

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 20, 2012, AT 6:30 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
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Eric Bunderson, City Attorney
Nicole Cottle, CED Director
Jim Welch, Finance Director
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Department
John Evans, Fire Chief
Russell Willardson, Public Works Director
Mike Wells, Acting Police Chief
Steve Lehman, CED Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

15682

OPENING CEREMONY

The Opening Ceremony was conducted by Karen Lang who invited Boy Scout Troop No. 646 to perform a flag ceremony. The audience was led in the Pledge of Allegiance to the Flag.

15683

SCOUTS

Mayor Winder welcomed Scout Troop 269 in attendance to complete requirements for the Citizenship in the Community merit badge.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-2-

15684

APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 28, 2012

The Council read and considered Minutes of the Regular Meeting held February 28, 2012. There were no changes, corrections or deletions.

After discussion, Councilmember Lang moved to approve the Minutes of the Regular Meeting held February 28, 2012, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15685

APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 6, 2012

The Council read and considered Minutes of the Regular Meeting held March 6, 2012. There were no changes, corrections or deletions.

After discussion, Councilmember Lang moved to approve the Minutes of the Regular Meeting held March 6, 2012, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-3-

15686 **PROCLAMATION DECLARING MARCH 21, 2012 AS “KICK BUTTS DAY 2012” IN WEST VALLEY CITY**

Councilmember Buhler read a Proclamation declaring March 21, 2012 as “Kick Butts Day 2012” in West Valley City.

15687 **COMMENT PERIOD**

Upon inquiry by Mayor Winder there was no one in attendance who desired to address the City Council during the comment period.

15688 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-2-2012, FILED BY ASWN ARCHITECTS, REQUESTING AMENDMENT OF LOTS 4 THROUGH 7 OF THE EAST MAGNA PLAT A SUBDIVISION AND FINAL PLAT APPROVAL FOR THE VRE GATES SUBDIVISION LOCATED AT APPROXIMATELY 7200 WEST GATES AVENUE**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. S-2-2012, filed by ASWN Architects, requesting amendment of Lots 4 through 7 of the East Magna Plat A Subdivision and final plat approval for the VRE Gates Subdivision located at approximately 7200 West Gates Avenue. He discussed proposed Ordinance No. 12-10 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 12-10 which would approve an amendment of Lots 4 through 7 of the East Magna Plat Subdivision located at approximately 7200 West Gates Avenue.

Mr. Pyle stated the subject subdivision was a commercial subdivision consisting of 1.49 acres in a Manufacturing zone. He also stated the proposal would consolidate and reconfigure the existing four lots into two lots for commercial and/or manufacturing development. He advised that Lot 1 was approximately .90 acres in size and would be the location for a new 7-11 store. He indicated Lot 2 was approximately .60 acres and expected to develop with either a commercial or manufacturing use in the future.

The City Manager indicated access to the subdivision would be gained from 7200 West and Gates Avenue. He advised full dedication and improvements existed along 7200 West. He stated full dedication also existed along Gates Avenue, but formal improvements were lacking. He reported the developer would be required to install curb, gutter and sidewalk as part of the conditional use application.

Mayor Winder opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Winder closed the public hearing.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-4-

ACTION: CONSIDER ORDINANCE NO. 12-10, APPROVING AMENDMENT OF LOTS 4 THROUGH 7 OF THE EAST MAGNA PLAT SUBDIVISION

The City Council previously held a public hearing regarding Application No. S-2-2012, filed by ASWN Architects, requesting the amendment of Lots 4 through 7 of the East Magna Plat A Subdivision and final plat approval for VRE Gates Subdivision located at approximately 7200 West Gates Avenue.

After discussion, Councilmember Christensen moved to Ordinance No. 12-10, an Ordinance Approving the Amendment of Lots 4 through 7 of the East Magna Plat A Subdivision; and give final plat approval for VRE Gates Subdivision located at approximately 7200 West Gates Avenue. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15689

RESOLUTION NO. 12-31, APPROVE A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR LANDSCAPE MAINTENANCE AT I-215 AND 3500 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 12-31 which would approve a Cooperative Agreement with the Utah Department of Transportation (UDOT) for landscape maintenance at I-215 and 3500 South.

Mr. Pyle stated the UDOT had prepared landscape plans for the I-215/3500 South Interchange and a landscape maintenance agreement with the City. He advised specified maintenance requirements and standards were required before bidding the project.

After discussion, Councilmember Huynh moved to approve Resolution No. 12-31, a Resolution Authorizing the Execution of a Cooperative Agreement between West Valley City and the Utah Department of Transportation for Landscape Maintenance at I-215 and 3500 South. Councilmember Lang seconded the motion.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-5-

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15690

RESOLUTION NO. 12-32, APPROVE A DELAY AGREEMENT WITH HUGO CORTES FOR PROPERTY LOCATED AT 1596 WEST WARNOCK AVENUE

City Manager, Wayne Pyle, presented proposed Resolution No. 12-32 which would approve a Delay Agreement with Hugo Cortes for property located at 1596 West Warnock Avenue.

Mr. Pyle stated the proposed delay of construction included curb and gutter, sidewalk, asphalt, and road improvements. He indicated Hugo Cortes desired to construct a home on his property and at the present time there were no existing curb, gutter and sidewalk improvements along the subject property. He reported postponing construction of the improvements would allow time for additional development to provide similar improvements. He indicated the combination of delayed improvements from the subject agreement and others collected as development progressed would provide a more complete and contiguous design of curb and gutter.

After discussion, Councilmember Rushton moved to approve Resolution No. 12-32, a Resolution Authorizing the Execution and Recording of a Delay Agreement between West Valley City and Hugo Cortes for Property Located at 1596 West Warnock Avenue. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-6-

Unanimous.

15691

RESOLUTION NO. 12-33, AUTHORIZE WEST VALLEY CITY TO GRANT A RIGHT OF WAY EASEMENT IN FAVOR OF ROCKY MOUNTAIN POWER OVER A PORTION OF CITY PROPERTY LOCATED AT 4995 SOUTH UPPER RIDGE ROAD

City Manager, Wayne Pyle, presented proposed Resolution No. 12-33 which would authorize West Valley City to grant a Right-of-Way Easement in favor of Rocky Mountain Power over a portion of City property located at 4995 South Upper Ridge Road.

Mr. Pyle stated the easement would be required in order for Rocky Mountain Power to install underground electrical lines for the new west irrigation pump building located on the west portion of West Ridge Golf Course between Upper Ridge Road (6400 West) and the Mountain View Corridor project.

The City Manager reported the proposed electrical lines would run within existing and proposed public utility easements running along the east side of Upper Ridge Road and then run to the east and south within the right-of-way easement in favor of Rocky Mountain Power. He further advised the alignment of the proposed right-of-way easement was shown on Exhibit A of the right-of-way easement document.

After discussion, Councilmember Buhler moved to approve Resolution No. 12-33, a Resolution Authorizing West Valley City to Grant a Right-of-Way Easement in Favor of Rocky Mountain Power Over a Portion of City Property Located at 4995 South Upper Ridge Road. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-7-

15692

RESOLUTION NO. 12-34, AUTHORIZE A PUBLIC UTILITY EASEMENT OVER PORTIONS OF WEST VALLEY CITY PROPERTY LOCATED AT 4995 SOUTH UPPER RIDGE ROAD

City Manager, Wayne Pyle, presented proposed Resolution No. 12-34 which would authorize a public utility easement over portions of West Valley City property located at 4995 South Upper Ridge Road.

Mr. Pyle stated the easement would be required in order for utility companies to provide services to the westerly portion of West Ridge Golf Course which was currently being reconstructed.

The City Manager reported as part of reconstruction of West Ridge Golf Course a new irrigation pump building was being constructed on the west portion of the golf course between Upper Ridge Road (6400 West) and the Mountain View Corridor project. He stated Rocky Mountain Power required easements before it would extend service to this facility. He indicated as a portion of the proposed power line ran along a portion of the easterly right-of-way line of Upper Ridge Road, it had been determined granting a non-exclusive public utility easement would be a better alternative for the City. He explained the easement described in the document provided for a ten foot wide easement over the City running along the easterly right-of-way line of Upper Ridge Road (6400 West).

After discussion, Councilmember Lang moved to approve Resolution No. 12-34, a Resolution Authorizing a Public Utility Easement Over Portions of West Valley City Property Located at 4995 South Upper Ridge Road. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-8-

15693

RESOLUTION NO. 12-35, AUTHORIZE EXECUTION OF A TEMPORARY ACCESS LICENSE TO ALLOW THE CITY ACCESS TO THE HUNTER SUBSTATION LOCATED AT 5200 WEST 4100 SOUTH FOR INSTALLATION OF A PIPELINE

City Manager, Wayne Pyle, presented proposed Resolution No. 12-35 which would authorize execution of a Temporary Access License to allow the City access to the Hunter Substation located at 5200 West 4100 South for installation of a pipeline.

Mr. Pyle stated an existing and poorly maintained irrigation ditch on the west property line of the Hunter Substation had been a source of past flooding problems. He reported Rocky Mountain Power was in the process of installing a wall and landscaping the substation and had agreed to reimburse the City for the full construction cost of piping the irrigation ditch on the west property line. He advised a contract had been awarded to Newman Construction under the City's Procurement Code.

After discussion, Councilmember Rushton moved to approve Resolution No. 12-35, a Resolution Authorizing the Execution of a Temporary Access License to Allow the City Access to the Hunter Substation Located at 5200 West 4100 South for the Installation of a Pipeline. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	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, MARCH 20, 2012, WAS ADJOURNED AT 6:45 P.M., BY MAYOR WINDER.

MINUTES OF COUNCIL REGULAR MEETING – MARCH 20, 2012

-9-

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, March 20, 2012.

Sheri McKendrick, MMC
City Recorder