

MINUTES OF COUNCIL REGULAR MEETING – APRIL 26, 2011

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 26, 2011, 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 WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Russ Brooks

STAFF PRESENT:

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

15298 **OPENING CEREMONY**

The Opening Ceremony was conducted by Mike Winder who led the City Council, Executive Staff and the audience in singing the first verse of *God Bless America*.

15299 **APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 12, 2011**

The Council read and considered Minutes of the Regular Meeting held April 12, 2011. There were no changes, corrections or deletions.

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After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held April 12, 2011, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

- 15300 **INTRODUCTION OF NEW EMPLOYEES**
Mayor Winder advised that the new employees scheduled to be introduced to the City Council had not been able to attend the meeting.
- 15301 **PRESENTATION OF ESSENTIAL PIECE AWARD TO AUNT SAND’S PRESCHOOL**
Councilmember Rushton read a narrative and presented the Essential Piece award to Sandra Ahlquist of Aunt Sand’s Preschool.

The City Council members expressed appreciation and congratulated Ms. Ahlquist.

Ms. Ahlquist addressed the City Council and shared her thoughts about living in the West Valley community for many years. She introduced family members, preschool teachers and students, and others in attendance at the meeting. Ms. Ahlquist thanked the City Council for the recognition and the award.
- 15302 **COMMENT PERIOD**
Upon inquiry by Mayor Winder there was no one in attendance who desired to address the City Council during the comment period.
- 15303 **RESOLUTION NO. 11-52, APPROVE AND EXECUTE A UTILITY AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR CITY-OWNED STORM DRAIN LOCATED AT 5372 S. UPPER RIDGE ROAD AND IDENTIFIED AS PARCEL 20-11-376-002**
City Manager, Wayne Pyle, presented proposed Resolution No. 11-52 which would approve and execute a Utility Agreement with the Utah Department of

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Transportation for City-owned storm drain located at 5372 S. Upper Ridge Road and identified as Parcel 20-11-376-002.

Mr. Pyle stated the subject Utility Agreement would permit the City to maintain its existing rights associated with an existing Storm Drain Easement located within the portion of Lot 4 of West Ridge Commerce Park Phase 4 being acquired by the Utah Department of Transportation (UDOT).

The City Manager reported UDOT was acquiring a portion of this property for the Mountain View Corridor Project. He further explained the City owned a storm drain line and easement through the southerly portion of Lot 4, which was being acquired by UDOT.

After discussion, Councilmember Christensen moved to approve Resolution No. 11-52, a Resolution Authorizing the City to Approve and Execute a Utility Agreement with the Utah Department of Transportation for City-Owned Storm Drain Located at 5372 South Upper Ridge Road and Identified as Parcel 20-11-376-002. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15304

RESOLUTION NO. 11-53, DECLARE A PARCEL OF PROPERTY LOCATED AT 5372 S. UPPER RIDGE ROAD (PARCEL 20-11-376-002) TO BE SURPLUS AND APPROVE AND EXECUTE A RIGHT-OF-WAY AGREEMENT, QUIT CLAIM DEED, AND TEMPORARY EASEMENT OF THE SAME PARCEL TO THE UTAH DEPARTMENT OF TRANSPORTATION

City Manager, Wayne Pyle, presented proposed Resolution No. 11-53 which would declare a parcel of property located at 5372 S. Upper Ridge Road (Parcel 20-11-002) to be surplus and approve and execute a Right-of-Way Agreement, Quit Claim Deed, and Temporary Easement of the same parcel to the Utah Department of Transportation.

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Mr. Pyle stated the Utah Department of Transportation (UDOT) desired to purchase a portion of certain property owned by the City for the proposed Mountain View Corridor project.

The City Manager reported the subject parcel was one of the properties required by UDOT to construct the Mountain View Corridor Project. He stated UDOT had offered \$68,600.00 for purchase of 14,024 square feet of the 2.789 acre lot along 5400 South, based on an appraisal prepared by Bodell-Van Drimmelen Commercial Appraisers, Inc.

After discussion, Councilmember Vincent moved to approve Resolution No. 11-53, a Resolution Declaring a Parcel of Property Located at 5372 South Upper Ridge Road (Parcel 20-11-376-002) to be Surplus and Approving and Executing a Right-of-Way Agreement, Quit Claim Deed, and Temporary Easement of the Same Parcel to the Utah Department of Transportation. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15305

RESOLUTION NO. 11-54, AUTHORIZE THE CITY TO ACCEPT A QUIT CLAIM DEED FROM THE RURAL HOUSING SERVICES, UNITED STATES DEPARTMENT OF AGRICULTURE FOR PROPERTY LOCATED AT 7185 WEST TENWAY DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 11-54 which would authorize the City to accept a Quit Claim Deed from the Rural Housing Services, United States Department of Agriculture, for property located at 7185 West Tenway Drive.

Mr. Pyle stated Rural Housing Service, United States Department of Agriculture, had signed the Quit Claim Deed.

The City Manager reported the subject parcel was one of the properties affected by construction of the 7200 West Improvement Project which extended from SR-201 to 3500 South on both sides of 7200 West. He also reported the project was being constructed in conjunction with Salt Lake County who would be

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responsible for improvements on the west side of 7200 West. He indicated the acquisition consisted of 41 square feet at the northwest corner of the lot to allow for a new sidewalk ramp to be constructed in accordance with current ADA requirements. He explained a Warranty Deed for this portion of property was originally executed by Melvin D. Sweazey, Jr. on July 6, 2010. He further explained although the Warranty Deed had been approved by the City Council on July 20, 2010, the Warranty Deed was not recorded in the County Recorder's Office until August 25, 2010. He stated that on July 30, 2010, a Trustee's Deed had been recorded in favor of the Rural Housing Service, United States Department of Agriculture. As Mr. Sweazey was no longer the owner of the property when the Warranty Deed in favor of West Valley City had been recorded, property was not conveyed to the City. The Rural Housing Service, United States Department of Agriculture, had executed a Quit Claim Deed in favor of West Valley City for no additional compensation to facilitate proper conveyance of the property.

After discussion, Councilmember Burt moved to approve Resolution No. 11-54, a Resolution Authorizing the City to Accept a Quit Claim Deed from the Rural Housing Services, United States Department of Agriculture, for Property Located at 7185 West Tenway Drive. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15306 **RECESS REGULAR MEETING**
Mayor Winder recessed the Regular Meeting at 6:44 P.M.

15307 **RECONVENE REGULAR MEETING**
Mayor Winder reconvened the Regular Meeting at 6:46 P.M.

15308 **RESOLUTION NO. 11-55, ACCEPT SPECIAL WARRANTY DEED FROM THE MUNICIPAL BUILDING AUTHORITY FOR PROPERTY LOCATED AT APPROXIMATELY 5190 SOUTH 5700 WEST**
City Manager, Wayne Pyle, presented proposed Resolution No. 11-55 which would accept a Special Warranty Deed from the Municipal Building Authority of West Valley City for property located at approximately 5190 South 5700 West.

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Mr. Pyle stated the Warranty Deed covered .15 acres of land owned by the Municipal Building Authority. He also stated the property had been placed in the name of the Building Authority because it was used as collateral for Building Authority lease revenue bonds. He advised the bonds had been repaid and the property could now be conveyed to the City.

After discussion, Councilmember Rushton moved to approve Resolution No. 11-55, a Resolution Authorizing the City to Accept a Special Warranty Deed from the Municipal Building Authority for Property Located at Approximately 5190 South 5700 West. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15309

RESOLUTION NO. 11-56, APPROVE AMENDMENT NO. 5 TO AN AGREEMENT BETWEEN WEST VALLEY CITY AND IVORY LAND CORPORATION FOR PURCHASE AND DEVELOPMENT OF LAND AT APPROXIMATELY 5200 SOUTH 5600 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 11-56 which would approve Amendment No. 5 to an Agreement between West Valley City and Ivory Land Corporation for purchase and development of land at approximately 5200 South 5600 West.

Mr. Pyle stated that in May, 2005, the City Council approved Resolution No. 05-175 authorizing the West Ridge Agreement for the Purchase and Development of Land with Ivory Land Corporation. He also stated the proposed amendment would adjust the purchase price, acreage, and one of the development standards for the last phase of the agreement.

The City Manager reported Ivory Homes had submitted drawings for the final phase in the West Ridge Estates Subdivision. He indicated based on the development agreement the minimum dwelling size in the subdivision would be 1,500 square feet. He stated Ivory Homes had proposed to modify the agreement to allow homes with a minimum dwelling size of 1,300 square feet.

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Mr. Pyle explained the development agreement allowed Ivory Homes to prepare and submit new residential plans to be reviewed by the Planning and Zoning Division. He indicated as new plans had been created, some of which were being built in Highbury, Ivory Homes had requested these plans be an option for West Ridge Estates. The minimum square footage used in Highbury was 1,300 square feet. Ivory Homes believed these newer plans along with their architectural diversity would be an addition for the remaining lots in West Ridge.

The City Manager also reported the purchase price for the last phase of the agreement required an adjustment based on a small reduction in acreage and negotiations with Ivory Land Corporation.

Mr. Pyle reported he had spoken with Chris Gamvroulas of Ivory prior to this meeting and it was felt that issues could be worked out by the Council's next Regular Meeting scheduled May 3, 2011. He therefore requested the Council consider a continuance of this item to allow time for further negotiations.

After discussion, Councilmember Burt moved to continue proposed Resolution No. 11-56 to the next Regular Council Meeting scheduled May 3, 2011, to allow time for further negotiations. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15310 **CITY MANAGER SUBMIT PROPOSED FY2011-2012 BUDGET TO CITY COUNCIL**

City Manager, Wayne Pyle, stated the FY 2011-2012 Proposed Budget had previously been distributed to members of the City Council during Study Meeting. He invited the Council members to review and forward questions to himself or the Finance Director.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, APRIL 26, 2011, WAS ADJOURNED AT 6:49 P.M., BY MAYOR WINDER.

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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 26, 2011.

Sheri McKendrick, MMC
City Recorder