

MINUTES OF COUNCIL STUDY MEETING – AUGUST 11, 2009

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THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, AUGUST 11, 2009, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman (Arrived as noted)
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Corey Rushton

STAFF PRESENT:

Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Buzz Nielsen, Police Chief
Nicole Cottle, CED Director
Jim Welch, Finance Director
Russell Willardson, Public Works Director
Richard Catten, City Attorney
Layne Morris, Community Preservation Director
Brent Garlick, CED Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD JULY 28, 2009**

The Council read and considered the Minutes of the Study Meeting held July 28, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held July 28, 2009, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

2. **AMERICAN RED CROSS**

City Manager, Wayne Pyle, introduced Neva Baker, Development Director, Greater Salt Lake Area Chapter of American Red Cross. Ms. Baker expressed appreciation for the opportunity to provide the Council with information regarding American Red Cross.

Using PowerPoint, Ms. Baker discussed information and summarized as follows:

- Overview of American Red Cross
- Mission
- International Principles
- Disaster Services
- Health and Safety Education
- Volunteers
- Heroes Luncheon Award Program

Councilmember Coleman arrived at the meeting at 4:40 P.M.

- Video of Heroes 2009 Workplace Safety Award Program

Ms. Baker answered questions from members of the City Council during the presentation of information. She also distributed hero nomination forms to members of the City Council.

3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED AUGUST 11, 2009**

City Manager, Wayne Pyle, reviewed the following new item added to the Agenda for the Regular Council Meeting scheduled August 11, 2009:

Item No. 9.B. – RESOLUTION NO. 09-280, APPROVE EXHIBIT “G” TO THE AGREEMENT BETWEEN WEST VALLEY CITY, THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, AND JORDAN RIVER MARKETPLACE, LLC, FOR THE DEVELOPMENT AND REDEVELOPMENT OF REAL PROPERTY LOCATED IN THE JORDAN RIVER REDEVELOPMENT AREA

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-280 which would approve Exhibit G to the Agreement between West Valley City, the Redevelopment Agency of West Valley City, and Jordan River Marketplace, LLC, for the development and redevelopment of real property located in the Jordan River Redevelopment Area.

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Mr. Pyle stated the City had approved provisions of the Jordan River Marketplace ADL (Agreement for Disposition of Land) under Resolution No. 09-210 on May 19, 2009, specifically subject to approval of the terms of Exhibit G. He advised Exhibit G was intended to ensure the type of multicultural development envisioned by the City Council would be built by the developer. He indicated approval of Exhibit G would be required before the ADL could be finalized. He indicated items covered by the exhibit included the mix of retail products, the percentage of space allocated to different types of products, and the number and size of anchor tenants and chain stores.

The City Manager further stated that in June of 2008, the City selected Ascent Construction Company as the successful respondent to the Jordan River Marketplace RFP (Request for Proposals). He also stated, since that time the developer and the City had worked to prepare the site of development and ensure it would be as successful as possible. He reported efforts had included: resolving wetland issues; working with Rocky Mountain Power and the Utah Department of Transportation (UDOT) for necessary approvals; securing State, County, and private parcels to help consolidate the development site; and negotiating the ADL between Ascent Construction, the Redevelopment Agency, and West Valley City. He indicated that on May 19, 2009, when the ADL was approved, the approval had been subject to Exhibit G being prepared and approved to define the product mix and the building type of the proposed international marketplace.

City Manager, Wayne Pyle, distributed an updated draft of Exhibit G. He noted Brad Knowlton and Bob Murri of Ascent Construction were in attendance at the meeting to answer any additional questions from the City Council. The City Manager also reviewed, in detail, three changes to the language of the document, and answered questions from members of the City Council.

At Mayor Nordfelt's request, Brad Knowlton, Ascent Construction, discussed concerns the lending community could have with the word "restriction" and suggested replacing that word with "objective" and discussed reasons for that recommendation.

Mr. Pyle answered additional questions from members of the City Council.

Mayor Nordfelt noted the City Council had made a commitment to attend an event at 5:00 P.M., and therefore discussion regarding Exhibit G would be resumed when the item was taken up at the Regular Meeting. The City Manager noted a similar resolution was scheduled on the agenda for a Special Regular Meeting of the Redevelopment Agency which would be held upon adjournment of the Regular City Council meeting later this night.

Upon inquiry by City Manager, Wayne Pyle, there were no further questions from members of the City Council regarding items scheduled on the subject agendas.

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4. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED AUGUST 18, 2009:

A. PROCLAMATION DECLARING AUGUST, 2009 AS FIREFIGHTER APPRECIATION MONTH IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated a Proclamation would be read declaring August 2009, as Firefighter Appreciation Month in West Valley City at the Regular Council Meeting scheduled August 18, 2009, at 6:30 P.M.

5. RESOLUTION NO. 09-281, APPROVE AGREEMENT WITH DLS CONSULTING, INC. TO PROVIDE PROFESSIONAL SERVICES DURING THE 2009-2010 FISCAL YEAR

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-281 which would approve an Agreement with DLS Consulting, Inc. to provide professional services during the 2009-2010 fiscal year.

Mr. Pyle stated that DLS would provide professional services in interacting with other governmental agencies, including lobbying the Utah Legislature on issues important to West Valley City, as identified by himself and DLS.

The City Manager further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-281 at the Regular Council Meeting scheduled August 18, 2009, at 6:30 P.M.

6. RESOLUTION NO. 09-282, AWARD CONTRACT TO NICHOLS BUILDING, LLC, FOR THE 6400 WEST STORM DRAIN PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-282 which would award a contract to Nichols Building, LLC for the 6400 West Storm Drain Project.

Mr. Pyle stated bids had been solicited and a total of nine bids had been received as follows:

Nichols Building, LLC	\$153,112.12
Bowen Construction	185,815.00
Regency Excavation	189,523.10
Sunroc Corporation	199,782.00
Harper Contracting, Inc.	218,270.02
Dymock Construction, Inc.	230,107.10
Four Seasons	268,634.48
Dwight W. Peterson & Sons Excavating	280,428.25
Cunningham Construction	385,744.00

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The City Manager reported Nichols Building, LLC had submitted the lowest responsible bid.

Mr. Pyle indicated the project consisted of installation of curb and gutter and asphalt, installation of a storm drain line consisting of reimbursed concrete pipe and cleanout boxes, and other minor tie-ins to the existing storm drain system, and other work associated with storm drain work.

The City Manager further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-282 at the Regular Council Meeting scheduled August 18, 2009, at 6:30 P.M.

7. **RESOLUTION NO. 09-283, AWARD CONTRACT TO INTERMOUNTAIN AQUATECH POOL & SPA FOR THE REPLACEMENT OF DRAINS AND SUMPS IN THE POOLS AT THE WEST VALLEY CITY FAMILY FITNESS CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-283 which would award a contract to Intermountain Aquatech Pool & Spa for the replacement of drains and sumps in the pools at the West Valley City Family Fitness Center.

Mr. Pyle stated reconstruction of pool drains had become necessary in order to become compliant with the new Virginia Graeme Baker Pool and Spa Safety Act passed by the United States Congress and effective December, 2008. He further stated without the modifications the Salt Lake County Health Department would be required to close the Family Fitness Center swimming pools immediately.

The City Manager reported a request for proposals had been prepared and advertised and three bids had been received as follows:

Intermountain Aquatech	\$45,560.00
USA Pool Construction	44,800.00
CEM	65,000.00

The City Manager indicated all pool drains would need to be altered with new sump depths and covers in order to be compliant with the new Act. He advised that the Salt Lake County Health Department had given the Fitness Center until the end of September, 2009, to become compliant and make the mandatory changes.

Mr. Pyle reported Intermountain Aquatech was being recommended as the vendor even though they had not submitted the lowest bid. He stated their price could actually be as low as \$32,801.00 unless they ran into an issue with sump depths being too shallow. He

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further advised Aquatech was also a local vendor whereas with the next lowest bidder was from Georgia.

The City Manager further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-283 at the Regular Council Meeting scheduled August 18, 2009, at 6:30 P.M.

8. NEW BUSINESS SCHEDULED AT 5:00 P.M.

A. SMASHBURGER VIP EVENT, 3513 SOUTH 2700 WEST

Mayor Nordfelt stated the meeting would adjourn to allow time for members of the City Council and City staff to attend the VIP event scheduled for 5:00 P.M. at the new Smashburger Restaurant located at 3513 South 2700 West.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, AUGUST 11, 2009, WAS ADJOURNED AT 4:58 P.M. BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, August 11, 2009.

Sheri McKendrick, MMC
City Recorder