

**MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 10, 2009**

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 10, 2009, 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 BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Richard Catten, City Attorney  
Jim Welch, Finance Director  
Kevin Astill, Parks and Recreation Director  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Layne Morris, Community Preservation Director  
Colleen Hewitt, Acting Police Chief  
John Janson, Acting CED Director  
Aaron Crim, Administration  
Enrique Sosa, Administration  
Jake Arslanian, Public Works Department

14403

**OPENING CEREMONY**

The Opening Ceremony was conducted by Joel Coleman who led the Pledge of Allegiance to the Flag

14404

**APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING  
HELD JANUARY 20, 2009**

The City Council read and considered the Minutes of the Regular Council Meeting held January 20, 2009. There were no changes, corrections or deletions.

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After discussion, Councilmember Burt moved to approve the Minutes of the Regular Council Meeting held January 20, 2009, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14405

**APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING  
HELD JANUARY 27, 2009**

The City Council read and considered the Minutes of the Regular Council Meeting held January 27, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Council Meeting held January 27, 2009, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14406

**COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the Comment Period:

Beth Poulson, 4295 South 4625 West, addressed the City Council. Ms. Poulson commended the City for establishing the Community Preservation Department

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and improvements made in the City through those efforts. She related an experience in dealing with a code enforcement officer and a conversation with the department director. She also expressed appreciation for the program.

Gerald Wise, 4025 South 6820 West, addressed the City Council. Mr. Wise expressed concerns regarding the Community Preservation Department and lack of response to complaints he had turned in regarding properties and violations in his neighborhood. He related conversations with code enforcement officers and stated if codes on the books were not going to be enforced then those employees should be eliminated. He also discussed speeding and drivers running stop signs in his neighborhood. He stated all types of violations including traffic issues should be enforced. He advised staff had promised to contact him regarding these issues and never followed up. Mr. Wise gave examples of violations in his neighborhood. He also discussed issues regarding “illegals” and the need for the City to do something about it.

14407

**RESOLUTION NO. 09-106, AUTHORIZE WEST VALLEY CITY TO GRANT TWO RIGHT-OF-WAY EASEMENTS TO PACIFICORP, AN OREGON CORPORATION, DBA ROCKY MOUNTAIN POWER TO ALLOW FOR CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, ENLARGEMENT, AND REMOVAL OF ELECTRIC POWER TRANSMISSION, DISTRIBUTION AND COMMUNICATION LINES ON BOTH SIDES OF 2700 WEST TO ACCOMMODATE THE NEW LIGHT RAIL SYSTEM**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-106 which would authorize West Valley City to grant two Right-of-Way Easements to Pacificorp, an Oregon Corporation, dba Rocky Mountain Power, to allow for construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines on both sides of 2700 West to accommodate the new light rail system.

Mr. Pyle stated the easements were needed so that Rocky Mountain Power, or their successors, could construct, remove, reconstruct, repair, maintain and replace electric power transmission, distribution, and communication lines on both sides of Constitution Boulevard.

The City Manager reported that throughout the process of obtaining the services of light rail and bus rapid transit, staff had worked with Utah Transit Authority (UTA), Rocky Mountain Power, and Utah Department of Transportation (UDOT) to obtain a functional and aesthetically pleasing project. He indicated that through the process it had become an important step to widen Constitution Boulevard (2700 West) from approximately 3100 South to 3650 South on the west side of

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the street and from approximately 3100 South to 3800 South on the east side of the street, to provide light rail and bus rapid transit access. In order to move the distribution and transmission lines out of the future vehicular access way and into the future park strip part of the right-of-way, Rocky Mountain Power requested two new right-of-way easements that would shift their existing easements to allow the necessary space for construction and demolition of the said power lines, poles, conductors, conduits, and other necessary components for the success of the project.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-106, a Resolution Authorizing West Valley City to Grant Two Right-of-Way Easements to Pacificorp, an Oregon Corporation, dba Rocky Mountain Power to Allow for Construction, Reconstruction, Operation, Maintenance, Repair, Replacement, Enlargement, and Removal of Electric Power Transmission, Distribution and Communication Lines on Both Sides of 2700 West to Accommodate the New Light Rail System. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14408

**RESOLUTION NO. 09-107, ACCEPT GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DOUGLAS B. BROCK AS TRUSTEE OF THE DOUGLAS GLEN BROCK TRUST, DATED THE 2<sup>ND</sup> DAY OF JULY, 2003, FOR PROPERTY LOCATED AT 3940 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-107 which would accept a Grant of Temporary Construction Easement from Douglas B. Brock as Trustee of the Douglas Glen Brock Trust, dated the 2<sup>nd</sup> day of July, 2003, for property located at 3940 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Douglas G. Brock had signed the Grant of Temporary Construction Easement.

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The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He stated the easement would allow the contractor to make the necessary tie-ins to his property. He also reported compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

After discussion, Councilmember Rushton moved to approve Resolution No. 09-107, a Resolution Authorizing the City to Accept a Grant of Temporary Construction Easement From Douglas G. Brock, as Trustee of the Douglas Glen Brock Trust, dated the 2<sup>nd</sup> day of July 2003, for Property Located at 3940 South 5200 West. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, FEBRUARY 10, 2009, WAS ADJOURNED AT 6:46 P.M., BY MAYOR NORDFELT.**

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, February 10, 2009.

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Sheri McKendrick, MMC  
City Recorder