

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 26, 2016

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 26, 2016, 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
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Paul Isaac, Acting City Manager
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
John Evans, Fire Chief
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Mike Powell, Acting Police Chief
Chris Curtis, Acting CPD Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Councilmember Huynh conducted the opening ceremony and asked members of the Council, City staff and the audience to rise and recite the Pledge of Allegiance.

SPECIAL RECOGNITIONS – SCOUTS

Mayor Bigelow welcomed Scout Troop Nos. 629, 863, 808 and 703 in attendance at the meeting to complete requirements for the Citizenship in the Community and Communications merit badges.

APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 12, 2016

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The Council read and considered Minutes of the Regular Meeting held January 12, 2016. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held January 12, 2016. Councilmember Huynh seconded the motion.

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

COMMENT PERIOD

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

A. CITY COUNCIL COMMENTS

Councilmember Vincent stated he had recently been called to be a Scout Master and was watching with interest as to how the scouts participated since he would be doing this soon.

Councilmember Christensen stated he wanted to publicly thank the Police Department, Fire Department, and Facilities for their help in Officer Doug Barney's funeral.

Mayor Bigelow concurred and stated it had been good to see support for Officer Barney as well as support for police departments in general.

ORDINANCE NO. 16-04, AMENDING SECTIONS 18-5-101, 18-5-102, AND 20-7-107 OF THE WEST VALLEY CITY MUNICIPAL CODE TO BRING THE STORM WATER ORDINANCE INTO COMPLIANCE WITH CURRENT ENGINEERING STANDARDS

Mayor Bigelow presented proposed Ordinance No. 16-04 that would amend Sections 18-5-101, 18-5-102, and 20-7-107 of the West Valley City Municipal Code to bring the Storm Water Ordinance into compliance with current engineering standards.

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

Section 18-5-101 would be modified to require all development and redevelopment projects to perform a drainage analysis per the Engineering Division standards.

Section 18-5-108 would be modified to require all development to the engineering standards to determine the maximum allowable storm water discharge rate on a project. Developments had historically been required to store storm water onsite and release into the City system at a controlled rate specified by the Engineering Division. The proposed change to the ordinance would direct developers to the standards where the rate was shown on a map.

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Section 20-7-107 would be modified to provide a financial incentive to developers that implemented specific Low Impact Development (LID) techniques to a certain standard on a site. LID employed principals such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treated storm water as a resource rather than a waste product. The City was required by its State storm water permit to encourage the use of LID techniques. The proposed ordinance change would make a development eligible for the reduced Storm Water Utility Rate B if the first 0.38 inches of rain runoff was stored permanently on-site and allowed to infiltrate, evaporate or evapotranspire.

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

Councilmember Vincent moved to approve Ordinance No. 16-04, an Ordinance Amending Sections 18-5-101, 18-5-102, and 20-7-107 of the West Valley City Municipal Code to Bring the Storm Water Ordinance Into Compliance With Current Engineering Standards. Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-11, AUTHORIZING THE EXECUTION OF THE ADOPTION OF PUBLIC WORKS ENGINEERING STANDARDS

Mayor Bigelow presented proposed Resolution No. 16-11 that would authorize the execution of the adoption of West Valley City Public Works Engineering Standards.

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

Engineering standards, as prepared by the Public Works Department, provided for the uniform and quality construction of public improvements to be installed by private developers. The Engineering Division had compiled previous engineering standards and procedures into a single document to be made available to the public. The standards

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provided guidance to private developers, contractors, utility companies and other individuals working in the City's right-of-way.

A more substantial change included in the new standards would be requirement of new development and redevelopment projects to prepare a drainage analysis that would include the evaluation and potential implementation of Low Impact Development (LID) techniques. LID employed principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treated storm water as a resource rather than a waste product. The City was required, through its Storm Water Permit from the State of Utah, to encourage LID in new development and redevelopment projects.

As required by Utah State Code and City Code, engineering standards were to be adopted by the City Council prior to taking effect, and any future modifications to the standards would be presented to the Council for adoption as well.

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

Councilmember Buhler moved to approve Resolution No. 16-11, a Resolution Authorizing the Execution of the Adoption of Public Works Engineering Standards. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-12, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN WEST VALLEY CITY AND ENSIGN DEVELOPMENT, INC. TO REIMBURSE ENSIGN DEVELOPMENT FOR CERTAIN STORMWATER FACILITIES EXPENSES

Mayor Bigelow presented proposed Resolution No. 16-12 that would authorize the execution of a Reimbursement Agreement between West Valley City and Ensign Development, Inc. in the amount of \$52,276.00, to reimburse Ensign Development for certain stormwater facilities expenses.

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

Development of the Thomasville Manor Subdivision on 3500 South at approximately 7000 West required piping of existing ditches that were considered to be part of an intermediate drainage system facility eligible for reimbursement from the City under Title 18.

The project necessitated construction of nearly 1,400 feet of large diameter pipe to accommodate substantial flows coming from the areas south of 3500 South and west of the development. The subject agreement would allow the City to reimburse Ensign Development for the construction of those drainage facilities.

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

Councilmember Lang moved to approve Resolution No. 16-12, a Resolution Authorizing the Execution of an Agreement Between West Valley City and Ensign Development, Inc. to Reimburse Ensign Development for Certain Stormwater Facilities Expenses. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

A. **RESOLUTION NO. 16-13, AUTHORIZING THE ACCEPTANCE OF A STORM DRAIN EASEMENT FROM ERIC D. BISHOP, INC., ADAMS BAY LIGHTHOUSE INVESTMENT, LLC AND THE ERIC D. BISHOP, INC. PENSION & PROFIT SHARING TRUST (GRANTORS) IN FAVOR OF WEST VALLEY CITY, ACROSS PROPERTIES OWNED BY THE AMENDED AND RESTATED MILDRED L. DEFA FAMILY TRUST (14-34-276-045) AND SPANGLER FAMILY TRUST (14-34-276-044)**

Mayor Bigelow presented proposed Resolution No. 16-13 that would authorize the acceptance of a Storm Drain Easement from Eric D. Bishop, Inc., Adams Bay

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Lighthouse Investment, LLC and the Eric D. Bishop, Inc. Pension & Profit Sharing Trust (Grantors) in favor of West Valley City, across properties owned by the Amended and Restated Mildred L. Defa Family Trust (14-34-276-045) and Spangler Family Trust (14-34-276-044).

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

The subject easement would allow for storm water from the proposed Clearstone Estates Phase 2 Subdivision to be piped to the City storm drain in 6400 West.

Underlying property for the proposed Clearstone Estates Phase 2 Subdivision included a 16-foot easement for storm drain and other utilities across the Defa and Spangler properties. In order for a public storm drain to be constructed across the properties, it would be necessary for Eric Bishop, et al, to convey their interest in a storm drain easement to West Valley City.

B. RESOLUTION NO. 16-14, AUTHORIZING THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH CLINE MILLS AND RENA G. MILLS, TRUSTEES OF THE MILLS FAMILY TRUST (GRANTORS) AND TO ACCEPT A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 3904 WEST AND 4100 SOUTH (15-32-354-022)

Mayor Bigelow presented proposed Resolution No. 16-14 that would authorize the City to enter into a Right-of-Way Contract with Cline Mills and Rena G. Mills, Trustees of the Mills Family Trust (Grantors) and to accept a Temporary Construction Easement for property located at 3904 West and 4100 South (15-32-354-022).

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

Cline Mills and Rena G. Mills, Trustees of the Mills Trust, dated June 3, 2008, had signed a Right-of-Way Contract and Temporary Construction Easement for property located at 3904 West 4100 South.

The Mills Family Trust parcel was one of the properties affected by the 4100 South: 4000 West, 2700 West and 1300 West Signal Improvement Project. The subject project would widen intersection and improve signals at those locations. Acquisition from the Mills Family Trust did not require additional right-of-way, however a Temporary Construction Easement would be needed to facilitate construction of the project. Compensation for purchase of the easement and

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improvements would be in the amount of \$1,125.00 based on the compensation estimate prepared by the DH Group, LLC.

The project was being funded under the Highway Safety Improvement Program (9HSIP) with federal funds. Under a previously executed federal aid agreement, the City was responsible for 6.77% of all project costs, including right-of-way. With the total value of the easement for this acquisition being \$1,125.00, West Valley City's share would be \$76.16.

C. RESOLUTION NO. 16-15, AUTHORIZING 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 A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 4094 SOUTH CONSTITUTION BOULEVARD (15-33-380-013)

Mayor Bigelow presented proposed Resolution No. 16-15 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 a Temporary Construction Easement for property located at 4094 South Constitution Boulevard (15-33-380-013).

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

Neil R. Lund and Susan H. Lund had signed a Right-of-Way Contract, Warranty Deed and two Temporary Construction Easements for the above-referenced property.

The Lund parcel was one of the properties affected by the 4100 South: 4000 West, 2700 West and 1300 West Signal Improvements Project. The project would widen the intersection and improve signals at those locations. Acquisition included 64 square feet of right-of-way and compensation would be in the amount of \$1,400.00 based on an appraisal report prepared by the DH Group, LLC.

The project was being funded under the Highway Safety Improvement Program (HSIP) with federal funds. Under a previously executed federal aid agreement, the City was responsible for 6.77% of all project costs, including right-of-way. With the total value of the easement for acquisition being \$1,125.00, the City's share would be \$94.78.

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

Councilmember Vincent moved to approve Resolution Nos. 16-13, 16-14 and 16-15 as presented on the Consent Agenda. Councilmember Nordfelt seconded the motion.

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A roll call vote was taken:

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

Unanimous.

MOTION TO ADJOURN

Upon motion by Councilmember Huynh all voted in favor to adjourn

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, JANUARY 26, 2016, WAS ADJOURNED AT 6:45 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, January 26, 2016.

Nichole Camac
City Recorder