

**MINUTES OF COUNCIL REGULAR MEETING – APRIL 7, 2009**

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 7, 2009, 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 BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Kevin Astill, Parks and Recreation Director  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Kevin Astill, Parks and Recreation Director  
Layne Morris, Community Preservation Director  
Buzz Nielsen, Police Chief  
Richard Catten, City Attorney  
John Janson, Acting CED Director  
Ken Olsen, Acting Finance Director  
Shane Smith, CED Department  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

14470

**OPENING CEREMONY**

The Opening Ceremony was conducted by Joel Coleman who led the Pledge of Allegiance to the Flag.

14471

**APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 10, 2009**

The Council read and considered the Minutes of the Regular Meeting held March 10, 2009. There were no changes, corrections or deletions.

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After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held March 10, 2009, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14472      **APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 17, 2009**

The Council read and considered the Minutes of the Regular Meeting held March 17, 2009. Councilmember Winder indicated there was a correction as he was listed as absent, but had been present at that meeting.

After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held March 17, 2009, as corrected. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14473      **APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 24, 2009**

The Council read and considered the Minutes of the Regular Meeting held March 24, 2009. There were no changes, corrections or deletions.

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After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held March 24, 2009, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14474      **PROCLAMATION DECLARING APRIL, 2009, AS *FAIR HOUSING MONTH* IN WEST VALLEY CITY**

Councilmember Brooks read a proclamation declaring April, 2009, as *Fair Housing Month* in West Valley City.

14475      **PROCLAMATION ESTABLISHING APRIL, 2009, AS *CHILD ABUSE PREVENTION MONTH* IN WEST VALLEY CITY**

Councilmember Winder read a proclamation establishing April, 2009, as *Child Abuse Prevention Month* in West Valley City. A signed proclamation was then presented to Paul Ricks of the Family Support Center.

14476      **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the Comment Period:

Richard Ream, 4473 Thayn Drive, addressed the City Council regarding a citation he received for a code violation. Mr. Ream requested an extension for the violation regarding his driveway. He stated he had hired a contractor to bring the violation into compliance with gravel. He discussed a conversation with a code enforcement officer in which he was told that in June of 2010, all driveways would have to be replaced with concrete or blacktop. He inquired why, if his driveway was brought into compliance now, would he have to remove and replace it with concrete or blacktop in 2010.

Mayor Nordfelt advised Mr. Ream he could contact Councilmembers individually if he desired dialogue regarding this issue, however, it would be more appropriate to bring the issue to the attention of the City Manager.

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City Manager, Wayne Pyle, gave an overview of the referenced ordinance and discussed direction regarding options and requirements. He indicated consideration could be given for a request for an extension and stated he would be glad to meet with Mr. Ream.

Upon request of Councilmember Coleman to hear concerns and questions, Mr. Ream inquired how the ordinance would be brought to the attention of the residents of the City.

Councilmember Winder stated he anticipated to hear more concerns and complaints as June 2010 approached. He suggested the Council review this issue again at a future Study Meeting.

Councilmember Burt requested definition of grandfathering issues.

City Manager, Wayne Pyle, advised the requirements in the ordinance were clearly defined. Mayor Nordfelt reminded these issues had previously been discussed.

Mr. Ream indicated he would discuss the matter with reporters from the West Valley Journal or West Valley News so they could write articles in order for citizens to become aware of this issue.

Kathryn Marie Dunn addressed the City Council. Ms. Dunn read a written statement and submitted a copy to City Recorder, Sheri McKendrick. Ms. Dunn requested the Council consider an ordinance change to allow residents to raise chickens, the benefits of raising chickens including self-sufficiency and economic issues, and discussed in detail language for the proposed ordinance. Ms. Dunn answered questions from members of the City Council regarding her request.

Elaine Jones addressed the City Council. Ms. Jones read a written statement and submitted a copy to City Recorder, Sheri McKendrick. Ms. Jones stated she supported an ordinance change to allow residents to raise chickens. She also discussed current economic issues and benefits of raising chickens to residents willing to comply with ordinance requirements. She requested the Council consider approval of such an ordinance change to allow residents to work toward self sufficiency. She stated this would be a win/win for the City and its residents.

Mathew Grant addressed the City Council. Ms. Grant discussed thoughts in affirmation of a proposed ordinance change to allow chickens. He expressed support of the idea of backyard hens and discussed the benefits to the home and being self sufficient. Mr. Grant stated there were great lessons to be learned with a shovel and rake in hand. He also discussed concerns regarding compliance of such an ordinance, including enforcement issues and costs. He advised he had

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read the ordinance proposed by Ms. Dunn. He also discussed the need to educate the public so they would do what was right and what was expected.

Britney Cummins addressed the City Council. Ms. Cummins expressed support for an ordinance change allowance chickens in a backyard. She stated consideration should also be given to the environmental impact on the community and small steps made a difference when considering agriculture today. She expressed the importance of becoming more self reliant and making a difference as a community member and for ones' self. She expressed appreciation regarding the ordinance proposal that Ms. Dunn put together, but that it might be too strict and not allow many people the opportunity to raise chickens.

Angela Millsap addressed the City Council. Ms. Millsap stated she recently sent a letter to the City Council and hope she had expressed herself well in that letter. She indicated this issue was important to her and her neighbors for self sufficiency reasons. She stated this would be an opportunity to broaden horizons and help us grow as a community. Ms. Millsap stated she agreed with a lot of the proposal presented by Ms. Dunn. She stated she desired this to be a simple change and not complicated or difficult to enforce. Ms. Millsap stated that would result in less people being interested. She further stated one concern was the cost to the City for enforcement and she did not desire to add to that burden unnecessarily. She also requested the Council consider language similar to that being considered by Provo City Council.

Upon discussion, Councilmember Winder stated there seemed to be enough residents concerned regarding this issue and he inquired if there should be more discussion or what would be the next logical step. Mayor Nordfelt advised the Council could direct the City Manager to place the matter on a Study Meeting agenda for discussion. Councilmember Vincent stated residents had come with good suggestions and ideas and he would like to re-address this issue. Mayor Nordfelt stated he was willing to listen to residents in favor of the proposal, however, he advised he had been contacted by other residents with overwhelming comments to not consider allowing chickens in zones other than agriculture (in which chickens were already allowed). Councilmember Rushton stated it seemed the Council needed to come to a consensus. Councilmember Coleman requested a copy of the ordinance proposed by citizens be provided in an upcoming Study Meeting. Councilmember Winder stated it had also been suggested to consider a pilot program. Mayor Nordfelt recommended asking Ms. Dunn to give the Council each a copy of the proposed ordinance language and then if any member of the Council was interested in formally considering the proposal that request could be properly made through the City Manager. Mayor Nordfelt clarified that cost to enforce laws was more than revenues received. He also noted that all e-mails and comments regarding this issue had been very well done, articulate and

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thought provoking. Mayor Nordfelt complimented those individuals who had spoken to the Council regarding this issue.

14477

**PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING CITY'S INTENTION TO ISSUE FRANCHISE TAX REVENUE BONDS, SERIES 2009, FOR THE PURPOSE OF FINANCING CONSTRUCTION OF CERTAIN PUBLICLY OWNED IMPROVEMENTS WITHIN THE CITY CENTER REDEVELOPMENT PROJECT AREA**

City Manager, Wayne Pyle, stated a public hearing had been advertised and required as part of issuing bonds in order to receive input from the public regarding the City's intention to issue Franchise Tax Revenue Bonds, Series 2009 for the purpose of financing construction of certain publicly owned improvements within the City Center Redevelopment Project Area.

Mr. Pyle advised no action would be required to be taken 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.

14478

**RESOLUTION NO. 09-153, APPROVE USE AGREEMENT WITH GRANGER SOUTH NATIONAL YOUTH BASEBALL ASSOCIATION FOR USE OF CITY PARK**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-153 which would approve a Use Agreement with Granger South National Youth Baseball Association for use of City Park located at 4400 West 3500 South and for the purpose of practicing and playing baseball.

Mr. Pyle stated the subject agreement covered one baseball season to run from March 10<sup>th</sup> through June 30<sup>th</sup> of each calendar year and would automatically renew each season for a period of two seasons, unless terminated by either party.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-153, a Resolution Authorizing the Execution of a Use Agreement between West Valley City and Granger South National Youth Baseball Association for the use of City Park. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes

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Mayor Nordfelt                      Yes

Unanimous.

14479

**RESOLUTION NO. 09-154, AWARD CONTRACT TO STAPP CONSTRUCTION AND AUTHORIZE EXECUTION OF A CONTRACT FOR THE SUNNYVALE/ACORD WAY SIDEWALK PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-154 which would award a contract to Stapp Construction and authorize execution of a contract, in the amount of \$283,505.00, for the Sunnyvale Acord Way Sidewalk Project.

Mr. Pyle stated bids had been solicited and a total of nine bids received, as follows: 1) Stapp Construction: \$283,505.00; 2) Cody Ekker Construction, Inc.: \$325,935.00; 3) Acme Construction: \$328,750.00; 4) M.C. McGreen & Sons, Inc.: \$338,900.00; 5) Bowen Construction: \$350,045.12; 6) Saunders Construction Inc.: \$374,504.07; 7) Cunningham Construction: \$375,070.50; 8) Lyndon Jones Construction: \$402,971.35; and 9) Lowell Construction: \$438,048.58.

The City Manager reported Stapp Construction had submitted the lowest responsible bid. He also indicated the project would consist of construction of approximately 2400 feet of sidewalk, patterned stamped concrete park strip, pedestrian access ramps, and property tie-ins.

After discussion, Councilmember Winder moved to approve Resolution No. 09-154, a Resolution Awarding a Contract to Stapp Construction and Authorizing the Execution of a Contract for the Sunnyvale Acord Way Sidewalk Project. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14480

**RESOLUTION NO. 09-155, APPROVE AGREEMENTS WITH SELECTHEALTH TO PROVIDE INSURANCE BENEFITS AND SERVICES FOR CITY EMPLOYEES**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-155 which would approve agreements with SelectHealth to provide insurance benefits and services for City employees.

Mr. Pyle stated SelectHealth had provided medical benefits for West Valley City for the past six years. He further stated since SelectHealth had provided those benefits the City had also contracted with them to provide retiree benefits and post 65 benefits. He discussed amazing success in keeping the premium costs low during the past several years. He advised this year a 6% increase had been negotiated which would be well below the 10% – 12% standard increase.

City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council. Assistant City Manager, Paul Isaac, also answered questions regarding the bid process, providers that responded, and measures taken to control costs.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-155, a Resolution Authorizing the City to Enter Into Agreements with SelectHealth to Provide Insurance Benefits and Services for City Employees. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14481

**RESOLUTION NO. 09-156, APPROVE INTERLOCAL AGREEMENT WITH THE SALT LAKE COUNTY CLERK ELECTION'S DIVISION FOR THE PURPOSE OF ASSISTING THE CITY RECORDER'S OFFICE IN CONDUCTING THE CITY'S 2009 PRIMARY AND GENERAL MUNICIPAL ELECTIONS**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-156 which would approve an Interlocal Agreement with the Salt Lake County Clerk Election's Division, in an amount not to exceed \$166,232.00, for the purpose of

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assisting the City Recorder's Office in conducting the City's 2009 Primary and General Municipal Elections.

Mr. Pyle stated the subject agreement would authorize the Salt Lake County Clerk's Office, Elections Division, to provide election services to the City Recorder's Office. He further stated services included ballot layout, design, ordering and printing; voting machine programming and testing; establishing polling places; recruiting, training and assignment of poll workers; provision and delivery of supplies and equipment; Absentee Ballot and Early Voting administration; updating State and County websites; tabulating, reporting and canvassing election results; conducting recounts as needed; all notices and mailing required by law (except those required by Utah Code Annotated 20A-9-203); direct payment of all costs associated with the election includes poll workers and polling places; and other services as required by the City to conduct the 2009 Primary and General Municipal Elections. He indicated provision of the subject services would assist in conducting the elections in an efficient manner and streamline the election process. He advised the fee for service would be based on the City's pro rata share of actual costs of the elections which would not exceed the County Clerk's estimate provided to the City for budgeting purposes.

The City Manager reported that in 2003 the City began contracting with Salt Lake County Elections in anticipation of using electronic voting equipment for future municipal elections. He stated West Valley City was one of many cities that contracted with the County's Elections Division for this service. He further stated this had been a good partnership and benefited the City, County and voters by providing consolidated municipal elections, turn-key election services, a consistent voter experience, economies of scale, and no-worry elections.

After discussion, Councilmember Burt moved to approve Resolution No. 09-156, a Resolution Approving an Interlocal Agreement between West Valley City and the Salt Lake County Clerk Election's Division for the Purpose of Assisting the City Recorder's Office in Conducting the City's 2009 Primary and General Municipal Elections. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

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Unanimous.

14482

**RESOLUTION NO. 09-157, RESCIND PREVIOUSLY APPROVED RESOLUTION NO. 09-93 AND AUTHORIZE CITY TO GRANT A RIGHT-OF-WAY EASEMENT TO PACIFICORP, AN OREGON CORPORATION, D/B/A ROCKY MOUNTAIN POWER, TO ALLOW FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, ENLARGEMENT, AND REMOVAL OF ELECTRIC TRANSMISSION, DISTRIBUTION AND COMMUNICATION LINES**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-157 which would rescind previously approved Resolution No. 09-93 and authorize the City to grant a Right-of-Way Easement to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power, to allow for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric transmission, distribution and communication lines.

Mr. Pyle stated throughout the process of obtaining the services of light rail and bus rapid transit, staff had worked with the Utah Transit Authority (UTA), Rocky Mountain Power, and the Utah Department of Transportation (UDOT) to obtain a functional and aesthetically pleasing project. Through this process it had become an important step to bury the distribution lines along Constitution Boulevard in front of the City Hall building. He further indicated in order to actually bury the lines and move the transmission lines to the west Rocky Mountain Power requested a new right-of-way easement that would allow the necessary space for their construction and demolition of the said power lines, poles, conductors, conduits, and other necessary components for the success of this project.

After discussion, Councilmember Burt moved to approve Resolution No. 09-157, a Resolution Rescinding Previously Approved Resolution No. 09-93 and Authorizing West Valley City to Grant a Right-of-Way Easement to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power to Allow for the Construction, Reconstruction, Operation, Maintenance, Repair, Replacement, Enlargement, and Removal of Electric Power Transmission, Distribution and Communication Lines. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes

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Mayor Nordfelt                      Yes

Unanimous.

14483

**RESOLUTION NO. 09-158, APPROVE INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY AND ACCEPT A QUIT CLAIM DEED FROM SALT LAKE COUNTY FOR PROPERTY IDENTIFIED AS PARCEL NO. 15-33-251-001**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-158 which would approve an Interlocal Cooperation Agreement with Salt Lake County and accept a Quit Claim Deed from Salt Lake County for property identified as Parcel No. 15-33-251-001.

Mr. Pyle stated the subject property was a remnant parcel of Salt Lake County property that needed to be transferred to West Valley City. He also stated the City would then grant a right-of-way easement to PacifiCorp d/b/a Rocky Mountain Power to allow room for all the components and construction associated with moving the distribution and transmission lines on the east side of Constitution Boulevard from approximately 3700 South to 3800 South.

The City Manager explained the easement would allow Rocky Mountain Power or their successors to construct, remove, reconstruct, repair, maintain, and replace electric power transmission, distribution, and communication lines on both sides of Constitution Boulevard.

Mr. Pyle indicated throughout the process of obtaining light rail and bus rapid transit, staff had worked with the Utah Transit Authority (UTA), Rocky Mountain Power, and the Valley Fair Mall to obtain a functional and aesthetically pleasing project. He also indicated it had become an important step to widen Constitution Boulevard from approximately 3100 South to 3650 South on the west side of the street and from approximately 3100 South to 3800 South on the east side of the street to provide light rail and bus rapid transit access. He stated in order to move the distribution and transmission lines out of the future vehicular access way and into the future park strip part of the right of way, Rocky Mountain Power requested this easement on the east side of Constitution Boulevard from approximately 3700 South to 3800 South, and to allow for the necessary space.

After discussion, Councilmember Vincent moved to approve Resolution No. 09-158, a Resolution Approving an Interlocal Cooperation Agreement between West Valley City and Salt Lake County and Accepting a Quit Claim Deed from Salt Lake County for Property Identified as Parcel No. 15-33-251-001. Councilmember Winder seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14484

**RESOLUTION NO. 09-159, AUTHORIZE CITY TO GRANT A RIGHT-OF-WAY EASEMENT TO PACIFICORP, AN OREGON CORPORATION, D/B/A ROCKY MOUNTAIN POWER TO ALLOW CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, ENLARGEMENT, AND REMOVAL OF ELECTRIC POWER TRANSMISSION, DISTRIBUTION AND COMMUNICATION LINES TO ACCOMMODATE THE NEW LIGHT RAIL SYSTEM**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-159 which would authorize the City to grant a Right-of-Way Easement to PacifiCorp, an Oregon Corporation d/b/a Rocky Mountain Power to allow construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines to accommodate the new light rail system.

Mr. Pyle stated the right-of-way easement was needed so Rocky Mountain Power or their successors could construct, remove, reconstruct, repair, maintain, and replace electric power transmission, distribution, and communication lines on both sides of Constitution Boulevard.

The City Manager indicated throughout the process of obtaining light rail and bus rapid transit, staff worked with Utah Transit Authority (UTA), Rocky Mountain Power, and the Valley Fair Mall to obtain a functional and aesthetically pleasing project. He stated that through the process it had become an important step to widen Constitution Boulevard from approximately 3100 South to 3650 South on the west side of the street and from approximately 3100 South to 3800 South on the east side of the street to provide light rail and bus rapid transit access. He indicated in order to move the distribution and transmission lines out of the future vehicular access way and into the future park strip part of the right-of-way, Rocky Mountain Power had requested the subject easement on the east side of Constitution Boulevard from approximately 3700 South to 3800 South to allow for the necessary space.

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Mr. Pyle advised the subject easement was identified as Parcel No. 15-33-21-001 (Work Order #5126636-28).

After discussion, Councilmember Burt moved to approve Resolution No. 09-159, a Resolution Authorizing West Valley City to Grant a Right-of-Way Easement to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power to Allow for Construction, Reconstruction, Operation, Maintenance, Repair, Replacement, Enlargement, and Removal of Electric Power Transmission, Distribution and Communication Lines to Accommodate the New Light Rail System. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14485

**APPLICATION NO. S-30-2008, FILED BY ARGENT GROUP, REQUESTING FINAL PLAT APPROVAL FOR 201 COMMERCE CENTER SUBDIVISION – PHASE 2 LOCATED AT 4300 WEST 2100 SOUTH**

City Manager, Wayne Pyle, presented Application No. S-30-2008, filed by Argent Group, requesting final plat approval for 201 Commerce Center Subdivision – Phase 2 located at 4300 West 2100 South.

Mr. Pyle stated Phase 2 of the 201 Commerce Center Subdivision had been requested to divide the existing property into three commercial lots. He further stated although the subdivision comprised three lots, the plat would also contain two remainder parcels which would eventually be platted as additional lots were needed.

The City Manager indicated access would be gained by the 2100 South frontage road. He stated as additional phases were developed to the south a connection would be made with Links Drive. He explained the City Council might recall Links Drive had been dedicated as part of the first plat being adjacent to the Quartzdyne property. The cross section to be used for the dedicated right-of-way, as well as future rights-of-way would be 66 feet. A park strip and sidewalk would

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be located on one side of the roadway which was standard in the manufacturing zone.

Mr. Pyle stated Lots 201-203 would gain access via New Commerce Drive. He indicated internal access would be accomplished by access easements. He explained although the subdivision plat would denote these easement locations, the developer would need to record documents that set forth the conditions upon which the easements would be used. He stated New Commerce Drive would be a dedicated street and therefore maintained by the City. He stated all internal access points would be managed by the Master Association.

After discussion, Councilmember Coleman moved to approve Application No. S-3-2008, filed by Argent Group, and give final plat approval for 201 Commerce Center Subdivision – Phase 2 located at 4300 West 2100 South. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14486

**APPLICATION NO. S-2-2009, FILED BY JAY R. BANGERTER, REQUESTING FINAL PLAT APPROVAL FOR ROCKY MOUNTAIN CARE SUBDIVISION LOCATED AT 4150 WEST 3390 SOUTH**

City Manager, Wayne Pyle, presented Application No. S-2-2009, filed by Jay R. Bangarter, requesting final plat approval for Rocky Mountain Care Subdivision located at 4150 West 3390 South.

Mr. Pyle stated the subject property was located within the Pioneer Valley Hospital campus. He further stated the proposed subdivision was located northeast of the existing Hospital and north of Pioneer Parkway.

The City Manager reported the commercial subdivision had been proposed in order to divide four existing parcels into four lots. He stated that as part of the subdivision, a new lot (Lot 2) would be created to accommodate a new residential care facility. Lot 1, with its existing buildings, would remain unchanged. The southwest corner of Lot 3 would eventually become a parking lot for both the

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Hospital and care facility. He indicated the north lot (Lot 4) would be used for detention purposes.

Mr. Pyle indicated a part of the subdivision the applicant would need to dedicate 4000 West to a 40 foot half width. He stated modifications to Pioneer Parkway would be addressed as part of the conditional use application.

After discussion, Councilmember Winder moved to approve Application No. S-2-2009, filed by Jay R. Bangerter, and give final plat approval for Rocky Mountain Care Subdivision located at 4150 West 3390 South. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, APRIL 7, 2009, WAS ADJOURNED AT 7:24 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, April 7, 2009.

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Sheri McKendrick, MMC  
City Recorder