

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 14, 2014

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 14, 2014, 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3

Paul Isaac, Acting City Manager
Carel Hicks, Acting City Recorder

ABSENT: Steve Vincent, Councilmember District 4

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Russell Willardson, Public Works Director
Layne Morris, CPD Director
Sam Johnson, Strategic Communications Director
John Evans, Fire Chief
Lee Russo, Police Chief
Jason Erekson, Acting Parks & Recreation Director
Steve Lehman, CED Department
Jody Knapp, CED Department
Lee Logston, CED Department
Kevin Despain, CED Department
Brock Anderson, CED Department
Nichole Camac, CED Department
Margo Hoyt, CED Department
Scott Freckleton, Finance Department
Nuria Whytock, Finance Department
Kathy Madden, Finance Department
Wendy Motteshard, Finance Department
Cindy Hobbs, Finance Department
Jake Arslanian, Public Works Department
Kevin Conde', Administration

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16769 **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Buhler who led the Pledge of Allegiance to the Flag.

16770 **EMPLOYEE OF THE MONTH AWARD, OCTOBER 2014 – NURIA WHYTOCK, FINANCE DEPARTMENT**

Councilmember Buhler read the nomination of Nuria Whytock, Finance Department, to be recognized as the Employee of the Month for October of 2014. The award was presented and members of the City Council offered congratulations and expressed appreciation for Ms. Whytock's service to West Valley City.

16771 **DIVISION OF THE QUARTER AWARD – PLANNING AND ZONING DIVISION, CED DEPARTMENT**

Councilmember Nordfelt read the nomination of the Planning and Zoning Division of the Community and Economic Development (CED) Department to receive the Division of the Quarter Award. The award was presented to staff of the Planning and Zoning Division.

The City Council expressed appreciation and thanked the award recipients for their service to West Valley City.

16772 **COMMENT PERIOD**

A. **PUBLIC COMMENTS**

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

B. **CITY COUNCIL COMMENTS**

Mayor Bigelow commented recently there had been a large spill of construction nails at the intersection of 5600 West and Peggy Lane with the nails being spread over the intersection. He indicated two Public Works employees, Gene Smith and Scott Riggs, got out with brooms and swept it all up. He commended their excellent service and stated they did a great job.

16773 **RESOLUTION NO. 14-161, AWARD A CONTRACT TO GENEVA ROCK PRODUCTS, INC. FOR THE 2600 SOUTH DITCH PIPING PROJECT**

Mayor Bigelow presented proposed Resolution No. 14-161 that would award a contract to Geneva Rock Products, Inc., in the amount of \$175,726.00 and authorize expenditure of no more than \$195,000.00 in change orders, for the 2600 South Ditch Piping Project.

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Bids had been solicited and 11 bids received, as follows:

Geneva Rock Products Inc.:	\$173,968.74 (w/preference reduction)
Dennis Lierd II Construction:	\$187,017.00
Westbrook Construction:	\$200,768.00
Stapp Construction:	\$230,580.00
Noland & Son Construction:	\$237,898.00
Vancon Inc.:	\$237,581.19 (w/preference reduction)
Braker Construction:	\$246,452.00
Cody Ekker Construction:	\$252,224.00
KK&L Administration:	\$252,455.00
M.C. Green & Sons, Inc.:	\$310,154.00
Beck Construction:	\$398,700.00

The lowest responsible bid had been submitted by Geneva Rock Products Inc. for an initial amount of \$175,726.00, with preference reduction applied, \$173,968.74. The engineer's estimate had been in the amount of \$205,610.00

The 2600 South ditch was an open channel that was part of the City's storm drain system. This particular segment of open ditch was the last remaining un-piped portion of a major storm drain line that drained a large area between 3600 West and 3270 West from approximately 2200 South to 2600 South. The ditch in its current condition was nearly un-maintainable. The project consisted of the installation of approximately 550 feet of 60-inch pipe, along the back lot lines of multiple properties. This project would ease the maintenance burden and reduce upstream flooding risks.

Funds for the project were available in the FY 2014-2015 Budget.

After discussion, Councilmember Lang moved to approve Resolution No. 14-161, a Resolution Awarding a Contract to Geneva Rock Products, Inc. for the 2600 South Ditch Piping Project. Councilmember Rushton seconded the motion. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

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Unanimous.

16774

RESOLUTION NO. 14-162, AUTHORIZE ADDITIONAL FUNDING FOR CHANGE ORDERS TO THE CONTRACT WITH NOLAND AND SONS CONSTRUCTION COMPANY FOR THE LUND PARK TO BRIGHTON CANAL STORM DRAIN PROJECT

Mayor Bigelow presented proposed Resolution No. 14-162 that would authorize additional funding for overruns and change orders to the contract with Noland and Sons Construction Company, in the total amount of \$16,743.05, for the Lund Park to Brighton Canal Storm Drain Project.

He explained that during the closeout process it had been noted certain items of work had overrun estimated quantities causing the total amount owed to the contractor to exceed the amount previously authorized. There was also a change order (No. 4) for a waterline relocation that had been necessary to be added to the contract for a cost of \$10,095.80 that needed to be approved. The total additional funding to be authorized would be in the amount of \$16,743.05.

After discussion, Councilmember Lang moved to approve Resolution No. 14-162, a Resolution Authorizing Additional Funding for Change Orders to the Contract with Noland and Sons Construction Company for the Lund Park to Brighton Canal Storm Drain Project. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16775

RESOLUTION NO. 14-163, AUTHORIZE PURCHASE OF A TRUCK FROM WASATCH FRONT ISUZU FOR USE BY THE PUBLIC WORKS SANITATION DIVISION

Mayor Bigelow presented proposed Resolution No. 14-163 that would authorize purchase of a truck from Wasatch Front Isuzu, in the amount of \$43,700.00 and additional necessary equipment in an amount not to exceed \$53,900.00 in total for the purchase, for use by the Public Works Sanitation Division.

He stated the Public Works Sanitation Division was in need of a second delivery truck to pick up and deliver garbage cans. Picking up garbage cans from 90-day

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delinquent accounts had proven to be the most effective method of collecting past due debt. When payment was made to bring the account current, plus a \$25.00 redelivery fee, the garbage can was returned.

The City first purchased garbage containers in 1994 and many of those cans were still in service, but were well beyond their expected service life. There would be an on-going need for additional help to replace the cans as they became unserviceable.

The cost breakdown for the proposed truck purchase as follows:

Truck (215 Isuzu NPR-HD)	\$34,700
Bed and lift gate (including installation)	\$11,500
CNG System (Including installation)	\$ 5,200
LED amber lighting system (including installation)	<u>\$ 2,500</u>
Total:	\$53,900

The cab and chassis would be purchased from Wasatch Front Isuzu in accordance with Section 5-3-110 of the City Code, Procurement to Meet Existing Needs. This was the same model as the City's existing can delivery truck with a low bed for easy loading.

In addition, the new truck would be equipped with a CNG alternative fuel system. Use of CNG fuel was a good match for this vehicle that would be heavily used and the fuel savings would offset the additional capital cost in 2-3 years.

After discussion, Councilmember Buhler moved to approve Resolution No. 14-163, a Resolution Authorizing West Valley City to Purchase a Truck from Wasatch Front Isuzu for the Sanitation Division. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16776

RESOLUTION NO. 14-164, APPROVE A FRANCHISE AGREEMENT WITH CENTRAL TELECOM SERVICES, LLC, FOR A TELECOMMUNICATIONS NETWORK IN THE CITY

Mayor Bigelow presented proposed Resolution No. 14-164 that would approve a Franchise Agreement with Central Telecom Services, LLC for a telecommunications network in the City.

He stated the agreement would allow Central Telecom Services to establish a telecommunications network in, under, along, over and across present and future rights-of-way of West Valley City.

Applications for telecommunications networks in the City were governed by Chapter 20-5 of the City Code. The franchise granted by this Agreement was for a ten year period with the option to renew for an additional ten years with the same terms and conditions. Chapter 20-6 of the City Code permitted the City to require all telecommunications providers to collect taxes from their customers and deposit them with the Utah State Tax Commission. The subject agreement memorialized this provision as well as acknowledging Central Telecom's duty to secure permits from Public Works for an excavation or construction.

After discussion, Councilmember Rushton moved to approve Resolution No. 14-164, a Resolution Approving a Franchise Agreement with Central Telecom Services, LLC and West Valley City for a Telecommunications Network in the City. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16777

RESOLUTION NO. 14-165, APPROVE PURCHASE OF FIVE 12 LEAD EKG MONITORS FROM ZOLL MEDICAL CORPORATION FOR USE BY THE FIRE DEPARTMENT

Mayor Bigelow presented proposed Resolution No. 14-165 that would approve purchase of five 12 lead EKG monitors from Zoll Medical Corporation, in an amount not to exceed \$143,893.74, for use by the Fire Department.

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The proposed purchase would replace existing equipment and would be placed on all of the front line advanced medical ambulances. The current Zoll monitors and equipment would be able to match up with new units. Also the training of personnel would be very short. The units also had a patch to all of the medical facilities that were currently in service and would not require additional money for transmission of data to medical facilities by keeping the same type of monitors.

The current Zoll cardiac monitors were over seven years old. The current monitors were out of warranty and if used as front line units would overspend the current maintenance money in the budget. The old monitors would be used on other units that did not constantly require use of the monitors. The new monitors had many features the current monitors did not have. The monitors were used on almost every medical call that the Department responded to and by placing these on front line units the City would be assured the Fire Department was utilizing the most up to date equipment on the market.

Also, the first three lead cardiac monitors would be traded in to Zoll for the new purchase. Zoll would allow some trade in value for the old machines that were over eight to ten years old and facing high repair costs.

After discussion, Councilmember Huynh moved to approve Resolution No. 14-165, a Resolution Approving the Purchase of Five 12 Lead EKG Monitors from Zoll Medical Corporation for use by the Fire Department. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16778

RESOLUTION NO. 14-166, AUTHORIZE THE CITY TO EXECUTE SCHEDULE 40 OF THE HP MASTER LEASE PURCHASE AGREEMENT FOR PURCHASE OF A BARRACUDA WEB FILTER FROM VLCM

Mayor Bigelow presented proposed Resolution No. 14-166 that would authorize the City to execute Schedule 40 of the HP Master Lease Purchase Agreement, in

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an amount not to exceed \$47,550.24, including interest, for purchase of a Barracuda Web Filter from VLCM.

He stated for the amount of Web traffic the current Web Filter was not providing needed protection or monitoring. Formal bidding had not been required because VLCM held a contract with the State of Utah. If approved, the purchase would give the City the needed security from Web born malware, viruses and misused bandwidth. In addition, the Barracuda would provide the City with advanced policy and reporting management tools.

The purchase would be financed through the HP Lease Purchase Agreement previously approved on January 3, 2006, under Resolution No. 06-04.

After discussion, Councilmember Nordfelt moved to approve Resolution No. 14-166, a Resolution Authorizing the City to Execute Schedule 40 of the HP Master Lease Purchase Agreement for the Purchase of a Barracuda Web Filter from VLCM. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16779

RESOLUTION NO. 14-167, APPROVE AN AGREEMENT WITH EDA ARCHITECTS, INC. FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES, CONSTRUCTION DOCUMENT PREPARATION, AND CONSTRUCTION CONTRACT ADMINISTRATION FOR THE UTAH CULTURAL CELEBRATION CENTER PLAZA LEVEL RENOVATION PROJECT

Mayor Bigelow presented proposed Resolution No. 14-167 that would approve an agreement with EDA Architects, Inc. for architectural and engineering design services, construction document preparation, and construction contract administration, in the amount of \$325,000.00, for the Utah Cultural Celebration Center (UCCC) Plaza Level Renovation Project.

He stated the proposed agreement would authorize EDA Architects to provide architectural and engineering services for the UCCC basement renovation project. EDA Architects would prepare master plans and construction documents, assist

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with the bidding process, and provide contract administration services for the construction contract.

The project would include basement plaza level renovation with a black box theater and supporting classrooms, art, dance, and theater rooms, and additional amenities that would provide the citizens of West Valley City and Salt Lake County with an excellent facility in which to experience the visual and performing arts.

Funding for the project would be provided by Salt Lake County in the total amount of \$2,500,000.00 in order to enhance the UCCC's ability to provide arts programming by professional and community based arts organizations to citizens of West Valley City and Salt Lake County. It was anticipated the UCCC basement renovation project would begin construction in the winter of 2015.

After discussion, Councilmember Huynh moved to approve Resolution No. 14-167, a Resolution Approving an Agreement with EDA Architects, Inc. for Architectural and Engineering Design Services, Construction Document Preparation, and Construction Contract Administration for the Utah Cultural Celebration Center Plaza Level Renovation Project. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16780

CONSENT AGENDA:

- A. **RESOLUTION NO. 14-168, ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOHN G. DILLON AND LISA D. DILLON FOR PROPERTY LOCATED AT 2560 SOUTH 3270 WEST REGARDING THE 2600 SOUTH DITCH PIPING PROJECT**
Proposed Resolution No. 14-168 would accept a Storm Drain Easement and a Grant of Temporary Construction Easement from John G. Dillon and Lisa D. Dillon for property located at 2560 South 3270 West regarding the 2600 South Ditch Piping Project.

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The subject property was one of eight properties affected and benefitted by construction of the 2600 South Ditch Piping Project. The easement would run along the southern 10 feet of the grantors' property. The grant of Temporary Construction Easement would be an additional 20 feet north of and abutting the Storm Drain Easement. The project would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600 feet to a storm drain clean-out box. This ditch ran along the rear property lines of properties located on either side of the ditch. The ditch was the last open section of the storm drain system that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

B. RESOLUTION NO. 14-169, ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM BARNEY INVESTMENT COMPANY, A UTAH LIMITED PARTNERSHIP, FOR PROPERTY LOCATED AT 3329 WEST 2555 SOUTH REGARDING THE 2600 SOUTH DITCH PIPING PROJECT

Proposed Resolution No. 14-169 would accept a Storm Drain Easement and a Grant of Temporary Construction Easement from Barney Investment Company, a Utah Limited Partnership, for property located at 3329 West 2555 South regarding the 2600 South Ditch Piping Project.

The subject property was one of eight properties affected and benefitted by construction of the 2600 South Ditch Piping Project. The easement would run along the southern 10 feet of the grantors' property. The grant of Temporary Construction Easement would be an additional 20 feet north of and abutting the Storm Drain Easement. The project would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600 feet to a storm drain clean-out box. This ditch ran along the rear property lines of properties located on either side of the ditch. The ditch was the last open section of the storm drain system that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

C. RESOLUTION NO. 14-170, ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MLB PROPERTY MANAGEMENT, LLC, FOR PROPERTY LOCATED AT 2608 SOUTH 3270 WEST REGARDING THE 2600 SOUTH DITCH PIPING PROJECT

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Proposed Resolution No. 14-170 would accept a Storm Drain Easement and a Grant of Temporary Construction Easement from MLB Property Manager, LLC, for property located at 2608 South 3270 West regarding the 2600 South Ditch Piping Project.

The subject property was one of eight properties affected and benefitted by construction of the 2600 South Ditch Piping Project. The easement would run along the southern 10 feet of the grantors' property. The grant of Temporary Construction Easement would be an additional 20 feet north of and abutting the Storm Drain Easement. The project would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600 feet to a storm drain clean-out box. This ditch ran along the rear property lines of properties located on either side of the ditch. The ditch was the last open section of the storm drain system that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

D. RESOLUTION NO. 14-171, ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM BAILEY LOT LEASING, LC, FOR PROPERTY LOCATED AT 2602 SOUTH 3270 WEST REGARDING THE 2600 SOUTH DITCH PIPING PROJECT

Proposed Resolution No. 14-171 would accept a Storm Drain Easement and a Grant of Temporary Construction Easement from Bailey Lot Leasing, LC, for property located at 2602 South 3270 West regarding the 2600 South Ditch Piping Project.

The Bailey Lot Leasing property was one of eight properties affected and benefitted by construction of the 2600 South Ditch Piping Project. The Storm Drain Easement would be along the north five feet of Grantor's property. The easement would be an additional five feet north of and abutting the Storm Drain Easement. This project would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600 feet to a storm drain clean-out box. The ditch ran along the rear property lines of properties located on either side of the ditch. This ditch was the last open section of the storm drain system that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

E. **RESOLUTION NO. 14-172, ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CUBAN CIGAR CO., INC. FOR PROPERTY LOCATED AT 3379 WEST 2555 SOUTH REGARDING THE 2600 SOUTH DITCH PIPING PROJECT**

Proposed Resolution No. 14-172 would accept a Storm Drain Easement and a Grant of Temporary Construction Easement from Cuban Cigar Co., Inc. for property located at 3379 West 2555 South regarding the 2600 South Ditch Piping Project.

The Cuban Cigar Co., Inc. property was one of eight properties affected and benefitted by construction of the 2600 South Ditch Piping Project. The easement would be along a portion of the southern 10 feet of the grantor's property. The Grant of Temporary Construction Easement would be an additional 20 feet north of and abutting the Storm Drain Easement. The project would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600 feet to a storm drain clean-out box. The ditch ran along the rear property lines of properties located on either side of the ditch. This ditch was the last open section of the storm drain system that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

F. **RESOLUTION NO. 14-173, ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CUBAN CIGAR, INC. FOR PROPERTY LOCATED AT 3349 WEST 2555 SOUTH REGARDING THE 2600 SOUTH DITCH PIPING PROJECT**

Proposed Resolution No. 14-173 would accept a Storm Drain Easement and a Grant of Temporary Construction Easement from Cuban Cigar, Inc. for property located at 3349 West 2555 South regarding the 2600 South Ditch Piping Project.

The subject property was one of eight properties affected and benefitted by construction of the 2600 South Ditch Piping Project. The easement would be along a portion of the southern 10 feet of the grantor's property. The Grant of Temporary Construction Easement would be an additional 20 feet north of and abutting the Storm Drain Easement. The project would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600 feet to a storm drain clean-out box. The ditch ran along the rear property lines of properties located on either side of the ditch. The ditch was the last open section of the storm drain system

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that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

G. RESOLUTION NO. 14-174, ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KH MOUNTAIN INVESTMENTS, LLC, FOR PROPERTY LOCATED AT 2594 SOUTH 3270 WEST REGARDING THE 2600 SOUTH DITCH PIPING PROJECT

Proposed Resolution No. 14-174 would accept a Storm Drain Easement and a Grant of Temporary Construction Easement from KH Mountain Investments, LLC, for property located at 2594 South 3270 West regarding the 2600 South Ditch Piping Project.

The subject property was one of eight properties affected and benefitted by construction of the 2600 South Ditch Piping Project. The easement would be along the north five feet of grantor's property. The Grant of Temporary Construction Easement would be an additional five feet north of and abutting the Storm Drain Easement. The project would pipe an existing open storm water ditch located on the west side of 3200 West at approximately 2600 South. The open ditch ran west from 3270 West approximately 600 feet to a storm drain clean-out box. The ditch ran along the rear property lines of properties located on either side of the ditch. The ditch was the last open section of the storm drain system that handled storm water from properties located between 3200 West and 3600 West, and between Parkway Boulevard and the SR-201 South Frontage Road.

H. RESOLUTION NO. 14-175, ACCEPT TWO QUIT CLAIM DEEDS FROM FIRST INDUSTRIAL, L.P. FOR PORTIONS OF 2200 SOUTH LOCATED EAST OF REDWOOD ROAD

Proposed Resolution No. 14-175 would accept two Quit Claim Deeds from First Industrial, L.P. for portions of 2200 South located east of Redwood Road.

2200 South was a private road located within the Metro Business Park. Metro Business Park located south of SR-201 and east of Redwood Road was a commercial office park developed from the late 1980's to the mid 1990's and was currently home to some quality tenants including Zions Bankcorp, IHC, Raytheon Company, Raster, and others. However, over the years quality of the park had declined and vacancy rates increased. To complicate the problem, no owners association had existed for more than 15 years. Due to lack of a functioning owners association, 2200 South had not been adequately maintained in recent years. In January of this year, F.C. Stangl, III, conveyed its portion of the road to West Valley City. First

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Industrial, L.P. had now executed two Quit Claim Deeds in favor of the City for its portions of the road. The road currently functioned as if it were a public street. Ownership of the road would allow the City to maintain, repair and provide snow removal, which was necessary to help improve the viability of this business park and help prevent further exodus of businesses.

I. RESOLUTION NO. 14-176, ACCEPT A PUBLIC SIDEWALK, LIGHTING AND UTILITY EASEMENT FROM GRANGER-HUNTER IMPROVEMENT DISTRICT FOR PROPERTY LOCATED AT 1311 WEST 3300 SOUTH

Proposed Resolution No. 14-176 would accept a Public Sidewalk, Lighting and Utility Easement from Granger-Hunter Improvement District for property located at 1311 West 3300 South.

The subject easement was for the proposed Granger-Hunter Improvement District – Well #1 site improvements. The project was subject to requirements of the 3500 South Streetscape Ordinance that required wider sidewalks and landscape frontage along with decorative sidewalk lighting on 3500 South Street.

As portions of the proposed sidewalk and lighting fell outside of the public eight-of-way, a Public Sidewalk, Lighting and Utility Easement would be required as a condition of approval for the project.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 14-168, 14-169, 14-170, 14-171, 14-172, 14-173, 14-174, 14-175, and 14-176 as listed on the Consent Agenda. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16781

CONSIDER RESOLUTION NO. 14-126, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CHUN HSIANG AND HONG XIAO FOR APPROXIMATELY 1.01 ACRES OF PROPERTY

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**LOCATED AT 4758 WEST 4100 SOUTH (APPLICATION NO. GPZ-6-2013
– CONTINUED FROM REGULAR MEETING HELD AUGUST 19, 2014)**

Mayor Bigelow presented proposed Resolution No. 14-126 that would authorize the City to enter into a Development Agreement with Chun Hsiang and Hong Xiao for approximately 1.01 acres of property located at 4758 West 4100 South; regarding Application No. GPZ-6-2013 which continued from the Regular Meeting held August 19, 2014.

Background information included the following:

Chun Hsiang and Hong Xiao had submitted a General Plan/Zone change application to change 1.01 acres of property from Low Density Residential to Neighborhood Commercial in the General Plan and from the 'R-1-8' (Single-Family Residential with 8,000 square foot lot minimum) to 'C-1' (Neighborhood Commercial) zone. Staff and the Planning Commission had recommended a development agreement in conjunction with the General Plan/Zone change to help the new building planned to be compatible with the residential character of 4100 South Street.

The fourth and final version of the proposed Development Agreement which had been presented to and discussed by the City Council in study session earlier this date, contained the following requirements:

1. The building design shall include a pitched roof and parapets.
2. The parking shall be located to the north or east side of the site and the building shall be oriented towards the street.
3. The building shall be built substantially like the elevations in Exhibit C with the exception that all of the requirements of 7-14 Part 2 of the zoning ordinance (Commercial Design Standards) shall apply and the west and south sides shall both be considered primary facades. This means that the building elevations in Exhibit C may need to be revised as part of the conditional use approval process to meet the ordinance standards.
4. It is the intent of the City Council that pedestrian accessibility be provided at the developer's expense between the subject property and the Hunter Library. The details of the pedestrian accessibility will be determined by City staff and the developer.
5. Additional landscaping shall be added along the perimeter of the west and south sides of the building and shall include a mixture of shrubs and trees with the specific intent of enhancing the building elevation. The final design shall be reviewed and approved by staff.

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After discussion, Councilmember Lang moved to approve Resolution No. 14-126, a Resolution Authorizing the City to enter into a Development Agreement with Chun Hsiang and Hong Xiao for Approximately 1.01 Acres of Property Located at 4758 West 4100 South; and incorporate Exhibit B and C attached to the development agreement. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	No
Mr. Nordfelt	No
Mayor Bigelow	Yes

Majority.

16782

MOTION FOR EXECUTIVE SESSION

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

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, OCTOBER 14, 2014, WAS ADJOURNED AT 7:10 P.M., BY MAYOR BIGELOW.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 14, 2014

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THE WEST VALLEY CITY COUNCIL MET IN EXECUTIVE SESSION ON TUESDAY, OCTOBER 14, 2014, AT 7:15 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3

Paul Isaac, Acting City Manager
Carel Hicks, Acting City Recorder

ABSENT:

Steve Vincent, Councilmember District 4

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Sam Johnson, Strategic Communications Director

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF OCTOBER 14, 2014, WAS ADJOURNED AT 8:00 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 and Executive Session of the West Valley City Council held Tuesday, October 14, 2014.

Carel Hicks, MMC
Acting City Recorder

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 14, 2014

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