

MINUTES OF COUNCIL ELECTRONIC REGULAR MEETING – JULY 6, 2010

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THE WEST VALLEY CITY COUNCIL MET IN AN ELECTRONIC REGULAR SESSION ON TUESDAY, JULY 6, 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 PRO TEM RUSHTON.

THE FOLLOWING MEMBERS WERE PRESENT:

Cory Rushton
Russ Brooks
Carolynn Burt (Participated via telephone)
Steve Buhler
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Don Christensen
Mike Winder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Kevin Astill, Parks and Recreation Director
Richard Catten, City Attorney
Jim Welch, Finance Director
Russell Willardson, Public Works Director
Nicole Cottle, CED Director
John Evans, Fire Chief
Chris Curtis, Acting Community Preservation Director
Anita Schwemmer, Acting Police Chief
Jody Knapp, CED Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

14981

OPENING CEREMONY

The Opening Ceremony was conducted by Russ Brooks who informed that the Arts Council had recently staged a production of *Peter Pan*. He indicated there had been many positive comments by attendees at that production. He stated the actors, orchestra, and everyone behind the scenes had done an exceptional job. He explained he also heard some children comment that it was the greatest play they had ever seen. He praised the Arts Council for bringing arts and culture to West Valley City as citizens had been treated to a great night of entertainment.

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14982 **APPROVAL OF MINUTES OF ELECTRONIC REGULAR MEETING HELD JUNE 15, 2010**

The Council read and considered Minutes of the Electronic Regular Meeting held June 15, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Electronic Regular Meeting held June 15, 2010, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

14983 **PROCLAMATION DECLARING 2010 AS WEST VALLEY CITY'S 30TH ANNIVERSARY OF INCORPORATION AND CELEBRATING 30 YEARS OF "PROGRESS AS PROMISED"**

Councilmember Brooks read a Proclamation declaring 2010 as West Valley City's 30th anniversary of incorporation and celebrating 30 years of "Progress as Promised." He also noted the celebration included a performance by the Utah Symphony and fireworks scheduled this night at 8:30 P.M. at the Utah Cultural Celebration Center.

14984 **COMMENT PERIOD**

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

Fynbo (no first name given), 4160 West 3830 West, addressed the City Council. He stated some time ago during the comment period he suggested changing some of the language on citations issued by the City. He also stated he had not been issued a ticket, but desired verification regarding the changes made and requested a copy.

Mayor Pro Tem Rushton recessed the Electronic Regular Meeting at 6:39 P.M.

Mayor Pro Tem Rushton reconvened the Electronic Regular Meeting at 6:46 P.M.

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MOTION TO TAKE ITEM NO. 11. A. OUT OF AGENDA ORDER

City Manager, Wayne Pyle, explained the need for the City Council to accept a Deed from the Building Authority prior to holding a public hearing and considering declaring the subject property as surplus. (See Item No. 10.A.)

After discussion, Councilmember Brooks moved to take Item 11.A. out of order on the Agenda. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

14986

RESOLUTION NO. 10-116, AUTHORIZE THE CITY TO ACCEPT A SPECIAL WARRANTY DEED FROM THE MUNICIPAL BUILDING AUTHORITY FOR PROPERTY LOCATED AT APPROXIMATELY 1300 WEST 3300 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 10-116 which would authorize the City to accept a Special Warranty Deed from the West Valley City Municipal Building Authority for property located at approximately 1300 West 3300 South.

Mr. Pyle stated 6.4 acres of land owned by the Building Authority would be conveyed to the City and, once the City accepted the deed, the City would sell the land to the West Valley City Redevelopment Agency (RDA) who would then transfer the land to the Jordan River Marketplace, LLC (JRM LLC), all in accordance with the Agreement for Disposition of Land for Private Development (ADL).

The City Manager further explained in order for Phase I of the development to proceed, the JRM LLC must own the 6.4 acres of land currently owned by the Building Authority. He indicated since the RDA was the only entity that could transfer the subject land to the JRM LLC, the Authority must first transfer the land to the City, which would then sell the land to the RDA. He also reported these transactions would then allow transfer of property from the RDA to the JRM LLC.

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After discussion, Councilmember Vincent moved to approve Resolution No. 10-116, a Resolution Authorizing the City to Accept a Special Warranty Deed from the Municipal Building Authority for property located at approximately 1300 West 3300 South. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

14987

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING DECLARATION OF APPROXIMATELY 6.4 ACRES OF CITY-OWNED LAND LOCATED AT APPROXIMATELY 1300 WEST 3300 SOUTH AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to accept public input regarding declaring approximately 6.4 acres of City-owned land located at approximately 1300 West 3300 South as surplus property and authorizing its sale. He discussed proposed Resolution No. 10-117 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Resolution No. 10-117 which would declare certain real property located at approximately 1300 West 3300 South as surplus property and approve a Real Estate Purchase Agreement between West Valley City and the Redevelopment Agency of West Valley City for the sale of said property.

Mr. Pyle stated prior to selling the 6.4 acres of land the City must declare the land surplus property and approve the land for disposal, specifically for sale to the Redevelopment Agency (RDA). He also stated the City planned to sell the land to the RDA so the RDA could then transfer the land to the Jordan River Marketplace, LLC (JRM LLC), developers of the Jordan River Marketplace.

The City Manager reported the City had selected JRM LLC to develop the Jordan River Marketplace and in order for Phase I of development to proceed, the JRM LLC required control of the 6.4 acres of land currently owned by the City. He also reported in order to facilitate the development the City must first declare the land surplus and, upon declaring the land surplus, the City must approve of its

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disposal. He indicated, next, the City could sell the land to the RDA who could then transfer the land to JRM LLC.

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

ACTION: RESOLUTION NO. 10-117, DECLARING CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 1300 WEST 3300 SOUTH AS SURPLUS PROPERTY AND APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN WEST VALLEY CITY AND THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY FOR THE SALE OF SAID PROPERTY

The City Council previously held a public hearing regarding proposed Resolution No. 10-117 which would declare certain real property located at approximately 1300 West 3300 South as surplus property and approve a Real Estate Purchase Agreement between West Valley City and the Redevelopment Agency of West Valley City for the sale of said property.

After discussion, Councilmember Burt moved to approve Resolution No. 10-117, a Resolution Declaring Certain Real Property Located at Approximately 1300 West and 3300 South as Surplus Property and Approving a Real Estate Purchase Agreement between West Valley City and the Redevelopment Agency of West Valley City for the Sale of Said Property. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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

Unanimous.

14988

PUBLIC HEARING, APPLICATION NO. ZT-4-2010, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO THE MONUMENT SIGN ORDINANCE

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 ZT-4-2010, filed by West Valley City, requesting a zone text amendment to the Monument Sign Ordinance. He discussed proposed Ordinance No. 10-19 related

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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. 10-19 which would amend Sections 11-1-104, 11-4-111, 11-5-103, 11-5-104, 11-5-106, 11-6-101, 11-6-102, 11-6-103, 11-6-104, 11-6-105, 11-6-106, and enact Sections 11-4-116, 11-4-117, 11-5-108 of Title 11 of the West Valley City Municipal Code.

Mr. Pyle stated the subject application would amend sections of the Code relating to landscaping, bonus sign criteria and monument signs. He further stated the remainder of the changes were for organizational purposes only and the content had not been changed and had merely been relocated from other sections throughout the ordinance to reduce redundant information and consolidate the ordinance title of the West Valley City Municipal Code.

11-1-104 Definitions – definitions added for Landscaping and Park Identification Signs

11-4-111 Criteria for Bonus Sign Area – amendment to bonus criteria and the amount of bonus to be awarded

11-4-116 Addition of Sign Landscaping Section with standards for that landscaping

11-5-103 Amendment to Monument Sign Standards

Reorganization:

The following had been relocated from other sections throughout the ordinance to reduce the amount of redundant information and consolidate the ordinance:

11-4-117 – Measurement of Setback – new section

11-5-106 – Pole Signs – Consolidated redundant information

11-5-108 – Wall Signs – New section to consolidate redundant information

11-6-102 – Residential Business – Reorganization

11-6-103 – Commercial “C-1” District – Reorganization and removal of redundant information

11-6-104 – Commercial “C-2” and “C-3” Districts – Reorganization and removal of redundant information

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11-6-105 – Business/Research Park District – Reorganization and removal of redundant information

11-6-106 – Manufacturing “M” District – Reorganization and removal of redundant information

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

ACTION: ORDINANCE NO. 10-19, AMENDING SECTIONS 11-1-104, 11-4-111, 11-5-103, 11-5-104, 11-5-106, 11-6-101, 11-6-102, 11-6-103, 11-6-104, 11-6-105, 11-6-106, AND ENACTING SECTIONS 11-4-116, 11-4-117, 11-5-108 OF TITLE 11 OF THE WEST VALLEY CITY MUNICIPAL CODE

The City Council previously held a public hearing regarding Application No ZT-4-2010, filed by West Valley City, and Ordinance No. 10-19 which would amend Sections 11-1-104, 11-4-111, 11-5-103, 11-5-104, 11-5-106, 11-6-101, 11-6-102, 11-6-103, 11-6-104, 11-6-105, 11-6-106, and enact Sections 11-4-116, 11-4-117, 11-5-108 of Title 11 of the West Valley City Municipal Code.

Upon request of the City Manager, Jody Knapp, CED Department, addressed the City Council, answered questions, and clarified certain language in the proposed Ordinance.

After discussion, Councilmember Brooks moved to approve Ordinance No. 10-19, an Ordinance Amending Sections 11-1-104, 11-4-111, 11-5-103, 11-5-104, 11-5-106, 11-6-101, 11-6-102, 11-6-103, 11-6-104, 11-6-105, 11-6-106, and Enacting Sections 11-4-116, 11-4-117, 11-5-108 of Title 11 of the West Valley City Municipal Code. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	No
Mayor Pro Tem Rushton	Yes

Majority.

14989

PUBLIC HEARING, APPLICATION NO. ZT-6-2010, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO THE COMMERCIAL DESIGN STANDARD AND REFUSE ORDINANCE

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-6-2010, filed by West Valley City, requesting a zone text amendment to the Commercial Design Standard and Refuse Ordinance. He discussed proposed Ordinance No. 10-20 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 10-20 which would amend Sections 7-2-123, 7-6-1007, 7-14-215, and 7-14-217 and enact Section 7-14-219 of Title 7 of the West Valley City Municipal Code to establish screening standards for refuse and mechanical equipment for commercial projects as well as multi-family homes that are three units and greater in size.

Mr. Pyle stated in an effort to maintain a visually pleasing City, the proposed ordinance would address the standards to screen less attractive but necessary refuse containers and mechanical equipment.

The City Manager reported the ordinance proposal removed text from the commercial zone section and relocated the requirements in the Commercial Design Standard Ordinance as well as in the Refuse Siting Standards Ordinance which applied to all zones. He indicated the text change required aesthetically pleasing enclosures for new projects to mitigate the view of mechanical equipment and refuse on new projects. He explained refuse enclosures were required to be located a minimum of 20 feet from a residential zone. He further explained roof mounted enclosures were required to be screened from a distance of 100 linear feet from the building to accommodate the view across most streets.

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

ACTION: ORDINANCE NO. 10-20, AMENDING SECTIONS 7-2-123, 7-6-1007, 7-14-215, AND 7-14-217 AND ENACTING SECTION 7-14-219 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ESTABLISH SCREENING STANDARDS FOR REFUSE AND MECHANICAL EQUIPMENT FOR COMMERCIAL PROJECTS AS WELL AS MULTI-FAMILY HOMES THAT ARE THREE UNITS AND GREATER IN SIZE

The City Council previously held a public hearing regarding Application No. ZT-6-2010, filed by West Valley City, and proposed Ordinance No. 10-20 which would amend Sections 7-2-123, 7-6-1007, 7-14-215, and 7-14-217 and enact

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Section 7-14-219 of Title 7 of the West Valley City Municipal Code to establish screening standards for refuse and mechanical equipment for commercial projects as well as multi-family homes that are three units and greater in size.

After discussion, Councilmember Vincent moved to approve Ordinance No. 10-20, an Ordinance Amending Sections 7-2-123, 7-6-1007, 7-14-215, and 7-14-217 and Enacting 7-14-219 of Title 7 of the West Valley City Municipal Code to Establish Screening Standards for Refuse and Mechanical Equipment for Commercial Projects as well as Multi-Family Homes that are Three Units and Greater in Size. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

14990

RESOLUTION NO. 10-128, APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE WEST VALLEY CITY POLICE DEPARTMENT AND THE UTAH DEPARTMENT OF CORRECTIONS IN ORDER TO ALLOW THE WEST VALLEY CITY POLICE DEPARTMENT ACCESS TO THE SEX OFFENDER REGISTRY “SONAR” DATABASE

City Manager, Wayne Pyle, presented proposed Resolution No. 10-128 which would approve a Memorandum of Understanding (MOU) between the West Valley City Police Department and the Utah Department of Corrections in order to allow the West Valley City Police Department access to the sex offender registry “SONAR” database.

Mr. Pyle stated the (MOU) would allow the West Valley City Police Department access to the Sex Offender Registry database in order to register sex offenders as required under Utah State law. He explained the law required an offender to register as a kidnap offender or a sex offender; however, if the offender was no longer under supervision by the Department of Corrections, they were required to register with the police department or sheriff’s office having jurisdiction over the area where the offender resided (U.C.A.77-27-21.5(11) (b)). He further stated the City administered this registration process using the Sex Offender Registry, known as “SONAR.”

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The City Manager indicated the City was currently using the SONAR program and several Police Department personnel had been trained by the Utah Department of Corrections to use the program. He indicated the subject MOU set forth the terms and obligations to which the City must comply in order to have access. He stated the subject MOU would renew on an annual basis and the agreement would expire on December 31, 2010.

After discussion, Councilmember Buhler moved to approve Resolution No. 10-128, a Resolution Approving a Memorandum of Understanding between the West Valley City Police Department and the Utah Department of Corrections in Order to Allow the West Valley City Police Department Access to the Sex Offender Registry “SONAR” Database. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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

Unanimous.

14991

RESOLUTION NO. 10-129, AWARD A CONTRACT TO STEVENS CONSTRUCTION AND DEVELOPMENT CORP. FOR THE LESTER STREET PHASE 2 IMPROVEMENT PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-129 which would award a contract to Stevens Construction and Development Corp., in the amount of \$379,600.00, for the Lester Street Phase 2 Improvement Project.

Mr. Pyle stated bids had been solicited and eight bids received as follows:

Stevens Construction:	\$379,600.00
Bowen Construction:	\$405,518.85
Acme Construction:	\$406,404.00
Jordan Valley Construction:	\$418,115.00
Miller Paving Inc.:	\$431,962.00
Giles Construction:	\$437,943.50
Lyndon Jones:	\$450,148.00
Sunroc:	\$456,882.75

The City Manager reported Stevens Construction and Development Corp. had submitted the lowest responsible bid.

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Mr. Pyle indicated the project consisted of curb and gutter and sidewalk improvements along Lester Street (1585 West) from Russett Avenue (2830 South) to Crystal Avenue (2590 South). He informed the project also included placement of patterned concrete park strip, driveway tie-ins, asphalt tie-ins, and storm drain work. He stated the project would be funded with Community Development Block Grant (CDBG) and Stimulus Funds from the American Recovery and Reinvestment Act.

After discussion, Councilmember Burt moved to approve Resolution No. 10-129, a Resolution Awarding a Contract to Stevens Construction and Development Corp. and Authorizing the Execution of a Contract for the Lester Street Phase 2 Improvement Project. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

14992

CONSENT AGENDA:

A. RESOLUTION NO. 10-118, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF ANITA MOMBERGER TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2010 – JULY 1, 2012

City Manager, Wayne Pyle, presented proposed Resolution No. 10-118 which would ratify his reappointment of Anita Momberger to the Police Professional Standards Review Board for the term July 1, 2010 through July 1, 2012.

Mr. Pyle stated Ms. Momberger had expressed interest in continuing to serve on the Police Professional Standards Review Board for another term.

B. RESOLUTION NO. 10-119, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF DEAN TRUMP TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2010 – JULY 1, 2012

City Manager, Wayne Pyle, presented proposed Resolution No. 10-119 which would ratify his reappointment of Dean Trump to the Police Professional Standards Review Board for the term July 1, 2010, through July 1, 2012.

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Mr. Pyle stated Mr. Trump had expressed interest in continuing to serve on the Police Professional Standards Review Board for another term.

C. **RESOLUTION NO. 10-120, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF JEANETTA WILLIAMS TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2010 – JULY 1, 2012**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-120 which would ratify his reappointment of Jeanetta Williams to the Police Professional Standards Review Board for the term July 1, 2010, through July 1, 2012.

Mr. Pyle stated Ms. Williams had expressed interest in continuing to serve on the Police Professional Standards Review Board for another term.

D. **RESOLUTION NO. 10-121, RATIFY THE CITY MANAGER'S APPOINTMENT OF BRIAN BLANK AS A MEMBER OF THE CLEAN & BEAUTIFUL COMMITTEE, TERM: JULY 1, 2010 – JUNE 30, 2011**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-121 which would ratify his appointment of Brian Blank as a member of the Clean and Beautiful Committee for the term July 1, 2010, through June 30, 2011.

Mr. Pyle stated Mr. Blank had expressed interest in serving the unexpired term of Jean "J.J." Judd. He informed Mr. Blank had previously served as a volunteer judge for the Clean and Beautiful yard awards.

E. **RESOLUTION NO. 10-122, RATIFY THE CITY MANAGER'S APPOINTMENT OF JANUSZ WOJTANOWICZ AS A MEMBER OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2010 – JUNE 30, 2011**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-122 which would ratify his appointment of Janusz Wojtanowicz as a member of the Clean and Beautiful Committee for the term July 1, 2010, through June 30, 2011.

Mr. Pyle stated Mr. Wojtanowicz had expressed interest in serving the unexpired term of Doris Wall. He informed Mr. Wojtanowicz had previously served as a volunteer judge for the Clean and Beautiful yard awards.

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F. RESOLUTION NO. 10-123, RATIFY THE CITY MANAGER'S APPOINTMENT OF CATHIE ALBERICO AS A MEMBER OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2010 – JUNE 30, 2014

City Manager, Wayne Pyle, presented proposed Resolution No. 10-123 which would ratify his appointment of Cathie Alberico as a member of the Clean and Beautiful Committee for the term July 1, 2010 through June 30, 2014.

Mr. Pyle stated Ms. Alberico had accepted the assignment as one of two staff members on the Committee.

G. RESOLUTION NO. 10-124, RATIFY THE CITY MANAGER'S APPOINTMENT OF CRAIG THOMAS AS A MEMBER OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2010 – JUNE 30, 2014

City Manager, Wayne Pyle, presented proposed Resolution No. 10-124 which would ratify his appointment of Craig Thomas as a member of the Clean and Beautiful Committee for the term July 1, 2010, through June 30, 2014.

Mr. Pyle stated Mr. Thomas had accepted the assignment as one of two staff members on the Committee.

H. RESOLUTION NO. 10-125, RATIFY THE CITY MANAGER'S APPOINTMENT OF MARK HALE AS AN ALTERNATE MEMBER OF THE BOARD OF ADJUSTMENT, TERM: JULY 1, 2010 – JULY 1, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 10-125 which would ratify his appointment of Mark Hale as an alternate member of the Board of Adjustment for the term July 1, 2010, through July 1, 2015.

Mr. Pyle stated Mr. Hale was a senior attorney at Jolley & Jolley in Sandy, Utah, and currently resided in West Valley City. He also advised Mr. Hale had served as a Judge Pro Tempore for the small claims court in Utah and a pro bono attorney for the Utah Legal Services in Provo, Utah. He further stated Mr. Hale had expressed an interest in serving on the Board.

I. **RESOLUTION NO. 10-126, APPROVE A RIGHT-OF-WAY AGREEMENT WITH JOSEFA QUIROZ AND TOMAS QUIROZ FOR PROPERTY LOCATED AT 7187 W. FIELDVIEW DRIVE, AND ACCEPT A WARRANTY DEED FOR THE 7200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-126 which would approve a Right-of-Way Agreement with Josefa Quiroz and Tomas Quiroz for property located at 7187 W. Fieldview Drive and accept a Warranty Deed for the 7200 West Improvement Project.

Mr. Pyle stated Josefa Quiroz and Tomas Quiroz had signed the Right-of-Way Agreement and Warranty Deed.

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 also reported 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 explained the acquisition consisted of 40 square feet at the southwest corner of the lot to allow a new sidewalk ramp to be constructed in accordance with current ADA requirements. He stated total compensation for the right-of-way would in the amount of \$400.00. He explained, as the cost of an appraisal would exceed the actual value of the property being acquired, compensation had been based on a range of rates sued by other entities for similar small property acquisitions.

J. **RESOLUTION NO. 10-127, APPROVE A RIGHT-OF-WAY AGREEMENT WITH CODY MARSHALL FOR PROPERTY LOCATED AT 2537 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. 10-127 which would approve a Right-of-Way Agreement with Cody Marshall for property located at 2537 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Cody Marshall 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 reported compensation for the right-of-way and easement would be in the amount of \$12,500.00 as negotiated and based on an appraisal prepared by Free and Associates, Inc. which indicated a value of \$10,900.00.

After discussion, Councilmember Vincent moved to approve Resolution Nos. 10-118, 10-119, 10-120, 10-121, 10-122, 10-123, 10-124, 10-125, 10-126, and 10-127, as presented on the Consent Agenda. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE ELECTRONIC REGULAR MEETING OF TUESDAY, JULY 6, 2010, WAS ADJOURNED AT 7:03 P.M., BY MAYOR PRO TEM RUSHTON.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Electronic Regular Meeting of the West Valley City Council held Tuesday, July 6, 2010.

Sheri McKendrick, MMC
City Recorder