

**MINUTES OF COUNCIL REGULAR MEETING – JANUARY 15, 2013**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 15, 2013, 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  
Corey Rushton  
Steve Buhler  
Don Christensen  
Tom Huynh  
Karen Lang  
Steve Vincent

Paul Isaac Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

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

16014      **OPENING CEREMONY**

The Opening Ceremony was conducted by Corey Rushton who read a quote from President Eisenhower, after which he led the Pledge of Allegiance to the Flag.

16015      **COMMENT PERIOD**

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

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16016

**ORDINANCE NO. 13-03, AMEND SECTION 1-2-110 OF TITLE 1 OF THE WEST VALLEY CITY MUNICIPAL CODE TO SPECIFY A FEE FOR RETURN OF A RESIDENTIAL WASTE COLLECTION CONTAINER**

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 13-03 which would amend Section 1-2-110 of Title 1 of the West Valley City Municipal Code to specify a fee for return of a residential waste collection container.

Mr. Isaac stated the proposed ordinance would add a fee to the City's Consolidated Fee Schedule for return of garbage containers when residential waste collection service was restored. He advised garbage collection service could be temporarily suspended due to non-payment of fees or extended vacancy at a residence. He advised in order to avoid theft of the containers or unauthorized use; the containers were picked up whenever service was suspended. He stated a fee would be charged to cover the cost of returning the containers when service was restored.

After discussion, Councilmember Lang moved to approve Ordinance No. 13-03, an Ordinance Amending Section 1-2-110 of Title 1 of the West Valley Municipal Code to Specify a Fee for Return of a Residential Waste Collection Container. 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.

16017

**RESOLUTION NO. 13-05, APPROVE A FEDERAL AID AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE CROSS TOWN TRAIL FROM DECKER LAKE TO 2700 WEST**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-05 which would approve a Federal Aid Agreement with the Utah Department of Transportation (UDOT) for construction of the Cross Town Trail from Decker Lake to 2700 West.

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Mr. Isaac stated the proposed Agreement would enable the City to access the federal funds available for the Cross Town Trail from Decker Lake to 2700 West. He informed that through the proposed agreement the City would be obligated to pay matching funds in the amount of 6.77% for every federal dollar received. He indicated the City had been given \$730,000.00 in federal aid for the project making the match on those federal dollars at \$53,010.00. He reported the City would be responsible for 100% of costs in excess of the federal funds, with the estimated total project cost being approximately \$1,299,000.00. He stated the City Council's action would authorize the total anticipated expenditure of City funds for the project of \$569,000.00. He further reported upon completion of the design UDOT would advertise and award a construction contract for the project.

After discussion, Councilmember Rushton moved to approve Resolution No. 13-05, a Resolution Approving a Federal Aid Agreement with the Utah Department of Transportation for the Construction of the Cross Town Trail from Decker Lake to 2700 West. 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.

16018

**CONSENT AGENDA:**

**A. RESOLUTION NO. 13-06, ACCEPT A QUIT CLAIM DEED FROM LEVI CARD FOR A PORTION OF PROPERTY LOCATED AT APPROXIMATELY 2555 SOUTH FARGO STREET**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-06 which would accept a Quit Claim Deed from Levi Card for a portion of property located at approximately 2555 South Fargo Street.

Mr. Isaac stated Mr. Card had signed the Quit Claim Deed.

The Acting City Manager reported as a condition of obtaining a building permit for a new home, conveyance of a previously vacated portion of Fargo Street to the City had been required.

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**B. RESOLUTION NO. 13-07, APPROVE A DELAY AGREEMENT WITH ROBERT S. AND TINA R. SPRAGUE FOR COMPLETION OF IMPROVEMENTS ON PROPERTY LOCATED AT 2240 SOUTH 5650 WEST**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-07 which would approve a Delay Agreement with Robert S. and Tina R. Sprague for completion of improvements on property located at 2240 South 5650 West.

Mr. Isaac stated the subject property was the site for West Valley Metal Recycling. He indicated the proposal, if approved, would allow the Spragues to delay construction of curb and gutter and asphalt paving at the above location. He advised the property had frontage on both 5700 West and 5650 West, and while there were existing street improvements on 5700 West there were none on 5650 West. He explained as there were no improvements along the frontage of any adjoining properties on 5650 West, it was not practical to construct the required street improvements on 5650 West at the present time. He stated the Delay Agreement did not relieve the property owners from their obligations to construct required road improvements, but merely allowed those improvements to be delayed to a future time as directed by the City.

**C. RESOLUTION NO. 13-08, APPROVE A DELAY AGREEMENT WITH OMAN PROPERTIES, LLC, FOR COMPLETION OF IMPROVEMENTS ON PROPERTY LOCATED AT 2215 SOUTH 7200 WEST**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 13-08 which would approve a Delay Agreement with Oman Properties, LLC, for completion of improvements on property located at 2215 South 7200 West.

Mr. Isaac stated the proposed Agreement would allow delay of construction of curb, gutter, sidewalk, concrete drive approach, asphalt paving and street lighting on 7200 West for Teancum Properties. He further stated the property was the site for the Teancum Properties construction materials recycling, which property had frontage on 7200 West. He indicated there were currently no road improvements on 7200 West beyond the existing narrow asphalt road. He also advised City ordinance required public improvements be constructed by the owner/developer when property was developed. However, as there were no existing road improvements along the frontage of any adjoining properties on 7200 West, it would not be practical to construct the required street improvements on 7200 West at this time. He advised the Delay Agreement did not relieve the property owner from its obligations

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to construct required road improvements, but merely allowed those improvements to be delayed to a future time as directed by the City.

After discussion, Councilmember Vincent moved to approve Resolution Nos. 13-06, 13-07 and 13-08 as presented on the Consent Agenda. 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.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JANUARY 15, 2013, WAS ADJOURNED AT 6:35 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, January 15, 2013.

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Sheri McKendrick, MMC  
City Recorder