

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 5, 2013

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 5, 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

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
John Evans, Fire Chief
Lee Russo, Police Chief
Willy Moon, Acting CPD Director
Jake Arslanian, Public Works Department

- 16356 **OPENING CEREMONY**
The Opening Ceremony was conducted by Karen Lang who invited scouts in attendance to conduct the flag ceremony.
- 16357 **SCOUTS**
Mayor Winder welcomed Scout Troop Nos. 488 and 648 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.
- 16358 **SPECIAL RECOGNITIONS**
Mayor Winder noted today was Election Day. He recognized and welcomed candidates Lars Nordfelt (At-Large), Karen Lang (Mayoral), Steve Buhler (District 2), and Steve Vincent (District 4).

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16359 **APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 15, 2013**

The Council read and considered Minutes of the Regular Meeting held October 15, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held October 15, 2013, as written. 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.

16360 **APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 22, 2013**

The Council read and considered Minutes of the Regular Meeting held October 22, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held October 22, 2013, as written. 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.

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16361 **PROCLAMATION DECLARING NOVEMBER 10 THROUGH
NOVEMBER 16, 2013, AS “NATIONAL ELEVATOR ESCALATOR
SAFETY AWARENESS WEEK” IN WEST VALLEY CITY**

Mayor Winder read a Proclamation declaring November 10 through November 16, 2013, as “National Elevator Escalator Safety Awareness Week” in West Valley City.

16362 **COMMENT PERIOD**

A. PUBLIC COMMENTS

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

B. CITY COUNCIL COMMENTS

Mayor Winder informed that West Valley City had been honored by the Governor’s Office for being a business friendly community. He read aloud a letter dated November 5, 2013, from Representative Chris Stewart congratulating the City on receiving Governor Herbert’s Business Friendly Community Recognition. In particular, the letter commended West Valley City for the steps taken to reduce regulations that unduly harmed businesses thereby promoting growth in the community.

16363 **ORDINANCE NO. 13-43, REPEAL 3-10-600P PART 6 – STORM WATER
ADVISORY BOARD, INCLUDING SECTIONS 3-10-601, 3-10,602, 3-10-603,
3-10-604, 3-10-605 AND 3-10-606 OF THE WEST VALLEY CITY
MUNICIPAL CODE, IN ORDER TO DISSOLVE THE STORM WATER
ADVISORY BOARD**

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-43 that would repeal 3-10-600P Part 6 – Storm Water Advisory Board, including Sections 3-10-601, 3-10-602, 3-10-603, 3-10-604, 3-10-605 and 3-10-606 of the West Valley City Municipal Code, in order to dissolve the Storm Water Advisory Board.

Mr. Pyle stated the proposal would discontinue the Storm Water Advisory Board and, in its place, the Public Works Department would organize ad hoc committees, public open houses, and hold public hearings as needed to meet the public involvement/participation requirements of the City’s Utah Pollutant Discharge Elimination system (UPDES) Permit.

He discussed background information including the Storm Water Advisory Board had first been organized in 2001 to consider new sources of revenue for the City’s storm water needs. He explained with implementation of the Storm Water Utility, the board’s workload dropped significantly. He reviewed duties of the Board, per Section 3-10-602 of the City Code included the following:

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- Promote public interest in storm water
- Review and make recommendations for educational programs, the Storm Water Management Plan, changes to the Storm Water ordinances, storm water development projects, and annual Storm Water Utility Report.

Mr. Pyle reported it had been difficult to recruit and retain members for the Board and maintain attendance at meetings over the past several years. Generally, there had been only one or two members in attendance. He indicated an organizational change to ad hoc committees and focused public open houses and public hearings, as required by law, would allow more residents to be involved in storm water programs and better utilize City staff and the public's time.

After discussion, Councilmember Buhler moved to approve Ordinance No. 13-43, an Ordinance Repealing 3-10-600P Part 6 – Storm Water Advisory Board, Including Sections 3-10-601, 3-10-602, 3-10-603, 3-10-604, 3-10-605 and 3-10-606 of the West Valley City Municipal Code, in order to Dissolve the Storm Water Advisory Board. 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.

16364

RESOLUTION NO. 13-153, AWARD A CONTRACT TO HEITKAMP, INC. FOR THE 4000 WEST PIPE REHABILITATION PROJECT

City Manager, Wayne Pyle presented proposed Resolution No. 13-153 that would award a contract to Heitkamp, Inc., in an amount not to exceed \$421,903.00, with possible increase of up to 10% of the contract amount or \$30,000.00 whichever is greater for change orders, for the 4000 West Pipe Rehabilitation Project.

Mr. Pyle stated the proposal would facilitate rehabilitation of the storm drain on 4000 West. He reported a Request for Proposals (RFP) had been solicited to rehabilitate severely deteriorated pipes on 4000 West and two proposals were received as follows:

Heitkamp, Inc.:	\$421,903.00
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C & L Water Solutions:

\$795,172.00

The City Manager explained the storm drain was a deteriorating 30 and 36 inch corrugated metal pipe that had collapsed in several locations. He indicated the pipe was located under the sidewalk and to remove and replace it would have a very significant impact on the residents, and be very costly to replace the curb and gutter, sidewalk fencing and landscaping. Several technologies existed to perform a trenchless rehabilitation of the existing pipe but due to structural degradation of the pipe the Public Works Department determined it beneficial to issue an RFP to have contractors propose solutions. The method selected consisted of a spiral wound PVC liner and would be installed by Heitkamp, Inc. The repair would be a rigid structural pipe liner wound in place and run through the host pipe, with the annular space between the pipes being filled with a pressurized concrete grout. The inside diameter of the pipe would be 28 inches inside the 30 inch pipe, however, due to the smoothness of the liner compared to the corrugated metal pipe, the hydraulic capacity was increased by roughly 60%. This project would be followed by a pipe replacement project to remove and replace segments of the pipe that could not be rehabilitated.

Mr. Pyle stated this technology had been used around the country and internationally, but this would be the first time employed in West Valley City. He further stated due to newness of this type of work, the Public Works Department had requested an additional 10% above the contract amount authorized for expenditure in case of potential change orders.

The City Manager reported the second proposal had been received by C&L Water Solutions and was for a slip lining solution that would require excavation in several locations in order to install the liner at a cost of \$795,172.00.

After discussion, Councilmember Rushton moved to approve Resolution No. 13-153, a Resolution Awarding a Contract to Heitkamp, Inc. for the 4000 West Pipe Rehabilitation Project. 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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16365

RESOLUTION NO. 13-154, ACCEPT A QUIT CLAIM DEED FROM THE UTAH CAMBODIAN COMMUNITY BUDDHIST TEMPLE FOR PROPERTY LOCATED AT 3325 WEST 3800 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 13-154 that would accept a Quit Claim Deed from the Utah Cambodian Community Buddhist Temple for property located at 3325 West 3800 South.

Mr. Pyle stated the Utah Cambodian Community Buddhist Temple, Inc. had executed a Quit Claim Deed for a portion of the 3800 South right-of-way. He explained they were constructing a new temple and right-of-way for that portion of 3800 South that had never been formally conveyed to the City. He indicated as a condition of approval for a building permit a quit claim deed for the right-of-way would be required.

After discussion, Councilmember Lang moved to approve Resolution No. 13-154, a Resolution Authorizing the City to Accept a Quit Claim Deed from the Utah Cambodian Community Buddhist Temple for Property Located at 3325 West 3800 South. 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.

16366

RESOLUTION NO. 13-155, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR PURCHASE OF 1.43 ACRES OF PROPERTY LOCATED AT 1412 WEST 2200 SOUTH AND AUTHORIZE THE CITY TO ACCEPT AND RECORD A QUIT CLAIM DEED FROM THE COUNTY FOR THE PROPERTY

City Manager, Wayne Pyle, presented proposed Resolution No. 13-155 that would approve an Interlocal Cooperation Agreement with Salt Lake County for purchase of 1.43 acres of property located at 1412 West 2200 South and authorize the City to accept and record a Quit Claim Deed from the County for the property.

Mr. Pyle stated the County had offered to sell the City 1.43 acres of property at the above described location in the amount of \$446.03 for value of the unpaid property

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taxes. He indicated the 1.43 acres parcel was located on the north edge of Metro Business Park between SR-201 and 2200 South. He advised the commercial office park had been developed from the late 1980's to the mid 1990's and was currently home to some quality tenants such as Zions Bankcorp, IHC, Raytheon Company, Rastar and others. Mr. Pyle informed over the years the quality of the park had declined and vacancy rates increased. To complicate this problem, no owners' association had existed for over 15 years. He reported this 1.43 acres parcel was essentially the entrance feature to Metro Business Park and the most visible part of the Park from SR-201. The parcel included a storm water detention pond, the Metro Business Park's main sign, trees and landscaping. He stated due to the critical nature of this parcel for the image of Metro Business Park, it was proposed the City purchase, upgrade, and maintain the property.

The City Manager reported Salt Lake County had received the subject parcel through a delinquent tax transaction and had no interest or budget to maintain it at the level required for a quality business park. Mr. Pyle stated because this parcel was along the primary entrance road to the business park and set an image of West Valley City for people traveling on SR-201, efforts should be made to upgrade and maintain it as a quality amenity. He reported the purchase price from the County would be in the amount of \$446,033, however, it would take additional funding of \$50,000.00 to upgrade the pond and \$40,850.00 to upgrade the landscaping. In addition, the annual maintenance cost would be in the approximate amount of \$11,750.00.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-155, a Resolution Approving an Interlocal Cooperation Agreement between West Valley City and Salt Lake County for the Purchase of 1.43 Acres of Property Located at 1412 West and 2200 South and Authorizing the City to Accept and Record a Quit Claim Deed From the County for the Property. 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.

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16367

RESOLUTION NO. 13-156, APPROVE AN AGREEMENT WITH SALT LAKE COUNTY TO PROVIDE ZOO, ARTS AND PARKS FUNDS TO THE UTAH CULTURAL CELEBRATION CENTER

City Manager, Wayne Pyle, presented proposed Resolution No. 13-156 that would approve an agreement with Salt Lake County to provide Zoo, Arts and Parks Funds to the Utah Cultural Celebration Center.

Mr. Pyle stated the Zoo, Arts and Parks (ZAP) funding program of Salt Lake County had granted the Utah Cultural Celebration Center (UCCC) a Tier II award in the amount of \$63,179.00, to be used for expansion of existing programs and creation of new cultural initiatives. He advised the award would be required to be used during the program year of 2013-2014.

He indicated the UCCC would primarily use the funding for general program development in three designated areas: 1) educational programming and workshops, 2) festivals, celebrations and concerts, and 3) gallery exhibitions. He stated with this new funding the UCCC would be able to expand its community-based arts and cultural programming and reach a greater number of City and County residents of all ages and income levels representing many cultural and ethnic groups.

The City Manager advised the UCCC had become the preferred destination for many high quality and diverse cultural and arts events that reflected interests of the community and enhanced the image of West Valley City. He explained the Cultural Center was poised to continue maximizing the benefits that would result from the yearly ZAP financial award. Over the next 12 months, the Center would develop community programming, expand the Partners Program, continue to seek and expand diversified funding sources, and collaborate on opportunities for residents to experience quality multi-disciplinary arts and cultural programming.

After discussion, Councilmember Vincent moved to approve Resolution No. 13-156, a Resolution Approving an Agreement between West Valley City and Salt Lake County to Provide Zoo, Arts, and Parks Funds to the Utah Cultural Celebration 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

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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, NOVEMBER 5, 2013, WAS ADJOURNED AT 6:48 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 of the West Valley City Council held Tuesday, November 5, 2013.

Sheri McKendrick, MMC
City Recorder