

MINUTES OF COUNCIL REGULAR MEETING – DECEMBER 14, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, DECEMBER 14, 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
Carolynn Burt
Corey Rushton
Don Christensen
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
John Evans, Fire Chief
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Buzz Nielsen, Police Chief
Layne Morris, Community Preservation Director
Steve Pastorik, Acting CED Director
Gregg Cudworth, Acting Parks and Recreation Director
Aaron Crim, Administration
Kevin Conde', Administration
Jake Arslanian, Public Works Department
Brent Garlick, CED Department
Mark Nord, CED Department
Keith Morrey, CED Department
Chris Barnhurst, CED Department
Margo Hoyt, CED Department

15140

OPENING CEREMONY

Russ Brooks who related an inspirational thought conducted the Opening Ceremony.

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15141 **PROCLAMATION HONORING GREEN RIVER CAPITAL, SIGNATURE PRODUCTS GROUP, SEND OUT CARDS, BACKCOUNTRY.COM AND WINDER FARMS FOR BEING LISTED AMONG THE 100 FASTEST GROWING BUSINESSES IN UTAH**

Councilmember Buhler read a Proclamation honoring Green River Capital, Signature Products Group, Send Out Cards, Backcountry.com, and Winder Farms for being listed among the 100 fastest growing businesses in Utah.

On behalf of the City Council, Mayor Winder congratulated and presented the signed Proclamation, the Essential Piece certificate, and a holiday basket, to Kent Winder of Winder Farms, the representative in attendance at the meeting. He advised the City Manager would make sure the other businesses also received their awards.

15142 **COMMENT PERIOD**

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

Felicia Acrea addressed the City Council. Ms. Acrea stated she was a new resident to West Valley City and there were many trees in her neighborhood requiring maintenance and cleanup, especially after windstorms. She expressed concern the City might terminate the bulky waste program and she discussed possible alternatives to that program such as composting. She also stated the bulky waste program was valuable and helped keep the City clean.

15143 **RESOLUTION NO. 10-195, APPROVE AN AGREEMENT BETWEEN WEST VALLEY CITY AND JENSEN & KEDDINGTON, P.C., TO PROVIDE AUDITING SERVICES TO WEST VALLEY CITY**

City Manager, Wayne Pyle, presented proposed Resolution No. 10-195 which would approve an Agreement between West Valley City and Jensen & Keddington, P.C., in the amount of \$74,160.00, to provide auditing services to West Valley City.

Mr. Pyle stated West Valley City was required by law to engage an independent audit firm to audit the City's financial operations. He also stated Jensen & Keddington auditors had demonstrated experience and proficiency in municipal audits and knowledge of City operations. He indicated this audit would be conducted in accordance with auditing standards generally accepted in the United States of America – the standards for financial audits contained in the Government Auditing Standards issued by the Comptroller General of the United States.

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After discussion, Councilmember Rushton moved to approve Resolution No. 10-195, a Resolution Authorizing the Execution of an Agreement between West Valley City and Jensen & Keddington, P.C. to Provide Auditing Services to West Valley City. 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.

15144

RESOLUTION NO. 10-196, ACCEPT A WARRANTY DEED FROM ARMANDO JUREZ LABRA FOR PROPERTY LOCATED AT 4553 SOUTH 3200 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 10-196 which would accept a Warranty Deed from Armando Juarez Labra for property located at 4553 South 3200 West.

Mr. Pyle stated Armando Juarez Labra had signed the Warranty Deed.

The City Manager reported the Iglesia Principe de Paz Church was being constructed on the corner of Westcove Drive and 3200 West. He stated, as a condition of approval, dedication and sidewalk improvements on a portion of Westcove Drive was required. He explained the existing Westcove Drive right-of-way adjacent to the property was a 28.00-foot half width and needed to be widened to a 30-foot half width.

After discussion, Ms. Burt moved to approve Resolution No. 10-196, a Resolution Authorizing the City to Accept a Warranty Deed from Armando Juarez Labra for Property Located at 4553 South 3200 West. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

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Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15145

APPLICATION NO. GPZ-1-2010, FILED BY LINEU CORDEIRO, REQUESTING TO AMEND THE WEST VALLEY CITY GENERAL PLAN BY RECLASSIFYING PROPERTY LOCATED AT APPROXIMATELY 3641 SOUTH 7200 WEST FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND A ZONE CHANGE FROM ‘M’ (MANUFACTURING) TO ‘R-2-8’ (RESIDENTIAL DUPLEX, MINIMUM LOT SIZE 8,000 SQUARE FEET) (PUBLIC HEARING HELD AND CLOSED AT REGULAR MEETING OF DECEMBER 7, 2010; NO ACTION TAKEN)

City Manager, Wayne Pyle, reported at the Regular Meeting held December 7, 2010; the City Council heard and considered public comments regarding Application No. GPZ-1-2010, filed by Lineu Cordeiro, requesting to amend the West Valley City General Plan by reclassifying property located at approximately 3641 South 7200 West from Low Density Residential to Medium Density Residential and a zone change from ‘M’ (Manufacturing) to ‘R-2-8’ (Residential Duplex, Minimum Lot Size 8,000 Square Feet).

Mr. Pyle advised that subsequent to the public hearing there had been two motions made, however, both motions failed due to lack of majority. He stated the Application was then placed on the Agenda for this date under “Unfinished Business” for further discussion and consideration by the City Council. He noted that Mayor Winder and Councilmember Brooks had been absent from the Regular Meeting of December 7, 2010. He advised the City Council that the applicant was in attendance at the meeting.

Upon discussion, the City Council made individual comments and expressed respective concerns regarding the application. City Manager, Wayne Pyle, answered questions from members of the City Council.

Upon further inquiry by the City Council, the City Manager directed Steve Pastorik, Acting CED Director, to discuss deed restrictions, uses allowed in the ‘M’ zone, alternatives City staff presented to the Planning Commission, and clarification that the subject property would have to be brought into compliance no matter the use.

The Applicant, Lineu Cordeiro, addressed the City Council and answered various questions.

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ACTION: ORDINANCE NO. 10-37, AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 3641 SOUTH 7200 WEST
The City Council previously held a public hearing regarding Application No. GPZ-1-2010 and proposed Ordinance No. 10-37 which would amend the General Plan to show a change of land use from Low Density Residential to Medium Density Residential for property located at approximately 3641 South 7200 West.

After discussion, Councilmember Rushton moved to deny Ordinance No. 10-37, an Ordinance Amending the General Plan to Show a Change of Land Use from Low Density Residential Land Uses to Medium Density Residential Land Uses for Property Located at approximately 3641 South 7200 West. 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. Proposed Ordinance No. 10-37 - denied.

ACTION: ORDINANCE NO. 10-38, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3641 SOUTH 7200 WEST FROM ZONE ‘M’ (MANUFACTURING) TO ‘R-2-8’ (RESIDENTIAL DUPLEX, MINIMUM LOT SIZE 8,000 SQUARE FEET) ZONE

The City Council previously held a public hearing regarding Application No. GPZ-1-2010, filed by Lineu Cordeiro, requesting to amend the Zoning Map to show a change of zone for property located at 3641 South 7200 West from zone ‘M’ (Manufacturing) to ‘R-2-8’ (Residential Duplex, Minimum Lot Size 8,000 Square Feet) zone.

After discussion, Councilmember Burt moved to deny proposed Ordinance No. 10-38, an Ordinance Amending the Zoning map to Show a change of Zone for Property Located at 3641 South 7200 West from Zone ‘M’ (Manufacturing) to ‘R-2-8’ (Residential Duplex, Minimum Lot Size 8,000 Square Feet) Zone. Councilmember Buhler seconded the motion.

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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. Proposed Ordinance No. 10-38 - denied.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, DECEMBER 14, 2010, WAS ADJOURNED AT 7:12 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, December 14, 2010.

Sheri McKendrick, MMC
City Recorder