

**MINUTES OF COUNCIL REGULAR MEETING – SEPTEMBER 21, 2010**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, SEPTEMBER 21, 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  
Corey Rushton  
Steve Buhler  
Carolynn Burt  
Don Christensen  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Richard Catten, City Attorney  
Jim Welch, Finance Director  
Layne Morris, Community Preservation Director  
Nicole Cottle, CED Director  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Buzz Nielsen, Police Chief  
Kevin Astill, Parks and Recreation Director  
Kevin Conde', Administration  
Margo Hoyt, CED Department  
Russ Bailey, Public Works Department  
Don Groo, Finance Department  
Gary Dunn, Finance Department  
Greg Burgoyne, Finance Department  
Russ Condie, Finance Department  
Marie Guarascio, Finance Department  
Shirley Sasaki, Finance Department  
Cindy Hobbs, Finance Department  
Jeanette Carpenter, Finance Department  
Nick Hales, Finance Department  
Kathy Madden, Finance Department  
Nora Clements, Finance Department  
Paula Fox, Finance Department

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15069      **OPENING CEREMONY**

Steve Buhler who read several quotes regarding freedom of speech conducted the Opening Ceremony.

15070      **SCOUTS**

Mayor Winder welcomed Scout Troop Nos. 815 and 96 in attendance the complete requirements at the Citizenship in the Community and Communications merit badges.

15071      **INTRODUCTION OF DELEGATION FROM PAKISTAN**

At the request of Mayor Winder, the City Manager, Wayne Pyle, introduced members of a delegation from Pakistan being hosted by the U.S. State Department and visiting West Valley City. He stated West Valley City was honored and pleased to have the delegation in attendance at the Council meeting. He indicated the delegation was visiting several cities across the United States and West Valley City had been chosen for one of those visits. He advised the delegation would be visiting in West Valley City for a few days learning about the City's operations through observations of Council meetings, presentations, interaction with City staff, and site visits.

On behalf of the City Council, Mayor Winder stated the City was deeply honored to spend time with friends from Pakistan. He presented a key to the City along with the West Valley City flag to the delegation and a set of pins to each member.

A member of the Pakistan delegation addressed the City Council and expressed appreciation for the visit and opportunity to learn and take back ideas that could be implemented in their country.

15072      **APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 7, 2010**

The Council read and considered Minutes of the Regular Meeting held September 7, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Buhler moved to approve the Minutes of the Regular Meeting held September 7, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes

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Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15073

**GAYLEN RASMUSSEN, PRESIDENT OF UTAH GOVERNMENT FINANCE OFFICERS ASSOCIATION (UGFOA) – PRESENTATION OF UGFOA DISTINGUISHED BUDGET AWARD FOR FY 2009 TO WEST VALLEY CITY**

Upon direction by City Manager, Wayne Pyle, the Finance Director, Jim Welch, introduced Gaylen Rasmussen, President of the Utah Government Finance Officers Association (UGFOA).

Mr. Rasmussen addressed the City Council and stated there had been only 21 governmental entities in Utah who received the UGFOA Distinguished Budget Award. He informed this was actually West Valley City's 19<sup>th</sup> consecutive year to receive the prestigious award. He presented the Award for FY 2009 to Mayor Winder, Finance Director, Jim Welch, and Gary Dunn, Finance Department.

Finance Director, Jim Welch, addressed the City Council and expressed appreciation to his Finance Department staff members for their efforts regarding culmination of receiving the award. He also introduced Finance employees present at the meeting and gave a brief explanation of their individual duties and responsibilities.

Mayor Winder expressed appreciation to the Finance Director and staff for their excellent work on behalf of the City.

15074

**EMPLOYEE OF THE MONTH, JULY 2010 – MARGO HOYT, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**

Councilmember Rushton read the nomination of Margo Hoyt, CED Department, to be recognized as Employee of the Month for July 2010. Ms. Hoyt had been nominated for the professional and courteous manner as the Department Head's Executive Administrative Assistant.

Members of the City Council offered congratulations to Ms. Hoyt and expressed appreciation to her for a job well done on behalf of West Valley City.

15075

**COMMENT PERIOD**

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

Evelyn Call, 6208 Bull River Road, Highland, Utah, addressed the City Council. Ms. Call stated she was the community relations director for Mike Lee's

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campaign for a Senate seat and was working with local elected officials to learn of their issues and concerns. She distributed business cards to members of the City Council.

15076

**ORDINANCE NO. 10-28, AMEND SECTIONS 16-6-101, OF TITLE 16 OF THE WEST VALLEY CITY MUNICIPAL CODE BY ADOPTING THE 2009 INTERNATIONAL FIRE CODE, ACCOMPANYING APPENDICES, EXCLUDING APPENDIX A**

City Manager, Wayne Pyle, presented proposed Ordinance No. 10-28 which would amend Sections 16-6-101 of Title 16 of the West Valley City Municipal Code by adopting the 2009 International Fire Code, accompanying Appendices, excluding Appendix A.

Mr. Pyle stated the West Valley City Fire Department was required to provide fire suppression and protection from fire to the citizens residing within the boundaries of the City. He further stated under Utah State law, cities were required to implement Fire and Life Safety Codes adopted by the Utah State Fire Prevention Board. He indicated those codes could be amended with greater restrictions when approved by that Board. He explained in order to comply with the past actions of West Valley City and current State law, it was necessary to replace the 2006 edition of the International Fire Code by adopting the 2009 edition.

After discussion, Councilmember Burt moved to approve Ordinance No. 10-28, an Ordinance Amending Sections 16-6-101 of Title 16 of the West Valley City Municipal Code by Adopting the 2009 International Fire Code, Accompanying Appendixes, Excluding Appendix A. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

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15077

**RESOLUTION NO. 10-172, APPROVE AN APPROPRIATION OF \$13,939.00 FROM THE UNCLAIMED CASH ACCOUNT TO AN ADMINISTRATIVE ACCOUNT IN THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-172 which would approve an appropriation of \$13,939.00 from the unclaimed cash account to an administrative account in the Police Department.

Mr. Pyle stated that in the public interest, the proposal would authorize the Finance Director to deposit the funds into an account of the Police Department to be used as determined by the Police Chief.

The City Manager reported that from time to time the Police Department would have money deposited into the Evidence Room. He advised the money came from investigations the Department was conducting, as found property or had been deposited for safekeeping. He further explained the funds had become available to be released to the rightful owner; however, the Department had exercised due diligence to find the rightful owner, as required by State law, and the rightful owner had not been identified. He stated, therefore, according to State law, the funds were now available for appropriation, as the City Council so directed.

After discussion, Councilmember Buhler moved to approve Resolution No. 10-172, a Resolution Approving the Appropriation of \$13,939.00 from the Unclaimed Cash Account to an Administrative Account in the Police Department. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

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15078

**CONSENT AGENDA:**

**A. RESOLUTION NO. 10-173, APPROVE A RIGHT-OF-WAY AGREEMENT WITH EQUITABLE PARTNERS, L.C. FOR PROPERTY LOCATED AT 2481 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. 10-173 which would approve a Right-of-Way Agreement with Equitable Partners, L.C. for property located at 2481 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Equitable Partners, L.C. 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 indicated compensation for the right-of-way and easement would be in the amount of \$3,000.00, negotiated based on an appraisal prepared by Free and Associates, Inc. indicating a value of \$2,500.00.

**B. RESOLUTION NO. 10-174, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOHN M. DIAMOND AND CYNTHIA B. DIAMOND FOR PROPERTY LOCATED AT 2789 SOUTH 7200 WEST FOR THE 7200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-174 which would accept a Grant of Temporary Construction Easement from John M. Diamond and Cynthia B. Diamond for property located at 2789 South 7200 West from the 7200 West Improvement Project.

Mr. Pyle stated John M. Diamond and Cynthia B. Diamond 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 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

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would be responsible for improvements on the west side of 7200 West. He further stated 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.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 10-173 and 10-174 as presented on the Consent Agenda. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	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, SEPTEMBER 21, 2010, WAS ADJOURNED AT 7:01 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, September 21, 2010.

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Sheri McKendrick, MMC  
City Recorder