

**MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 17, 2009**

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 17, 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  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT: Joel Coleman

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Kevin Astill, Parks and Recreation Director  
Jim Welch, Finance Director  
Layne Morris, Community Preservation Director  
Tim Bywater, Acting City Attorney  
Anita Schwemmer, Acting Police Chief  
John Janson, Acting CED Director  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department  
Nancy Day, Parks and Recreation Department  
Nathan Geving, Parks and Recreation Department  
Jamie Young, Parks and Recreation Department  
Clint Burnham, Parks and Recreation Department  
Daniel Johnson, Public Works Department  
Jerry Schlieff, Public Works Department  
Damien Blevins, Public Works Department  
Jenny Ellis, Public Works Department  
Mike Mirabella, Public Works Department  
Darrin Burke, Public Works Department  
Jason Helm, Public Works Department

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Randy Petersen, Public Works Department  
Suzanne VanDijk, Public Works Department  
Walter Weidner, Public Works Department  
Lamonte Cox, Police Department  
Steve Katz, Police Department  
D. Hulst, Police Department  
Amy Maurer, Police Department  
Alton Jue, Police Department  
Steve Jensen, Police Department  
John Pitman, Police Department  
Justin Wyckoff, Police Department  
Jeff Buchanan, Police Department

14409      **OPENING CEREMONY**

The Opening Ceremony was conducted by Corey Rushton who indicated as the previous day had been Presidents' Day he would present a recording of a speech regarding unity given by Abraham Lincoln, and in honor of President Lincoln's 200<sup>th</sup> birthday. Mr. Rushton then played the recording.

14410      **SCOUTS**

Mayor Nordfelt welcomed Scout Troop No. 561 in attendance to complete requirements for the Citizenship in the Community merit badge.

14411      **APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 3, 2009**

The Council read and considered the Minutes of the Regular Meeting held February 3, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Winder moved to approve the Minutes of the Regular Meeting held February 3, 2009, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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

Unanimous.

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14412      **EMPLOYEE OF THE MONTH AWARD, JANUARY, 2009 – CLINT BURNHAM, PARKS & RECREATION DEPARTMENT**

Councilmember Burt read the nomination of Clint Burnham, Parks and Recreation Department, to receive the Employee of the Month award for January, 2009.

The award was presented to Mr. Burnham and members of the City Council expressed appreciation and congratulated him for his work on behalf of West Valley City.

14413      **EAC QUARTERLY DIVISION AWARD – PUBLIC WORKS ENGINEERING DIVISION**

Councilmember Winder read a nomination of the Public Works Department Engineering Division to receive the EAC Quarterly Division award and presented the award on behalf of the City Council.

The City Council congratulated the Public Works Engineering Division personnel in attendance at the meeting.

14414      **ESSENTIAL PIECE AWARDS PRESENTATION TO J.P. SWAIN, LARRY CURRY AND TRACY MORLEY FOR PARTICIPATION IN THE 2008 WEST VALLEY CITY GIVING TREE PROJECT**

Councilmember Brooks read a narrative and presented *Essential Piece* Awards to J. P. Swain, Larry Curry and Tracy Morley for their participation in the 2008 West Valley City Giving Tree Project.

Councilmember Brooks expressed appreciation to the Police Department personnel in attendance for their efforts and involvement in this worthwhile project. Members of the Council congratulated the recipients of the award.

14415      **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt there was no one desiring to address the City Council during the Comment Period.

14416      **PUBLIC HEARING, APPLICATION NO. ZT-18-2008, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO THE TEMPORARY SIGN ORDINANCE TO ACCOMMODATE ROAD WIDENING CONSTRUCTION IN SECTION 11-5-102 OF THE WEST VALLEY CITY MUNICIPAL CODE**

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. ZT-18-2008, filed by West Valley City, requesting a zone text change to the Temporary Sign Ordinance to accommodate road widening construction in

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Section 11-5-102 of the West Valley City Municipal Code. He discussed proposed Ordinance No. 09-05 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 09-05 which would amend Section 11-5-102 of Title 11 of the West Valley City Municipal Code regarding temporary on-premise signs.

Mr. Pyle stated staff had proposed an additional type of temporary sign to help accommodate those businesses that might not have the visibility they usually had along well traveled corridors during road widening projects. He further stated the amendment attempted to aid businesses in keeping their clientele at its full potential.

The City Manager reported that with the widening of 3500 South, it had become apparent some businesses might be without a permanent monument sign for part or all of the time the road was being widened in front of their business. He indicated the proposed ordinance would allow businesses an extra temporary sign while road widening projects were in front of their business. He also stated the sign would have to be a banner and could be placed anywhere on the business' property. He stated staff had not met with the ChamberWest President, but did not foresee the proposed text change would cause any concerns as it was with respect to the business owners success that staff had proposed the change.

Mr. Pyle indicated in addition the text change would strike a line that indicated a permit was required for all temporary signs. He stated it would still require a permit for inflatable signs, but other temporary signs should not require a permit.

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

### **ACTION: ORDINANCE NO. 09-05, AMENDING SECTION 11-5-102 OF TITLE 11 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING TEMPORARY ON-PREMISE SIGNS**

The City Council previously held a public hearing regarding Application No. ZT-18-2008, filed by West Valley City, and proposed Ordinance No. 09-05 which would amend Section 11-5-102 of Title 11 of the West Valley City Municipal Code regarding temporary on-premise signs.

After discussion, Councilmember Burt moved to approve Ordinance No. 09-05, an Ordinance Amending Section 11-5-102 of Title 1 of the West Valley City Municipal Code Regarding Temporary On-Premise Signs. Councilmember Vincent seconded the motion.

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A roll call vote was taken:

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

Unanimous.

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**RESOLUTION NO. 09-108, APPROVE A WIRELESS LEASE AGREEMENT WITH CRICKET COMMUNICATIONS, INC., TO ALLOW THE INSTALLATION OF A WIRELESS COMMUNICATIONS SERVICE SYSTEM FACILITY ON THE ROOF OF THE WEST VALLEY CITY FAMILY FITNESS CENTER**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-108 which would approve a Wireless Lease Agreement with Cricket Communications, Inc. to allow the installation of a wireless communications service system facility on the roof of the West Valley City Family Fitness Center.

Mr. Pyle stated Cricket Communications, Inc., desired to put three stealth antennas for wireless phone services on the roof of the Fitness Center and pay the City \$19,200.00 per year.

The City Manager reported Cricket Communications, Inc. was in need of wireless antennas in the area of Centennial Park. He stated the company had not been able to gain use of other properties in the area because of private ownership or zoning issues. He indicated Cricket approached the City about putting antennas on the Fitness Center as had been done by Cingular Wireless.

Mr. Pyle further reported Cricket conducted engineering reviews on the Fitness Center roof and proposed a location for their equipment along with three antennas. He stated the proposal had been reviewed by City staff and found to be acceptable. He indicated Cricket would pay the City a fee for the lease of space in the amount of \$19,200.00 the first year with a 20% increase after five years.

After discussion, Councilmember Winder moved to approve Resolution No. 09-108, a Resolution Approving a Wireless Lease Agreement Between West Valley City and Cricket Communications, Inc. to Allow the Installation of a Wireless Communications Service System Facility on the roof of the West Valley City Family Fitness Center. Councilmember Rushton seconded the motion.

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A roll call vote was taken:

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

Unanimous.

14418      **RESOLUTION NO. 09-109, RATIFY CITY MANAGER'S APPOINTMENT OF DAVID ALLRED TO THE STORM WATER ADVISORY BOARD, TERM: FEBRUARY 17, 2009 – JUNE 30, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-109 which would ratify his appointment of David Allred to the Storm Water Advisory Board for the term February 17, 2009, through June 30, 2009.

Mr. Pyle stated the subject appointment would fill the unexpired term of Michael Skousen.

After discussion, Councilmember Brooks moved to approve Resolution No. 09-109, a Resolution Ratifying the City Manager's Appointment of David Allred to the Storm Water Advisory Board for a term from February 17, 2009, to June 30, 2009. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

14419      **RESOLUTION NO. 09-110, APPROVE REAL ESTATE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY, GRANITE SCHOOL DISTRICT, AND HEIRS OF THE WOODBURY FAMILY TO PROVIDE FOR THE SALE OF GRANGER PARK TO THE SCHOOL DISTRICT TO USE IN THE CONSTRUCTION OF A NEW HIGH SCHOOL**

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City Manager, Wayne Pyle, presented proposed Resolution No. 09-110 which would approve a Real Estate Purchase and Sale Agreement between the City, Granite School District, and heirs of the Woodbury Family, to provide for the sale of Granger Park to the School District to use in the construction of a new high school.

Mr. Pyle stated through the subject agreement the City would sell the Granger Park property to Granite School District for the sum of \$1,353,300.00. He also stated the agreement provided payment to the City would be negotiated during the planning and construction of the new school and could consist of cash, or new park land and improvements acceptable to the City in lieu of cash, or a combination of cash, land and/or improvements or city/school shared improvements. He indicated the agreement also provided for the District to compensate the Woodbury Family for their legal interests in the property.

The City Manager reported the subject resolution was a replacement for Resolution No. 08-308 approved by the Council on December 16, 2008. He indicated the revised agreement changed the purchase price from \$1.6 million to \$1,353,300, which change had been necessary to accurately reflect a reduction in the size of the property due to sale of a portion of the property to the Utah Department of Transportation (UDOT) for widening of 3500 South. He stated completion of the transaction would facilitate construction of a new Granger High School by Granite School District.

After discussion, Councilmember Burt moved to table proposed Resolution No. 09-110 and continue the matter to no date certain in order to allow time for further negotiations. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	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 17, 2009, WAS ADJOURNED AT 6:55 P.M., BY MAYOR NORDFELT.**

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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 17, 2009.

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Sheri McKendrick, MMC  
City Recorder