

**MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 1, 2011**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 1, 2011, AT 6:38 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

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Eric Bunderson, City Attorney  
Jim Welch, Finance Director  
Layne Morris, CPD Director  
Buzz Nielsen, Police Chief  
John Evans, Fire Chief  
Russell Willardson, Public Works Director  
Nicole Cottle, CED Director  
John Brubaker, Acting Parks and Recreation Director  
Steve Pastorik, CED Department  
Brent Garlick, CED Department  
Aaron Crim, Administration  
Kevin Conde', Administration  
Jeff Nosack, Public Works Department  
Jake Arslanian, Public Works Department

15541 **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Vincent who led the audience in the Pledge of Allegiance to the Flag.

15542 **SCOUTS**

Mayor Winder welcomed Scout Troop No. 796 and Scout Pack No. 151 in attendance to complete requirements for the Citizenship in the Community merit badge.

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15543      **APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 18, 2011**

The Council read and considered Minutes of the Regular Meeting held October 18, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held October 18, 2011, as written. 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.

15544      **PRESENTATION OF THE WEST VALLEY CITY ENGLISH ACHIEVEMENT AWARDS**

Mayor Winder discussed background information regarding the City's English Language Initiative and noted presentation of English Achievement Awards was part of that program. On behalf of the City Council, Mayor Winder thanked all individuals who had taken time and made the effort to learn English. He stated many classes were several levels and the City Council applauded efforts to learn English in order to facilitate communication with neighbors and others. He also stated the City Council was proud of the students and he also extended appreciation to the teachers in the program.

Upon invitation by Mayor Winder, the students introduced themselves, after which the City Council congratulated all participants of the program and presented each student a certificate of achievement.

15545      **PROCLAMATION DECLARING NOVEMBER, 2011, AS ALTERNATIVE FUEL VEHICLE AWARENESS MONTH IN WEST VALLEY CITY**

Councilmember Brooks read a Proclamation declaring November, 2011, as Alternative Fuel Vehicle Awareness Month in West Valley City.

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15546      **PROCLAMATION DECLARING NOVEMBER 1, 2011, AS EXTRA MILE DAY IN WEST VALLEY CITY**

Councilmember Buhler read a Proclamation declaring November 1, 2011, as Extra Mile Day in West Valley City.

15547      **COMMENT PERIOD**

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

Bob Portlock addressed the City Council and stated he was representing himself and many seniors with the same problem. He indicated the City Council had discussed and passed an ordinance that would not allow him to have a carport with a roof to park his trailer. He advised the carport that had been built by a contractor seven years ago. Mr. Portlock stated he had taken the contractor's word that a permit had been obtained from West Valley City. He showed photographs of his property and the location where his trailer was parked. He indicated there was no wall on the outside of the carport, although it sat about a foot and a half from the property line. Mr. Portlock explained he was not the only one who had done this and he showed photographs of a neighbor's garage and carport located next to his fence. He asked the City Council to repeal the ordinance and give seniors a break regarding this issue. He stated there were seniors and others throughout the city in violation and it would be heartbreaking to make everyone come into compliance. Mr. Portlock stated we did have problems; but the City should allow what is in place now and then prevent problems in the future. He indicated his neighbors had no complaints with his property. He submitted additional photographs to the City Council.

City Manager, Wayne Pyle, stated the subject ordinance had been in place for many years and the City Council had discussed this issue and further reviewed the ordinance during the last several months. He explained that after viewing a presentation from the Chief Building Official, the City Council declined to repeal or make changes to the current ordinance due to fire and safety issues and concerns. He stated carports, garages and other building were also required to meet the International Building Codes. Upon inquiry, the City Manager also discussed background information regarding this issue including actions taken by City staff, and future steps.

15548      **RESOLUTION NO. 11-177, APPROVE THE PURCHASE OF A VACTOR TRUCK FROM AG TRUCK EQUIPMENT FOR USE BY THE PUBLIC WORKS DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-177 which would approve the purchase of a Vactor truck from AG Truck Equipment, in an amount not to exceed \$310,865.59, for use by the Public Works Department.

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Mr. Pyle stated the Vactor Corporation had a Model 2100 cleaning truck currently listed on the State of Utah purchasing contract #PD285 for the above stated amount. He advised AG Truck was the local vendor for that equipment. He indicated the equipment would replace a 2001 Vactor truck. He further explained the City currently utilized three of these trucks to clean storm drains throughout the City and this equipment was normally replaced on an eight-year cycle.

After discussion, Councilmember Burt moved to approve Resolution No. 11-177, a Resolution Approving the Purchase of a Vactor Truck from AG Truck Equipment for use by the Public Works Department. Councilmember Buhler 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.

15549

**RESOLUTION NO. 11-178, AUTHORIZE THE CITY TO PAY THE UTAH DEPARTMENT OF TRANSPORTATION ADDITIONAL FUNDS FOR THE DESIGN AND CONSTRUCTION OF THE 1200 WEST CONNECTOR ROAD**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-178 which would authorize the City to pay the Utah Department of Transportation (UDOT) additional funds for the design and construction of the 1200 West Connector Road, in the amount of \$416,735.71.

Mr. Pyle stated the proposal would authorize additional funds to be paid that exceeded the federally funded portion of the project in order to award a contract for the design and construction of the 1200 West Connector Road.

The City Manager reported the federally funded UDOT Project No. STP-LC(35)(155) was currently out to bid through the UDOT bidding system. He stated that on February 23, 2010, the Council adopted Resolution No. 10-19 authorizing the City to enter into a Cooperative Agreement with UDOT for the design and construction of the road project. He also reported that, at that point in the design, the estimated construction cost had been \$3,195,232.00. He indicated

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Resolution No. 10-19 authorized the City to pay matching costs not to exceed \$216,323.00 based on that estimate. After completion of the design, the total project had been estimated to cost \$3,612,058.71 which brought the City's estimated matching share to a total of \$633,058.71.

Mr. Pyle stated the normal UDOT process required the deposit of funds in excess of the programmed amount prior to advertisement, based on the Engineer's estimate, however UDOT was willing to advertise the project without having the additional funds on deposit. He also stated in order to award the project West Valley City would be required to pay UDOT the additional funds immediately after bids were opened on November 10, 2011. He advised this would allow the City to know the exact amount due based on actual bids and not construction estimates.

After discussion, Councilmember Christensen moved to approve Resolution No. 11-178, a Resolution Authorizing the City to Pay the Utah Department of Transportation Additional Funds for the Design and Construction of the 1200 West Connector Road. 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.

15550

**CONSENT AGENDA:**

**A. RESOLUTION NO. 11-179, ACCEPT A WARRANTY DEED FROM ADCOMP, LLC, FOR PROPERTY LOCATED AT 2555 SOUTH 3200 WEST AND 2555 SOUTH 3270 WEST**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-179 which would accept a Warranty Deed from ADCOMP, LLC, for property located at 2555 South 3200 West and 2555 South 3270 West.

Mr. Pyle stated ADCOMP, LLC, had executed the Warranty Deed.

The City Manager reported ADCOMP, LLC was the owner of property for the Advanced Composites site. He indicated as a condition of approval for site additions and modifications additional right-of-way on 3270 West

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and 3200 West had been required to be deeded to the City. He explained the current parcel was rectangular in shape with the northwest and northeast corners of the property extending into the public improvements at both corners. He also reported the Warranty Deed conveyed the portions of property covered by existing public improvements at the northwest corner and the existing and required improvements (ADA ramps) at the northeast corner of the property.

**B. RESOLUTION NO. 11-180, ACCEPT A STORM DRAIN EASEMENT FROM ADCOMP, LLC, ACROSS PROPERTY LOCATED AT 2575 SOUTH 3270 WEST**

City Manager, Wayne Pyle, presented proposed Resolution No. 11-180 which would accept a Storm Drain Easement from ADCOMP, LLC across property located at 2575 South 3270 West.

Mr. Pyle stated the proposed easement was for the additions and site revisions on the Advanced Composites site located at the above stated address. He explained the property was currently encumbered by a 12-foot wide easement for a drainage ditch along the southerly boundary. He reported that in 2008, the City piped the ditch with a 60-inch reinforced concrete pipe in conjunction with the D&G Scale project on the adjoining property to the south. As a requirement for approval to the proposed improvements and additions to the Advanced Composite site, a new storm drain easement had been required.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 11-179 and 11-180 as presented on the Consent Agenda. 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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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, NOVEMBER 1, 2011, WAS ADJOURNED AT 7:18 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, November 1, 2011.

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Sheri McKendrick, MMC  
City Recorder