

MINUTES OF COUNCIL REGULAR MEETING – MAY 25, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 25, 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
Nichole Camac, Acting City Recorder

ABSENT: Carolynn Burt

STAFF PRESENT:

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

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OPENING CEREMONY

The Opening Ceremony was conducted by Steve Buhler who displayed a humorous video clip from *The Simpsons* television show depicting Springfield's budget crisis.

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SCOUTS

Mayor Winder welcomed Scot Troop No 783 in attendance at the meeting to complete requirements for the Citizenship in the Community and Communications merit badges.

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14941 **APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 11, 2010**

The Council read and considered the Minutes of the Regular Meeting held May 11, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held May 11, 2010, as written. Councilmember Brooks 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.

14942 **COMMENT PERIOD**

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

JoNell Evans, 3750 South 5450 West, addressed the City Council. Ms. Evans stated she and her partner owned a home in West Valley City. She also stated she had resided in the City for 45 years and her family had lived in the City for over 100 years. She indicated she cared about her home, neighborhood, and City. Ms. Evans stated that for years citizens across America felt it was right to discriminate against disabilities. She indicated people with disabilities should have the same rights as other people in the country. She urged the City Council to vote yes on creating equality for all people regarding housing and employment.

Lee Shaw, 4615 South 3200 West, addressed the City Council. Mr. Shaw stated he was a priest with St. Stevens Episcopal Church. He stated the Declaration of Independence and portraits of the founding fathers were displayed on the walls of the Council Chambers. He stated every person had inalienable rights that included life, liberty, and independence. He urged the City Council to protect citizens of West Valley City by not allowing discrimination on housing and employment. He further stated the City was home to a diverse group of people and that diversity included sexuality, not just religious and ethnic preferences.

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City Manager, Wayne Pyle noted a member of the audience had chosen not to speak aloud, but desired instead that written information be distributed to members of the City Council.

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RESOLUTION NO. 10-92, APPROVE AN AGREEMENT WITH COURT SERVICES OF UTAH TO PROVIDE BAILIFF AND TRANSPORTATION SERVICES FOR THE WEST VALLEY CITY JUSTICE COURT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-92 which would approve an Agreement with Court Services of Utah, in the amount of \$215,000.00, to provide bailiff and transportation services for the West Valley City Justice Court.

Mr. Pyle stated Court Services of Utah would provide services under the direction of Constable Larry C. Bringhurst. He advised they would provide the necessary bailiff services required to protect the court, its staff, the general public, tangible property of the City, and the judicial process. He further stated Court Services of Utah would also provide prisoner transportation when required. He indicated the bailiffs were trained and certified as required by Peace Officer Standards and Training (POST). He further stated bailiffs would perform their duties within the rules of the court and at the direction of the presiding judge.

The City Manager explained West Valley City was required to provide security to the Justice Court under Title 78A-7-209 Utah Code Annotated. He stated the City conducted a request for proposal process where it received two responses and Court Services of Utah's proposal had been selected by the City to provide the services based on professional skill and ability. He advised the operations would become effective July 1, 2010.

After discussion, Councilmember Christensen moved to approve Resolution No. 10-92, a Resolution Authorizing the City to Enter Into an Agreement with Court Services of Utah to Provide Bailiff and Transportation Services for the West Valley City Justice Court. 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.

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CONSENT AGENDA:

A. RESOLUTION NO. 10-93, APPROVE A RIGHT-OF-WAY AGREEMENT WITH PENNY PROPERTIES, LC FOR PROPERTY LOCATED AT 2641 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. 10-93 which would approve a Right-of-Way Agreement with Penny Properties, LC, for property located at 2641 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Penny Properties, LC 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 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 stated compensation for the right-of-way and the easement would be in the amount of \$15,000.00 which had been negotiated based upon an appraisal by Free and Associates, Inc. indicating a value of \$13,200.00.

B. RESOLUTION NO. 10-94, APPROVE A RIGHT-OF-WAY AGREEMENT WITH NANCY WILKEN JONES FOR PROPERTY LOCATED AT 3109 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. 10-94 which would approve a Right-of-Way Agreement with Nancy Wilken Jones for property located at 3109 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Nancy Wilken Jones 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

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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 stated compensation for purchase of the right-of-way and the easement would be in the amount of \$20,800.00 as negotiated based on an appraisal prepared by Free and Associates, Inc. indicating a value of \$17,900.00.

C. **RESOLUTION NO. 10-95, APPROVE A RIGHT-OF-WAY AGREEMENT WITH LEWIS J. JONES AND NANCY W. JONES FOR PROPERTY LOCATED AT 3115 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. 10-95 which would approve a Right-of-Way Agreement with Lewis J. Jones and Nancy W. Jones for property located at 3115 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Lewis J. Jones and Nancy W. Jones 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 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 and the easement would be in the amount of \$19,600.00 based on an appraisal prepared by Free and Associates, Inc.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 10-93, 10-94 and 10-95 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

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Mayor Winder Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, MAY 25, 2010, WAS ADJOURNED AT 6:42 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 25, 2010.

Nichole Camac, Acting City Recorder