

MINUTES OF COUNCIL REGULAR MEETING – DECEMBER 15, 2009

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, DECEMBER 15, 2009, AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR PRO TEM BROOKS.

THE FOLLOWING MEMBERS WERE PRESENT:

Russ Brooks
Corey Rushton
Carolynn Burt
Joel Coleman
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Dennis J. Nordfelt

OTHERS PRESENT:

Don Christensen, Councilmember-elect

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Richard Catten, City Attorney
Layne Morris, Community Preservation Director
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Russell Willardson, Public Works Director
John Evans, Fire Chief
John Janson, Acting CED Director
Russ Condie, Acting Finance Director
Stan Varney, Fire Department
Aaron Crim, Administration
Don Johnson, Public Works Department
Jake Arslanian, Public Works Department
Ken Morgan, Administration
Rick Westphal, Administration
Jeni Siebeneck, Administration
Ken Cushing, Administration
Kyle Bake, Administration
Andrew Mai, Administration

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Dave Shopay, Administration
Dave Crow, Administration
Tyson Emmett, Administration
Kamie Macaluso, Administration
Chaz McDermaid, Administration
Shawn Halladay, Administration
Shaun Trujillo, Administration
Brandon Degn, Fire Department

14766 **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Vincent who thanked Mayor Dennis Nordfelt and Councilman Joel Coleman for their dedicated service to the community during their terms on the City Council. He noted their terms were ending and he thanked them for their friendship and wished them well in the future.

14767 **SCOUTS**

Mayor Pro Tem Brooks recognized and welcomed Scout Troop No. 179 in attendance to complete requirements for the Citizenship in the Community merit badge.

14768 **APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 17, 2009**

The Council read and considered the Minutes of the Regular Meeting held November 17, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Coleman moved to approve the Minutes of the Regular Meeting held November 17, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

| | |
|----------------------|-----|
| Mr. Vincent | Yes |
| Mr. Coleman | Yes |
| Mr. Burt | Yes |
| Mr. Winder | Yes |
| Mr. Rushton | Yes |
| Mayor Pro Tem Brooks | Yes |

Unanimous.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 24, 2009

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

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

A roll call vote was taken:

| | |
|----------------------|-----|
| Mr. Vincent | Yes |
| Mr. Coleman | Yes |
| Mr. Burt | Yes |
| Mr. Winder | Yes |
| Mr. Rushton | Yes |
| Mayor Pro Tem Brooks | Yes |

Unanimous.

14770

TERI NEWELL, UDOT PROJECT DIRECTOR – MOUNTAIN VIEW CORRIDOR UPDATE

City Manager, Wayne Pyle, introduced Teri Newell, Utah Department of Transportation (UDOT) and invited her to make a presentation and update to the City Council regarding the Mountain View Corridor project.

Teri Newell, UDOT Project Director, addressed the City Council. Ms. Newell introduced Ben Hewitt and Darlene Maguire who were also working on the Mountain View Corridor project for UDOT.

Using PowerPoint, Ms. Newell discussed and presented information regarding the Mountain View Corridor, summarized as follows:

- Balanced transportation solution
- Project overview
- Project progress
- Current project area
- Funding issues
- 3500 South phasing
- Website: www.udot.utah.gov/mountainview

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During the above presentation, Ms. Newell answered question from members of the City Council.

Mayor Pro Tem Brooks expressed appreciation to Ms. Newell for the information and update regarding the Mountain View Corridor project.

14771 **EMPLOYEE OF THE MONTH, DECEMBER 2009 – BRANDON DEGN, FIRE DEPARTMENT**

Councilmember Coleman read the nomination of Brandon Degn, Fire Department, to receive the Employee of the Month Award for December 2009. Mr. Degn had been nominated to receive the award as a result of a recent good deed he performed for a citizen in West Valley City.

The award was presented and the Council congratulated Brandon Degn and expressed appreciation for his dedication and work on behalf of West Valley City.

14772 **EAC QUARTERLY DIVISION AWARD PRESENTATION – IT DIVISION**

Councilmember Rushton read the nomination of the IT Division of Administration to receive the EAC Quarterly Division Award. The IT Division personnel had been nominated for demonstrating outstanding patience in servicing all City departments.

The award was presented and the City Council congratulated the recipients and expressed appreciation for their hard work on behalf of West Valley City.

14773 **COMMENT PERIOD**

The following individuals addressed the City Council during the comment period:

Bill Barton, 4084 West 3860 South, addressed the City Council. Mr. Barton requested the City Council's assistance in preserving an important landmark in the City – Granger Park. He stated the park had been built in 1954 with community funds received from the Lions Club and it merited being saved to some extent, even though he recognized the site would be used for a new Granger High School. He indicated there should be open space at the south end of the property to restore a two to three acre park. He further stated many residents in the area formerly known as Granger desired to save a portion of that property to have and maintain a park. He indicated the City could save some money by having a small park at that site rather than another location.

Renee Layton, 6408 South High Bluff Drive, addressed the City Council. Ms. Layton thanked the City Council for the speed bumps in her Diamond Summit

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neighborhood and stated it had made a safer environment for schoolchildren and the neighborhood in general. She stated on behalf of the neighborhood she wanted to express gratitude for the support of the Council and City staff regarding the project. Councilmember Vincent thanked Ms. Layton for her efforts and diligence as the neighborhood watch chairperson and for being a good citizen in the community.

Kent and Sherri Winder, 4400 West 4100 South, addressed the City Council. They stated on behalf of West Valley city's oldest business, Winder Farms, and the Winder family they desired to wish the Council and City staff a happy holiday season. Mr. Winder distributed bottles of eggnog to members of the City Council and staff.

Mike Markham, 3008 Alice Circle, addressed the City Council. Mr. Markham expressed concern regarding property at 3536 South Mark Street on which the City was interested in taking condemnation action. He discussed current economic conditions and properties in other communities that were vacant as development had come to a halt. He stated they did not want the same issues in the City Center area of West Valley City. He requested the Council consider the proposal carefully and with a lot of thought. Mr. Markham also shared his observation that the Mountain View corridor looked like another Bangerter Highway.

14774

RESOLUTION NO. 09-414, APPROVE COOPERATIVE AGREEMENT BETWEEN WEST VALLEY CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE SAFE ROUTES TO SCHOOLS PROJECT ON 5400 WEST FOR HUNTER ELEMENTARY SCHOOL

City Manager, Wayne Pyle, presented proposed Resolution No. 09-414 which would approve a Cooperative Agreement between West Valley City and the Utah Department of Transportation (UDOT), in the amount of \$150,000.00, for construction of the Safe Routes to Schools Project on 5400 West for Hunter Elementary School.

Mr. Pyle stated parents from Hunter Elementary School had applied for a grant from the Safe Routes to School Program administered by UDOT to construct a sidewalk along 5400 West from the Utah and Salt Lake Canal to 4100 South. He indicated the grant had been funded at \$150,000.00 and the agreement would enable UDOT to hire a contractor to pipe the open ditch and do other work preparatory for placement of a sidewalk; and manage the construction project on the West Valley City street. He also stated that through the contract, West Valley City would agree to guarantee access to the land thus enabling construction. He reported West Valley City had been acquiring the right-of-way along 5400 West to allow for the necessary access.

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After discussion, Councilmember Coleman moved to approve Resolution No. 09-414, a Resolution Authorizing the Execution of a Cooperative Agreement between West Valley City and the Utah Department of Transportation for Construction of the Safe Routes to Schools Project on 5400 West for Hunter Elementary School. Councilmember Rushton seconded the motion.

A roll call vote was taken:

| | |
|----------------------|-----|
| Mr. Vincent | Yes |
| Mr. Coleman | Yes |
| Mr. Burt | Yes |
| Mr. Winder | Yes |
| Mr. Rushton | Yes |
| Mayor Pro Tem Brooks | Yes |

Unanimous.

14775

CONSENT AGENDA:

A. RESOLUTION NO. 09-415, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DAVID AND DARLENE PECK, AS CO-TRUSTEES OF THE 1998 PECK FAMILY TRUST FOR PROPERTY LOCATED AT 3802 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 09-415 which would accept a Grant of Temporary Construction Easement from David and Darlene Peck, as Co-Trustees of the 1998 Peck Family Trust, for property located at 3802 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated David and Darlene Peck had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He stated the easement would allow the contractor to make necessary tie-ins to their property. He also reported compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

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B. RESOLUTION NO. 09-416, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM TAMMY L. WILSON AND DONALD A. WILSON FOR PROPERTY LOCATED AT 3428 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-416 which would accept a Grant of Temporary Construction Easement from Tammy L. Wilson and Donald A. Wilson for property located at 3428 South Meadowlark Drive.

Mr. Pyle stated Tammy L. Wilson and Donald A. Wilson 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 easement would automatically expire June 30, 2010.

C. RESOLUTION NO. 09-417, APPROVE A DELAY AGREEMENT WITH CITY CREEK CONGREGATION OF JEHOVAH'S WITNESSES FOR OFF-SITE IMPROVEMENTS ON PROPERTY LOCATED AT 2577 SOUTH HEMPSTEAD STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-417 which would approve a Delay Agreement with City Creek Congregation of Jehovah's Witnesses for off-site improvements on property located at 2577 South Hempstead Street.

Mr. Pyle stated the subject improvements included installation of curb, gutter, sidewalk, and asphalt tie-in to the existing roadway. He reported, at the present time, there were no existing improvements along the subject property. He stated postponing construction of the improvements would allow time for additional development to provide similar improvements. He indicated the combination of the delayed improvements from this agreement and others collected as development progressed would provide a more complete and contiguous design of curb and gutter.

D. RESOLUTION NO. 09-418, CONSENT TO THE CITY MANAGER'S REAPPOINTMENT OF CAROLYNN BURT TO THE WEST VALLEY CITY HOUSING AUTHORITY COMMISSION, TERM: DECEMBER 31, 2009 – DECEMBER 31, 2014

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City Manager, Wayne Pyle, presented proposed Resolution No. 09-418 which would consent to his reappointment of Carolynn Burt to the West Valley City Housing Authority Commission for the term December 31, 2009, through December 31, 2014.

Mr. Pyle stated Ms. Burt desired to serve another term on the Housing Authority Board.

E. RESOLUTION NO. 09-419, CONSENT TO THE CITY MANAGER'S REAPPOINTMENT OF STEVE VINCENT TO THE WEST VALLEY CITY HOUSING AUTHORITY, TERM: DECEMBER 19, 2009 – DECEMBER 19, 2014

City Manager, Wayne Pyle, presented proposed Resolution No. 09-419 which would consent to his reappointment of Steve Vincent to the West Valley City Housing Authority Commission for the term December 31, 2009, through December 31, 2014.

Mr. Pyle stated Mr. Vincent desired to serve another term on the Housing Authority Board.

F. RESOLUTION NO. 09-420, CONSENT TO THE CITY MANAGER'S APPOINTMENT OF STEVE BUHLER TO THE WEST VALLEY CITY HOUSING AUTHORITY COMMISSION, TERM: JANUARY 4, 2010 – JANUARY 4, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 09-420 which would consent to his appointment of Steve Buhler to the West Valley City Housing Authority Commission for the term January 4, 2010, through January 4, 2015.

Mr. Pyle stated Mr. Buhler desired to serve on the Housing Authority Board.

G. RESOLUTION NO. 09-421, CONSENT TO THE CITY MANAGER'S APPOINTMENT OF DON CHRISTENSEN TO THE WEST VALLEY CITY HOUSING AUTHORITY COMMISSION, TERM: JANUARY 4, 2010 – JANUARY 4, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 09-421 which would consent to his appointment of Don Christensen to the West Valley City Housing Authority Commission for the term January 4, 2010, through January 4, 2015.

Mr. Pyle stated Mr. Christensen desired to serve on the Housing Authority Board.

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After discussion, Councilmember Winder moved to approve Resolution Nos. 09-415, 09-416, 09-417, 09-418, 09-419, 09-420 and 09-421 as presented on the Consent Agenda. Councilmember Burt seconded the motion.

A roll call vote was taken:

| | |
|----------------------|-----|
| Mr. Vincent | Yes |
| Mr. Coleman | Yes |
| Mr. Burt | Yes |
| Mr. Winder | Yes |
| Mr. Rushton | Yes |
| Mayor Pro Tem Brooks | Yes |

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, DECEMBER 15, 2009, WAS ADJOURNED AT 7:11 P.M., BY MAYOR PRO TEM BROOKS.

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, December 15, 2009.

Sheri McKendrick, MMC
City Recorder