

MINUTES OF COUNCIL REGULAR MEETING – MARCH 16, 2010

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 16, 2010, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. TEMPORARY MAYOR PRO TEM BROOKS CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Russ Brooks
Steve Buhler
Carolynn Burt
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Don Christensen
Corey Rushton
Mike Winder

STAFF PRESENT:

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

14857

OPENING CEREMONY

Councilmember Steve Buhler indicated the Opening Ceremony had been arranged by Councilmember Don Christensen. Upon invitation, Scout Troop No. 796 led the Pledge of Allegiance to the Flag.

14858

APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 2, 2010

The Council read and considered Minutes of the Regular Meeting held March 2, 2010. There were no changes, corrections or deletions.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 16, 2010

-2-

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held March 2, 2010, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Temporary Mayor Pro Tem Brooks	Yes

Unanimous.

14859

COMMENT PERIOD

Upon inquiry by Temporary Mayor Pro Tem Brooks, the following individual addressed the City Council during the comment period:

Kevin Fayles, 4339 South Wildrose Drive, addressed the City Council. Mr. Fayles read aloud a written statement regarding a recent article in the Salt Lake Tribune in which Mayor Mike Winder had been quoted as saying he was a “part-time mayor with full-time job expectations.” Mr. Fayles stated, clearly he thought Mayor Winder would be in attendance this night to hear his comments. Mr. Fayles expressed concerns regarding the statement as some residents could interpret the comments to mean West Valley City needed a full-time mayor. He further stated that had not been the case per the former mayor, Dennis Nordfelt, who stated that 10-15 hours per week was needed for a good and effective mayor. Mr. Fayles indicated in West Valley, the position of mayor was largely ceremonial and the City had an excellent City Manager and administration. He indicated there was no need to change the form of government which would be an unnecessary expense and administrative change. He stated Mayor Winder had a full-time job and young family; therefore, it was understandable to feel overwhelmed with mayoral responsibilities. He suggested that Mayor Winder could encourage more members of the City Council to represent the City at meetings and events as those council members were willing and capable to share that burden of responsibility. Mr. Fayles also encouraged Mayor Winder publicly declare the commitment to keeping the mayor position part-time.

14860

PUBLIC HEARING, APPLICATION NO. ZT-1-2010 FILED, BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT REGARDING SEXUALLY-ORIENTED BUSINESSES, OUTCALL SERVICES, AND SERVICE-ORIENTED ESCORT BUREAUS

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application

MINUTES OF COUNCIL REGULAR MEETING – MARCH 16, 2010

-3-

No. ZT-1-2010, filed by West Valley City, requesting to a zone text amendment regarding sexually-oriented businesses, outcall services, and service-oriented escort bureaus. He discussed proposed Ordinance Nos. 10-07 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 10-07 which would amend Sections 7-1-103, 7-6-1102, 7-9-104, 7-13-102, 7-14-202, 7-15-102, and enact Section 7-15-106 of Title 7 of the West Valley City Municipal Code regarding location of sexually-oriented businesses.

Mr. Pyle stated the amendments to Title 7 had been proposed to update standards for sexually-oriented businesses, outcall services, and service-oriented escort bureaus. He indicated the amendments would reflect changes in case law and recent updates set forth in Title 17, the Business Licensing section of the West Valley City Municipal Code. He reported the changes also refined and clarified the meaning and applicability of several Title 7 provisions of the Code in relationship to sexually-oriented businesses.

Temporary Mayor Pro Tem Brooks opened the public hearing. There being no one to speak either in favor or in opposition, Temporary Mayor Pro Tem Brooks closed the public hearing.

ACTION: ORDINANCE NO. 10-07, AMENDING SECTIONS 7-1-103, 7-6-1102, 7-9-104, 7-13-102, 7-14-202, 7-15-102, AND ENACTING SECTION 7-15-106 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING LOCATION OF SEXUALLY-ORIENTED BUSINESSES

The City Council previously held a public hearing regarding Application No. ZT-1-2010, filed by West Valley City, requesting a zone text amendment regarding sexually-oriented businesses, outcall services and service-oriented escort bureaus, and proposed Ordinance No. 10-07 which would amend Sections 7-1-103, 7-6-1102, 7-9-104, 7-13-102, 7-14-202, 7-15-102, and enact Section 7-15-106 of Title 7 of the West Valley City Municipal Code regarding location of sexually-oriented businesses.

After discussion, Councilmember Burt moved to approve Ordinance No. 10-07, an Ordinance Amending Sections 7-1-103, 7-6-1102, 7-9-104, 7-13-102, 7-14-202, 7-15-102, and Enacting Section 7-15-106 of Title 7 of the West Valley City Municipal Code Regarding the Location of Sexually-Oriented Businesses. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent

Yes

MINUTES OF COUNCIL REGULAR MEETING – MARCH 16, 2010

-4-

Mr. Buhler	Yes
Ms. Burt	Yes
Temporary Mayor Pro Tem Brooks	Yes

Unanimous.

14861

PUBLIC HEARING, APPLICATION NO. ZT-2-2010, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO CLARIFY DEPARTMENTAL ROLES IN ENFORCEMENT OF CERTAIN PROVISIONS OF TITLE 7 OF THE WEST VALLEY CITY LAND USE AND MANAGEMENT ACT

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. ZT-2-2010, filed by West Valley City, requesting a zone text change to clarify departmental roles in enforcement of certain provisions of Title 7 of the West Valley City Land Use and Management Act. He discussed proposed Ordinance No. 10-08 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 10-08 which would amend Sections 7-20-101, 7-20,102, and 7-28-106 of Title 7 of the West Valley City Municipal Code to enable the Community Preservation Department to enforce provisions of Title 7.

Mr. Pyle stated that upon creation of the Community Preservation Department, the Code Enforcement Division had been moved from the Community and Economic Development Department (CED) to the Community Preservation Department (CPD). He indicated Title 7 of the West Valley City Land Use and Management Act had ordinances related to enforcement, and as code enforcement was no longer in the CED Department, staff proposed a text change to include CPD as authorized to enforce Title 7 provisions. He informed, however, the text change would not affect the Community and Economic Development Department's ability to enforce building codes through its building inspectors.

Temporary Mayor Pro Tem Brooks opened the public hearing. There being no one to speak either in favor or in opposition, Temporary Mayor Pro Tem Brooks closed the public hearing.

ACTION: ORDINANCE NO. 10-08, AMENDING SECTIONS 7-20-101, 7-20-102, AND 7-28-106 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ENABLE THE COMMUNITY PRESERVATION DEPARTMENT TO ENFORCE PROVISIONS OF TITLE 7

The City Council previously held a public hearing regarding Application No. ZT-2-2010, filed by West Valley City, requesting a zone text change to clarify

MINUTES OF COUNCIL REGULAR MEETING – MARCH 16, 2010

-5-

departmental roles in enforcement of certain provisions of Title 7 of the West Valley City Land Use and Management Act, and proposed Ordinance No. 10-08 which would amend Sections 7-20-101, 7-21-102, and 7-28-106 of Title 7 of the West Valley City Municipal Code to enable the Community Preservation Department to enforce provisions of Title 7.

After discussion, Councilmember Buhler moved to approve Ordinance No. 10-08, an Ordinance Amending Sections 7-20-101, 7-20-102, and 7-28-106 of Title 7 of the West Valley City Municipal Code to Enable the Community Preservation Department to Enforce the Provisions of Title 7. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Temporary Mayor Pro Tem Brooks	Yes

Unanimous.

14862

RESOLUTION NO. 10-24, AUTHORIZE PURCHASE OF A MINI MOBILE COMMAND VEHICLE FROM MERCEDES OF LINDON FOR USE BY THE POLICE DEPARTMENT (*CONTINUED FROM REGULAR MEETING HELD MARCH 2, 2010*)

Manager, Wayne Pyle, presented proposed Resolution No. 10-24 which would authorize purchase of a mini mobile command vehicle from Mercedes of Lindon in an amount not to exceed \$50,000.00, for use by the Police Department.

Mr. Pyle stated the Police Department had acquired funding from the 2009 JAG Grant and desired to purchase the subject vehicle for use by the Department. He reported the City had determined that only two Utah dealers were authorized to sell the 2010 High Roof Sprinter 3500 Van with a 170-inch wheelbase that met the necessary specifications and fit the Department's needs. He indicated the vehicle was manufactured by Mercedes and sold under both the Mercedes and Freightliner brands. Bids were solicited from each dealer and Mercedes of Lindon provided the City with the lowest bid for the subject vehicle.

The City Manager reported this item had been continued from the Regular Council Meeting held March 2, 2010.

After discussion, Councilmember Vincent moved to approve Resolution No. 10-24, a Resolution Authorizing West Valley City to Purchase a Mini Mobile

MINUTES OF COUNCIL REGULAR MEETING – MARCH 16, 2010

-6-

Command Vehicle from Mercedes of Lindon for use by the Police Department.
Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Temporary Mayor Pro Tem Brooks	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, MARCH 16, 2010, WAS ADJOURNED AT 6:47 P.M., BY TEMPORARY 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, March 16, 2010.

Sheri McKendrick, MMC
City Recorder