

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 4, 2009

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, AUGUST 4, 2009, AT 4:30 P.M., IN THE COUNCIL CHAMBERS, 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
Corey Rushton
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Steve Vincent

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Richard Catten, City Attorney
John Evans, Fire Chief
Layne Morris, Community Preservation Director
Nicole Cottle, CED Director
Greg Cudworth, Acting Parks and Recreation Director
Aaron Crim, Administration
Jake Arslanian, Public Works Department

14641 **OPENING CEREMONY**

The Opening Ceremony was conducted by Carolynn Burt who related three incidents that made her proud to be a resident of West Valley City. She expressed appreciation to Kevin Conde' and others involved in the Days of '47 float. She discussed Strategic Plan objectives given to staff each year and expressed appreciation for the quarterly report. She stated the previous night had been the kick off for National Night Out activities and it had been a very successful event thanks to the efforts of City staff.

14642 **SCOUTS**

Mayor Nordfelt welcomed Scout Troop No. 1404 in attendance to meet requirements for the Citizenship in the Community merit badge.

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14643 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JULY 21, 2009**

The Council read and considered the Minutes of the Regular Meeting held July 21, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held July 21, 2009, as written. Councilmember Winder seconded the motion.

A roll call vote was taken:

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|----------------|-----|
| Mr. Brooks | Yes |
| Mr. Coleman | Yes |
| Ms. Burt | Yes |
| Mr. Winder | Yes |
| Mr. Rushton | Yes |
| Mayor Nordfelt | Yes |

Unanimous.

14644 **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the comment period:

Merrill Humberg, 4131 West 4040 South, addressed the City Council. Mr. Humberg stated he had recently been notified by the City that his hobby as a beekeeper was restricted in West Valley City. He discussed differences of beekeeping from other issues recently discussed by the City Council such as raising rodents and chickens. He related how he had started his hobby of beekeeping and stated he raised blue orchard bees, which were native to Utah and pollinated fruit trees. He indicated he also raised honeybees. Mr. Humberg stated he was trying to be a responsible citizen and understood beekeeping was not allowed in the City. He further stated honeybees were a valuable community benefit, especially to those with backyard gardens, flowers and other vegetation. He indicated bees should be valued and beekeeping allowed to be done responsibly within the boundaries of the City. He advised that during recent years there had been many diseases ravaging honeybees in the United States and stated if a bee was seen then there was probably a hive within three miles. He further stated he had sent information to Councilmember Rushton and requested the Council consider amending City ordinances. He also advised that Salt Lake City was currently considering an ordinance relating to beekeeping.

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Fynbo (no first name given), 4160 West 3830 South, addressed the City Council. Mr. Fynbo stated he had been interested in comments made by the beekeeper. He inquired regarding progress on the gravel driveway situation. He asked if West Valley City and Granger-Hunter Improvement District communicated with each other regarding projects and discussed a problem in his neighborhood that had not been completed. He suggested the City install sidewalks so his grandchildren did not have to ride their bikes in the street.

14645

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING THE ISSUANCE AND SALE OF NOT MORE THAN \$15,000,000 AGGREGATE PRINCIPAL AMOUNT OF FRANCHISE TAX REVENUE REFUNDING BONDS, SERIES 2009 OF WEST VALLEY CITY, UTAH, FOR THE PURPOSE OF REFUNDING THE MUNICIPAL BUILDING AUTHORITY OF THE CITY OF WEST VALLEY LEASE REVENUE BONDS, SERIES 1998

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to accept public input regarding the issuance and sale of not more than \$15,000,000 aggregate principal amount of Franchise Tax Revenue Refunding Bonds, Series 2009 of West Valley City, Utah, for the purpose of refunding the Municipal Building Authority of the City of West Valley Lease Revenue Bonds, Series 1998.

Mr. Pyle informed a public hearing was required as part of the bond transaction. He indicated due to recent changes in the law, there was a problem with noticing of the first hearing on July 7, 2009, therefore, the City needed to re-notice and hold a hearing again in order to meet code requirements. He advised no action would be required by the City Council.

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

14646

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING AN INTERLOCAL PLEDGE AND LOAN AGREEMENT BY AND BETWEEN WEST VALLEY CITY, UTAH (THE “CITY”), AND THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, UTAH (THE “AGENCY”), TO SECURE PAYMENT, IN PART, OF THE AGENCY’S TAX INCREMENT AND REVENUE BONDS, SERIES 2009 IN THE TOTAL PRINCIPAL AMOUNT OF NOT MORE THAN \$10,500,000

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to accept public input regarding an Interlocal Pledge and Loan Agreement by and between West Valley City, Utah (the “City”), and the Redevelopment Agency of West Valley City, Utah (the “Agency”), to secure payment, in part, of the Agency’s Tax Increment and Revenue Bonds, Series 2009 in the total principal amount of not more than \$10,500,000.

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Mr. Pyle informed a public hearing was required as part of the bond transaction. He stated due to recent changes in the law, there had been a problem with noticing of the first hearing on June 9, 2009, therefore, the City needed to re-notice and hold the hearing again to meet code requirements. He advised no action had been required by the City Council.

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

14647

ORDINANCE NO. 09-29, AMEND SECTION 1-2-110 OF TITLE 1 AND SECTION 20-7-108 OF TITLE 20 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING LATE FEES FOR STORM WATER UTILITY BILLINGS

City Manager, Wayne Pyle, presented proposed Ordinance No. 09-29 which would amend Section 1-2-110 of Title 1 and Section 20-7-108 of Title 20 of the West Valley City Municipal Code regarding late fees for storm water utility billings.

Mr. Pyle stated the subject ordinance would impose a \$15.00 late fee of the Storm Water Utility Fee was not paid within 20 days of the due date of the billing. He advised the City would take over the storm water billing from Rocky Mountain Power this Fall. He stated the plan was that eventually all residential customers would be included in the in-house billing. He indicated the current Storm Water Utility Ordinance and Consolidated Fee Schedule did not address late fees since late payments were handled by Rocky Mountain Power under the current billing agreement.

After discussion, Councilmember Brooks moved to approve Ordinance No. 09-29, an Ordinance Amending Section 1-2-110 of Title 1 and Section 20-7-108 of Title 20 of the West Valley City Municipal Code Regarding Late Fees for Storm Water Utility Billings. Councilmember Coleman seconded the motion.

A roll call vote was taken:

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|----------------|-----|
| Mr. Brooks | Yes |
| Mr. Coleman | Yes |
| Ms. Burt | Yes |
| Mr. Winder | Yes |
| Mr. Rushton | Yes |
| Mayor Nordfelt | Yes |

Unanimous.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, AUGUST 4, 2009, WAS ADJOURNED AT 6:46 P.M., BY MAYOR NORDFELT.

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 4, 2009.

Sheri McKendrick, MMC
City Recorder