

MINUTES OF COUNCIL REGULAR MEETING – MARCH 4, 2014

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 4, 2014, AT 6:35 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
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager, CED Director
Jim Welch, Finance Director
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Lee Russo, Police Chief
John Evans, Fire Chief
Sam Johnson, Strategic Communications Director
Claire Gillmor, Acting City Attorney
Jake Arslanian, Public Works Department

- 16499 **OPENING CEREMONY**
The Opening Ceremony was conducted by Steve Buhler who led the Pledge of Allegiance to the Flag.
- 16500 **SCOUTS**
Mayor Bigelow welcomed Scout Troop No. 727 in attendance to complete requirements for the Citizenship in the Community merit badge.
- 16501 **APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 18, 2014**
The Council read and considered Minutes of the Regular Meeting held February 18, 2014. There were no changes, corrections or deletions.

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After discussion, Councilmember Huynh moved to approve the Minutes of the Regular Meeting held February 18, 2014, 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16502 **COMMENT PERIOD**

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

16503 **RESOLUTION NO. 14-31, AUTHORIZE CHANGE ORDER NO. 3 TO THE CONTRACT WITH NOLAND AND SONS CONSTRUCTION COMPANY FOR THE LUND PARK TO BRIGHTON CANAL STORM DRAIN**

City Manager, Wayne Pyle, presented proposed Resolution No. 14-31 that would authorize Change Order No. 3 to the Contract with Noland and Sons Construction Company, in the amount of \$42,803.38, for the Lund Park to Brighton Canal Storm Drain.

Mr. Pyle stated the main objective of the project was to abandon an aging and undersized storm drain that crossed under the Brighton Canal near 3300 South. He advised that during construction it became apparent that Jones Heating and Air Conditioning had a parking lot drain that connected to the abandoned storm drain. He indicated the proposed change order would cover cost to connect the existing parking lot drain to the new storm drain.

He also advised Change Order Nos. 1 and 2 had been processed under the original funding authorization by the City Council.

After discussion, Councilmember Buhler moved to approve Resolution No. 14-31, a Resolution Authorizing Change Order No. 3 to the Contract with Noland and Sons Construction Company for the Lund Park to Brighton Canal Storm Drain. Councilmember Vincent 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. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16504

RESOLUTION NO. 14-32, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH JOHN C. KETCHUM, KAREN V. KETCHUM AND LOIS I. KETCHUM FOR PROPERTY LOCATED AT 6426 WEST PARKWAY BOULEVARD AND TO ACCEPT A WALL AND SLOPE EASEMENT, A GRANT OF TEMPORARY CONSTRUCTION EASEMENT AND A SPECIAL WARRANTY DEED

City Manager, Wayne Pyle, presented proposed Resolution No. 14-32 that would authorize the City to enter into a Right-of-Way and Easement Agreement with John C. Ketchum, Karen V. Ketchum and Lois I. Ketchum for property located at 6426 West Parkway Boulevard; and to accept a Wall and Slope Easement, a Grant of Temporary Construction Easement, and a Special Warranty Deed, in the total amount of \$70,500.00.

Mr. Pyle stated the aforementioned property owners had signed the Agreement for Right-of-Way and Easements, and had agreed to sign a Special Warranty Deed, Wall and Slope Easement and a Grant of Temporary Construction Easement for a portion of property located at the northwest corner of Parkway Boulevard and 6400 West Street.

The City Manager reported the parcel located at 6426 W. Parkway Boulevard was one of the properties affected by the construction of the 6400 West Extension Project extending from Parkway Boulevard to the SR-201 Frontage Road. He advised compensation for purchase of 19,801 square feet of right-of-way, a Wall and Slope Easement, and a Grant of Temporary Construction Easement had been based on an appraisal report prepared by Fortis Group, LLC.

After discussion, Councilmember Rushton moved to approve Resolution No. 14-32, a Resolution Authorizing the City to enter into a Right-of-Way and Easement Agreement with John C. Ketchum, Karen V. Ketchum and Lois I. Ketchum for Property Located at 6426 West Parkway Boulevard (Parcel 14-27-226-004); and to Accept a Wall and Slope Easement, a Grant of Temporary Construction

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Easement and a Special Warranty Deed. Councilmember Lang 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16505

RESOLUTION NO. 14-33, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY AGREEMENT WITH JOHN C. KETCHUM, KAREN V. KETCHUM AND LOIS I. KETCHUM FOR PROPERTY LOCATED AT 6490 WEST PARKWAY BOULEVARD; AND TO ACCEPT A SPECIAL WARRANTY DEED

City Manager, Wayne Pyle, presented proposed Resolution No. 14-33 that would authorize the City to enter into a Right-of-Way Agreement with John C. Ketchum, Karen V. Ketchum and Lois I. Ketchum for property located at 6490 West Parkway Boulevard; and to accept a Special Warranty Deed, in the amount of \$5,700.00.

Mr. Pyle stated John C. Ketchum, Karen V. Ketchum, and Lois I. Ketchum had signed the Right-of-Way Agreement and agreed to execute a Special Warranty Deed for 2,206 square feet of property located at 6490 W. Parkway Boulevard.

He reported the subject property was one affected by the construction of the 6400 West Extension Project to extend from Parkway Boulevard to the SR-201 Frontage Road. He indicated this acquisition would allow for future construction of improvements on the north side of Parkway Boulevard. He stated this portion of Parkway Boulevard was being widened from a 33 foot half width to a 40 foot half width. Although construction of improvements along the frontage of this parcel would not be completed at this time (the City would also acquire a portion of the adjacent parcel to the east owned by the same owners) it had been determined this right-of-way should be acquired as well.

After discussion, Councilmember Lang moved to approve Resolution No. 14-33, a Resolution Authorizing the City to enter into a Right-of-Way Agreement with John C. Ketchum, Karen V. Ketchum and Lois I. Ketchum for Property Located

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at 6490 West Parkway Boulevard (Parcel 14-27-226-003); and to Accept a Special Warranty Deed. 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16506

RESOLUTION NO. 14-36, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY ACCESS EASEMENT FROM TERRY L. RUSHTON AND JACKIE L. RUSHTON FOR PROPERTY LOCATED AT 4451 SOUTH 5400 WEST FOR THE PURPOSE OF REMOVING A HISTORIC LOG GRANARY STRUCTURE FROM THE PROPERTY

City Manager, Wayne Pyle, discussed proposed Resolution No. 14-36 that would authorize the City to accept a Grant of Temporary Access Easement from Terry L. Rushton and Jackie L. Rushton for property located at 4451 South 5400 West (Parcel 20-01-326-005) for the purpose of removing a historic log granary structure from the property.

Mr. Pyle advised the aforementioned property owners had signed the Grant of Temporary Access Easement over a portion of their property for the purpose of removing a historic log granary. He indicated in order to move the granary the City needed temporary access to the property.

After discussion, Councilmember Huynh moved to approve Resolution No. 14-36, a Resolution Authorizing the City to Accept a Grant of Temporary Access Easement from Terry L. Rushton and Jackie L. Rushton for Property Located at 4451 South 5400 West for the Purpose of Removing a Historic Log Granary Structure from the Property. 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

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Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16507

RESOLUTION NO. 14-37, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY ACCESS EASEMENT FROM CRAIG D. RUSHTON, TRUSTEE OF THE DON R. RUSHTON TRUST DATED FEBRUARY 21, 1990, FOR PROPERTY LOCATED AT 4465 SOUTH 5400 WEST FOR THE PURPOSE OF REMOVING A HISTORIC LOG GRANARY STRUCTURE FROM THE PROPERTY

City Manager, Wayne Pyle, presented proposed Resolution No. 14-37 that would authorize the City to accept a Grant of Temporary Access Easement from Craig D. Rushton, Trustee of the Don R. Rushton Trust dated February 21, 1990, for property located at 4465 South 5400 West (Parcel 20-01-326-075) for the purpose of removing a historic log granary structure from the property.

Mr. Pyle stated the aforementioned property owner had signed the easement for the purpose of removing a historic log granary. He indicated in order to move the granary the City needed temporary access to the property.

After discussion, Councilmember Buhler moved to approve Resolution No. 14-37, a Resolution Authorizing the City to Accept a Grant of Temporary Access Easement from Craig D. Rushton, Trustee of the Don R. Rushton Trust Dated February 21, 1990, for Property Located at 4465 South 5400 West for the Purpose of Removing a Historic Log Granary Structure from 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

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16508

CONSENT AGENDA:

A. RESOLUTION NO. 14-34, ACCEPT A STORM DRAIN EASEMENT FOR JORDAN RIVER MARKETPLACE, LLC, ACROSS A PORTION OF ITS PROPERTY LOCATED AT 1316 WEST 3500 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 14-34 that would accept a Storm Drain Easement for Jordan River Marketplace, LLC, across a portion of its property located at 1316 West 3500 South, Lot 2 of the Utah Cultural Celebration Center Subdivision.

Mr. Pyle stated as part of the Lund Park to Brighton Canal Storm Drain Project the City was replacing an old existing storm drain line running north through the grantors' property from the Jones property to the south, and to an outlet ditch on the grantors' property. He indicated the old outlet ditch had been piped with a 36-inch RCP storm drain line. The existing storm drain was too small and the existing pipe elevations were too low to connect to the new 36-inch storm drain line. He stated the easement would allow the City to construct and maintain a new 15-inch and 18-inch storm drain line and boxes on the grantors' property. He also advised the new storm drain would take storm water from the grantors' property and from the Jones property to the south.

B. RESOLUTION NO. 14-35, RATIFY THE CITY MANAGER'S APPOINTMENT OF LATAI TUPOU AS AN ALTERNATE MEMBER OF THE WEST VALLEY CITY PLANNING COMMISSION, TERM: MARCH 4, 2014 – JULY 1, 2017

City Manager, Wayne Pyle, presented proposed Resolution No. 14-35 that would ratify his appointment of Latai Tupou as an alternate member of the West Valley City Planning Commission for the term March 4, 2014 – July 1, 2017.

Mr. Pyle stated Ms. Tupou had been recommended to fill the position previously held by Imaan Bilic whose term would expire on July 1, 2017.

He advised Ms. Tupou received a Bachelors of Science in Finance from the University of Utah and she currently worked as an asset based lending credit and operation manager at Celtic Bank in Salt Lake City.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 14-34 and 14-35 as presented on the Consent Agenda. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

City Manager, Wayne Pyle, noted Latai Tupou was in attendance at the meeting. Upon request, Ms. Tupou addressed the City Council and introduced herself.

16509

MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Vincent moved to adjourn and reconvene immediately following the Redevelopment Agency and Housing Authority meetings in an Executive Session for discussion of litigation matters. Councilmember Lang 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, MARCH 4, 2014, WAS ADJOURNED AT 6:52 P.M., BY MAYOR BIGELOW.

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, MARCH 4, 2014, AT 6:58 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
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Claire Gillmor, Acting City Attorney

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF MARCH 4, 2014, WAS ADJOURNED AT 7:48 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, March 4, 2014.

Sheri McKendrick, MMC
City Recorder