

**MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 27, 2009**

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 27, 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 PRO TEM BROOKS.

THE FOLLOWING MEMBERS WERE PRESENT:

Russ Brooks  
Carolynn Burt  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT: Dennis J. Nordfelt  
Joel Coleman

STAFF PRESENT:

Richard Catten, City Attorney  
Jim Welch, Finance Director  
Nicole Cottle, CED Director  
John Evans, Fire Chief  
Russell Willardson, Public Works Director  
Layne Morris, Community Preservation Director  
Kevin Astill, Parks and Recreation Director  
Aaron Crim, Administration  
Jake Arslanian, Public Works Director

14723      **OPENING CEREMONY**  
The Opening Ceremony was conducted by Steve Vincent who led the Pledge of Allegiance to the Flag.

14724      **SCOUTS**  
Mayor Pro Tem Brooks welcomed Scout Troop No. 943 in attendance to complete requirements for the Citizenship in the Community merit badge.

14725      **APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 13, 2009**  
The Council read and considered the Minutes of the Regular Meeting held October 13, 2009. There were no changes, corrections or deletions.

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After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held October 13, 2009, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

14726      **PROCLAMATION CELEBRATING NATIONAL COMMUNITY PLANNING MONTH AND DESIGNATING OCTOBER, 2009, AS COMMUNITY PLANNING MONTH IN WEST VALLEY CITY**

Councilmember Winder read a proclamation celebrating National Community Planning Month and designating October 2009, as Community Planning Month in West Valley City.

14727      **COMMENT PERIOD**

Upon inquiry by Mayor Pro Tem Brooks, the following individuals addressed the City Council during the comment period:

Stan Deluyck, 4521 S. Charles Drive, addressed the City Council. Mr. Deluyck stated he was the neighborhood watch organizer and traffic coordinator for his neighborhood. He discussed traffic volume and number of speeders on his street. He also gave statistics regarding 1,500 vehicles tracked in 1998 including average speed. He indicated he was not sure what the statistics were at this time. Mr. Deluyck stated, on behalf of his neighborhood, he wanted to thank the City for installing speed signs and making his streets safer for the children and residents. He thanked City staff by name and stated the West Valley Journal would be doing a story on this matter. He mentioned a canal bridge on Palmer and Charles Drive and sight issues on that hill that could cause possible safety issues.

LaVarre Walter, 3998 South 6780 West, addressed the City Council and thanked Councilmembers and City Manager, Wayne Pyle, for a recent visit to his home to discuss issues in the neighborhood. Mr. Walter stated he had lived in his home for 27 years and done an adequate job of maintaining his home during that time. He indicated he and others had been cited for “petty” offenses by code enforcement officers. He gave examples of violations for which various neighbors had been

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cited. He also expressed his opinion and concern regarding the way West Valley City employees treated citizens and he gave examples. He indicated he was being forced out of his home due to the treatment he received by the City, and neighbors' homes were on the market for the same reasons.

Ralph Fallentine, 3978 South 6780 West, addressed the City Council. Mr. Fallentine stated he had been cited for being out of compliance for several issues on his property. He also stated he was a self-employed plumbing contractor in a difficult economy and questioned why he needed to come into compliance as winter was beginning. He questioned why fees were charged for an administrative hearing. He stated he had concern regarding the timetable for compliance and the expense residents would incur. Mr. Fallentine stated there needed to be more compassion and officers should be able to set reasonable goals and timetables to meet residents' budgets.

Ronalyn Fallentine, 3978 South 6780 West, addressed the City Council. Ms. Fallentine expressed concern regarding the timetable for compliance. She stated she loved living in West Valley City and had done so since 1994 and had never had a violation until this year. She stated she had received no contact from the City other than "nasty" letters. She stated there should have been some type of education of residents before giving out so many citations. She also expressed concern with some neighbors removing grass and replacing with gravel, and she gave examples of the problems that caused. She indicated gravel was very unsightly. She expressed concern that letters were not sent out on the same date the letter was actually mailed and by the time residents received the letters there were only a few days left to become compliant. She indicated some residents were pestered to the point they had put their homes up for sale. She stated these were very good citizens and neighbors.

14728

**PUBLIC HEARING, APPLICATION NO. ZT-6-2009, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO SECTION 7-6-903 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD COIN LAUNDRY AND BEAUTY SALONS AS A CONDITIONAL USE IN AN 'RMH' (RESIDENTIAL MOBILE HOME) ZONE**

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-6-2009, filed by West Valley City, requesting a zone text amendment to Section 7-6-903 of the West Valley City Municipal Code to add coin laundry and beauty salons as a Conditional Use in an 'RMH' (Residential Mobile Home) zone. He discussed proposed Ordinance No. 09-34 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

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City Manager, Wayne Pyle, presented proposed Ordinance No. 09-34 which would amend Section 7-6-903 of Title 7 of the West Valley City Municipal Code regarding commercial uses in the Residential Mobile Home ('RMH') zone.

Mr. Pyle stated that on July 28, 2009, a West Valley City Commercial Business License application had been reviewed by the Planning and Zoning Division for a beauty salon at 2771 South 2670 West. He also stated the business would be located within the clubhouse/management office for the Mountain View Mobile Home Park. He indicated this site was located within the 'RMH' zone and commercial uses were not permitted in that zone. He further stated the applicant, Gladys Garcia, had been notified and informed the license could not be issued. Ms. Garcia stated the facilities were already in place in the clubhouse and explained this use would be compatible with the surrounding residential area. She had submitted a zone text change application to allow for certain commercial type uses to be conditionally approved within the 'RMH' zone.

Mayor Pro Tem Brooks opened the public hearing

Robert Poulsen, representing Mountain View Mobile Home Community, 2771 South 2670 West, addressed the City Council. Mr. Poulsen stated Jody Knapp, CED Department, had been helpful through the process of the zone text application. He explained the background and reasons for requesting the text change. He also discussed space in the clubhouse to be used if the business could be restarted which would benefit residents of the mobile home community. Mr. Poulsen requested approval of the application and ordinance. He pointed out, if approved the next step would be approval going before the Planning Commission for a conditional use permit. Mr. Poulsen answered questions from members of the City Council.

There being no one else to speak either in favor or in opposition, Mayor Pro Tem Brooks closed the public hearing.

### **ACTION: ORDINANCE NO. 09-34, AMENDING SECTION 7-6-903 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING COMMERCIAL USES IN THE RESIDENTIAL MOBILE HOME ('RMH') ZONE**

The City Council previously held a public hearing regarding Application No. ZT-6-2009, filed by West Valley City, and proposed Ordinance No. 09-34 which would amend Section 7-6-903 of Title 7 of the West Valley City Municipal Code regarding commercial uses in the Residential Mobile Home ('RMH') zone.

After discussion, Councilmember Rushton moved to approve Ordinance No. 09-34, an Ordinance Amending Section 7-6-903 of Title 7 of the West Valley City

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Municipal Code Regarding Commercial Uses in the Residential Mobile Home Zone (RMH). Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

14729

**ORDINANCE NO. 09-35, AMEND SECTION 20-7-108 OF TITLE 20 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING ALTERNATIVE BILLING AGREEMENTS FOR STORM WATER UTILITY BILLINGS**

City Manager, Wayne Pyle, presented proposed Ordinance No. 09-35 which would amend Section 20-7-108 of Title 20 of the West Valley City Municipal Code regarding alternative billing agreements for storm water utility billings.

Mr. Pyle stated the proposed ordinance change would require an alternative billing agreement with the owner of a property in order to assign payment of the Storm Water Utility fees to non-owners.

The City Manager indicated the City ordinance stated that “property owners are to be billed for storm drainage utility services.” He further stated, currently, with the Rocky Mountain Power billing agreement payments were often received from lessees or property management companies. He further indicated the proposed ordinance change would accommodate Storm Water Utility payments from non-owners, provided the non-owner was current with payments and remained so. The revised ordinance would require the property owner to enter into an alternate billing agreement with the City and pay a deposit of \$50.00 or the equivalent of two months assessment, whichever was greater. He explained the deposit would protect the City should the non-owner fail to make payments until the billing process was modified to bill the property owner.

After discussion, Councilmember Winder moved to approve Ordinance No. 09-35, an Ordinance Amending Section 20-7-108 of Title 20 of the West Valley City Municipal Code Regarding Alternative Billing Agreements for Storm Water Utility Billings. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

14730

**RESOLUTION NO. 09-354, AWARD CONTRACT TO CEDAR FENCE COMPANY FOR THE 2700 WEST FENCE PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-354 which would award a contract to Cedar Fence Company, in the amount of \$199,616.85, for the 2700 West Fence Project.

Mr. Pyle stated bids had been solicited and four bids received as follows: 1) Cedar Fence Company: \$199,616.85; 2) Mountain States Fence Co.: \$252,713.80; 3) Western Fence Co.: \$269,955.14; 4) Best Vinyl Fence: \$326,176.46.

The City Manager reported the lowest responsible bid had been submitted by Cedar Fence Company. He further reported the project consisted of construction of a “Trex” composite six foot high fence along 2700 West from 3100 South to 3500 South. He stated the fence would be located adjacent to the curb, or to the sidewalk. He indicated existing fences would be removed unless the property owner wished to retain them, however, some of the existing fences would be salvaged for the tie-ins. He stated the project cost would be shared 50/50 with the Utah Transit Authority (UTA).

After discussion, Councilmember Burt moved to approve Resolution No. 09-354, a Resolution Awarding a Contract to Cedar Fence Company, Inc. and Authorizing Execution of a Contract for the 2700 West Fence Project. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

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**RESOLUTION NO. 09-355, APPROVE A MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE GOVERNMENTAL H1N1 COUNTERMEASURES BETWEEN SALT LAKE COUNTY, ON BEHALF OF THE SALT LAKE VALLEY HEALTH DEPARTMENT, AND WEST VALLEY CITY**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-355 which would approve a Memorandum of Understanding for cooperative governmental H1N1 countermeasures between Salt Lake County, on behalf of the Salt Lake Valley Health Department, and West Valley City.

Mr. Pyle stated Salt Lake Valley Health Department agreed to provide and physically transfer the H1N1 vaccine free of charge to West Valley City. He indicated the City would use the vaccine to vaccinate its healthcare and emergency medical services personnel. He explained under the terms of this agreement the City would comply with the Centers for Disease Control and Prevention (CDC) Vaccine Provider Agreement.

After discussion, Councilmember Rushton moved to approve Resolution No. 09-355, a Resolution Approving a Memorandum of Understanding for Cooperative Governmental H1N1 Countermeasures between Salt Lake County, on behalf of the Salt Lake Valley Health Department, and West Valley City. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

14732

**RESOLUTION NO. 09-365, APPROVE AGREEMENT WITH LARSON POOL PLASTERING TO REPAIR THE LAP POOL AT THE FITNESS CENTER**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-365 which would approve an agreement with Larson Pool Plastering, in the amount of \$25,342.00, to repair the lap pool at the Fitness Center.

Mr. Pyle stated the lap pool at the Fitness Center had been drained due to leaks from cracks in the plaster. He indicated the pool needed to be plastered before it could be filled for use. He also indicated the lap pool generated a significant

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amount of revenue for the Center as it was used for different types of classes, lap swim by citizens, and practices for swim teams. He stated every day the lap pool was empty the Fitness Center lost money and therefore the repairs should be done as quickly as possible. He also indicated the empty lap pool created possible safety issues.

The City Manager reported the Parks and Recreation Director had conducted research on companies providing plastering services and found Larson Pool Plastering quote had been the lowest.

After discussion, Councilmember Burt moved to approve Resolution No. 09-365, a Resolution Authorizing the City to Enter Into an Agreement with Larson Pool Plastering to Repair the Lap Pool at the Fitness Center. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

14733

**CONSENT AGENDA:**

**A. RESOLUTION NO. 09-320, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF TERENCE CHEN AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-320 which would ratify his reappointment of Terence Chen as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Chen desired to be reappointed to the Sister City Committee and serve another term.

**B. RESOLUTION NO. 09-321, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF KEVIN CONDE AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**



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City Manager, Wayne Pyle, presented proposed Resolution No. 09-321 which would ratify his reappointment of Kevin Conde as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Conde desired to be reappointed to the Sister City Committee and serve another term.

C. **RESOLUTION NO. 09-322, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CATHY JENN AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-322 which would ratify his reappointment of Cathy Jenn as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Jenn desired to be reappointed to the Sister City Committee and serve another term.

D. **RESOLUTION NO. 09-323, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF RALPH LEE AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-323 which would ratify his reappointment of Ralph Lee as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Lee desired to be reappointed to the Sister City Committee and serve another term.

E. **RESOLUTION NO. 09-324, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF PAUL MAKI AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-324 which would ratify his reappointment of Paul Maki as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Maki desired to be reappointed to the Sister City Committee and serve another term.

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F. **RESOLUTION NO. 09-325, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF KATHY NELSON AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-325 which would ratify his reappointment of Kathy Nelson as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Nelson desired to be reappointed to the Sister City Committee and serve another term.

G. **RESOLUTION NO. 09-326, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LAWAYNE REEVE AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-326 which would ratify his reappointment of LaWayne Reeve as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Reeve desired to be reappointed to the Sister City Committee and serve another term.

H. **RESOLUTION NO. 09-327, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF ENRIQUE SOSA AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-327 which would ratify his reappointment of Enrique Sosa as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Sosa desired to be reappointed to the Sister City Committee and serve another term.

I. **RESOLUTION NO. 09-328, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF KEITH SADLER AS A MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-328 which would ratify his reappointment of Keith Sadler as a member of the

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Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Sadler desired to be reappointed to the Sister City Committee and serve another term.

J. **RESOLUTION NO. 09-329, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LILA WRIGHT AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-329 which would ratify his reappointment of Lila Wright as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mrs. Wright desired to be reappointed to the Sister City Committee and serve another term.

K. **RESOLUTION NO. 09-330, AUTHORIZE WEST VALLEY CITY TO ENTER INTO A RIGHT OF ENTRY AGREEMENT WITH PACIFICORP, AN OREGON CORPORATION, DBA, ROCKY MOUNTAIN POWER, FOR ACCESS TO FACILITIES ALONG THE EXISTING CORRIDOR NEAR 5600 WEST AT APPROXIMATELY 2951 SOUTH BURDOCK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-330 which would authorize West Valley City to enter into a Right of Entry Agreement with PacifiCorp, an Oregon Corporation, dba, Rocky Mountain Power, for access to facilities along the existing corridor near 5600 West at approximately 2951 South Burdock Drive.

Mr. Pyle stated PacifiCorp was expanding its transmissions lines along the 5600 West corridor to meet increased demand for electricity. He indicated in order to access its existing facilities Rocky Mountain Power needed the City to grant the subject right of entry document.

L. **RESOLUTION NO. 09-331, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CARMA RAE ALLRED AND ARTHUR K. ALLRED FOR PROPERTY LOCATED AT 3253 SOUTH PEARCE STREET**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-331 which would accept a Grant of Temporary Construction Easement from Carma Rae Allred and Arthur K. Allred for property located at 3253 South Pearce Street.

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Mr. Pyle stated Carma Rae Allred and Arthur K. Allred had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

M. **RESOLUTION NO. 09-332, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KIRK HILL AND SUZAN B. HILL FOR PROPPERTY LOCATED AT 3417 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-332 which would accept a Grant of Temporary Construction Easement from Kirk Hill and Suzan B. Hill for property located at 3417 South Pearce Drive.

Mr. Pyle stated Kirk Hill and Suzan B. Hill had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

N. **RESOLUTION NO. 09-333, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM E. KIRK HILL AND SUZAN B. HILL FOR PROPERTY LOCATED AT 3423 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-333 which would accept a Grant of Temporary Construction Easement from E. Kirk Hill for property located at 3423 South Pearce Drive.

Mr. Pyle stated E. Kirk Hill and Suzan B. Hill had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from

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3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**O. RESOLUTION NO. 09-334, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KARLEEN MERKLEY FOR PROPERTY LOCATED AT 3319 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-334 which would accept a Grant of Temporary Construction Easement from Karleen Merkley for property located at 3319 South Pearce Drive.

Mr. Pyle stated Karleen Merkley had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**P. RESOLUTION NO. 09-335, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MYRTLE AFTON WILSON, TRUSTEE OF THE MYRTLE AFTON WILSON REVOCABLE LIVING TRUST DATED FEBRUARY 21, 2003, FOR PROPERTY LOCATED AT 3329 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-335 which would accept a Grant of Temporary Construction Easement from Myrtle Afton Wilson for property located at 3329 South Pearce Drive.

Mr. Pyle stated Myrtle Afton Wilson had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

Q. **RESOLUTION NO. 09-336, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JON RICHARD WARE AND SUZANNE O. WARE FOR PROPERTY LOCATED AT 3367 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-336 which would accept a Grant of Temporary Construction Easement from Jon Richard Ware and Suzanne O. Ware for property located at 3367 South Pearce Drive.

Mr. Pyle stated Jon Richard Ware and Suzanne O. Ware had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

R. **RESOLUTION NO. 09-337, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM HOUSING AUTHORITY OF THE COUNTY OF SALT LAKE FOR PROPERTY LOCATED AT 3397-3399 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-337 which would accept a Grant of Temporary Construction Easement from Housing Authority of the County of Salt Lake for property located at 3397-3399 South Pearce Drive.

Mr. Pyle stated the Housing Authority of the County of Salt Lake had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

S. **RESOLUTION NO. 09-338, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM NEILANI W. RUAONE FOR PROPERTY LOCATED AT 3230 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-338 which would accept a Grant of Temporary Construction Easement from Neilani W. Ruaone for property located at 3230 South Meadowlark Drive.

Mr. Pyle stated Neilani W. Ruaone had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

T. **RESOLUTION NO. 09-339, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM WILLIAM L. MILLER FOR PROPERTY LOCATED AT 3314 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-339 which would accept a Grant of Temporary Construction Easement from William L. Miller for property located at 3314 South Meadowlark Drive.

Mr. Pyle stated William L. Miller had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

U. **RESOLUTION NO. 09-340, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM NANCY J. KOHUTEK FOR PROPERTY LOCATED AT 3178 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-340 which would accept a Grant of Temporary Construction Easement from Nancy J. Kohutek for property located at 3178 South Meadowlark Drive.

Mr. Pyle stated Nancy J. Kohutek had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

V. **RESOLUTION NO. 09-341, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CHARLES MOORE AND JANIS M. MOORE FOR PROPERTY LOCATED AT 3324 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-341 which would accept a Grant of Temporary Construction Easement from Charles Moore and Janis M. Moore for property located at 3324 South Meadowlark Drive.

Mr. Pyle stated Charles Moore and Janis M. Moore had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

W. **RESOLUTION NO. 09-342, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JERRY M. BENNETT AND NIELA O. BENNETT FOR PROPERTY LOCATED AT 3156 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-342 which would accept a Grant of Temporary Construction Easement from Jerry M. Bennett and Niela O. Bennett for property located at 3156 South Meadowlark Drive.

Mr. Pyle stated Jerry M. Bennett and Niela O. Bennett 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 a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**X. RESOLUTION NO. 09-343, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ARTEMO CONTRERAS FOR PROPERTY LOCATED AT 3168 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-343 which would accept a Grant of Temporary Construction Easement from Artemo Contreras for property located at 3168 South Meadowlark Drive.

Mr. Pyle stated Artemo Contreras had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**Y. RESOLUTION NO. 09-344, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JANICE E. MAWSON FOR PROPERTY LOCATED AT 3260 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-344 which would accept a Grant of Temporary Construction Easement from Janice E. Mawson for property located at 3260 South Meadowlark Drive.

Mr. Pyle stated Janice E. Mawson had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

Z. **RESOLUTION NO. 09-345, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM TRUMAN K. LATIMER FOR PROPERTY LOCATED AT 3210 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-345 which would accept a Grant of Temporary Construction Easement from Truman K. Latimer for property located at 3210 South Meadowlark Drive.

Mr. Pyle stated Truman K. Latimer had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

AA. **RESOLUTION NO. 09-346, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JORGE L. LAGUNAS FOR PROPERTY LOCATED AT 3260 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-346 which would accept a Grant of Temporary Construction Easement from Jorge L. Lagunas for property located at 3260 South Meadowlark Drive.

Mr. Pyle stated Jorge L. Lagunas had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

BB. **RESOLUTION NO. 09-347, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM PATRICIA E. WELCH AND LAWANDA R. WELCH FOR PROPERTY LOCATED AT 3344 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-347 which would accept a Grant of Temporary Construction Easement from Patricia E. Welch and Lawanda R. Welch for property located at 3344 South Meadowlark Drive.

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Mr. Pyle stated Patricia E. Welch and Lawanda R. Welch had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

CC. **RESOLUTION NO. 09-348, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JEANNETTE MILLAR AKA JEANNETTE BENNETT FOR PROPERTY LOCATED AT 3416 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-348 which would accept a Grant of Temporary Construction Easement from Jeannette Millar aka Jeanette Bennett for property located at 3416 South Meadowlark Drive.

Mr. Pyle stated Jeannette Millar aka Jeannette Bennett had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

DD. **RESOLUTION NO. 09-349, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KEITH M. JENSEN AND SHARON A. JENSEN FOR PROPERTY LOCATED AT 3406 MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-349 which would accept a Grant of Temporary Construction Easement from Keith M. Jensen and Sharon A. Jensen for property located at 3406 Meadowlark Drive.

Mr. Pyle stated Keith M. Jensen and Sharon A. Jensen 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 a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**EE. RESOLUTION NO. 09-350, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LEWIS WALL AND MELINDA D. WALL FOR PROPERTY LOCATED AT 3450 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-350 which would accept a Grant of Temporary Construction Easement from Lewis Wall and Melinda D. Wall for property located at 3450 South Meadowlark Drive.

Mr. Pyle stated Lewis Wall and Melinda D. Wall had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**FF. RESOLUTION NO. 09-351, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SIDNEY D. BRYANT, TRUSTEE OF THE SYDNEY D. BRYANT LIVING TRUST, DATED OCTOBER 12, 2004, FOR PROPERTY LOCATED AT 3376 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-351 which would accept a Grant of Temporary Construction Easement from Sidney D. Bryant, Trustee of the Sydney D. Bryant Living Trust, Dated October 12, 2004, for property located at 3376 South Meadowlark Drive.

Mr. Pyle stated Sidney D. Bryant, Trustee of the Sydney D. Bryant Living Trust, Dated October 12, 2004, had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority

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light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**GG. RESOLUTION NO. 09-352, APPROVE A DELAY AGREEMENT WITH KIRT AND CRYSTAL JOHNSTON FOR OFF-SITE IMPROVEMENTS ON PROPERTY LOCATED AT 1249 WEST PARKWAY AVENUE**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-352 which would approve a Delay Agreement with Kirt and Crystal Johnston for off-site improvements on property located at 1249 West Parkway Avenue.

Mr. Pyle stated Kirt and Crystal Johnston had petitioned to allow delay of construction of off-site improvements that included curb, gutter, sidewalk, and asphalt tie-in to the existing roadway. He explained that, at the present time, there were no existing improvements along the subject property. He indicated postponing construction of the improvements would allow time for additional development to provide similar improvements. He stated the combination of the delayed improvements from this agreement and others collected as development progressed would provide a more complete and contiguous design of the curb and gutter.

**HH. RESOLUTION NO. 09-353, ACCEPT A WARRANTY DEED FROM CAMBODIAN CHRISTIAN REFORMED CHURCH FOR PROPERTY LOCATED AT 4035 SOUTH 5600 WEST**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-353 which would accept a Warranty Deed from Cambodian Christian Reformed Church for property located at 4035 South 5600 West.

Mr. Pyle stated the Warranty Deed had been signed by the Cambodian Christian Reformed Church.

The City Manager reported that as a condition of obtaining a building permit for a new building, dedication of additional 5600 West right-of-way has been required. He indicated the existing half width right-of-way at this location was 49.74 feet. As additional 3.26 feet was being conveyed to the City which would provide a 53-foot half width right-of-way in accordance with the West Valley City Major Street Plan.

After discussion, Councilmember Winder moved to approve Resolution Nos. 09-320, 09-321, 09-322, 09-323, 09-324, 09-325, 09-326, 09-327, 09-328, 09-329, 09-330, 09-331, 09-332, 09-333, 09-334, 09-335, 09-336, 09-337, 09-338, 09-

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339, 09-340, 09-341, 09-342, 09-343, 09-344, 09-345, 09-346, 09-347, 09-348, 09-349, 09-350, 09-351, 09-352, and 09-353, as presented on the Consent Agenda. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, OCTOBER 27, 2009, WAS ADJOURNED AT 7:04 P.M., BY MAYOR PRO TEM BROOKS.

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, October 27, 2009.

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Sheri McKendrick, MMC  
City Recorder