

MINUTES OF COUNCIL STUDY MEETING – NOVEMBER 10, 2009

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THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, NOVEMBER 10, 2009, AT 4:30 P.M., IN ROOM 103 AT THE UTAH CULTURAL CELEBRATION CENTER, 1355 WEST 3100 SOUTH, 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 (Arrived as noted)
Corey Rushton
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

OTHERS PRESENT:

Don Christensen, Councilmember-elect

STAFF PRESENT:

Kevin Astill, Parks and Recreation Director
Richard Catten, City Attorney
Jim Welch, Finance Director
Russell Willardson, Public Works Director
John Evans, Fire Chief
Layne Morris, Community Preservation Director
Nicole Cottle, CED Director
Craig Black, Acting Police Chief
Steve Lehman, CED Department
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 20, 2009**

The Council read and considered the Minutes of the Study Meeting held October 20, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held October 20, 2009, as written. Councilmember Winder seconded the motion.

A roll call vote was taken:

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

Unanimous.

2. **APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 20, 2009**

The Council read and considered the Minutes of the Study Meeting held October 20, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held October 20, 2009, as written. Councilmember Winder seconded the motion.

A roll call vote was taken:

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

Unanimous.

3. **REVIEW AGENDA FOR REGULAR MEETING OF NOVEMBER 10, 2009**

City Manager, Wayne Pyle, stated two new items had been added to the Agenda for the Regular Council Meeting scheduled November 10, 2009, at 6:30 P.M., and he discussed those items as follows:

Item No. 9.B. – RESOLUTION NO. 09-366, AUTHORIZE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE LEASE FOR FLEET VEHICLES AND AUTHORIZE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZE TAKING OF ALL OTHER ACTIONS NECESSARY TO CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-366 which would authorize execution and delivery of a Lease-Purchase Agreement, in the amount of \$1,005,000.00, and related documents with respect to the lease for fleet vehicles and authorize execution and delivery of documents required in connection therewith; and

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authorize the taking of all other actions necessary to consummation of the transactions contemplated by this Resolution.

Mr. Pyle stated the City needed to acquire new fleet vehicles and favorable terms had been negotiated with Wells Fargo Securities LLC to initiate a lease-purchase transaction. He also stated terms of the leases would approximate the useful life of the assets acquired.

City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-366 at the Regular Council Meeting scheduled November 10, 2009, at 6:30 P.M.

Item No. 9.C. – RESOLUTION NO. 09-367, APPROVE AGREEMENT WITH ALAN KNIGHT, AGENT FOR ARNOLD FRIBERG, FOR DISPLAY OF ARTWORK ENTITLED “FIRST VIEW OF THE VALLEY,” AND OTHER NEVER BEFORE SEEN ORIGINAL ART PIECES, AT THE UTAH CULTURAL CELEBRATION CENTER

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-367 which would approve an Agreement with Alan Knight, agent for Arnold Friberg, for display of artwork entitled “First View of the Valley,” and other never before seen original art pieces, at the Utah Cultural Celebration Center (UCCC).

Mr. Pyle stated the exhibit consisted of original art works that were part of a much larger exhibit of Mr. Friberg; however, he desired that “First View of the Valley” be shown in this special exhibition. He indicated the painting had been started in 1940, but not been on public display until now. He explained it had been expected that 14 paintings and sketches would be included in the exhibit along with several paintings of Canadian Mounties and other works of Mr. Friberg. He further explained the collection was valued at approximately \$3,000,000. A free public opening was being held Tuesday, November 11, 2009, from 9:00 A.M. until 9:00 P.M. for the four public exhibit dates. A VIP opening would be held on Tuesday, November 10th, in partnership with Allen Knight and his personal sponsors, from 5:30 P.M. to 9:00 P.M. An audience of about 4,500 people was expected during the exhibitions. He also stated the UCCC would also host guided educational tours for student groups as well as offering an ARTrageous Thursday program connected with the exhibit.

The City Manager reported the UCCC first became associated with Mr. Friberg and his extensive collection, in connection with the 50th anniversary of the release of the movie “The Ten Commandments,” and the very successful exhibition of the 42 original paintings that were connected to the making of that movie. This exhibit had been presented at the UCCC in 2006 and over 10,000 people viewed that exhibit. At that time, Mr. Friberg expressed a desire to exhibit other pieces of his significant collection at the

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UCCC Gallery. There was no fee paid to the collection owner or agent. Insurance coverage would be provided for the collection while it was housed in the UCCC facility under the limits of West Valley City's URMMA policy. He indicated no additional coverage was anticipated. Security was provided with the systems that were now in place at the Cultural Center.

City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-367 at the Regular Council Meeting scheduled November 10, 2009, at 6:30 P.M.

Review Items on Agendas for Redevelopment Agency and Housing Authority Special Regular Meetings scheduled November 10, 2009

City Manager, Wayne Pyle, reviewed items on the Agendas for the Redevelopment Agency and Housing Authority Special Regular Meetings scheduled November 10, 2009.

Upon inquiry, there were no further questions regarding items scheduled on the above referenced agendas.

Councilmember Coleman arrived at the meeting at 4:35 P.M.

4. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED FOR NOVEMBER 17, 2009:

A. EMPLOYEE OF THE MONTH, NOVEMBER 2009 - DON SLICK, FIRE DEPARTMENT

City Manager, Wayne Pyle, stated Councilmember Coleman would read the nomination of Don Slick, Fire Department, to be recognized as the Employee of the Month for November 2009, at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

5. RESOLUTION NO. 09-368, APPROVE PURCHASE OF 13 VEHICLES FROM TONY DIVINO TOYOTA AS REPLACEMENT VEHICLES FROM THE LIGHT VEHICLE REPLACEMENT LIST

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-368 which would approve the purchase of 13 vehicles from Tony Divino Toyota, in an amount not to exceed \$365,000.00, as replacement vehicles from the light vehicle replacement list.

Mr. Pyle stated Tony Divino Toyota held the State contract for the subject vehicles. He also stated the Police Department had requested the vehicles to replace 13 vehicles on the vehicle replacement list and determined the subject vehicles best suited the needs of the Department and would be the most efficient vehicles for their intended purposes.

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City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-368 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

6. **RESOLUTION NO. 09-369, APPROVE PURCHASE OF FIVE VEHICLES FROM HENRY DAY FORD AS REPLACEMENT VEHICLES FROM THE LIGHT VEHICLE REPLACEMENT LIST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-369 which would approve the purchase of five vehicles from Henry Day Ford, in an amount not to exceed \$123,000.00, as replacement vehicles from the Light Vehicle Replacement List.

Mr. Pyle stated Henry Day Ford was within the City limits and had provided quotes for the five vehicles that fell within the 1% over State contract pricing and therefore qualified under the West Valley City Purchasing Code under Section 5-2-108 City Provider Preference.

The City Manager reported the Fleet Manager had met with Department Heads to review needs of each department and determined the vehicles described in the attached list would be the most efficient vehicles for their intended purposes.

City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-369 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

7. **RESOLUTION NO. 09-370, AUTHORIZE PURCHASE OF DESKTOP AND LAPTOP COMPUTERS FROM VALCOM COMPUTER CENTER FOR USE BY THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-370 which would approve the purchase of desktop and laptop computers from Valcom Computer Center, in the total amount not to exceed \$91,000.00, with four annual payments of \$22,700.00, for use by the Police Department.

Mr. Pyle stated financing would be through the HP Master Lease Purchase Agreement approved in 2006 by Resolution No. 06-04. He further stated the desktop and laptop computers procured through the program would be covered by a "Total Care" package for each computer which would cover costs of repairs needed during the period covered by the Lease Agreement. He indicated each computer would be leased for a period of four years at which point the City would be able to purchase each computer for one dollar. He also advised formal bidding would not be required because the vendor, Valcom, held a contract with the State of Utah.

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City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-370 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

8. **RESOLUTION NO. 09-371, RATIFY THE JOINT JURISDICTIONAL MUTUAL AID MEMORANDUM OF UNDERSTANDING FOR POLICE SERVICES FOR EXPLOSIVE DEVICES AND AUTHORIZE WEST VALLEY CITY TO EXECUTE AMENDMENT NO. 1**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-371 which would ratify the Joint Jurisdictional Mutual Aid Memorandum of Understanding (MOU) for Police Services for Explosive Devices and authorize West Valley City to execute Amendment No. 1.

Mr. Pyle stated the parties desired to amend the original MOU dated September 14, 1999, in order to modify the duration of the MOU and include sections regarding technical training and explosive storage. He advised the MOU was a collaborative effort between the City and Salt Lake City in order to assist in the identification, investigation and the rendering safe of suspected explosive devices found within the two jurisdictions. Each of the parties agreed to make available to each other specialized equipment, manpower (Bomb Technicians), and resources needed for these situations as provided in the MOU. He stated Amendment No. 1 modified the duration of the MOU to allow it to remain in effect until either party withdrew its participation. It also included sections regarding technical training and explosive storage.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-371 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

9. **NEW BUSINESS SCHEDULED NOVEMBER 17, 2009:**

A. **CONVENE AS BOARD OF CANVASSERS FOR THE 2009 MUNICIPAL GENERAL ELECTION HELD NOVEMBER 3, 2009**

City Manager, Wayne Pyle, stated the City Council would convene on November 17, 2009, as the Board of Canvassers for the 2009 Municipal General Election held November 3, 2009. He stated the Board of Canvassers would review a report listing the votes cast per candidate by precinct. Mr. Pyle indicated the Board of Canvassers would then consider proposed Resolution No. 09-372 which would approve the results of the Municipal General Election.

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RESOLUTION NO. 09-372, ACCEPTING AND APPROVING THE RESULTS OF THE MUNICIPAL GENERAL ELECTION HELD NOVEMBER 3, 2009, AS SHOWN ON THE CANVASS REPORT

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-372 which would accept and approve the results of the Municipal General Election held November 3, 2009, as shown on the Canvass Report.

Mr. Pyle stated the City Council, including the Mayor, comprised the legislative body of West Valley City and comprised the Board of Municipal Canvassers pursuant to Utah Code 20A-4-301(2). He also stated the Code required the Board of Municipal Canvassers meet to canvass the returns of the Municipal General Election no sooner than seven days and not later than 14 days after the election.

City Recorder, Sheri McKendrick, further reviewed the proposed Resolution and explained the draft distributed to the City Council had the number of votes received by each candidate left blank, as qualified provisional and by-mail ballots still needed to be counted. She stated the final numbers would be sent by Salt Lake County prior to the scheduled Study Meeting on November 17, 2009, at which time the numbers would be filled in for review and consideration, and approval, by the City Council. Ms. McKendrick answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-372 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

B. APPLICATION NO. S-7-2008, FILED BY ADAM MAHER – RJF ENTERPRISES, INC. REQUESTING FINAL PLAT APPROVAL FOR CABCO 5600 WEST SUBDIVISION LOCATED AT 2514 SOUTH 5600 WEST

City Manager, Wayne Pyle, discussed Application No. S-7-2008, filed by Adam Maher – RJF Enterprises, Inc., requesting final plat approval for CABCO 5600 West Subdivision located at 2514 South 5600 West.

Mr. Pyle stated the subject property was located immediately to the north of the Riter Canal and west of 5600 West. He also stated the proposed subdivision had been requested in order to divide the existing property into two commercial building lots. He advised that Lot 1 consisted of 4.28 acres while Lot 2 would consist of 1.95 acres. As part of the subdivision application, the developer would dedicate 5600 West to its full half width of 53 feet. In addition, the developer had proposed to dedicate a 66-foot right-of-way to serve future frontage road needs for 5600 West and the future Mountain View Corridor. A portion of this road known as Anna Caroline Drive had been constructed as part of the West Valley Pavilion Subdivision to the south. He also indicated the developer would enter

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into a delay agreement for the improvements to this portion of Anna Caroline Drive.

The City Manager further reported due to the application being a commercial subdivision, many of the staff and agency reviews would be conducted at the conditional use and/or permitted use process. He stated the subdivision plat contained easements and other information applicable to the division of property but did not address site design issues typically found in commercial developments. He indicated the subdivision fell within the 5600 West Overlay Zone and, as such, future commercial and/or industrial uses would be subject to increased development standards.

Steve Lehman, CED Department, further discussed the Application, displayed the plat map, and answered questions from members of the City Council.

The City Council will consider Application No. S-7-2008 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

C. APPLICATION NO. S-14-2009, FILED BY WEST VALLEY CITY, REQUESTING FINAL PLAT APPROVAL FOR PEREZ MINOR SUBDIVISION LOCATED AT 4111 SOUTH 5400 WEST

City Manager, Wayne Pyle, discussed Application No. S-14-2009, filed by West Valley City, requesting final plat approval for Perez Minor Subdivision located at 4111 South 5400 West.

Mr. Pyle stated the Public Works Department had requested preliminary and final plat approval for the subject subdivision as a result of a proposed City sidewalk improvement project along 5400 West. He also advised, as a result of street dedication and the proximity of the existing dwelling, the City made the decision to purchase the property from Dario Perez. At the present time, an existing dwelling was located at the corner of the property, but would be demolished. He stated the new lot created would be owned by Mr. Perez.

The City Manager indicated access to the subdivision would be gained from 5400 West. He stated all public improvements would be constructed by the City as part of the improvement project. New lot owners would need to coordinate improvements with Granger-Hunter Improvement District.

Mr. Pyle reported there was an existing irrigation ditch running along the south boundary of Lot 2. He indicated the City would install an irrigation box as well as piping along the south property line of Lot 2 as part of the improvement project. He also stated this matter would be more thoroughly addressed as the improvements project moved along.

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The City Manager indicated all provisions for this action would be coordinated between the Public Works Department and the Building Division of the CED Department. He stated the new home placement on this lot would comply with existing City setbacks and building standards.

Steve Lehman, CED Department, further discussed the Application, displayed the plat map, and answered questions from members of the City Council.

The City Council will consider Application No. S-14-2009 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

10. CONSENT AGENDA SCHEDULED NOVEMBER 17, 2009:

A. RESOLUTION NO. 09-373, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF D'AN WADSWORTH AS A MEMBER AND CHAIR OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-373 which would ratify his reappointment of D'An Wadsworth as a member and Chair of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Wadsworth desired to serve another term on the Historical Society board and he recommended the Council ratify her reappointment.

B. RESOLUTION NO. 09-374, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF HARLAN BANGERTER AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-374 which would ratify his reappointment of Harlan Bangerter as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Bangerter desired to serve another term on the Historical Society board and he recommended the Council ratify his reappointment.

C. RESOLUTION NO. 09-375, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CAROLYNN BURT AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-375 which would ratify his reappointment of Carolynn Burt as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Burt desired to serve another term on the Historical Society board and he recommended the Council ratify her reappointment.

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D. RESOLUTION NO. 09-376, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF MIKE CHRISTENSEN AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-376 which would ratify his reappointment of Mike Christensen as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Christensen desired to serve another term on the Historical Society board and he recommended the Council ratify his appointment.

E. RESOLUTION NO. 09-377, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF PAT RUSHTON AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-377 which would ratify his reappointment of Pat Rushton as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Rushton desired to serve another term on the Historical Society board and he recommended the Council ratify her appointment.

F. RESOLUTION NO. 09-378, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF NICCI WADSWORTH AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-378 which would ratify his reappointment of Nicci Wadsworth as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Wadsworth desired to serve another term on the Historical Society board and he recommended the Council ratify her reappointment.

G. RESOLUTION NO. 09-379, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF BARBARA WATT AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-379 which would ratify his reappointment of Barbara Watt as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Watt desired to serve another term on the Historical Society board and he recommended the Council ratify her reappointment.

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H. RESOLUTION NO. 09-380 – RATIFY THE CITY MANAGER’S REAPPOINTMENT OF RON WATT AS A MEMBER OF THE HISTORICAL SOCIETY OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-380 which would ratify his reappointment of Ron Watt as a member of the Historical Society for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Watt desired to serve another term on the Historical Society board and he recommended the Council ratify his reappointment.

I. RESOLUTION NO. 09-381, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JEREMY BAILEY AND SELVA BAILEY FOR PROPERTY LOCATED AT 3281 SOUTH PEARCE STREET

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-381 which would accept a Grant of Temporary Construction Easement from Jeremy Bailey and Selva Bailey for property located at 3281 South Pearce Street.

Mr. Pyle stated Jeremy Bailey and Selva Bailey had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

J. RESOLUTION NO. 09-382, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM NEOMI DYAL FOR PROPERTY LOCATED AT 3193 SOUTH PEARCE STREET

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-382 which would accept a Grant of Temporary Construction Easement from Neomi Dyal for property located at 3193 South Pearce Street.

Mr. Pyle stated Neomi Dyal had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

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K. RESOLUTION NO. 09-383, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ELIAS PADILLA FOR PROPERTY LOCATED AT 3183 SOUTH PEARCE STREET

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-383 which would accept a Grant of Temporary Construction Easement from Elias Padilla for property located at 3183 South Pearce Street.

Mr. Pyle stated Elias Padilla had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

L. RESOLUTION NO. 09-384, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ELIAS PADILLA CANALEZ AND ELIAS PADILLA FOR PROPERTY LOCATED AT 3223 SOUTH PEARCE STREET

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-384 which would accept a Grant of Temporary Construction Easement from Elias Padilla Canalez and Elias Padilla for property located at 3223 South Pearce Street.

Mr. Pyle stated Elias Padilla Canalez and Elias Padilla had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

M. RESOLUTION NO. 09-385, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM RAYMOND M. JAQUIER AND DELORES K. JAQUIER FOR PROPERTY LOCATED AT 3263 SOUTH PEARCE STREET

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-385 which would accept a Grant of Temporary Construction Easement from Raymond M. Jaquier and Delores K. Jaquier for property located at 3263 South Pearce Street.

Mr. Pyle stated Raymond M. Jaquier and Delores K. Jaquier had signed the Grant of Temporary Construction Easement.

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The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

N. RESOLUTION NO. 09-386, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DEBORAH J. SCHMOCK FOR PROPERTY LOCATED AT 3273 SOUTH PEARCE STREET

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-386 which would accept a Grant of Temporary Construction Easement from Deborah J. Schmock for property located at 3273 South Pearce Street.

Mr. Pyle stated Deborah J. Schmock had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

O. RESOLUTION NO. 09-387, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MELANIE M. HOOTEN FOR PROPERTY LOCATED AT 3163 SOUTH PEARCE STREET

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-387 which would accept a Grant of Temporary Construction Easement from Melanie M. Hooten for property located at 3163 South Pearce Street.

Mr. Pyle stated Melanie M. Hooten had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

P. RESOLUTION NO. 09-388, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LISA A. NAYLOR FOR PROPERTY LOCATED AT 3153 SOUTH PEARCE STREET

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City Manager, Wayne Pyle, discussed proposed Resolution No. 09-388 which would accept a Grant of Temporary Construction Easement from Lisa A. Naylor for property located at 3153 South Pearce Street.

Mr. Pyle stated Lisa A. Naylor had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

Q. RESOLUTION NO. 09-389, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DAVID F. COLVIN AND GLADYS COLVIN FOR PROPERTY LOCATED AT 3357 SOUTH PEARCE DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-389 which would accept a Grant of Temporary Construction Easement from David F. Colvin and Gladys Colvin for property located at 3357 South Pearce Drive.

Mr. Pyle stated David F. Colvin and Gladys Colvin had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

R. RESOLUTION NO. 09-390, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ERNEST V. VELASQUEZ FOR PROPERTY LOCATED AT 3347 SOUTH PEARCE DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-390 which would accept a Grant of Temporary Construction Easement from Ernest V. Velasquez for property located at 3347 South Pearce Drive.

Mr. Pyle stated Ernest V. Velasquez had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus

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rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

S. RESOLUTION NO. 09-391, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DENZA C. FORBES FOR PROPERTY LOCATED AT 3290 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-391 which would accept a Grant of Temporary Construction Easement from Denza C. Forbes for property located at 3290 South Meadowlark Drive.

Mr. Pyle stated Denza C. Forbes had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

T. RESOLUTION NO. 09-392, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CARLOS PEREZ-HERNANDEZ AND OSVALDO PEREZ FOR PROPERTY LOCATED AT 3140 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-392 which would accept a Grant of Temporary Construction Easement from Carlos Perez-Hernandez and Osvaldo Perez for property located at 3140 South Meadowlark Drive.

Mr. Pyle stated Carlos Perez-Hernandez and Osvaldo Perez had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

U. RESOLUTION NO. 09-393, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SHERRY T. AVERETT AND GARY T. AVERETT FOR PROPERTY LOCATED AT 3190 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-393 which would accept a Grant of Temporary Construction Easement from Sherry T.

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Averett and Gary T. Averett for property located at 3190 South Meadowlark Drive.

Mr. Pyle stated Sherry T. Averett and Gary T. Averett had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

V. RESOLUTION NO. 09-394, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DAVID L. HOPKINS FOR PROPERTY LOCATED AT 3280 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-394 which would accept a Grant of Temporary Construction Easement from David L. Hopkins for property located at 3280 South Meadowlark Drive.

Mr. Pyle stated David L. Hopkins had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

W. RESOLUTION NO. 09-395, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM RONNIE B. OGDEN AND CLAUDIA L. OGDEN FOR PROPERTY LOCATED AT 3240 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-395 which would accept a Grant of Temporary Construction Easement from Ronnie B. Ogden and Claudia L. Ogden for property located at 3240 South Meadowlark Drive.

Mr. Pyle stated Ronnie B. Ogden and Claudia L. Ogden had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus

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rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

X. RESOLUTION NO. 09-396, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM GERARDO ADRIAN FRANCO AND MERIANA VERONIC FRANCO FOR PROPERTY LOCATED AT 3304 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-396 which would accept a Grant of Temporary Construction Easement from Gerardo Adrian Franco and Meriana Veronic Franco for property located at 3304 South Meadowlark Drive.

Mr. Pyle stated Gerardo Adrian Franco and Meriana Veronic Franco had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

Y. RESOLUTION NO. 09-397, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ERNESTO M. GUTIERREZ FOR PROPERTY LOCATED AT 3396 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-397 which would accept a Grant of Temporary Construction Easement from Ernesto M. Gutierrez for property located at 3396 South Meadowlark Drive.

Mr. Pyle stated Ernesto M. Gutierrez had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

Z. RESOLUTION NO. 09-398, APPROVE A RIGHT-OF-WAY AGREEMENT WITH ROGER PAUL WATSON AND LISA D. WATSON FOR PROPERTY LOCATED AT 4139 SOUTH 5400 WEST; AND TO ACCEPT A WARRANTY DEED AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 5400 WEST SIDEWALK PROJECT

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City Manager, Wayne Pyle, discussed proposed Resolution No. 09-398 which would approve a Right-of-Way Agreement with Roger Paul Watson and Lisa D. Watson for property located at 4139 South 5400 West; and to accept a Warranty Deed and a Grant of Temporary Construction Easement for the 5400 West Sidewalk Project.

Mr. Pyle stated Roger Paul Watson and Lisa D. Watson had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He also reported compensation for purchase of the right-of-way and easement would be in the amount of \$8,100.00 and negotiated based on an appraisal by Bodell-Van Drimmelen Commercial Appraisers, Inc.

AA. RESOLUTION NO. 09-399, APPROVE A RIGHT-OF-WAY AGREEMENT WITH ROBERT H. BRYAN AND MELISSA B. BRYAN FOR PROPERTY LOCATED AT 4179 SOUTH 5400 WEST; AND ACCEPT A WARRANTY DEED AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 5400 WEST SIDEWALK PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-399 which would approve a Right-of-Way Agreement with Robert H. Bryan and Melissa B. Bryan for property located at 4179 South 5400 West; and to accept a Warranty Deed and a Grant of Temporary Construction Easement for the 5400 West Sidewalk Project.

Mr. Pyle stated Robert H. Bryan and Melissa B. Bryan had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He also reported compensation for purchase of the right-of-way and easement would be in the amount of \$1,502.00 and negotiated based on an appraisal by Bodell-Van Drimmelen Commercial Appraisers, Inc.

The City Council will consider proposed Resolution Nos. 09-373 through 09-399 at the Regular Council Meeting scheduled November 17, 2009, at 6:30 P.M.

11. **COMMUNICATIONS:**

A. **GRANGER HIGH SCHOOL DESIGN UPDATE**

Steve Lehman, CED Department, the City's representative on the Granger High School Design Committee was directed by the City Manager to give the City Council an update regarding that project. Mr. Lehman stated he was honored to represent the City on the committee and he discussed information summarized as follows:

- Makeup of the 25 member committee
- Architect selection process – Naylor Wentworth and Lund chosen
- Site map and issues of concern with having existing school functioning while new one being built
- Meetings with Granite School District representatives regarding re-building the swimming pool or if another facility would better serve the school and community
- Granger High School administration would like to see a facility with community use such as a performing arts facility and would like input from the City regarding design and uses, however, it was too early in the process for final design

Councilmember Winder stated Granite School District's current plan was for a swimming pool, but there was a question whether another facility would be a better use of funds as there were other pools already located in the City. He indicated the District would provide numbers and more details in the future for further discussion. He inquired if the City Council had ideas for other options if there was no pool.

Upon further discussion, members of the City Council expressed individual opinions and suggestions regarding potential programs at the new Granger High School. Some members of the Council stated Granite School District should define the programs before finalizing the physical facilities.

During the above presentation of information, Steve Lehman, CED Department, answered questions from members of the City Council.

B. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: November 11-14, 2009: Arnold Friberg Exhibit, UCCC Gallery; November 17, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 20, 2009, Ribbon Cutting for 3500 South Project, Granger Park, 1:00 P.M.; November 20, 2009 – January 4, 2010: 6th Annual Trees of Diversity Exhibit, UCCC; November 24, 2009: Council Study Meeting, 4:30 P.M., Regular Council

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Meeting, 6:30 P.M.; November 26, 2009: Thanksgiving Holiday – City Hall closed; November 27, 2009: ChamberWest Christmas Parade, 9:00 A.M.; December 1, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 8, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 10-13, 2009: When Elmo Grows Up, E-Center; December 14, 2009: Winter Concert Series – Miss Margene’s Musical Theatre, UCCC, 7:00 P.M.; December 15, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 21, 2009: Winter Market 2009, UCCC, 10:00 A.M. – 8:00 P.M.; December 21, 2009: Winter Concert Series – Bonnie Harris, UCCC, 7:00 P.M.; and December 24, 2009: Christmas Holiday – City Hall closed.

C. **OTHER INFORMATION**

City Manager, Wayne Pyle, distributed information regarding a reality television show on foreclosures.

City Manager, Wayne Pyle, discussed a telephone call received recently from Brad Knowlton, Ascent Construction, regarding the Jordan River Marketplace project and proposed amendments to the development agreement. Mr. Pyle stated they desired to present the proposal to the City Council. The City Manager advised he would recommend not making any changes to the existing agreement. Upon discussion, the City Council expressed a consensus and directed the City Manager to not schedule a proposal to be presented and to advise the developer of his choice to either sign the agreement or not.

12. **COUNCIL REPORTS:**

A. **COUNCILMEMBER CAROLYNN BURT – HISTORICAL SOCIETY**

Councilmember Burt discussed the need for additional members to serve on the Historical Society.

B. **COUNCILMEMBER COREY RUSHTON – JORDAN RIVER COMMITTEE AND CONGRESSIONAL DELEGATION MEETINGS**

Councilmember Rushton stated the Jordan River Committee drafted an interlocal agreement which he would bring to the City Council in the future.

Councilmember Rushton also reported regarding a recent trip to Washington, D.C. and meetings with the Congressional delegation.

C. **COUNCILMEMBER MIKE WINDER - WORKSHOP FOR NEWLY ELECTED MAYORS**

Councilmember Winder advised he would be absent at the next week’s Council meetings as he would be attending a workshop for newly elected mayors at Harvard.

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D. COUNCILMEMBER JOEL COLEMAN – REPLACEMENT FOR REPRESENTATIVE KORY HOLDAWAY

Councilmember Coleman reported regarding a recent caucus meeting at which Johnny Anderson had been chosen to replace Representative Kory Holdaway for the remainder of that term.

13. NEW BUSINESS SCHEDULED FOR 5:30 P.M.

A. RECEPTION FOR OPENING OF ARNOLD FRIBERG EXHIBIT

Mayor Nordfelt extended an invitation for everyone to attend a reception for the opening of the Arnold Friberg exhibit and the unveiling of the newest painting by that artist.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, NOVEMBER 10, 2009, WAS ADJOURNED AT 6:10 P.M. BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, November 10, 2009.

Sheri McKendrick, MMC
City Recorder