

MINUTES OF COUNCIL REGULAR MEETING – JUNE 26, 2012

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 26, 2012, 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 PRO TEM RUSHTON.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Mike Winder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Eric Bunderson, City Attorney
Jim Welch, Finance Department
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Director
Buzz Nielsen, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Nicole Cottle, CED Director
Aaron Crim, Administration
Jake Arslanian, Public Works Department
Brent Garlick, CED Department
Steve Lehman, CED Department
Jason Nau, Administration Intern

15810

OPENING CEREMONY

The Opening Ceremony was conducted by Steve Vincent who introduced members of the West Valley City Police Department Honor Guard, Sgt. Jeff Conger, Detective Michael Fossmo, Officer Mark Dell and Officer Kevin McLachlan. The Honor Guard posted the colors and Steve Vincent led the Pledge of Allegiance to the Flag.

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Mayor Pro Tem Rushton recognized employees serving in the military and their families who were in attendance at the meeting.

Mayor Pro Tem Rushton informed former Councilmember Carolynn Burt had recently passed away. He also stated Ms. Burt had served the City well during her years on the City Council and she would be missed by the Council and many others.

15811 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 12, 2012**

The Council read and considered Minutes of the Regular Meeting held June 12, 2012. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held June 12, 2012, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

15812 **WEST VALLEY CITY TO PRESENT SIGNED COMMUNITY COVENANT TO THE UTAH NATIONAL GUARD**

Mayor Pro Tem Rushton explained the Community Covenant Program and discussed the City's support of the military. He presented a signed document to Captain Casey A. Staheli of the Utah National Guard.

Captain Staheli addressed the City Council and expressed appreciation for the support of West Valley City on behalf of the Guard and those serving in the military.

15813 **COMMENT PERIOD**

Upon inquiry by Mayor Pro Tem Rushton the following individual addressed the City Council during the comment period:

Cathy Angus, 3619 South 3600 West, addressed the City Council. Ms. Angus stated her house was the only house on her street and she had problems with

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trespassing and graffiti; which also occurred at the tire repair business and day care next door. She discussed an annual festival held at St. Peter & Paul Church and stated attendees were disrespectful of her property. She informed she had called the Police Department and talked to an officer, but was told there was nothing that could be done as it was private property.

Upon inquiry by Mayor Pro Tem Rushton there was no one else who desired to address the City Council during the comment period.

15814

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-3-2011, FILED BY WEST VALLEY CITY, REQUESTING AN ORDINANCE TEXT CHANGE TO REDUCE SETBACKS REQUIRED FOR BASEMENT ACCESS WAYS

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. ZT-3-2011, filed by West Valley City, requesting an ordinance text change to reduce setbacks required for basement access ways. He discussed proposed Ordinance No. 12-29 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. 12-29 which would amend Sections 7-2-109 and 7-2-125 of Title 7 of the West Valley City Municipal Code to decrease setback requirements for basement access ways and window wells.

Mr. Pyle stated the proposal would facilitate a reorganization of Section 7-2-109 and 7-2-125 including an amendment regarding the encroachment of basement access ways and window wells in the sideyard setback in 7-2-109(6).

The City Manager reported Section 7-2-109 in the Municipal Code contained exceptions to setback requirements. He recommended the text be reworded and reorganized so that requirements were more clear and easier to interpret. He further stated the subject section also included an exception for basement access ways and windows wells and he recommended the allowable encroachment be increased to allow for more homes to have an additional basement access way to the home that was in the sideyard. He explained permitting encroachment in the sideyard would help decrease the impact that structure had on the rear yard space.

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

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ACTION: CONSIDER ORDINANCE NO. 12-29, AMENDING SECTIONS 7-2-109 AND 7-2-125 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE TO DECREASE SETBACK REQUIREMENTS FOR BASEMENT ACCESS WAYS AND WINDOW WELLS

The City Council previously held a public hearing regarding Application No. ZT-3-2011, filed by West Valley City, and proposed Ordinance No. 12-29 which would amend Sections 7-2-109 and 7-2-125 of Title 7 of the West Valley City Municipal Code to decrease setback requirements for basement access ways and window wells.

After discussion, Councilmember Christensen moved to approve Ordinance No. 12-29, an Ordinance Amending Sections 7-2-109 and 7-02-125 of Title 7 of the West Valley City Municipal Code to Decrease the Setback Requirements for Basement Access Ways and Window Wells. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

15815

RESOLUTION NO. 12-100, APPROVE PURCHASE OF A 2012 JOHN DEERE 624K LOADER FROM HONNEN EQUIPMENT, FOR USE BY THE PUBLIC WORKS DEPARTMENT

City Manager, Wayne Pyle, presented proposed Resolution No. 12-100 which would approve purchase of a 2012 John Deere 624K Loader from Honnen Equipment, in an amount not to exceed \$62,138.00, for use by the Public Works Department.

Mr. Pyle stated Honnen Equipment had submitted a quote for a new 2012 John Deere 624K Loader valued at \$132,138.00, less \$70,000.00 trade-in value of a 2000 Cat 950G Loader. He advised the loader being replaced was now 12 years old and scheduled for replacement. He also reported Honnen Equipment held the State Contract for the subject loader.

After discussion, Councilmember Buhler moved to approve Resolution No. 12-100, a Resolution Approving Purchase of a 2012 John Deer 624K Loader from

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Honnen Equipment for use by the Public Works Department. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

15816

CONSENT AGENDA:

A. RESOLUTION NO. 12-101, ACCEPT A SPECIAL WARRANTY DEED FROM PLANET TOOTH RESERVE, LLC, FOR PROPERTY LOCATED AT 2792 SOUTH ANNA CAROLINE DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 12-101 which would accept a Special Warranty Deed from Planet Tooth Reserve, LLC, for property located at 2792 South Anna Caroline Drive.

Mr. Pyle stated the Special Warranty Deed had been signed for the dedication of a portion of Parkway Boulevard (2700 South Street).

The City Manager reported Planet Tooth Reserve, LLC, was the owner of the property for the new Planet Tooth dental office and as a condition of approval conveyance of additional right-of-way on Parkway Boulevard had been required. He indicated the West Valley City Major Street Plan called for an 80 foot right-of-way (40 foot half width) on this portion of Parkway Boulevard.

B. RESOLUTION NO. 12-102, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF AMALIA MOMBERGER TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2012 – JULY 1, 2014

City Manager, Wayne Pyle, presented proposed Resolution No. 12-102 which would ratify his reappointment of Amalia Momberger to the Police Professional Standards Review Board for the term July 1, 2012, through July 1, 2014.

Mr. Pyle stated Ms. Momberger had expressed a desire to be reappointed to the Board. He advised she was interested in serving the community as a

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resident of the City and is very dedicated in maintaining a safe community for its residents as well as holding officers and the Police Department to high standards and professionalism.

C. **RESOLUTION NO. 12-103, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF DEAN TRUMP TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2012 – JULY 1, 2014**

City Manager, Wayne Pyle, presented proposed Resolution No. 12-103 which would ratify his reappointment of Dean Trump to the Police Professional Standards Review Board for a term July 1, 2012, through July 1, 2014.

Mr. Pyle stated Mr. Trump had expressed a desire to be reappointed to the Board and was interested in serving the community as a resident of the City. He advised that Mr. Trump was retired and currently served as chair of the Board.

D. **RESOLUTION NO. 12-104, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF JEANETTA WILLIAMS TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2012 – JULY 1, 2014**

City Manager, Wayne Pyle, presented proposed Resolution No. 12-104 which would ratify his reappointment of Jeanetta Williams to the Police Professional Standards Review Board for the term July 1, 2012, through July 1, 2014.

Mr. Pyle stated Ms. Williams had expressed a desire to be reappointed to the Board and was interested in serving the community as a resident of the City. He reported Ms. Williams was president of the local chapter of the NAACP and currently serving on the national level as well.

After discussion, Councilmember Vincent moved to approve Resolution Nos. 12-101, 12-102, 12-103, and 12-104 as presented on the Consent Agenda. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

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Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JUNE 26, 2012, WAS ADJOURNED AT 6:51 P.M., BY MAYOR PRO TEM RUSHTON.

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, June 26, 2012.

Sheri McKendrick, MMC
City Recorder