

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-1-

THE CITY COUNCIL MET IN SPECIAL REGULAR SESSION ON TUESDAY, AUGUST 18, 2009, 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 NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Corey Rushton
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Kevin Astill, Parks and Recreation Director
Nicole Cottle, CED Director
Jim Welch, Finance Director
John Evans, Fire Chief
Russell Willardson, Public Works Director
Anita Schwemmer, Acting Police Chief
Frank Lilly, CED Department
Mark Nord, CED Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department
Dean Williams, Fire Department
Jeremy McBride, Fire Department
Nick Dodge, Fire Department
Chad Durkee, Fire Department
Kevin Pagel, Fire Department
Kevin Funk, Fire Department
BJ White, Fire Department
Chad Burnside, Fire Department
Jarrett Webster, Fire Department

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-2-

14657 **OPENING CEREMONY**

The Opening Ceremony was conducted by Russ Brooks who discussed e-mails from golf course staff regarding daily specials at the snack bar. It was a pleasure seeing residents and staff enjoying good food at a great price.

14658 **APPROVAL OF MINUTES OF REGULAR MEETING HELD AUGUST 4, 2009**

The Council read and considered the Minutes of the Regular Meeting held August 4, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held August 4, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14659 **APPROVAL OF MINUTES OF SPECIAL REGULAR MEETING HELD AUGUST 6, 2009**

The Council read and considered the Minutes of the Special Regular Meeting held August 6, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Winder moved to approve the Minutes of the Special Regular Meeting held August 6, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-3-

Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14660 **PROCLAMATION DECLARING AUGUST, 2009 AS “FIREFIGHTER APPRECIATION MONTH” IN WEST VALLEY CITY**

Councilmember Winder read a Proclamation declaring August, 2009, as “Firefighter Appreciation Month” in West Valley City.

Mayor Nordfelt recognized and thanked firefighters in attendance at the meeting.

Battalion Chief Dean Williams, addressed the City Council and stated he and the firefighters/paramedics in attendance appreciated the honor and recognition for their efforts in fundraising for the Muscular Dystrophy Association (MDA) during the annual “Fill the Boot” campaign. He advised that David Ricketts, Chairman of Utah MDA, was also in attendance. Chief Williams also expressed appreciation to residents and others traveling through West Valley City for their contributions to this worthy cause.

14661 **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the comment period:

Richard Ream, 4473 Thayn Drive, addressed the City Council and stated he would make a last plea before the Council voted on the gravel driveway issue. He discussed his reasons for requesting only two inches of gravel be required, rather than four inches, and he discussed the expense. He indicated residents wanted to comply and two inches had been enforced for years and he would like it to remain as is. He further stated if this did not go the way he desired he might be back pursuing other issues. He asked the Council to consider the impact of decisions on the public.

Gerald Wise, 4025 South 6820 West, addressed the City Council. Mr. Wise apologized to the City Council and others for his frustration recently in trying to obtain information. He stated he had received that information this date. He discussed his views on the gravel driveway issue and noted some people were pouring concrete in their front yards and using it for parking of recreational vehicles and other vehicles.

Mike Markham, 3008 Alice Circle, addressed the City Council. Mr. Markham stated he believed the City Council had given up a lot and four inches of gravel, compacted, with a border would cost almost as much as concrete. He requested

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-4-

the City Council stay firm on the four-inch requirement. He indicated gravel was high maintenance, but looked good if properly maintained. He stated City staff should have the ability and support to enforce maintained gravel driveways.

14662

RESOLUTION NO. 09-281, APPROVE AN AGREEMENT WITH DLS CONSULTING, INC. TO PROVIDE PROFESSIONAL SERVICES DURING THE 2009-2010 FISCAL YEAR

City Manager, Wayne Pyle, presented proposed Resolution No. 09-281 which would approve an Agreement with DLS Consulting, Inc., in the amount of \$80,000.00, to provide professional services during the 2009-2010 fiscal year.

Mr. Pyle stated that DLS would provide professional services in interacting with other governmental agencies, including lobbying the Utah Legislature on issues important to West Valley City, as identified by himself and DLS.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-281, a Resolution Authorizing the City to Enter Into an Agreement with DLS Consulting, Inc. to Provide Professional Services During the 2009-2010 Fiscal Year. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14663

RESOLUTION NO. 09-282, AWARD CONTRACT TO NICHOLS BUILDING, LLC, FOR THE 6400 WEST STORM DRAIN PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-282 which would award a contract to Nichols Building, LLC, in the amount of \$153,112.12, for the 6400 West Storm Drain Project.

Mr. Pyle stated bids had been solicited and a total of nine bids had been received as follows:

Nichols Building, LLC	\$153,112.12
Bowen Construction	185,815.00

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-5-

Regency Excavation	189,523.10
Sunroc Corporation	199,782.00
Harper Contracting, Inc.	218,270.02
Dymock Construction, Inc.	230,107.10
Four Seasons	268,634.48
Dwight W. Peterson & Sons Excavating	280,428.25
Cunningham Construction	385,744.00

The City Manager reported Nichols Building, LLC had submitted the lowest responsible bid.

Mr. Pyle indicated the project consisted of installation of curb and gutter and asphalt, installation of a storm drain line consisting of reimbursed concrete pipe and cleanout boxes, and other minor tie-ins to the existing storm drain system, and other work associated with storm drain work.

After discussion, Councilmember Burt moved to approve Resolution No. 09-282, a Resolution Awarding a Contract to Nichols Building, LLC, and Authorizing the Execution of a Contract for the 6400 West Storm Drain Project. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14664

RESOLUTION NO. 09-283, AWARD A CONTRACT TO INTERMOUNTAIN AQUATECH POOL & SPA FOR THE REPLACEMENT OF DRAINS AND SUMPS IN THE POOLS AT THE WEST VALLEY CITY FAMILY FITNESS CENTER

City Manager, Wayne Pyle, presented proposed Resolution No. 09-283 which would award a contract to Intermountain Aquatech Pool & Spa, in the amount of \$46,560.00, for the replacement of drains and sumps in the pools at the West Valley City Family Fitness Center.

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-6-

Mr. Pyle stated reconstruction of pool drains had become necessary in order to become compliant with the new Virginia Graeme Baker Pool and Spa Safety Act passed by the United States Congress and effective December, 2008. He further stated without the modifications the Salt Lake County Health Department would be required to close the Family Fitness Center swimming pools immediately.

The City Manager reported a request for proposals had been prepared and advertised and three bids had been received as follows:

Intermountain Aquatech	\$45,560.00
USA Pool Construction	44,800.00
CEM	65,000.00

The City Manager indicated all pool drains would need to be altered with new sump depths and covers in order to be compliant with the new Act. He advised that the Salt Lake County Health Department had given the Fitness Center until the end of September 2009, to become compliant and make the mandatory changes.

Mr. Pyle reported Intermountain Aquatech was being recommended as the vendor even though they had not submitted the lowest bid. He stated their price could actually be as low as \$32,801.00 unless they ran into an issue with sump depths being too shallow. He further advised Aquatech was also a local vendor whereas with the next lowest bidder was from Georgia.

After discussion, Councilmember Brooks moved to table proposed Resolution No. 09-283 and continue the matter to the Regular Council Meeting scheduled August 25, 2009, at 6:30 P.M. to allow additional time to finalize the agreement. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous. Proposed Resolution No. 09-283 continued to Regular Council Meeting scheduled August 25, 2009.

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-8-

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

Councilmember Vincent stated he was more concerned with a gravel driveway being weed free rather than the depth of the gravel.

Councilmember Brooks expressed his opinion that a border requirement with two inches of gravel would be acceptable.

Members of the City Council expressed appreciation for the public input and participation in the process regarding this issue.

After further discussion, Councilmember Rushton moved to approve Ordinance No. 09-25, an Ordinance Amending Section 7-9-115 of Title 7 of the West Valley City Municipal Code Regarding Hard Surfacing Requirements. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	No
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Majority.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, AUGUST 18, 2009, WAS ADJOURNED AT 6:54 P.M., BY MAYOR NORDFELT.

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2009

-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, August 18, 2009.

Sheri McKendrick, MMC
City Recorder