

**MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 2, 2010**

**-1-**

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 2, 2010, 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 WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

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

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Russell Willardson, Public Works Director  
Richard Catten, City Attorney  
Layne Morris, Community Preservation Director  
John Evans, Fire Chief  
Jim Welch, Finance Director  
Mike Wells, Acting Police Chief  
Greg Cudworth, Acting Parks and Recreation Director  
John Janson, Acting CED Director  
Brent Garlick, CED Department  
Kevin Conde', Administration  
Owen Jackson, Administration  
Jake Arslanian, Public Works Department

14812      **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Vincent who led the Pledge of Allegiance to the Flag.

14813      **SCOUTS**

Mayor Winder welcomed Cub Scout Pack No. 4895 in attendance to complete requirements for the Citizenship in the Community merit badge.

**MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 2, 2010**

-2-

14814      **APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 19, 2010**

The Council read and considered the Minutes of the Regular Meeting held January 19, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held January 19, 2010, 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.

14815      **EMPLOYEE OF THE MONTH, JANUARY 2010 – HOLLY ZIEGENHORN, POLICE DEPARTMENT (*RESCHEDULED FROM REGULAR MEETING HELD JANUARY 26, 2010*)**

Councilmember Brooks read a nomination and presented the Employee of the Month Award for January 2010, to Holly Ziegenhorn, Police Department. Officer Ziegenhorn had been nominated for her work in an investigation of a recovered stolen vehicle and subsequent assistance to a female regarding a drug addiction problem.

The City Council congratulated Officer Ziegenhorn and expressed appreciation for her work on behalf of West Valley City. Officer Ziegenhorn introduced her family members in attendance.

14816      **COMMENT PERIOD**

Upon inquiry by Mayor Winder there was no one in attendance who desired to address the City Council during the comment period.

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 2, 2010

-3-

14817

**RESOLUTION NO. 10-12, APPROVE AN AGREEMENT BETWEEN WEST VALLEY CITY AND THE UTAH DIVISION OF ENVIRONMENTAL RESPONSE AND REMEDIATION TO GRANT A LICENSE ALLOWING ACCESS TO CITY PROPERTY FOR THE PURPOSE OF CONDUCTING ENVIRONMENTAL TESTING**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 10-12 which would approve an Agreement between West Valley City and the Utah Division of Environmental Response and Remediation to grant a license allowing access to City property for the purpose of conducting environmental testing.

Mr. Isaac stated the Utah Division of Environmental Response and Remediation had requested permission to drill one test hole on each of three City property sites to monitor ground water. He also stated there had been several sites identified to drill to take water samples. He indicated three of the sites were on City property: 4175 West 3980 South (Country Meadows Park), 3558 West 3965 South (Peachwood Park) and right-of-way in front of Country Meadows Subdivision at 4100 South 4122 West. He explained each property would be accessed by a pickup truck, a two-inch hole drilled, a sample taken, then the hole filled in and all property restored to its previous condition.

After discussion, Councilmember Burt moved to approve Resolution No. 10-12, a Resolution Authorizing the Execution of an Agreement between West Valley City and the Utah Division of Environmental Response and Remediation to Grant a License Allowing Access to City Property for the Purpose of Conducting Environmental Testing. Councilmember Brooks 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.

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 2, 2010

-4-

14818

**RESOLUTION NO. 10-13, APPROVING THE APPROPRIATION OF \$11,282.35 FROM THE UNCLAIMED CASH ACCOUNT TO AN ADMINISTRATIVE ACCOUNT IN THE POLICE DEPARTMENT**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 10-13 which would approve the appropriation of \$11,282.35 from the unclaimed cash account to an administrative account in the Police Department.

Mr. Isaac stated that in the public interest the proposed resolution would authorize the Finance Director to deposit the funds into an account of the Police Department to be used as determined by the Police Chief. He explained that from time to time the Police Department had money deposited into the Evidence Room. He also explained the money would come from investigations conducted by the Department as found property or deposited for safekeeping. He stated these funds had become available to be released to the rightful owner. The Police Department had exercised due diligence to find the rightful owner as required by State law, however, the rightful owner had not been identified. He further indicated according to State law the funds were now available for appropriation, in the public interest, as directed by the City Council.

After discussion, Councilmember Buhler moved to approve Resolution No. 10-13, a Resolution Approving the Appropriation of \$11,282.35 from the Unclaimed Cash Account to an Administrative Account in the Police Department. Councilmember Vincent 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.

14819

**CONSENT AGENDA:**

- A. **RESOLUTION NO. 10-14, APPROVE A RIGHT-OF-WAY AGREEMENT WITH KATHLEEN M. KELLY FOR PROPERTY LOCATED AT 3329 SOUTH 7200 WEST, AND ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 7200 WEST IMPROVEMENT PROJECT**

**MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 2, 2010**

**-5-**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 10-14 which would approve a Right-of-Way Agreement with Kathleen M. Kelly for property located at 3329 South 7200 West and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Kathleen M. Kelly had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Construction Easement.

The Acting City Manager reported the subject parcel was one of the properties affected by construction of the 7200 West Improvement project extending from SR-201 to 3500 South on both sides of 7200 West. He stated the project was being constructed in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He also reported compensation for the right-of-way would be in the amount of \$16,500.00 based on an appraisal prepared by Bodell-Van Drimmelen Commercial Appraisers, Inc.

**B. RESOLUTION NO. 10-15, APPROVE A RIGHT-OF-WAY AGREEMENT WITH FARRAH M. HINTZE AND CLAY HINTZE FOR PROPERTY LOCATED AT 3381 SOUTH 7200 WEST, AND ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 7200 WEST IMPROVEMENT PROJECT**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 10-15 which would approve a Right-of-Way Agreement with Farrah M. Hintze and Clay Hintze for property located at 3381 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Isaac stated Farrah M. Hintze and Clay Hintze had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Constructed Easement.

The Acting City Manager reported the subject parcel was one of the properties affected by construction of the 7200 West Improvement project extending from SR-201 to 3500 South on both sides of 7200 West. He stated the project was being constructed in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He also reported compensation for purchase of the right-of-way would be in the amount of \$7,800.00 based on the appraisal prepared by Bodell-Van Drimmelen Commercial Appraisers, Inc.

**MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 2, 2010**

**-6-**

After discussion, Councilmember Rushton moved to approve Resolution Nos. 10-14 and 10-15 as presented on the Consent Agenda. 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.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, FEBRUARY 2, 2010, WAS ADJOURNED AT 6:41 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, February 2, 2010.

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Sheri McKendrick, MMC  
City Recorder