

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 5, 2010**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 5, 2010, AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR WINDER CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder  
Russ Brooks  
Steve Buhler  
Carolynn Burt  
Don Christensen  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

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

14777

**OPENING CEREMONY**

The Opening Ceremony was conducted by Carolynn Burt who read a poem she wrote entitled “Changing” and welcomed newly elected Councilmembers, Steve Buhler and Don Christensen.

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**RECOGNITIONS**

Mayor Winder noted his parents and family members of other Councilmembers were in attendance.

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14779      **APPROVAL OF MINUTES OF REGULAR COUNCIL MEETING HELD  
DECEMBER 15, 2009**

The Council read and considered the Minutes of the Regular Council Meeting held December 15, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Council Meeting held December 15, 2009, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

14780      **COMMENT PERIOD**

Upon inquiry by Mayor Winder, there was no one in attendance who desired to address the Council during the Comment Period.

14781      **PUBLIC HEARING, REOPEN FY 2009-2010 BUDGET FOR THE  
PURPOSE OF CHANGES EXPERIENCED IN REVENUES AND  
EXPENSES**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding reopening the FY 2009-2010 Budget for the purpose of changes experienced in revenues and expenses. He discussed proposed Ordinance No. 10-01 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 10-01 which would amend the Budget of West Valley City for the fiscal year beginning July 1, 2009, and ending June 30, 2010, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds.

Mr. Pyle stated State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allowed the City to amend its budget during the year. He advised West Valley City held two such public hearings on budget amendments annually, one

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mid-fiscal year and the second just prior to the end of the fiscal year. He further advised proper and legal notice had been given.

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

**ACTION: ORDINANCE NO. 10-01, AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, AND ENDING JUNE 30, 2010, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE DISBURSEMENT OF FUNDS**

The Council previously held a public hearing regarding proposed Ordinance No. 10-01 which would amend the Budget of West Valley City for the fiscal year beginning July 1, 2009, and ending June 30, 2010, to reflect changes in the Budget from increased revenues and authorize disbursement of funds.

After discussion, Councilmember Brooks moved to approve Ordinance No. 10-01, an Ordinance Amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2009, and Ending June 30, 2010, to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

14782

**RESOLUTION NO. 10-01, AUTHORIZE SUBMISSION OF A SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN 2009 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-01 which would authorize submission of a Substantial Amendment to the Consolidated Plan

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2009 Action Plan for the Community Development Block Grant (CDBG) Program to the U.S. Department of Housing and Urban Development.

Mr. Pyle stated the City desired to develop two pieces of property in the Arlington Park area using CDBG funds. He also stated the projects would be two parks not originally submitted in the approved Consolidated Plan. He advised that under requirements of the Department of Housing and Urban Development (HUD) any substantial change to the approved Plan required a substantial amendment under Title 24: Part 91 Subpart B Section 91.105(5) c(1) (2)(3). He reviewed and further summarized proposed changes as follows:

1. Increase in funding: West Valley City would like to allocate \$200,000 of unallocated CDBG funds to build two parks. This would create an increase to the FY 2009-2010 budget which would be over the allowable 15% of the original funding amount; and
2. Change in approved plan: West Valley City proposed to add two projects to the approved Consolidated Plan 2009 Action Plan.

The City Manager further reported as follows:

Title 24 Part 91 Subpart B Section 91.505 (a) Amendments to the Plan stated the jurisdiction shall amend its approved plan whenever it makes one of the following decisions:

- (1) Change its allocation priorities or change the method of distribution of funds.
- (2) Carry out an activity, using funds from any program covered by the consolidated plan (including program income) not previously described in the action plan.

Title 24 Part 91 Subpart B Section 91.505 Amendments to the Consolidated Plan (1) (2)(c) Submission to HUD:

- (1) Upon completion the jurisdiction must make the amendment public and must notify HUD that an amendment has been made
- (2) Letters transmitting copies of amendments must be signed by the official representative of the jurisdiction authorized to take such action.

Title 24 Part 91 Subpart B Section 91.105 (b) (1) (3): The citizen participation plan must provide for at least one public hearing during the development of the Consolidated Plan.

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After discussion, Councilmember Burt moved to approve Resolution No. 10-01, a Resolution Authorizing the Submission of a Substantial Amendment to the Consolidated Plan 2009 Action Plan for the Community Development Block Grant (CDBG) Program to the U.S. Department of Housing and Urban Development. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

14783

**ELECT MAYOR PRO TEM FOR FOUR-YEAR TERM**

Mayor Winder stated a Mayor Pro Tem was required to be elected by the Council for a four-year term and he explained the duties and importance of the position.

He recognized and expressed appreciation to Russ Brooks who had served as Mayor Pro Tem during the past four years. On behalf of the City Council, Mayor Winder presented a plaque to Councilmember Brooks.

Mayor Winder reviewed written procedures developed by the City Council for the election of the position of Mayor Pro Tem.

Mayor Winder opened the floor to nominations.

Steve Vincent nominated Corey Rushton to serve as Mayor Pro Tem for a four-year term.

Russ Brooks nominated Carolynn Burt to serve as Mayor Pro Tem for a four-year term. He also discussed reasons for his nomination.

Mayor Winder closed the floor to nominations. He provided an opportunity for the two nominees to speak.

Councilmember Burt stated she desired to serve as Mayor Pro Tem as she was articulate, understood Roberts Rules of Order, had the time to devote to the

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position, had 12 years of experience on the City Council and understood the issues. She indicated that traditionally the appointment had been based on seniority. She expressed appreciation to Councilmember Brooks for his gesture of confidence and stated she was honored by the nomination.

Councilmember Rushton thanked Councilmember Vincent for his nomination and stated, if elected, he would serve faithfully. He expressed his fortune with family and job situations to be flexible which would allow him to serve with the same vigor and enthusiasm as would Mayor Winder. He stated he would like the opportunity to represent the City in furthering interests regarding intergovernmental relations. He also stated the position of Mayor Pro Tem should not be a reward for past years of service, but rather a charge to go forth and further the vision of the City. He stated he would appreciate a vote of support.

Mayor Winder called for a vote in order of nominations: Corey Rushton to serve as Mayor Pro Tem for a four-year period.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	No
Mr. Buhler	No
Ms. Burt	No
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Majority. Corey Rushton was elected Mayor Pro Tem for a four-year period.

14784

**APPOINTMENT TO COUNCIL OF GOVERNMENTS (COG) EXECUTIVE BOARD**

Mayor Winder advised the City had two seats on the Council of Governments (COG) Executive Board. He stated one seat was held by the Mayor and the other appointed by the City Council. He advised the second seat was currently held by Russ Brooks who had served as the Mayor Pro Tem for the previous four-year period.

After discussion, Councilmember Brooks moved to appoint the newly elected Mayor Pro Tem, Corey Rushton, to serve on the Council of Governments (COG) Executive Board for a four-year period. Councilmember Burt seconded the motion and recommended the Council accept the motion, second and appointment by acclimation.

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Mayor Winder called for a voice vote and members indicated a unanimous vote in favor of the appointment of Mayor Pro Tem Corey Rushton to serve on the Council of Governments (COG) Executive Board for a four-year period.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, JANUARY 5, 2010, WAS ADJOURNED AT 6:51 P.M., BY MAYOR WINDER.

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, January 5, 2010.

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Sheri McKendrick, MMC  
City Recorder