

MINUTES OF COUNCIL REGULAR MEETING – MAY 11, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 11, 2010, AT 6:30 P.M., IN THE 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
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Carolynn Burt

STAFF PRESENT:

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

14924 **OPENING CEREMONY**

The Opening Ceremony was conducted by Don Christensen who stated, in keeping with the 100th anniversary of the Boy Scouts of America organization, he had invited scouts from Troop Nos. 643 and 343 to lead the Pledge of Allegiance to the Flag. Those in attendance participated in the Pledge led by the Troops.

14925 **SCOUTS**

Mayor Winder welcomed scouts of Troop Nos. 643 and 343, who were also in attendance to complete requirements for the Citizenship in the Community merit badge.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 27, 2010

The Council read and considered Minutes of the Regular Meeting held April 27, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held April 27, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

14927

COMMENT PERIOD

Upon inquiry by Mayor Winder, the following individuals addressed the City Council during the comment period:

Daniel Thatcher, 6352 City Vistas Way, addressed the City Council. Mr. Thatcher stated he was the Republican nominee for Senate District 12. He also stated he was committed to principles of smaller government and the federal government needed to let the states make their own decisions. He further stated the states needed to allow municipalities to respond to the needs of their residents. He explained he was a resident of West Valley City and its model worked as West Valley was a thriving community.

Rick Braithwaite, 6852 West 4015 South, addressed the City Council. Mr. Braithwaite thanked the City Council for utilizing E-verify as it would help the City a lot and save some of the tax base. He discussed Arizona's new law that would cause an influx of "illegals" coming to West Valley City.

Gerald Wise, 4025 South 6820 West, addressed the City Council. Mr. Wise thanked the City Council for implementing E-verify, however, he desired it go further in requiring all contractors and sub-contractors to do the same thing. He stated all those who worked in the City should be here legally.

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RESOLUTION NO. 10-74, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR PUBLIC WORKS SERVICES CONSISTING OF CHIP SEALING CERTAIN STREETS IN WEST VALLEY CITY

City Manager, Wayne Pyle, presented proposed Resolution No. 10-74 which would approve an Interlocal Cooperation Agreement with Salt Lake County for public works services consisting of chip sealing certain streets in West Valley City.

Mr. Pyle stated that in recent years Salt Lake County had applied chip seal on a number of City streets and the quality of work had been very good. He also stated Salt Lake County had agreed to do the chip seal for \$3.42 per square yard, which was a decrease from last year's \$3.60 per square yard, which cost compared favorably with prices of private contractors.

The City Manager indicated chip sealing would be the majority of the pavement management program on major streets in 2010, as there would be no pavement overlays. He stated chip sealing was a preventative maintenance strategy similar to slurry seal. He explained with both chip seal and slurry seal the road received a new, waterproof wearing surface. He also explained chip seal utilized larger, pea-sized gravel for aggregate, which wore better than slurry seal on the major roads. He indicated traffic control on busy streets was easier with chip seal because traffic could drive on the chips immediately after being spread. He explained a final asphalt fog seal held the chips in place and gave the road a fresh black surface. The County agreement also included restriping these roads.

Mr. Pyle reported the proposed agreement called for the following streets to be chip sealed:

1. Lake Erie Drive (2555 S. to 2700 S.)
2. Great Lakes Drive (3600 W. to 3850 W.)
3. Lake Superior Place (2400 S. to 2555 S.)
4. 2400 S. (3850 W. to Bangerter Concrete)
5. Presidents Drive (2400 S. to Frontage Road)
6. 2150 S. (3600 W. to Dead End)
7. 2270 S. (3600 W. to 3855 W.)
8. 2340 S. (3855 W. to 3600 W.)
9. 3270 W. (2670 S. to Frontage Road)
10. 2400 S. (3200 W. to 3600 W.)
11. Technology Drive (2400 S. to 3600 W.)
12. 3400 W. (2400 S. to 2555 S.)
13. 2555 S. (3400 W. to 3200 W.)
14. 2210 S. (3200 W. to Circle)
15. 3140 W. (2210 S. to Frontage Road)

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16. Arnold Way (2100 S. to Circle)
17. 2180 S. (2940 W. to 2700 W.)
18. Pole Line Road (2700 W. to 2700 W.)
19. John Henry Drive (2365 S. to Dead End)
20. 3600 W. (Parkway Boulevard to Frontage Road)
21. 3600 W. (3500 S. to 3100 S.)
22. 4000 W. (2400 S. to Arizona Tile)
23. 6400 W. (4307 S. to 4700 S.)
24. Lancer Way (3200 W. to 3600 W.)

After discussion, Councilmember Vincent moved to approve Resolution No. 10-74, a Resolution Approving an Interlocal Cooperation Agreement between West Valley City and Salt Lake County for Public Works Services Consisting of Chip Sealing Certain Streets in West Valley City. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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

Unanimous.

14929

RESOLUTION NO. 10-75, AUTHORIZE THE PURCHASE OF AN ASPHALT PAVING MACHINE FROM CATE EQUIPMENT COMPANY FOR USE BY THE PUBLIC WORKS DEPARTMENT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-75 which would authorize purchase of an asphalt paving machine from Cate Equipment Company, in the amount of \$75,720.60, for use by the Public Works Department.

Mr. Pyle stated the proposed purchase of an asphalt paving machine would be utilized by the Operations Division of the Public Works Department. He reported bids had been solicited and two bids received as follows:

Cate Equipment Company:	Model 7000 LeeBoy Paving Machine	\$75,720.60
Arnold Machinery:	Carlson CP-90 Asphalt Paver	\$146,218.00

The City Manager stated Cate Equipment Company had submitted the lowest responsible bid.

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City Manager, Wayne Pyle, indicated the Operations Division currently had two paving crews using two pavers, both of which were over 12 years old. One had been replaced in 2008 for the 2009 season but there was no money for purchase of the other paver. He explained the second paver was no longer usable so in order to run both paving crews, another paver needed to be purchased. He indicated this equipment was crucial in repairing roads in the City. He also reported the equipment proposed met all published specifications and was the same paver purchased in 2008 that had been very reliable.

After discussion, Councilmember Brooks moved to approve Resolution No. 10-75, a Resolution Authorizing the City to Purchase an Asphalt Paving Machine from Cate Equipment Company for use by the Public Works Department. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

14930

CONSENT AGENDA:

A. RESOLUTION NO. 10-76, APPROVE A RIGHT-OF-WAY AGREEMENT WITH DARYLL J. LEAVITT FOR PROPERTY LOCATED AT 7191 W. SCHULER AVENUE, AND ACCEPT WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 7200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-76 which would approve a Right-of-Way Agreement with Daryll J. Leavitt for property located at 7191 W. Schuler Avenue, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Daryll J. Leavitt 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 7200 West Improvement Project, extending from SR-201 to 3500 South on both sides of 7200 West. He indicated the

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project was being constructed in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He further reported compensation for the right-of-way and the easement would be in the amount of \$13,500.00, negotiated based on an appraisal prepared by Free and Associates, Inc. indicating a value of \$11,700.00.

B. RESOLUTION NO. 10-77, APPROVE A RIGHT-OF-WAY AGREEMENT WITH RICK J. BEAGLEY AND CINDIE A. BEAGLEY FOR PROPERTY LOCATED AT 2573 SOUTH 7200 WEST, AND ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 7200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-77 which would approve a Right-of-Way Agreement with Rick J. Beagley and Cindie A. Beagley for property located at 2573 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Rick J. Beagley and Cindie A. Beagley 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 7200 West Improvement Project, extending from SR-201 to 3500 South on both sides of 7200 West. He indicated 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 further indicated acquisition consisted of 200 square feet at the southwest corner of the lot to allow for traffic signal equipment and a new sidewalk ramp to be constructed in accordance with current ADA requirements. He stated total compensation for the right-of-way would be in the amount of \$1,400.00. He explained, as the cost of an appraisal would likely exceed the actual value of the property, compensation had been based on a range of rates used by other entities for similar small property acquisitions.

C. RESOLUTION NO. 10-78, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ELEAZAR JOEL LOPEZ FOR PROPERTY LOCATED AT 2651 S. LESTER STREET, FOR THE LESTER STREET IMPROVEMENT PHASE 2 PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-78 which would accept a Grant of Temporary Construction Easement from Eleazar Joel Lopez for property located at 2651 S. Lester Street for the Lester Street Improvement Phase 2 Project.

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Mr. Pyle stated Eleazar Joel Lopez 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 Lester Street Improvement Phase 2 project extending from Crystal Avenue (2590 South) to Russett Avenue (2830 South) on both sides of Lester Street. He also reported the easement would allow the contractor to make necessary tie-ins to the owner's property. He stated compensation for the easement would be in the amount of \$200.00 which easement would automatically expire December 31, 2011.

D. RESOLUTION NO. 10-79, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MICHAEL D. RENCKERT AND NIECIE L. RENCKERT FOR PROPERTY LOCATED AT 1605 W. MALVERN AVENUE FOR THE LESTER STREET IMPROVEMENT PHASE 2 PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-79 which would accept a Grant of Temporary Construction Easement from Michael D. Renckert and Niece L. Renckert for property located at 1605 W. Malvern Avenue for the Lester Street Improvement Phase 2 Project.

Mr. Pyle stated Michael D. Renckert and Niece L. Renckert 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 Lester Street Improvement Phase 2 Project extending from Crystal Avenue (2590 South) to Russett Avenue (2830 South) on both sides of Lester Street. He also reported the easement would allow the contractor to make necessary tie-ins to the owner's property. He indicated compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2011.

E. RESOLUTION NO. 10-80, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM THE CHARLES LEE AND ARLENE D. GARDNER REVOCABLE TRUST FOR PROPERTY LOCATED AT 1610 W. SOUTHGATE AVENUE FOR THE LESTER STREET IMPROVEMENT PHASE 2 PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-80 which would accept a Grant of Temporary Construction Easement from the Charles Lee and Arlene D. Gardner Revocable Trust for property located at 1610 W. Southgate Avenue for the Lester Street Improvement Phase 2 Project.

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Mr. Pyle stated Charles Lee and Arlene D. Gardner Revocable Trust 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 Lester Street Improvement Phase 2 Project extending from Crystal Avenue (2590 South) to Russett Avenue (2830 South) on both sides of Lester Street. He also reported the easement would allow the contractor to make the necessary tie-ins to the owner's property. He stated compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2011.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 10-76, 10-77, 10-78, 10-79, and 10-80 as presented on the Consent Agenda. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	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, MAY 11, 2010, WAS ADJOURNED AT 6:43 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, May 11, 2010.

Sheri McKendrick, MMC
City Recorder