700 WEST AT APPROXIMATELY 2163 SOUTH

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled March 14, 2017, in order for the City Council to hear and consider public comments regarding application No. S-1-2017, filed by Leslie Morton, requesting Final Plat Approval for the CVS West Valley Plaza Subdivision- Lots 1 & 2 Amended.

The March 14, 2017 Regular City Council Meeting was canceled but items on the agenda were rescheduled to March 21, 2017.

Written documentation previously provided to the City Council included Information as follows:

The West Valley City Engineering Division is requesting a partial street vacation for 2700 West at approximately 2163 South. The right-of-way to be vacated was platted in 1895 in a subdivision known as Asbury Park Addition. The street width illustrated on the original subdivision plat is 132 feet in width. Staff is unsure why such a large right-of-way was platted, but over the years, the City has vacated various sections of this street to a more standard half width of 50-feet.

The right-of-way to be vacated is located at the northern end of 2700 West. This street transitions at the northern end by veering off toward the northwest, essentially

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-3-

becoming the south frontage road along the Highway 201. When this transition was constructed, a uniquely shaped property was created. Access to the Kenworth property also comes off 2700 West at this location, but at a perpendicular angle to the street and north of the uniquely shaped property.

The property owner of Artisan Granite and Marble is proposing to develop the remainder of his property. His property is located immediately to the east of that portion to be vacated. During discussions with staff about this spending development, a decision was made to vacate the right-of-way which will allow landscaping on that portion of property located within the original right-of-way. This will also create a more pleasing street scene as improvements to the area including curb, gutter, sidewalk and landscaping will be installed.

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

ACTION: ORDINANCE NO. 17-11, VACATE A PORTION OF 2700 WEST AT APPROXIMATELY 2163 SOUTH IN WEST VALLEY CITY

The City Council previously held a public hearing regarding proposed Ordinance 17-11 that would vacate a portion of 2700 West at approximately 2163 South in West Valley City.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve Ordinance 17-11.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 17-35, APPROVE A FRANCHISE AGREEMENT BETWEEN ELECTRIC LIGHTWAVE LLC AND WEST VALLEY CITY FOR A TELECOMMUNICATIONS NETWORK IN THE CITY

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-4-

Mayor Bigelow presented resolution 17-35 that would approve a franchise agreement between Electric Lightwave LLC and West Valley City for a telecommunications network in the City.

Written documentation previously provided to the City Council included information as follows:

Applications for telecommunications networks in West Valley City are governed by Chapter 20-5 of the City Code. The franchise granted by this Agreement is for a 10 year period, with the option to renew for an additional 10 years with the same terms and conditions. Chapter 20-6 of the City Code permits the City to require all telecommunications providers to collect taxes from their customers and deposit them with the Utah State Tax Commission. This agreement memorializes this provision as well as acknowledging Electric Lightwave's duty to secure permits from Public Works for any excavation or construction.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Vincent moved to approve Resolution No. 17-35.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 17-41, AUTHORIZE WEST VALLEY CITY TO ACCEPT A SPECIAL WARRANTY DEED FROM THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY FOR PROPERTY LOCATED AT 3550 SOUTH CONSTITUTION BLVD

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-5-

Mayor Bigelow presented proposed Resolution No. 17-41 that would authorize West Valley City to accept a Special Warranty Deed from the Redevelopment Agency of West Valley City for property located at 3550 South Constitution Blvd.

Written information previously provided to the City Council included the following:

This resolution will approve the transfer of property ownership for parcel 15-33-129-054 at approximately 3550 S. Constitution Boulevard from the RDA to West Valley City. This location is currently leased to Toys “R” Us and West Valley City is seeking to acquire all interests in the property.

Under Resolution No. 16-196, West Valley City authorized the acquisition of all interests in the property through negotiation or condemnation in order to use the property for a public purpose. The RDA wishes to transfer ownership of the property to West Valley City, and the City has agreed to accept the transfer of ownership, in case a condemnation action becomes necessary to acquire all rights to the property.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to approve Resolution No. 17-41.

Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

CONSENT AGENDA

- A. RESOLUTION 17-36, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JODY L. KENDALL FOR PROPERTY LOCATED AT 3268 WEST TESS AVENUE (PARCEL 15-29-427-022)**

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-6-

Mayor Bigelow presented proposed Resolution No. 17-36 that would authorize the City to accept a Grant of Temporary Construction Easement from Jody L. Kendall for property located at 3268 West Tess Avenue (Parcel 15-29-427-022).

Written information previously provided to the City Council included the following:

The Jody L. Kendall property located at 3268 W. Tess Avenue is one of the properties affected and benefitted by the Tess Avenue Sidewalk Project. This project will include the installation of sidewalk, new curb and gutter, and other related improvements on portions of Tess Avenue and Lee Ann Street to provide safer pedestrian access to Hillsdale Elementary School. It will also include the installation of drive approaches, and textured, colored concrete park strip between the curb and the new sidewalk. Compensation for the purchase of the Grant of Temporary Construction Easement is \$250.00.

B. RESOLUTION 17-37, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOSE N MONTOYA FOR PROPERTY LOCATED AT 3238 WEST TESS AVENUE (PARCEL 15-29-428-012)

Mayor Bigelow presented proposed Resolution No. 17-37 that would authorize the City to accept a Grant of Temporary Construction Easement from Jose N Montoya for property located at 3238 West Tess Avenue (Parcel 15-29-428-012).

Written information previously provided to the City Council included the following:

The Jose N. Montoya property located at 3238 W. Tess Avenue is one of the properties affected and benefitted by the Tess Avenue Sidewalk Project. This project will include the installation of sidewalk, new curb and gutter, and other related improvements on portions of Tess Avenue and Lee Ann Street to provide safer pedestrian access to Hillsdale Elementary School. It will also include the installation of drive approaches, and textured, colored concrete park strip between the curb and the new sidewalk. Compensation for the purchase of the Grant of Temporary Construction Easement is \$250.00.

C. RESOLUTION 17-38, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KEVIN BARR FOR PROPERTY LOCATED AT 3222 WEST TESS AVENUE (PARCEL 15-29-428-013)

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-7-

Mayor Bigelow presented proposed Resolution No. 17-38 that would authorize the City to accept a Grant of Temporary Construction Easement from Kevin Barr for property located at 3222 West Tess Avenue (Parcel 15-29-428-013).

Written information previously provided to the City Council included the following:

The Kevin Barr property located at 3222 W. Tess Avenue is one of the properties affected and benefitted by the Tess Avenue Sidewalk Project. This project will include the installation of sidewalk, new curb and gutter, and other related improvements on portions of Tess Avenue and Lee Ann Street to provide safer pedestrian access to Hillsdale Elementary School. It will also include the installation of drive approaches, and textured, colored concrete park strip between the curb and the new sidewalk. Compensation for the purchase of the Grant of Temporary Construction Easement is \$250.00.

D. RESOLUTION 17-39, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM BODELL H BENSON TRUSTEE OF THE RALPH D BENSON AND BODELL H BENSON REVOCABLE LIVING TRUST AGREEMENT (GRANTOR) FOR PROPERTY LOCATED AT 3264 SOUTH 3200 WEST (15-29-428-014)

Mayor Bigelow presented proposed Resolution No. 17-39 that would authorize the City to accept a Grant of Temporary Construction Easement from Bodell H Benson Trustee of the Ralph D Benson and Bodell H Benson Revocable Living Trust Agreement (Grantor) for property located at 3264 South 3200 West (15-29-428-014).

Written information previously provided to the City Council included the following:

The Ralph D. Benson and BoDell H. Benson Revocable Living Trust Agreement, dated May 19, 1994 property located at 3264 South 3200 West is one of the properties affected and benefitted by the Tess Avenue Sidewalk Project. This project will include the installation of sidewalk, new curb and gutter, and other related improvements on portions of Tess Avenue and Lee Ann Street to provide safer pedestrian access to Hillsdale Elementary School. It will also include the installation of drive approaches, and textured, colored concrete park strip between the curb and the new sidewalk. Compensation for the purchase of the Grant of Temporary Construction Easement is \$250.00.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-8-

E. RESOLUTION 17-40, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DAVID A. PETERSON, FOR PROPERTY LOCATED AT 3310 SOUTH LEE ANN STREET (PARCEL 15-29-478-019).

Mayor Bigelow presented proposed Resolution No. 17-40 that would authorize the City to accept a Grant of Temporary Construction Easement from David A. Peterson for property located at 3310 South Lee Ann Street (Parcel 15-29-478-019).

Written information previously provided to the City Council included the following:

The David A. Peterson property located at 3310 S. Lee Ann Street is one of the properties affected and benefitted by the Tess Avenue Sidewalk Project. This project will include the installation of sidewalk, new curb and gutter, and other related improvements on portions of Tess Avenue and Lee Ann Street to provide safer pedestrian access to Hillsdale Elementary School. It will also include the installation of drive approaches, and textured, colored concrete park strip between the curb and the new sidewalk. Compensation for the purchase of the Grant of Temporary Construction Easement is \$250.00.

F. RESOLUTION 17-42, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH NEIL R LUND AND SUSAN H LUND AND TO ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 4094 SOUTH CONSTITUTION BOULEVARD (PARCEL 15-33-380-025)

Mayor Bigelow presented proposed Resolution No. 17-42 that would authorize the City to enter into a Right-of-Way Contract with Neil R Lund and Susan H Lund and to accept a Warranty Deed and Grant of Temporary Construction Easement for property located at 4094 South Constitution Boulevard (Parcel 15-33-380-025).

Written information previously provided to the City Council included the following:

This portion of the Neil R. Lund and Susan H. Lund parcel located at 4094 S. Constitution Boulevard is being acquired as part of the 2700 West Improvement Project, scheduled to be completed in 2018. However, it is being done now so that the sidewalk that is being replaced as part of the 4100 South Signal Improvement Project with Federal Funds can be replaced with a parkstrip, to be improved in the future.. The acquisition from Neil R. Lund and Susan H. Lund includes 576 square feet of right-of-way. Compensation for the purchase of the Warranty Deed and Grant of

MINUTES OF COUNCIL REGULAR MEETING – MARCH 21, 2017

-9-

Temporary Construction Easement is \$5,800.00 based upon the appraisal prepared by the Integra Realty Resources.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Christensen moved to approve Resolution's 17-36, 17-37, 17-38, 17-39, 17-40, and 17-42 on the Consent Agenda.

Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

MOTION TO ADJOURN

Upon motion by Councilmember Buhler voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, MARCH 21, 2017, WAS ADJOURNED AT 5:21 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, March 21, 2017.

Nichole Camac
City Recorder