

**MINUTES OF COUNCIL REGULAR MEETING – APRIL 12, 2011**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 12, 2011, AT 6:35 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder  
Russ Brooks  
Steve Buhler  
Carolynn Burt  
Don Christensen  
Corey Rushton  
Steve Vincent

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, CED Director  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Layne Morris, Community Preservation Director  
Kevin Astill, Parks and Recreation Director  
Eric Bunderson, Acting City Attorney  
Anita Schwemmer, Acting Police Chief  
Steve Lehman, CED Department  
Aaron Crim, Administration  
Kevin Conde', Administration  
Jake Arslanian, Public Works Department  
Nancy Day, Parks and Recreation Department  
Jamie Young, Parks and Recreation Department  
Valerie Custer, Parks and Recreation Department  
Nathan Geving, Parks and Recreation Department  
Clint Burnham, Parks and Recreation Department  
Candace Mayweather, Parks and Recreation Department  
Ryan Bullock, Parks and Recreation Department  
Janis Doom, Parks and Recreation Department  
Chelsey Alberico, Parks and Recreation Department  
Krystyna Jura, Parks and Recreation Department  
Justina Caldwell, Parks and Recreation Department  
Templ Corbit, Parks and Recreation Department

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April Naegle, Parks and Recreation Department

15280      **OPENING CEREMONY**

Councilmember Rushton conducted the Opening Ceremony. He showed a photograph of West Ridge Golf Course and related a story about golfing with Councilmember Russ Brooks and the lessons learned about the “10 universal golf laws.” Mr. Rushton expressed appreciation for the two beautiful golf courses in the West Valley City community.

15281      **SCOUTS**

Mayor Winder welcomed Scout Troop Nos. 926 and 480 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

15282      **STEVE CARPENTER, EXECUTIVE DIRECTOR OF UTAH RECREATION AND PARK ASSOCIATION – PRESENTATION OF URPA 2011 OUTSTANDING PROGRAM AWARD TO THE WEST VALLEY CITY FAMILY FITNESS CENTER FOR HALLOWEEN SPOOKTACULAR EVENTS**

Parks and Recreation Director, Kevin Astill, addressed the City Council and discussed background information regarding the Utah Recreation and Park Association (URPA). He introduced the Executive Director of Utah Recreation and Park Association, Steve Carpenter.

Mr. Steve Carpenter addressed the City Council. Mr. Carpenter presented the URPA 2011 Outstanding Program Award to the Mayor in recognition of the West Valley City Family Fitness Center for Halloween Spooktacular Events.

Mayor Winder recognized Parks and Recreation Department staff in attendance at the meeting and, on behalf of the City Council, expressed appreciation and congratulated those employees regarding the award.

15283      **COMMENT PERIOD**

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

A scout addressed the City Council and inquired what the City was doing to prevent crime, drugs and gangs in West Valley City. Mayor Winder suggested the Acting Police Chief take time to visit with the scouts after the meeting. Acting City Manager, Paul Isaac, stated Captain Schwemmer would be glad to meet with the scouts after the Council meeting.

Rob Walker, Scout Leader, addressed the City Council. Mr. Walker stated that as he had driven through the “downtown” part of West Valley City the development

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and improvements were beautiful. He also stated there were other parts of the City that needed some attention especially on a portion of 2200 West past the berm on the south side of 3500 South.

15284

**RESOLUTION NO. 11-44, AUTHORIZE THE PURCHASE OF RADIO EQUIPMENT FROM MOTOROLA FOR USE BY THE POLICE DEPARTMENT**

Paul Isaac, Acting City Manager, presented proposed Resolution No. 11-44 which would authorize purchase of radio equipment from Motorola, in an amount not to exceed \$16,629.00 per year including interest, for seven years, for use by the Police Department.

Mr. Isaac stated the radio equipment would equip Police patrol vehicles which had previously been approved for purchase by the City Council. He also stated additional radios would be purchased on the subject lease as part of an ongoing equipment replacement schedule.

The Acting City Manager advised the Police and Fire Departments were presently using radio communications equipment which was approaching the end of its usable life cycle. He indicated operator safety and high maintenance costs were becoming a concern and, for that reason, a replacement schedule had been implemented with a portion of the equipment being replaced each year.

Mr. Isaac reported Motorola held a contract with the State of Utah whereby bidding would not be required for the subject purchase. He advised financing would be conducted through the current HP Lease Agreement previously approved under Resolution No. 06-04.

After discussion, Councilmember Burt moved to approve Resolution No. 11-44, a Resolution Authorizing West Valley City to Purchase Radio Equipment from Motorola for use by the Police Department. 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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15285

**RESOLUTION NO. 11-45, AUTHORIZE THE PURCHASE OF A SHORETEL PHONE SYSTEM FROM VALCOM FOR USE BY THE JUSTICE COURT**

Paul Isaac, Acting City Manager, presented proposed Resolution No. 11-45 which would authorize purchase of a ShoreTel phone system from Valcom, in an amount not to exceed \$26,669.12, for use by the Justice Court.

Mr. Isaac stated the new ShoreTel phone system with improved features would replace the current system, which was at the end of its life. He advised the current Avaya phone system had become antiquated and, if approved, the new ShoreTel phone system would provide new features, better administrative functions, and improved stability. He stated the primary new feature included a phone-tree call center that would provide streamlined citizen access to the Justice Court and still allow quick access to a live person. He further stated with more calls directly connected to the Courts, incoming calls would receive more focused attention. He explained the call accounting feature would allow the Courts to track incoming calls and other statistics. In addition, the new system would provide more automated IT administration allowing quicker response time and accurate networking. He indicated the new system utilized state of the art hardware and network equipment to provide increased stability.

The Acting City Manager advised the equipment would be financed through the HP Lease Purchase Agreement previously approved under Resolution No. 06-04.

After discussion, Councilmember Christensen moved to approve Resolution No. 11-45, a Resolution Authorizing the Purchase of a ShoreTel Phone System from Valcom for use by the Justice Court. Councilmember Brooks 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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15286

**RESOLUTION NO. 11-46, AUTHORIZE THE PURCHASE OF PORTABLE PRINTERS, INK AND TRAFFIC ACCIDENT DIAGRAMMING SOFTWARE BY THE POLICE DEPARTMENT, FOR USE IN POLICE VEHICLES**

Paul Isaac, Acting City Manager, presented proposed Resolution No. 11-46 which would authorize the purchase of portable printers, ink and traffic accident diagramming software by the Police Department, in an amount not to exceed \$77,500.00, for use in police vehicles.

Mr. Isaac stated funds for the proposed purchase would come from a State of Utah grant. He explained the purpose of the proposal was to enable the Police Department to become fully electronic in submitting traffic accident reports and traffic citations to the State and the City's Spillman records system and thereby able to fully utilize the electronic traffic accident data gathering system. He stated the Police Department was not required to match funds as this was a non-matching grant. He also advised the funding period was through June of 2011.

The Acting City Manager reiterated the Highway Safety Office was allowing the West Valley City Police Department to apply for a Highway Safety Office Fixed-Price Deliverable Application. He stated the funds could be used to purchase portable printers and diagramming software licenses for the Department. Currently, the Police Department was using a vendor application that did not provide a diagramming package, which was necessary for traffic accident reporting. He stated there was also an acute shortage of functional printers in police vehicles, and on motorcycles, to adequately comply with electronic submission to the State of Utah.

Mr. Isaac indicated the Police Department had attempted to comply with the Department of Public Safety's initiative to have all traffic accident reports and traffic citations submitted to the State electronically. He explained one of the major hurdles had been the necessary software and hardware to reach this objective. Budget constraints had funneled resources to essential services thus not allowing for necessary upgrades in equipment and technology. He stated the Highway Safety funding was specifically designed to address this type of situation.

After discussion, Councilmember Vincent moved to approve Resolution No. 11-46, a Resolution Authorizing the Purchase of Portable Printers, Ink and Traffic Accident Diagramming Software by the Police Department for use in Police Vehicles. 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.

15287

**RESOLUTION NO. 11-47, ACCEPT A WARRANTY DEED FROM JAVIER MOLINA FOR PROPERTY LOCATED AT 4655 SOUTH 4800 WEST FOR THE PURPOSE OF DEDICATION OF RIGHT-OF-WAY FOR A PORTION OF 4800 WEST**

Paul Isaac, Acting City Manager, presented proposed Resolution No. 11-47 which would accept a Warranty Deed from Javier Molina for property located at 4655 South 4800 West for the purpose of dedication of right-of-way for a portion of 4800 West.

Mr. Isaac stated Javier Molina had signed the Warranty Deed.

The Acting City Manager reported Maria's Hair Salon would be constructed on the subject property and as a condition of approval dedication of right-of-way for a portion of 4800 West had been required. He indicated the existing 4800 West right-of-way adjacent to the subject property was a 33 foot half width and needed to be widened to a 40 foot half width, although the existing improvements had been constructed to the 40 foot half width.

After discussion, Councilmember Rushton moved to approve Resolution No. 11-47, a Resolution Authorizing the City to Accept and Record a Warranty Deed from Javier Molina for Property Located at 4655 South 4800 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

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Mayor Winder Yes

Unanimous.

15288

**APPLICATION NO. S-5-2010, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR Highbury Place – Phase 5 SUBDIVISION LOCATED AT 2824 SOUTH 5220 WEST**

Paul Isaac, Acting City Manager, presented Application No. S-5-2010, filed by Ivory Homes, requesting final plat approval for Highbury Place – Phase 5 Subdivision located at 2824 South 5220 West.

Mr. Isaac stated Nick Mingo, representing Ivory Homes, had requested approval of the final plat for Phase 5 of the Highbury Place Subdivision located east of the waterway adjacent to Phases 2 and 3. He further stated the property to the east and south was vacant and would be platted as future phases of the Highbury Place Subdivision.

The Acting City Manager explained the subject phase consisted of 12 lots on 5.2 acres with lot sizes ranging from 7,125 square feet to 9,330 square feet. He indicated access to the subdivision would be gained from an existing stub street in Phase 2 to the west and from Highbury Parkway to the north. He also stated this phase would provide stub streets for future development to the east and all streets in the subdivision would be dedicated and consist of 54 foot right-of-way. He explained this would allow a five foot park strip and five foot sidewalk.

Mr. Isaac reported the City Council had reviewed and approved a development agreement for the entire Highbury community. He indicated that agreement addressed dwelling size, building materials and other items related to the construction of residential homes. He indicated staff believed the requirements outlined in that agreement had created a unique community with a variety of housing options along with ample open space and recreational opportunities.

The Acting City Manager further reported Ivory Homes was planning to install basements for all homes. A soils report had been prepared which indicated ground water had been encountered at a depth ranging from 5-10 feet below existing grades. He stated the finished grade elevations in this phase would be raised slightly allowing full basements to be constructed. In addition, he explained, Ivory would install a sub-drain system to provide an extra measure of protection for new home owners.

Mr. Isaac stated the subdivision was located next to one of many waterways planned for the overall development. He further explained in phases 2 and 3 Ivory installed a semi private fence along the rear property lines. He reported that fence was constructed of Trex material and allowed visibility into the waterway.

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The same fence type would be installed along those lots in the phase that sat adjacent to the waterway.

Paul Isaac, Acting City Manager, reported the subject application would be the first phase in what was known as Plat C in the development agreement. He stated the Public Works Department had required an overall grading and drainage plan be submitted for the entire Plat C area. He indicated although these plans had not been approved, Ivory was working with the Engineering Division to ensure accommodations were being provided in this phase to help control storm water from future phases.

After discussion, Councilmember Brooks moved to approve Application No. S-5-2010, filed by Ivory Homes, and give Final Plat Approval for Highbury Place Subdivision – Phase 5 Located at 2814 South 5220 West. 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.

15289

**APPLICATION NO. S-1-2011, FILED BY JOHN NERDIN, REQUESTING FINAL PLAT APPROVAL FOR THE EPISCOPAL CHURCH SUBDIVISION LOCATED AT 4615 SOUTH 3200 WEST**

Paul Isaac, Acting City Manager, presented Application No. S-1-2011, filed by John Nerdin, requesting final plat approval for the Episcopal Church Subdivision located at 4615 South 3200 West.

Mr. Isaac stated the subject application requested approval for a two-lot subdivision in an ‘R-1-8’ zone. He informed the purpose for the subdivision was to create a new single-family lot of approximately 12,515 square feet at the northeast corner of the existing property. The remaining property (Lot 2) would continue to be used by the Corporation of the Episcopal Church in Utah.

The Acting City Manager reported access to the subdivision would be gained from 3200 West and from West Cove Drive. He stated the subdivision plat would dedicate 33 feet in 3200 West and approximately three feet along the south right-



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of-way in West Cove Drive. He indicated all public improvements were existing with the exception of a sidewalk along West Cove Drive. The City Engineering Division would require this installation as part of the subdivision.

Mr. Isaac further reported the applicant would work with the City regarding potential for ground water impacts. He explained elevation of the property was much higher than that of West Cove PUD immediately to the east. He stated as there were dwellings in West Cove with basements, staff did not see this as being a problem. He indicated the Chief Building Official would complete a site evaluation when the building permit was issued to determine basement depth.

The Acting City Manager explained existing postal boxes for the West Cove Subdivision were located at the northwest corner of the property. He stated due to some slope issues along the east side of the property the applicant intended to locate the new drive approach where those boxes were currently located. He explained the applicant had discussed this with the West Valley City branch of the Post Office and plans were being made to move the boxes most likely to the east of the new lot.

After discussion, Councilmember Vincent moved to approve Application No. S-1-2011, filed by John Nerdin, and give Final Plat Approval for Episcopal Church Subdivision 8 Located at 4615 South 3200 West. Councilmember Rushton 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.

15290

**APPLICATION NO. S-3-2011, FILED BY KEN KELTER, REQUESTING FINAL PLAT APPROVAL FOR THE LANDING CONDOMINIUMS LOCATED AT 2778 SOUTH 5600 WEST**

Paul Isaac, Acting City Manager, presented Application No. S-3-2011, filed by Ken Kelter, requesting final plat approval for The Landing Condominiums located at 2778 South 5600 West.

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Mr. Isaac stated the subject property was immediately south of the Workforce Services building and was presently being used for medical and retail uses in the 'C-2' zone. He explained the applicant had proposed to convert the existing medical office and retail buildings into three individual condominium units. He indicated the definition of a condominium was the ownership of a single unit in a multi-unit project, together with an undivided interest in the common areas and facilities of the property.

The Acting City Manager stated according to the applicant, the owner of Aloha Dental approached him about the possibility of purchasing their building. He stated Aloha Dental had proven to be a successful dental practice at the subject location and would like the stability of ownership as they continued to grow their business.

Mr. Isaac reported a commercial condominium would allow Mr. Kelter the ability to sell the Aloha Dental building while allowing him the option to retain ownership of the other two buildings as well as the vacant space at the southeast corner of the property. At such time the vacant property was submitted for development, an amended condominium plat would need to be submitted to the City.

Acting City Manager, Paul Isaac, reported all exterior parking spaces, landscaping and common areas would be held in common ownership. The applicant would be required to submit a declaration and CCR's which would address the aforementioned items.

Mr. Isaac further stated the existing site received conditional use approval from West Valley City in 2005. He stated the site plan approved for the subject property had not changed from its original approval. He indicated parking, landscaping and building improvements were in good condition.

The Acting City Manager also reported Title 9 of the West Valley City Code provided for condominium conversions. He indicated although somewhat different than a residential application, many of the same requirements would apply in this case such as coordination with Granger-Hunter Improvement District and other agencies regarding utility regulation.

After discussion, Councilmember Rushton moved to approve Application No. S-3-2011, filed by Ken Kelter, and give Final Plat Approval for The Landing Condominiums Located at 2778 South 5600 West. Councilmember Christensen moved to second the motion.

A roll call vote was taken:

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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, APRIL 12, 2011, WAS ADJOURNED AT 7:03 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, April 12, 2011.

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Sheri McKendrick, MMC  
City Recorder