

MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 7, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, SEPTEMBER 7, 2010, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR PRO TEM RUSHTON CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Russ Brooks
Steve Buhler
Don Christensen

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Carolynn Burt
Steve Vincent
Mike Winder

STAFF PRESENT:

Russell Willardson, Public Works Director
Nicole Cottle, CED Director
John Evans, Fire Chief
Buzz Nielsen, Police Chief
Kevin Astill, Parks and Recreation Director
Layne Morris, Community Preservation Director
Marie Guarascio, Acting Finance Director
Claire Gillmor, Acting City Attorney
Steve Pastorik, CED Department
Owen Jackson, Administration
Jake Arslanian, Public Works Department

15050 **OPENING CEREMONY**
Don Christensen who led the Pledge of Allegiance to the Flag conducted the Opening Ceremony.

15051 **APPROVAL OF MINUTES OF ELECTRONIC REGULAR MEETING HELD AUGUST 17, 2010**
The Council read and considered Minutes of the Electronic Regular Meeting held August 17, 2010. There were no changes, corrections or deletions.

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After discussion, Councilmember Buhler moved to approve the Minutes of the Electronic Regular Meeting held August 17, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

15052 **APPROVAL OF MINUTES OF REGULAR MEETING HELD AUGUST 24, 2010**

The Council read and considered Minutes of the Regular Meeting held August 24, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Buhler moved to approve the Minutes of the Regular Meeting held August 24, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

15053 **SERGIO MARTINEZ, U.S. CENSUS – HONORING WEST VALLEY CITY AND THE WEST VALLEY CITY COMPLETE COUNT COMMITTEE FOR PARTICIPATION IN THE 20TH CENSUS**

Mayor Pro Tem Rushton introduced Sergio Martinez representing the U.S. Census. Mr. Martinez then addressed the City Council and expressed his appreciation to West Valley City and to the Complete Count Committee for their participation in the 20th Census. He stated West Valley City was the first city to organize a Complete Count Committee and he acknowledged Steve Pastorik, CED Department, for his service as chair and organizer of the Committee. Mr. Martinez reported the Census was returning \$1.6 billion to the Federal government due to cooperation from local municipalities. He also advised Utah had a 74% participation rate, which was 2% over the national average, and much better than the 68% participation rate in the 2000 Census. He indicated that for the

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first time local municipalities had educational campaigns in Utah. He again thanked the City Council and the Committee for the support given to the project.

Mr. Martinez presented a plaque to Steve Pastorik, CED Department, in recognition of his efforts as the organizer and chair West Valley City's Complete Count Committee as expressed above.

Steve Pastorik addressed the City Council, discussed the Census process, and recognized members of the Committee. He stated the committee members included City staff and community representatives, and the effort included a public awareness program. He indicated the Census staff had been a great resource and a good partner in the overall effort of the project.

15054

COMMENT PERIOD

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

Don Mignola, 2891 Baty Drive, addressed the City Council. Mr. Mignola stated he had expressed concern in the past regarding ethics in government but thought West Valley City had good ethical standards, especially regarding elections. He expressed concern that during the primary election held earlier this year, some voters had not been allowed to vote if they were of a certain political party. He also read aloud a letter he wrote to Senator Orrin Hatch regarding the proposed Islamic center to be built near "ground zero" in New York City, NY. He provided copies of the letter to City Recorder, Sheri McKendrick, to be distributed to members of the City Council.

Michael Horrocks, 2963 Current Creek Drive, South Jordan, Utah, addressed the City Council. Mr. Horrocks commented on future plans to remove launch docks on a trailhead of the Jordan River. He advised he had found out about the plans from a guide that took the City Council and staff members down the River recently. He also stated the Great Salt Lake was not a good place to row. He expressed concern regarding the proposal for the River for his rowing group and others. He also stated the overflow canal was a good stretch to row in, but during the spring, it was drained and not refilled in time for their training. He advised he was trying to find locations on the River for boat storage. He stated the best body of water for rowing was on the Jordan River from 2100 South for 2,000 meters and could be used year round, but a place to launch boats was needed. He urged the City Council to make contacts with the rowing community and make sure these issues were discussed.

Jeff Reeve, 4259 Westlake, addressed the City Council. Mr. Reeve discussed a notice of violation he received and stated some of the requirements cited did not appear on the City's website. He showed photographs of his property and stated

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the officer added things to the citation that were not a part of code requirements. He also indicated he had an active building permit and had been correcting problems identified by an inspector. He stated the notice of violation included threats and he desired the City Council be informed of what had happened to him and others in his neighborhood.

15055

SCOUTS

Mayor Pro Tem Rushton noted there had been one scout from Troop 97 who had come into the meeting late and he was working on the Citizenship in the Community merit badge.

15056

RESOLUTION NO. 10-165, APPROVE AN AGREEMENT WITH KBJR ENTERPRISES, INC. TO PROVIDE ADMINISTRATIVE LAW JUDGE SERVICES TO THE WEST VALLEY CITY JUSTICE COURT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-165 which would approve an agreement with Ken Brown of KBJR Enterprises, Inc., in an amount not to exceed \$63,022.54, to provide administrative law judge services to the West Valley City Justice Court.

Mr. Pyle stated in conjunction with the operation of the Justice Court, the City had need for an Administrative Law Judge to hear cases involving civil traffic citations, administrative code enforcement cases, and to act as a criminal traffic citation commissioner. He further stated Ken Brown had served as the Administrative Law Judge in the past and was a qualified paralegal with the necessary professional experience and training to perform those services for the City.

After discussion, Councilmember Brooks moved to approve Resolution No. 10-165, a Resolution Authorizing the Execution of an Agreement between West Valley City and KBJR Enterprises, Inc. to Provide Administrative Law Judge Services to the West Valley City Justice Court. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

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15057

RESOLUTION NO. 10-166, APPROVE AMENDMENT TO AGREEMENT FOR THE DISPOSITION OF LAND (ADL) BETWEEN THE CITY, THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, AND JORDAN RIVER MARKETPLACE, LLC, TO PROVIDE FOR THE REDEVELOPMENT OF THE JORDAN RIVER REDEVELOPMENT AREA

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-166 which would approve an Amendment to the Agreement for the Disposition of Land (ADL) between the City, the Redevelopment Agency of West Valley City, and Jordan River Marketplace, LLC, to provide for the redevelopment of the Jordan River Redevelopment Area.

Mr. Pyle informed there were additional issues the developer had requested to be considered by the City Council; therefore, he would request this item be rescheduled for the Regular Council Meeting scheduled September 14, 2010.

After discussion, Councilmember Christensen moved to continue proposed Resolution No. 10-166 to the Regular Council Meeting scheduled September 14, 2010, at 6:30 P.M. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous. Proposed Resolution No. 10-166 - continued to September 14, 2010.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, SEPTEMBER 7, 2010, WAS ADJOURNED AT 6:58 P.M., BY MAYOR PRO TEM RUSHTON.

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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, September 7, 2010.

Sheri McKendrick, MMC
City Recorder