

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, SEPTEMBER 27, 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
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Steve Vincent

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Jim Welch, Finance Director
Nicole Cottle, CED Director
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Mike Wells, Acting Police Chief
Ryan Robinson, Acting City Attorney
Jake Arslanian, Acting Public Works Director
Steve Lehman, CED Department
Don Groo, Finance Department
Greg Burgoyne, Finance Department
David Sagers, Finance Department
Niclas Hales, Finance Department
Bill Berger, Finance Department
Marie Guarascio, Finance Department
Jeanette Carpenter, Finance Department
Shirley Sasaki, Finance Department
Scott Freckleton, Finance Department
Russell Condie, Finance Department
Nora Clements, Finance Department
Nuria Whytock, Finance Department
Candice Smart, Finance Department

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-2-

Kathy Madden, Finance Department
Cindy Hobbs, Finance Department
Lori Jensen, Public Works Department
Alisha Jensen, Public Works Department
Alejandra Chevesich, Law Department
David Crow, Administration

15484 **OPENING CEREMONY**

The Opening Ceremony was conducted by Mike Winder who discussed events of 9/11 (terrorist attacks in the U.S. on September 11, 2011) and then asked all those present to join him in pausing for a moment of silence in remembrance of those who lost their lives in the war on terror.

15485 **APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 13, 2011**

The Council read and considered Minutes of the Regular Meeting held September 13, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held September 13, 2011, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

15486 **LISA DUDLEY, PRESIDENT-ELECT OF UTAH GOVERNMENT FINANCE OFFICERS ASSOCIATION – PRESENTATION OF THE DISTINGUISHED BUDGET PRESENTATION AWARD TO WEST VALLEY CITY**

Mayor Winder informed it was the 20th year that West Valley City had earned the Utah Government Finance Officers Association (UGFOA) Distinguished Budget Award. He recognized the Finance Director, Jim Welch, for introduction of the presenter of that award.

Jim Welch, Finance Director, gave biographical information and then introduced Lisa Dudley, President-elect of the UGFOA.

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-3-

Ms. Dudley addressed the City Council and discussed an overview of the Distinguished Budget Presentation Award, stating it represented a significant achievement by West Valley City. She noted it reflected the commitment of the governing body and staff to meet the highest principles of governmental budgeting and reporting. Ms. Dudley informed in order to receive the budget award; a governmental entity must publish a budget document that met stringent program criteria including being a policy document, operations guide, financial plan and communications device.

Ms. Dudley recognized and praised the City's Finance Department for their outstanding effort and work regarding the award-winning budget document. She presented the Finance Director, Jim Welch, with a plaque.

Finance Director, Jim Welch, addressed the City Council, recognized members of his staff in attendance at the meeting, and expressed appreciation for their efforts regarding preparation of the budget document.

The City Council expressed appreciation for the Finance Department's work and offered their congratulations to recipients of that award.

15487 **EMPLOYEE OF THE MONTH, SEPTEMBER 2011 – UBALDO TAPIA, PUBLIC WORKS DEPARTMENT (*Rescheduled from Regular Meeting of September 13, 2011*)**

Councilmember Buhler read the nomination of Ubaldo Tapia, Public Works Department, to receive the Employee of the Month Award for September, 2011. Mr. Tapia had been nominated for his positive attitude and dependability.

The City Council expressed appreciation to Mr. Tapia and offered congratulations of receipt of the award.

15488 **COMMENT PERIOD**

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

Helen Wilkinson addressed the City Council and expressed her sympathy to Mayor Winder for the recent loss of his mother. Ms. Wilkinson informed she received a letter from the Mayor indicating the City had denied residents' request for a block wall. She gave reasons why their street should be considered for a wall to block noise from 4100 South. She also stated trees cut down and sidewalk built up and thousands of cars traveling 4100 South every day caused a lot of noise. She indicated the City Council always encouraged residents to get involved in the community but they had petitioned many agencies for a block wall and been turned down by all.

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-4-

15489

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-2-2011, FILED BY WEST VALLEY CITY, REQUESTING A ZONE CHANGE FROM ZONE ‘R-1-6’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 6,000 SQUARE FEET) TO ‘C-2’ (GENERAL COMMERCIAL) ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 1666 W. WHITLOCK AVENUE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to accept public input regarding Application No. Z-2-2011, filed by West Valley City, requesting a zone change from Zone ‘R-1-6’ (Single-Family Residential, Minimum Lot Size 6,000 Square Feet) to ‘C-2’ (General Commercial) zone for property located at approximately 1666 W. Whitlock Avenue. He presented proposed Ordinance No. 11-24 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 11-24 which would amend the Zoning Map to show a change of zone for property located at 1666 W. Whitlock Avenue from zone ‘R-1-6’ (Single-Family Residential, Minimum Lot Size 6,000 Square Feet) to ‘C-2’ (General Commercial) zone.

Mr. Pyle stated the surrounding zones included ‘C-2’ to the north, west and south and ‘R-1-6’ to the east. He indicated surrounding land uses included single-family homes to the north, east and a portion of the south and commercial to the west and the remaining south portion.

The City Manager reported the subject property was designated as medium density mixed use and small lot residential (four to seven units per acre) in the West Valley City General Plan. He indicated the property was the south half of Parkway Boulevard and was still public right-of-way although it was not improved. He also stated the north half of Parkway Boulevard had been vacated.

Mr. Pyle indicated the owner of the property to the north, west and south had applied for a street vacation. He explained if the vacation application was approved, the subject property would be included in a storage unit development. He stated a copy of the proposed concept plan had been provided to the City Council. He further reported staff believed the redevelopment of this area would be positive for the City in that it would remove an existing home in poor condition, eliminate an awkward situation where a home was accessed through a commercial parking lot, and consolidate properties with difficult access with others with direct access to Whitlock Avenue.

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

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-5-

ACTION: CONSIDER ORDINANCE NO. 11-24, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 1666 W. WHITLOCK AVENUE FROM ZONE ‘R-1-6’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 6,000 SQUARE FEET) TO ‘C-2’ (GENERAL COMMERCIAL) ZONE

The City Council previously held a public hearing regarding Application No. Z-2-2011, filed by West Valley City, and proposed Ordinance No. 11-24 which would amend the Zoning Map to show a change of zone for property located at 1666 W. Whitlock Avenue from zone ‘R-1-6’ (Single-Family Residential, Minimum Lot Size 6,000 Square Feet) to ‘C-2’ (General Commercial) zone.

After discussion, Councilmember Burt moved to approve Ordinance No. 11-24, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 1666 W. Whitlock Avenue from Zone ‘R-1-6’ (Single-Family Residential, Minimum Lot Size of 6,000 Square Feet) to ‘C-2’ (General Commercial). Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

15490

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-3-2011, FILED BY WILLIAM JOHNSON, REQUESTING A ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ‘R-1-8’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) ZONE FOR PROPERTY KNOWN AS LOT 14 IN THE WRIGHT NO. 11 SUBDIVISION LOCATED AT 4070 S. MONTAIA DRIVE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-3-2011, filed by William Johnson, requesting a zone change from zone ‘A’ (Agriculture) to ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) zone for property known as Lot 14 in the Wright No. 11 Subdivision located at 4070 S. Montaña Drive. He presented proposed Ordinance No. 11-25 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-6-

City Manager, Wayne Pyle, presented proposed Ordinance No. 11-25 which would amend the Zoning Map to show a change of zone for property located at 4070 South Montaña Drive from the Agricultural zone (Residential, Minimum Lot Size 21,780 Square Feet) to the 'R-1-8' (Single-Family Residential Minimum Lot Size 8,000 square feet) zone.

Mr. Pyle stated surrounding zones included 'R-1-8' to the north and south, and 'A' to the east and west. He also stated surrounding land uses were predominately single-family homes. He indicated the subject property was designated as Low Density Residential in the West Valley City General Plan.

The City Manager reported the subject property was known as Lot 14 in the Wright No. 11 Subdivision, which Subdivision had been recorded with the Salt Lake County Recorder's Office in June of 1963. He also reported the existing single-family dwelling had been constructed in 1964 and, at the time of West Valley City's incorporation, this property was zoned 'A-1.'

Mr. Pyle indicated the applicant initiated the zone change after learning a proposed addition to his existing home would not be permitted due to larger setbacks of the agriculture zone. He indicated that while researching the zoning history of this area, City staff learned the two properties immediately to the south of Mr. Johnson were re-zoned in 1998 from the 'A' zone to the 'R-1-8' zone. That re-zoning had been initiated for similar reasons as the subject application. Properties on the west side of Montaña Drive were well under a half acre and not able to reasonably meet the larger setback standards required in the 'A' zone. He explained if property owners proposed an addition, or an accessory building, the larger setbacks prohibited such from being built.

The City Manager stated all frontage and area requirements of the 'R-1-8' zone would be met as part of the new zone. He also stated Mr. Johnson, the applicant, had explained to City staff he had not had agricultural animals on the property nor did he anticipate that in the future.

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

ACTION: CONSIDER ORDINANCE NO. 11-25, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4070 SOUTH MONTAÑA DRIVE FROM THE AGRICULTURAL ZONE (RESIDENTIAL, MINIMUM LOT SIZE 21,780 SQUARE FEET) TO THE 'R-1-8' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) ZONE

The City Council previously held a public hearing regarding Application No. Z-3-2011, filed by William Johnson, and proposed Ordinance No. 11-25 which would

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-7-

amend the Zoning Map to show a change of zone for property located at 4070 South Montaña Drive from the Agricultural zone (Residential, Minimum Lot Size 21,780 Square Feet) to the ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) zone.

After discussion, Councilmember Brooks moved to approve Ordinance No. 11-25, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 4070 South Montaña Drive from the Agricultural (Residential, Minimum 21,780 Square Feet Lot Size) Zone to the ‘R-1-8’ (Single-Family Residential, Minimum 8,000 Square Feet Lot Size) Zone. Councilmember Burt seconded the motion.

A roll call vote was taken:

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

Unanimous.

15491

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF CITY-OWNED PROPERTY LOCATED AT 5055 SOUTH WESTRIDGE BOULEVARD (PARCEL NUMBER 20-11-151-005) AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding declaring a parcel of City-owned property located at 4055 South Westridge Boulevard (Parcel Number 20-11-151-005) as surplus property and authorizing its sale. He presented proposed Resolution No. 11-144 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Resolution No. 11-144 which would declare a parcel of property located at approximately 5055 South Westridge Boulevard to be surplus.

Mr. Pyle stated the City desired to surplus the property in order to sell it to the Utah Department of Transportation (UDOT) for the Mountain View Corridor. He explained in order to sell the property to UDOT it must be declared surplus by the City Council. He indicated the City was currently waiting for a right-of-way agreement from UDOT and, once received, would sell the property to UDOT to facilitate construction of the Mountain View Corridor.

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-8-

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

ACTION: CONSIDER RESOLUTION NO. 11-144, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 5055 SOUTH WESTRIDGE BOULEVARD TO BE SURPLUS

The City Council previously held a public hearing regarding proposed Resolution No. 11-144 which would declare a parcel of property located at approximately 5055 South Westridge Boulevard to be surplus.

After discussion, Councilmember Christensen moved to approve Resolution No. 11-144, a Resolution Declaring a Parcel of Property Located at Approximately 5055 South Westridge Boulevard to be Surplus. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

15492

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF CITY-OWNED PROPERTY LOCATED AT 5168 SOUTH UPPER RIDGE ROAD (PARCEL NUMBER 20-11-302-001) AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding declaring a parcel of City-owned property located at 5168 South Upper Ridge Road (Parcel Number 20-11-302-001) as surplus property and authorizing its sale. He presented proposed Resolution No. 11-145 to be considered by the City Council subsequent to the public hearing, as follows:

The City Manager presented proposed Resolution No. 11-145 which would declare a parcel of property located at approximately 5168 South Upper Ridge Road to be surplus. He indicated the City desired to surplus the property in order to sell it to the Utah Department of Transportation (UDOT) for the Mountain View Corridor. He indicated in order to sell the property it must be declared surplus. He reported the City was currently waiting for an appraisal of the

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-9-

property and, once received, would enter into an Offer to Purchase Right-of-Way Agreement with UDOT to facilitate construction of the Mountain View Corridor.

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

ACTION: CONSIDER RESOLUTION NO. 11-145, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 5168 SOUTH UPPER RIDGE ROAD TO BE SURPLUS

The City Council previously held a public hearing regarding proposed Resolution No. 11-145 which would declare a parcel of property located at approximately 5168 South Upper Ridge Road to be surplus.

After discussion, Councilmember Burt moved to approve Resolution No. 11-145, a Resolution Declaring a Parcel of Property Located at Approximately 5168 South Upper Ridge Road to be Surplus. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

15493

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF CITY-OWNED PROPERTY LOCATED AT 5025 SOUTH UPPER RIDGE ROAD (PARCEL NUMBER 20-11-300-016) AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding declaring a parcel of City-owned Property located at 5025 South Upper Ridge Road (Parcel Number 20-11-300-016) as surplus property and authorizing its sale. He presented proposed Resolution No. 11-146 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Resolution No. 11-146 which would declare a parcel of property located at approximately 5025 South Upper Ridge Road to be surplus.

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-10-

Mr. Pyle stated the City desired to surplus the property in order to sell it to the Utah Department of Transportation (UDOT) for the Mountain View Corridor. He also stated to sell the property is must be declared surplus. He indicated the City was currently waiting for an appraisal of the property and, once received, would enter into an Offer to Purchase Right-of-Way Agreement with UDOT to facilitate construction of the Mountain View Corridor.

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

ACTION: CONSIDER RESOLUTION NO. 11-146, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 5025 SOUTH UPPER RIDGE ROAD TO BE SURPLUS

The City Council previously held a public hearing regarding proposed Resolution No. 11-146 which would declare a parcel of property located at approximately 5025 South Upper Ridge Road to be surplus.

After discussion, Councilmember Rushton moved to approve Resolution No. 11-146, a Resolution Declaring a Parcel of Property Located at Approximately 5025 South Upper Ridge Road to be Surplus. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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

Unanimous.

15594

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF CITY-OWNED PROPERTY LOCATED AT 6082 WEST CONCERT COURT (PARCEL NUMBER 20-11326-001) AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding declaring a parcel of City-owned property located at 6082 West Concert Court (Parcel Number 20-11326-001) as surplus property and authorizing its sale. He presented proposed Resolution No. 11-147 to be considered by the City Council subsequent to the public hearing, as follows:

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-11-

The City Manager presented proposed Resolution No. 11-147 and stated the City desired to surplus the property in order to sell it to the Utah Department of Transportation (UDOT) for the Mountain View Corridor. He indicated to sell the property it must be declared surplus. He reported the City was currently waiting for an appraisal of the property and, once received, would enter into an Offer to Purchase Right-of-Way Agreement with UDOT to facilitate construction of the Mountain View Corridor.

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

ACTION: CONSIDER RESOLUTION NO. 11-147, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 6082 WEST CONCERT COURT TO BE SURPLUS

The City Council previously held a public hearing regarding proposed Resolution No. 11-147 which would declare a parcel of property located at approximately 6082 West Concert Court to be surplus.

After discussion, Councilmember Brooks moved to approve Resolution No. 11-147, a Resolution Declaring a Parcel of Property Located at Approximately 6082 West Concert Court to be Surplus. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

15495

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF CITY-OWNED PROPERTY LOCATED AT 6204 WEST BOX OFFICE DRIVE (PARCEL NUMBER 20-11-301-003) AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding declaring a parcel of City-owned property located at 6204 West Box Office Drive (Parcel Number 20-11-301-003) as surplus property and authorizing its sale. He presented proposed Resolution No. 11-148 to be considered by the City Council subsequent to the public hearing, as follows:

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-12-

City Manager, Wayne Pyle, presented proposed Resolution No. 11-148 which would declare a parcel of property located at approximately 6204 West Box Office Drive to be surplus.

Mr. Pyle stated the City desired to surplus the property in order to sell it to the Utah Department of Transportation (UDOT) for the Mountain View Corridor. He further stated in order to sell the property it must be declared surplus. He reported the City was currently waiting for an appraisal of the property and, once received, would enter into an Offer to Purchase Right-of-Way Agreement with UDOT to facilitate construction of the Mountain View Corridor.

ACTION: CONSIDER RESOLUTION NO. 11-148, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 6204 WEST BOX OFFICE DRIVE TO BE SURPLUS

The City Council previously held a public hearing regarding proposed Resolution No. 11-148 which would declare a parcel of property located at approximately 6204 West Box Office Drive to be surplus.

After discussion, Councilmember Rushton moved to approve Resolution No. 11-148, a Resolution Declaring a Parcel of Property Located at Approximately 6204 West Box Office Drive to be Surplus. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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

Unanimous.

15496

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF CITY-OWNED PROPERTY LOCATED AT 6308 WEST BOX OFFICE DRIVE (PARCEL NUMBER 20-11-301-002) AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding declaring a parcel of City-owned property located at 6308 West Box Office Drive (Parcel Number 20-11-301-002) as surplus property and authorizing its sale. He presented proposed Resolution No. 11-149 to be considered by the City Council subsequent to the public hearing, as follows:

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-13-

City Manager, Wayne Pyle, presented proposed Resolution No. 11-149 which would declare a parcel of property located at approximately 6308 West Box Office Drive to be surplus.

Mr. Pyle stated the City desired to surplus the property in order to sell it to the Utah Department of Transportation (UDOT) for the Mountain View Corridor. He reported in order to sell the property it must be declared surplus. He indicated the City was currently waiting for an appraisal of the property and, once received, would enter into an Offer to Purchase Right-of-Way Agreement with UDOT to facilitate construction of the Mountain View Corridor.

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

ACTION: CONSIDER RESOLUTION NO. 11-149, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 6308 WEST BOX OFFICE DRIVE TO BE SURPLUS

The City Council previously held a public hearing regarding proposed Resolution No. 11-149 which would declare a parcel of property located at approximately 6308 West Box Office Drive to be surplus.

After discussion, Councilmember Buhler moved to approve Resolution No. 11-149, a Resolution Declaring a Parcel of Property Located at Approximately 6308 West Box Office Drive to be Surplus. Councilmember Burt seconded the motion.

A roll call vote was taken:

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

Unanimous.

15497

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF CITY-OWNED PROPERTY DESCRIBED AS PORTIONS OF UPPER RIDGE ROAD AND BOX OFFICE DRIVE AS SHOWN ON THE RECORDED SUBDIVISION PLAT OF WEST RIDGE COMMERCE PARK PHASE 4 (5105 WEST 6320 WEST) AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-14-

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding declaring a parcel of City-owned property described as portions of Upper Ridge Road and Box Office Drive as shown on the recorded Subdivision Plat of West Ridge Commerce Park Phase 4 (5105 West 6320 West) as surplus property and authorizing its sale. He presented proposed Resolution No. 11-150 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Resolution No. 11-150 which would declare a parcel of property described as portions of Upper Ridge Road and Box Office Drive as shown on the recorded Subdivision Plat of West Ridge Commerce Park Phase 4 located at approximately 5015 South 6320 West to be surplus.

Mr. Pyle stated the City desired to surplus the subject property in order to sell it to the Utah Department of Transportation (UDOT) for the Mountain View Corridor. He further stated in order to sell the property it must be declared surplus. He indicated the City was currently waiting for an appraisal of the property and, once received, would enter into an Offer to Purchase Right-of-Way Agreement with UDOT to facilitate construction of the Mountain View Corridor.

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

ACTION: CONSIDER RESOLUTION NO. 11-150, DECLARING A PARCEL OF PROPERTY DESCRIBED AS PORTIONS OF UPPER RIDGE ROAD AND BOX OFFICE DRIVE AS SHOWN ON THE RECORDED SUBDIVISION PLAT OF WEST RIDGE COMMERCE PARK PHASE 4, LOCATED AT APPROXIMATELY 5105 SOUTH 6320 WEST TO BE SURPLUS

The City Council previously held a public hearing regarding proposed Resolution No. 11-150 which would declare a parcel of property described as portions of Upper Ridge Road and Box Office Drive as shown on the recorded Subdivision Plat of West Ridge Commerce Park Phase 4, located at approximately 5105 South 6320 West, to be surplus.

After discussion, Councilmember Christensen moved to approve Resolution No. 11-150, A Resolution Declaring a Parcel of Property Described as Portions of Upper Ridge Road and Box Office Drive as Shown on the Recorded Subdivision Plat of West Ridge Commerce Park Phase 4, Located at Approximately 5105 South 6320 West, to be Surplus. Councilmember Rushton seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-15-

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

Unanimous.

15498

RESOLUTION NO. 11-151, APPROVE THE PURCHASE OF A TYMCO 600 SWEEPER FROM INTERMOUNTAIN SWEEPER FOR USE BY THE PUBLIC WORKS DEPARTMENT

City Manager, Wayne Pyle, presented proposed Resolution No. 11-151 which would approve the purchase of a Tymco 600 Sweeper from Intermountain Sweeper, in an amount not to exceed \$140,665.00, for use by the Public Works Department.

Mr. Pyle stated Intermountain Sweeper had recently been awarded a bid to supply a sweeper to Orem City. He reported two bids had been received by Orem City, and that documentation had been distributed to the City Council. He indicated Intermountain submitted a proposal to West Valley City that matched the Orem City bid with a \$2,750.00 Isuzu Cab over Chassis upgrade as requested. He stated the proposal qualified under the provisions of the West Valley City Procurement Code 5-3-106, Government Agency Purchasing. He further stated the Code allowed the procurement of equipment from a vendor who had been awarded a bid from another governmental entity within the preceding 90 days.

The City Manager advised that West Valley City had purchased Tymco 600 Sweepers in the past and been pleased with their performance. He also advised the City's operators and mechanics were all familiar with these machines. He indicated the sweeper being replaced was a 2007 Tymco 600 that had major repairs pending. He stated sweepers were high maintenance vehicles and the high repair costs made it uneconomical to retain and maintain the existing sweeper.

After discussion, Councilmember Burt moved to approve Resolution No. 11-151, a Resolution Authorizing West Valley City to Purchase a Tymco 600 Sweeper from Intermountain Sweeper for Use by the Public Works Department. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-16-

Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15499

RESOLUTION NO. 11-152, APPROVE AN INTERLOCAL COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION TO FACILITATE CONSTRUCTION OF THE MOUNTAIN VIEW CORRIDOR THROUGH THE WEST RIDGE GOLF COURSE

City Manager, Wayne Pyle, presented proposed Resolution No. 11-152 which would approve an Interlocal Cooperative Agreement with the Utah Department of Transportation (UDOT) to facilitate construction of the Mountain View Corridor through the West Ridge Golf Course.

Mr. Pyle stated UDOT and West Valley City were working simultaneously, in nearby areas, to reconstruct the West Ridge Golf Course and the Mountain View Corridor. He advised an agreement was needed to set forth how each party could proceed, who would do what, and when it would happen. He reported West Valley City would reconstruct the West Ridge Golf Course and UDOT would construct the Mountain View Corridor through the golf course. He advised the two entities would be working near, crossing and otherwise impacting each other's projects. He further reported the subject agreement would address how, when, where and by whom, the work would proceed. He discussed items in the agreement, summarized as follows:

1. When the corridor construction may begin
2. Where, when and how corridor excavation may be transported onto the golf course
3. How and when golf contractors may cross the corridor during constructed
4. Who will fence and maintain the fence on the corridor
5. Construction and maintenance responsibilities of the tunnel under the corridor
6. Placement of storm, irrigation, and electrical, under the corridor
7. Construction and maintenance of retention ponds
8. Trail maintenance responsibility
9. Other miscellaneous items

After discussion, Councilmember Rushton moved to approve Resolution No. 11-152, a Resolution Approving an Interlocal Cooperative Agreement between West Valley City and the Utah Department of Transportation to Facilitate Construction of the Mountain View Corridor through the West Ridge Golf Course. Councilmember Buhler seconded the motion.

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-17-

A roll call vote was taken:

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

Unanimous.

15500

RESOLUTION NO. 11-153, APPROVE A RIGHT-OF-WAY CONTRACT BETWEEN WEST VALLEY CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION FOR TRANSFER OF CITY PROPERTY LOCATED AT APPROXIMATELY 5055 SOUTH WESTRIDGE BOULEVARD

City Manager, Wayne Pyle, presented proposed Resolution No. 11-153 which would approve a Right-of-Way Contract between West Valley City and the Utah Department of Transportation (UDOT) for transfer of City property located at approximately 5055 South Westridge Boulevard.

Mr. Pyle stated UDOT desired to acquire 21.3 acres of property and two easements over property owned by the City for construction of the Mountain View Corridor. He advised because the properties were part of West Ridge Golf Course the entire Course needed to be redesigned and reconstructed. He reported UDOT had offered \$17,415,935.00 as the “cost to cure” for the golf course pursuant to another agreement with UDOT entitled “Agreement Concerning UDOT’s Partial Acquisition of West Valley City’s West Ridge Golf Course Property.” He further reported as part of that transfer, the City would also convey two easements to UDOT.

After discussion, Councilmember Buhler moved to approve Resolution No. 11-153, a Resolution Approving a Right-of-Way Contract between West Valley City and the Utah Department of Transportation for the Transfer of City Property Located at Approximately 5055 South Westridge Boulevard. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 27, 2011

-19-

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

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, SEPTEMBER 27, 2011, WAS ADJOURNED AT 7:05 P.M., BY MAYOR WINDER.

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, September 27, 2011.

Sheri McKendrick, MMC
City Recorder