

MINUTES OF COUNCIL REGULAR MEETING – APRIL 7, 2015

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 7, 2015, 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
Steve Vincent, Councilmember District 4

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

ABSENT: Karen Lang, Councilmember District 3

STAFF PRESENT:

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

16961 **REGARDING ITEM NO. 10. A., APPLICATION NO. Z-6-2014, FILED BY HALLMARK HOMES AND DEVELOPMENT**

Mayor Bigelow announced that the applicant, Hallmark Homes and Development, had withdrawn their Application No. Z-6-2015, and therefore Item No. 10. A. listed on the Agenda would not be discussed nor any action taken by the City Council.

16962 **OPENING CEREMONY**

The Opening Ceremony was conducted by Lars Nordfelt who led the Pledge of Allegiance to the Flag.

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16963 **APPROVAL OF MINUTES OF REGULAR MEETINGS HELD MARCH**
17, **2015, AND MARCH 24, 2015**

The Council read and considered Minutes of the Regular Meetings held March 17, 2015, and March 24, 2015. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meetings held March 17, 2015, and March 24, 2015, as written. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

| | |
|---------------|-----|
| Mr. Vincent | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Nordfelt | Yes |
| Mayor Bigelow | Yes |

Unanimous.

16964 **COMMENT PERIOD**

Upon inquiry by Mayor Bigelow the following individual addressed the City Council during the comment period.

A. **PUBLIC COMMENTS**

Rhonda Perkes, representing Congressman Chris Stewart's office, addressed the City Council. She discussed future mobile casework plans for dealing with constituent issues.

16965 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2014-2015 BUDGET**

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding re-opening the FY 2014-2015 Budget.

Proposed Ordinance No. 15-13 related to the proposal to be considered by the City Council after the public hearing, was presented as follows:

Proposed Ordinance No. 15-13 would amend the Budget of West Valley City for the fiscal year beginning July 1, 2014, and ending June 30, 2015, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds.

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State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as Amended, allowed the City of West Valley to amend its budget during the year. West Valley City held public hearings on budget amendments on a quarterly basis each fiscal year. Proper public notice had been given pursuant to legal requirements.

Mayor Bigelow opened the public hearing. There being no one to speak in favor or in opposition, Mayor Bigelow closed the public hearing.

ACTION: CONSIDER ORDINANCE NO. 15-13, AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS

The City Council previously held a public hearing regarding proposed Ordinance No. 15-13 that would amend the Budget of West Valley City for the fiscal year beginning July 1, 2014, and ending June 30, 2015, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds.

After discussion, Councilmember Buhler moved to approve Ordinance No. 15-13, an Ordinance Amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2014, and Ending June 30, 2015, to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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|---------------|-----|
| Mr. Vincent | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Nordfelt | Yes |
| Mayor Bigelow | Yes |

Unanimous.

16966 **RESOLUTION NO. 15-56, APPROVE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) UNITS FOR USE BY THE FIRE DEPARTMENT**

Mayor Bigelow presented proposed Resolution No. 15-56 that would approve purchase of 36 self-contained breathing apparatus (SCBA) units, in an amount not to exceed \$147,212.00, for use by the Fire Department.

The subject packs would meet and exceed the current safety standard for the fire service. The purchase would replace about 75% of the existing equipment. It was

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proposed the units would be purchased from L.N. Curtis Fire Equipment of Salt Lake City, Utah.

The current SCBA's were between seven and 12 years old and all were out of standard with the National Fire Protection Association (NFPA). The SCBA was one of the most vital pieces of safety equipment for the firefighter; and with the new packs the Department would be assured that the latest safety items were in place. With the purchase the Department would be upgrading with the current vendor that would cut down on training time for the replacement project. Some of the best of the older units would be kept, as it would not be possible to replace all of the units at this time.

After discussion, Councilmember Buhler moved to approve Resolution No. 15-56, a Resolution Approving the Purchase of Self-Contained Breathing Apparatus (SCBA) Units for use by the West Valley City Fire Department. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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|---------------|-----|
| Mr. Vincent | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Nordfelt | Yes |
| Mayor Bigelow | Yes |

Unanimous.

16967

CONSENT AGENDA

A. RESOLUTION NO. 15-57, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ANTHONY K. STEENBLIK AND MICHELLE C. STEENBLIK FOR PROPERTY LOCATED AT 4302 SOUTH 3425 WEST

Mayor Bigelow presented proposed Resolution No. 15-57 that would accept a Grant of Temporary Construction Easement from Anthony K. Steenblik and Michelle C. Steenblik for property located at 4302 South 3425 West.

Anthony K. Steenblik and Michelle C. Steenblik had signed a Grant of Temporary Construction Easement across the frontage of their property located at 4302 South 3425 West (Parcel 21-05-252-020).

The subject property was one of nine properties affected and benefitted by construction of the 3425 West Sidewalk Project. The project would

construct sidewalk along 3425 West and portions of Meadowbrook Drive where sidewalk did not currently exist and would connect to existing sidewalks to provide a safer walking route to Robert Front Elementary School. The project would also include new curb and gutter, textured, colored concrete park strips along with tie-ins to existing driveways and landscaping. The design of the project did not require additional right-of-way to be acquired; however, Grants of Temporary Construction Easements would be required. The easement would allow the City and its contractor an additional ten feet of space to construct the required improvements within the existing right-of-way. More importantly, it would allow the contractor to replace improvements on adjoining properties disturbed by construction of the project. Improvements such as driveways, sprinklers and landscaping would be reconstructed as required to match new sidewalk and drive approach locations and elevations. The Grant of Temporary Construction Easement would expire December 31, 2015.

B. RESOLUTION NO. 15-58, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MELVIN WHITE AND BEVERLY K. WHITE FOR PROPERTY LOCATED AT 3435 WEST 4305 SOUTH

Mayor Bigelow presented proposed Resolution No. 15-58 that would accept a Grant of Temporary Construction Easement from Melvin White and Beverly K. White for property located at 3435 West 4305 South.

Melvin White and Beverly K. White had signed a Grant of Temporary Construction Easement across the frontage of their property located at 3435 West 4305 South (Parcel 21-05-253-016).

The White property was one of nine properties affected and benefitted by construction of the 3425 West Sidewalk Project. The project would construct sidewalk along 3425 West and portions of Meadowbrook Drive where sidewalk did not currently exist and would connect to existing sidewalks to provide a safer walking route to Robert Frost Elementary School. The project would also include new curb and gutter, textured, colored concrete park strips along with tie-ins to existing driveways and landscaping. The design of the project did not require additional right-of-way to be acquired; however, Grants of Temporary Construction Easements would be required. The easement would allow the City and its contractor an additional ten feet of space to construct the required improvements within the existing right-of-way. More importantly, it would allow the contractor to replace improvements on adjoining properties disturbed by construction of the project. Improvements such as driveways, sprinklers and landscaping would be reconstructed as required

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to match new sidewalk and drive approach locations and elevations. The Grant of Temporary Construction Easement would expire December 31, 2015.

C. RESOLUTION NO. 15-59, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KEITH E. HIRST AND SHERRIE E. HIRST, TRUSTEES (OR SUCCESSOR TRUSTEES) OF THE KEITH AND SHERRIE HIRST FAMILY TRUST FOR PROPERTY LOCATED AT 4281 SOUTH 3425 WEST

Mayor Bigelow presented proposed Resolution No. 15-59 that would accept a Grant of Temporary Construction Easement from Keith E. Hirst and Sherrie E. Hirst, Trustees (or successor trustees) of the Keith and Sherrie Hirst Family Trust for property located at 4281 South 3425 West.

The Keith and Sherrie Hirst Family Trust had signed a Grant of Temporary Construction Easement across the frontage of their property located at 4281 South 3425 West (Parcel 21-05-230-026)

The subject property was one of nine properties affected and benefitted by construction of the 3425 West Sidewalk Project. The project would construct sidewalk along 3425 West and portions of Meadowbrook Drive where sidewalk did not currently exist and would connect to existing sidewalks to provide a safer walking route to Robert Frost Elementary School. The project would also include new curb and gutter, textured, colored concrete park strips along with tie-ins to existing driveways and landscaping. The design of the project did not require additional right-of-way to be acquired; however, Grants of Temporary Construction Easements would be required. The easement would allow the City and its contractor an additional ten feet of space to construct the required improvements within the existing right-of-way. More importantly, it would allow the contractor to replace improvements on adjoining properties disturbed by construction of the project. Improvements such as driveways, sprinklers and landscaping would be reconstructed as required to match new sidewalk and drive approach locations and elevations. The Grant of Temporary Construction Easement would expire December 31, 2015.

D. RESOLUTION NO. 15-60, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM TIMOTHY B. MCPHIE FOR PROPERTY LOCATED AT 4255 SOUTH 3425 WEST

Mayor Bigelow presented proposed Resolution No. 15-60 that would accept a Grant of Temporary Construction Easement from Timothy B. McPhie for property located at 4255 South 3425 West.

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The McPhie property was one of nine properties affected and benefitted by construction of the 3425 West Sidewalk Project. The project would construct sidewalk along 3425 West and portions of Meadowbrook Drive where sidewalk did not currently exist and would connect to existing sidewalks to provide a safer walking route to Robert Frost Elementary School. The project would also include new curb and gutter, textured, colored concrete park strips along with tie-ins to existing driveways and landscaping. The design of the project did not require additional right-of-way to be acquired; however, Grants of Temporary Construction Easements would be required. The easement would allow the City and its contractor an additional ten feet of space to construct the required improvements within the existing right-of-way. More importantly, it would allow the contractor to replace improvements on adjoining properties disturbed by construction of the project. Improvements such as driveways, sprinklers and landscaping would be reconstructed as required to match new sidewalk and drive approach locations and elevations. The Grant of Temporary Construction Easement would expire December 31, 2015.

E. **RESOLUTION NO. 15-61, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DAVID HELLON AND RENAE-VANCE HELLON FOR PROPERTY LOCATED AT 4296 SOUTH 3425 WEST**

Mayor Bigelow presented proposed Resolution No. 15-61 that would accept a Grant of Temporary Construction Easement from David Hellon and Renae-Vance Hellon for property located at 4296 South 3425 West (Parcel 21-05-252-019).

The subject property was one of nine properties affected and benefitted by construction of the 3425 West Sidewalk Project. The project would construct sidewalk along 3425 West and portions of Meadowbrook Drive where sidewalk did not currently exist and would connect to existing sidewalks to provide a safer walking route to Robert Frost Elementary School. The project would also include new curb and gutter, textured, colored concrete park strips along with tie-ins to existing driveways and landscaping. The design of the project did not require additional right-of-way to be acquired; however, Grants of Temporary Construction Easements would be required. The easement would allow the City and its contractor an additional ten feet of space to construct the required improvements within the existing right-of-way. More importantly, it would allow the contractor to replace improvements on adjoining properties disturbed by construction of the project. Improvements such as driveways, sprinklers and landscaping would be reconstructed as required to match new sidewalk and drive approach locations and elevations. The

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Grant of Temporary Construction Easement would expire December 31, 2015.

After discussion Councilmember Rushton moved to approve Resolution Nos. 15-57, 15-58, 15-59, 15-60 and 15-61 as listed on the Consent Agenda. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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| Mr. Vincent | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Nordfelt | Yes |
| Mayor Bigelow | Yes |

Unanimous.

16968 **APPLICATION NO. Z-6-2014 FILED BY HALLMARK HOMES AND DEVELOPMENT**

As Mayor Bigelow announced earlier in the meeting, Application No. Z-6-2014 had been withdrawn by the applicant, Hallmark Homes and Development, therefore there would be no discussion regarding the application or related ordinance and resolution.

16969 **RESOLUTION NO. 15-32, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH T&M NIXON FAMILY LIMITED PARTNERSHIP FOR APPROXIMATELY 5.04 ACRES OF PROPERTY LOCATED AT 3750 SOUTH 6770 WEST (CONTINUED FROM REGULAR MEETING OF FEBRUARY 24, 2015)**

Mayor Bigelow presented proposed Resolution No. 15-32 that had been continued from the Regular Council Meeting held February 24, 2015, and would authorize the City to enter into a Development Agreement with T&M Nixon Family Limited Partnership for approximately 5.04 acres of property located at 3750 South 6770 West.

After discussion, Councilmember Buhler moved to deny proposed Resolution No. 15-32, a Resolution Authorizing the City to Enter into a Development Agreement with T&M Nixon Family Limited Partnership for Approximately 5.04 Acres of Property Located at 3750 South 6770 West. Councilmember Huynh seconded the motion.

A roll call vote was taken:

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| Mr. Vincent | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Nordfelt | Yes |
| Mayor Bigelow | Yes |

Unanimous.

Proposed Resolution No. 15-32 was denied.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, APRIL 7, 2015, WAS ADJOURNED AT 6:41 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, April 7, 2015.

Sheri McKendrick, MMC
City Recorder