

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 18, 2015

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, AUGUST 18, 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 (Excused)
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Russell Willardson, Public Works Director
Layne Morris, CPD Director
John Evans, Fire Chief
Sam Johnson, Strategic Communications Director
Anita Schwemmer, Acting Police Chief
Jason Ereksen, Acting Parks and Recreation Director
Jake Arslanian, Public Works Department
Steve Lehman, CED Department
Nichole Camac, CED Department
Angel Pezely, Administration

OPENING CEREMONY

The Opening Ceremony was conducted by Karen Lang who led the Pledge of Allegiance to the Flag.

SPECIAL RECOGNITIONS

Mayor Bigelow recognized Representative Fred Cox in attendance at the meeting.

The Mayor also informed that Sheri McKendrick, City Recorder, would soon retire and thanked her for her years of service to West Valley City. In particular, he expressed appreciation for Ms. McKendrick's assistance when he first became an elected official.

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Councilmember Rushton stated the City Council worked closely with the City Recorder and Ms. McKendrick had done a great job. He expressed appreciation for her professionalism, deep knowledge, and love of West Valley City.

COMMENT PERIOD

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

A. PUBLIC COMMENTS

Paul Nichols addressed the City Council and stated he was in attendance for the same issue as previously discussed and inquired again about the speed and traffic on 4100 South Street. He indicated he still awaited a sign telling people how fast they were going. He inquired if anything was going to be done, as there was heavy traffic in the morning and at night including kids racing.

Mayor Bigelow requested that the City Manager check regarding plans for 4100 South and respond directly back to Mr. Nichols.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-11-2015 FILED BY FRED COX, REQUESTING THE AMENDMENT OF LOT 31A IN THE WEST VALLEY TRUCK CENTER SUBDIVISION

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled August 18, 2015, in order for the City Council to hear and consider public input regarding Application No. S-11-2015 filed by Fred Cox requesting the amendment of Lot 31A in the West Valley Truck Center Subdivision.

Proposed Ordinance No. 15-30 related to the proposal to be considered by the City Council subsequent to the public hearing, and incorporated information into the record as follows:

Proposed Ordinance No. 15-30 would approve the amendment of Lot 31A of the West Valley Truck Center Lots 16, 17, and 31 Amended Subdivision located at 5557 West 2400 South in West Valley City, Utah.

The original West Valley Truck Center Subdivision had been recorded in 1998. The subdivision had been a great asset to the City and to businesses in the trucking industry. Lots platted in the original subdivision were to accommodate a variety of uses associated with the trucking industry. Although many of the original lots remained as platted, a few modifications had taken place over the years to accommodate changes within the subdivision.

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A few weeks ago an amendment to Lots 16, 17 and 31 of the original subdivision had been reviewed and approved by the Council. That particular plat had been submitted as a result of the extension of 2400 South out to 5600 West. The extension of that road eliminated the existing cul-de-sac and re-defined what was known today as Lot 31A.

The proposed subdivision would take the existing lot and divide it into three unique lots. All lots were over 1 acre in size and met development requirements of the M zone. Access would be gained from 2400 South and from 2455 South. Although three lots were being proposed, it was anticipated that one large development would occur. Should that be the case, the property owner would need to provide documents related to cross access and parking easements. While each lot had frontage on a dedicated right-of-way, staff also recommended drainage easements be provided as well.

As mentioned above, 2400 South would be extended to the west and due to this location becoming a major intersection the traffic signal from 2455 South would be relocated to this site. The intersection at 2400 South would provide a west connection for a future road system to serve properties to the west of 5600 West.

Mayor Bigelow opened the public hearing.

Fred Cox, applicant and representing the property owner, addressed the City Council. Mr. Cox explained that the application was in preparation for having up to three different owners for property and access on two side roads.

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

ACTION: ORDINANCE NO. 15-30, APPROVING THE AMENDMENT OF LOT 31A OF THE WEST VALLEY TRUCK CENTER LOTS 16, 17, AND 31 AMENDED SUBDIVISION LOCATED IN WEST VALLEY CITY, UTAH

The City Council previously held a public hearing regarding Application No. S-11-2015 and proposed Ordinance No. 15-30 that would approve the amendment of Lot 31A of the West Valley Truck Center Lots 16, 17, and 31 Amended Subdivision located at 5557 West 2400 South.

After discussion, Councilmember Vincent moved to approve Application No. S-11-2015 Filed by Fred Cox, and Ordinance No. 15-30, an Ordinance Approving the Amendment of Lot 31A of the West Valley Truck Center Lots 16, 17 and 31 Amended Subdivision Located at Approximately 2400 South 5600 West in West Valley City, Utah. Councilmember Buhler 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.

RESOLUTION NO. 15-136, APPROVE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN WEST VALLEY CITY, TAYLORSVILLE CITY, THE UTAH DEPARTMENT OF TRANSPORTATION AND TEA GROUP TRANSPORTATION ENGINEERING FOR CONSTRUCTION MANAGEMENT OF TRAFFIC SIGNAL IMPROVEMENTS AT THREE INTERSECTIONS ON 4100 SOUTH – 1300 WEST, 2700 WEST, AND 4000 WEST

Mayor Bigelow presented proposed Resolution No. 15-136 that would approve an Interlocal Cooperative Agreement between West Valley City, Taylorsville City, the Utah Department of Transportation and TEA Group Transportation Engineering for construction management of traffic signal improvements at three intersections on 4100 South – 1300 West, 2700 West, and 4000 West.

The subject agreement was the consultant contract that went along with the Federal Aid Agreement approved by the Council in November of 2014. No additional funds were being requested.

After discussion, Councilmember Lang moved to approve Resolution No. 15-136, a Resolution approving an Interlocal Cooperative Agreement Between West Valley City, Taylorsville City, the Utah Department of Transportation and TEA Group Transportation Engineering for Construction Management of Traffic Signal Improvements at Three Intersections on 4100 South – 1300 West, 2700 West, and 4000 West. 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

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Unanimous.

RESOLUTION NO. 15-137, AWARD CONTRACT TO BOWEN CONSTRUCTION FOR THE 3500 SOUTH SIDEWALK PROJECT – 6770 WEST TO 6800 WEST

Mayor Bigelow presented proposed Resolution No. 15-137 that would award a contract to Bowen Construction in the amount of \$102,023.30, for the 3500 South Sidewalk Project – 6770 West to 6800 West.

Bids had been solicited and 6 bids received, as follows:

Bowen Construction:	\$102,023.30
EECCO, LLC:	\$106,749.30
England Construction:	\$113,051.00
Miller Paving:	\$118,345.50
Acme Construction:	\$118,769.75
Beck Construction:	\$133,005.00

Staff reported the lowest responsible bid had been submitted by Bowen Construction.

The project would require widening of a portion of 3500 South in order to build a new sidewalk on the south side of the road from the existing sidewalk to 6800 West. The project was located on a school-walking route and would provide pedestrians with a place to walk outside of the roadway.

The project had previously been awarded \$63,375.00 in State funds under the Safe Sidewalks Program. The remainder of the project cost would be paid for with Class C Road funds.

After discussion, Councilmember Huynh moved to approve Resolution No. 15-137, a Resolution Awarding a Contract to Bowen Construction in the amount of \$102,023.30, for the 3500 South Sidewalk Project – 6770 West to 6800 West. 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

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Unanimous.

RESOLUTION NO. 15-138, AWARD CONTRACT TO ENGLAND CONSTRUCTION FOR THE 7200 WEST PIPE REPLACEMENT PROJECT

Mayor Bigelow presented proposed Resolution No. 15-138 that would award a contract to England Construction in an amount not to exceed \$179,239.00 with authorization to spend an amount not to exceed \$197,160.00 through change orders, for the 7200 West Pipe Replacement Project.

Bids had been requested and a total of 8 bids received, as follows:

England Construction:	\$179,239.00
KK&L Administration:	\$187,776.40
Newman Construction:	\$191,325.00
Beck Construction:	\$199,942.00
B. Jackson Construction:	\$217,900.00
Counterpoint Construction:	\$249,500.00
Fusion Pipeline:	\$260,640.00
Vancon:	\$278,275.00

Staff advised England Construction had submitted the lowest, responsible bid.

The existing corrugated metal storm drain pipe on the east side of 7200 West between 3500 South and 3357 South was corroded, and had failed in several locations causing the creation of sink holes along the pipe alignment. This project would remove the existing pipe and replace it with a new 24-inch reinforced concrete pipe.

After discussion, Councilmember Nordfelt moved to approve Resolution No. 15-138, a Resolution Awarding a Contract to England Construction in an amount not to exceed \$179,239.00 with authorization to spend an amount not to exceed \$197,160.00 through change orders, for the 7200 West Pipe Replacement Project. 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
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

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Unanimous.

CONVENE AS BOARD OF CANVASSERS FOR THE MUNICIPAL PRIMARY ELECTION HELD AUGUST 11, 2015

The City Council convened as the Board of Canvassers for the Municipal Primary Election held August 11, 2015, and with the City Recorder, Sheri McKendrick, reviewed the Canvass Report. After review, the City Council considered the following action:

ACTION: RESOLUTION NO. 15-139, ACCEPTING AND APPROVING THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION HELD AUGUST 11, 2015, AS SHOWN ON THE CANVASS REPORT

The City Council considered proposed Resolution No. 15-139 that would accept and approve the results of the Municipal Primary Election held August 11, 2015, as shown on the Canvass Report.

As the legislative body for West Valley City the Council comprised the Board of Municipal Canvassers pursuant to Utah Code 20A-4-301(2). The Code required the Board of Municipal Canvassers to meet to canvass the returns of the Municipal Primary Election no sooner than 7 days and no later than 14 days after the election.

After discussion, Councilmember Buhler moved to approve Resolution No. 15-139, a Resolution Accepting and Approving the Results of the Municipal Primary Election Held August 11, 2015, as Shown on the Canvass Report and by reference made a part of this record. 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.

APPLICATION NO. S-9-2015 FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR PARK VISTA SUBDIVISION PHASE 2 LOCATED AT 7100 WEST 4100 SOUTH

Mayor Bigelow presented Application No. S-9-2015 filed by Ivory Homes requesting final plat approval for Park Vista Subdivision Phase 2 located at 7100 West 4100 South.

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Nick Mingo, representing Ivory Homes, had requested final plat approval for the second phase of the Park Vista Subdivision. This phase of the subdivision would be located at approximately 7100 West 4100 South and was bordered on the north by Phase 1 of the Park Vista Subdivision and the east and west by existing residential development.

The second phase of the subdivision consisted of 33 lots on 11.3 acres and equated to an overall density of 2.9 units per acre. Lot sizes ranged from 10,000 square feet to 13,339 square feet. The average lot size had been calculated at 10,375 square feet.

Access to the subdivision would be gained from existing stub streets in the Falconcrest Subdivision to the east and from stub streets in Phase 1 to the north. As streets in Falconcrest were not constructed to the standards used today, there would be a slight transition to connect with existing rights-of-way, and these would be coordinated with the City's Engineering Division.

The proposed Subdivision sloped downward from the south to the north dropping approximately 50 feet from 4100 South to the residential housing to the north. However, the drop was over a distance of approximately 1,000 feet. Individual lot grading plans would be required at the time a building permit was submitted. While the slope was not severe, staff believed this would help lessen the potential for grading problems between lots and to help mitigate surface water problems for new homeowners.

The developer had submitted a soils report dated February of 2014, indicating ground water had not been encountered to a depth of 11 feet.

The Union Pacific Railroad was located at the southwest corner of the subdivision. The developer had coordinated the subdivision development with UDOT (Utah Department of Transportation) who oversaw the rail crossing at 4100 South. There were no safety issues and the subdivision had been approved by UDOT.

After discussion, Councilmember Rushton moved to approve Application No. S-9-2015 filed by Ivory Homes and give Final Plat approval for Park Vista Subdivision – Phase 2, 33 Lots, 11 Acres, R-1-10 Zone, located at 7100 West 4100 South. 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

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Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

APPLICATION NO. S-12-2015 FILED BY DON FRANCIS, REQUESTING FINAL PLAT APPROVAL FOR THE IRIS GARDEN SUBDIVISION LOCATED AT 3777 SOUTH 3200 WEST

Mayor Bigelow presented Application No. S-12-2015 filed by Don Francis requesting final plat approval for the Iris Garden Subdivision located at 3777 South 3200 West.

The proposed subdivision was bordered on the north, east and south by existing residential development. The property had an existing dwelling on what would become Lot 1 of the subdivision and it was anticipated that dwelling would remain. The remainder of the property had been vacant for many years.

The developer had proposed a final plat consisting of 4 lots. The existing single-family dwelling was located adjacent to 3200 West on what would be Lot 1. Lot sizes ranged from 8,467 to 9,975 square feet. Although zoned R-1-8, the average lot size in the subdivision had been calculated at 9,216 square feet.

Access to the subdivision would be gained from 3780 South, 3140 West and 3200 West. Streets on all sides of the proposed subdivision already existed with standard improvements. The developer and/or builder would need to coordinate utility installation and new drive approaches with the City's Engineering Division.

After discussion, Councilmember Lang moved to approve Application No. S-12-2015 Filed by Don Francis and give Final Plat approval for Iris Garden Subdivision, R-1-8 Zone located at 3777 South 3200 West. Councilmember Rushton 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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APPLICATION NO. S-13-2015 FILED BY ANDERSON WAHLEN & ASSOCIATES, REQUESTING FINAL PLAT APPROVAL FOR THE AMERICA FIRST FEDERAL CREDIT UNION 4100 SOUTH SUBDIVISION LOCATED AT 5600 WEST 4100 SOUTH

Mayor Bigelow presented Application No. S-13-2015 filed by Anderson Wahlen & Associates requesting final plat approval for the America First Federal Credit Union 4100 South Subdivision located at 5600 West 4100 South.

The applicant had requested approval for a commercial subdivision in the RB zone and the above referenced location. The commercial subdivision would consolidate 5 individual parcels into 2 commercial lots, and the newly formed lots would then be used for an America First Credit Union and an Auto Zone.

Lot 1 consisted of 1.8 acres and was located at the corner of 4100 South 5600 West. Lot 2 consisted of 1.05 acres and was located to the north of Lot 1. As part of the subdivision plat, the right-of-way along 5600 West and 4100 South had been illustrated at the full width necessary for a future interchange resulting from the future Mountain View Corridor.

Access would be gained from both 4100 South and 5600 West. The 4100 South access would be located as far to the east of the intersection as possible. It would be a right-in/right-out access due to the configuration of the intersection. The access along 5600 West would be a shared access between the two properties.

After discussion, Councilmember Vincent moved to approve Application No. S-13-2015 filed by Anderson Wahlen & Associates and give Final Plat approval for America First Federal Credit Union 4100 South Subdivision, Zone RB, located at 5600 West 4100 South. 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.

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APPLICATION NO. SD-1-2015 FILED BY WEST VALLEY CITY PUBLIC WORKS DEPARTMENT REQUESTING CONSIDERATION TO DEDICATE 6400 WEST, PORTIONS OF PARKWAY BOULEVARD, AND PORTIONS OF 2540 SOUTH

Mayor Bigelow presented Application No. SD-1-2015 filed by West Valley City Public Works Department requesting consideration to dedicate 6400 West, portions of Parkway Boulevard, and portions of 2540 South.

The proposed dedication would extend 6400 West to the north just beyond the Riter Canal. This segment of 6400 West had been on the City's Master Street Plan since 2009 and the purpose for the dedication would be to provide access from Parkway Boulevard to 2540 South. The extension of 6400 West would cross the Riter Canal. A box culvert had been installed allowing for the connection of these two streets. This road would provide a connection with 6755 West to the west and would stub at the A. Lawrence and Elva J. Rushton Family Partnership and Donald R. Rushton property to the east. From there, an eventual connection to 2400 South at 5600 West would be made.

The right-of-way would be 66 feet and consist of curb, gutter and asphalt. For the present time, sidewalk would not be installed, however sidewalk could be installed on the east and west sides of this road should future development warrant such.

Small portions of Parkway Boulevard would be dedicated as part of this application. Parkway Boulevard was an 80-foot right-of-way. However, many of the original properties fronting this road extended into what would be the finished right-of-way width. The Engineering Division had worked with the property owners along this road to secure the necessary property to meet the 40-foot half width.

After discussion, Councilmember Buhler moved to approve Application No. SD-1-2015 filed by West Valley City Public Works Department and give Final Plat approval for 6400 West, Parkway Boulevard, and 2540 South Dedication Plat, located at 6400 West Parkway Boulevard. 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

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Unanimous.

CONSENT AGENDA

A. RESOLUTION NO. 15-140, APPROVE RIGHT-OF-WAY AGREEMENT WITH JUDY F. PEARCE AND J. THOMAS PEARCE, AS TRUSTEES OF THE JUDY F. PEARCE TRUST, DATED FEBRUARY 23, 2009, FOR PROPERTY LOCATED AT 3525 SOUTH 6800 WEST, AND ACCEPT A WARRANTY DEED AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT

Mayor Bigelow presented proposed Resolution No. 15-140 that would approve a Right-of-Way Agreement with Judy F. Pearce and J. Thomas Pearce, as Trustees of the July F. Pearce Trust, dated February 23, 2009, for property located at 3525 South 6800 West, and accept a Warranty Deed and a Grant of Temporary Construction Easement.

The subject parcel was one of the properties affected and benefitted by construction of the 3500 South 6800 West Safe Sidewalks Project that would include the construction of curb, gutter, sidewalk, textured colored concrete, road widening and storm drain improvements on the south side of 3500 South. The project would extend from the intersection of 3500 South and 6800 West eastward approximately 225 feet to existing improvements. Compensation for the purchase of 168 square feet of property and the Grant of Temporary Easement would be in the amount of \$600.00 based on an appraisal prepared by Integra Realty Resources.

B. RESOLUTION NO. 15-141, APPROVE RIGHT-OF-WAY AGREEMENT WITH VAUGHN R. FEULNER AND KATHLEEN C. FEULNER FOR PROPERTY LOCATED AT 3515 SOUTH 6800 WEST AND TO ACCEPT A WARRANTY DEED, STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT

Mayor Bigelow presented proposed Resolution No. 15-141 that would approve a Right-of-Way Agreement with Vaughn R. Feulner and Kathleen C. Feulner for property located at 3515 South 6800 West, and to accept a Warranty Deed, Storm Drain Easement, and a Grant of Temporary Construction Easement.

The subject parcel was one of the properties affected and benefitted by construction of the 3500 South 6800 West Safe Sidewalks Project that would include the construction of curb, gutter, sidewalk, textured colored concrete, road widening and storm drain improvements on the south side of 3500 South. The project would extend from the intersection of 3500 South and 6800 West eastward approximately 225 feet to existing improvements. Compensation for purchase of 1,700 square feet of property and associated easements would be in the amount of

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\$5,000.00. Compensation had been negotiated based on an appraisal report prepared by the Integra Realty Resources that indicated a value of \$4,600.00.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 15-140 and 15-141 as presented on the Consent Agenda. 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
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, AUGUST 18, 2015, WAS ADJOURNED AT 6:57 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, August 18, 2015.

DeAnn Varney,
Acting City Recorder