

MINUTES OF COUNCIL STUDY MEETING FEBRUARY 22, 2011

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, FEBRUARY 22, 2011, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Russ Brooks
Steve Buhler
Don Christensen
Corey Rushton
Steve Vincent (Arrived as noted)

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Carolynn Burt

STAFF PRESENT:

Paul Isaac, Assistant City Manager
John Evans, Fire Chief
Kevin Astill, Parks and Recreation Director
Layne Morris, Community Preservation Director
Buzz Nielsen, Police Chief
Nicole Cottle, CED Director
Jim Welch, Finance Director
Eric Bunderson, Acting City Attorney
Dan Johnson, Acting Public Works Director
Aaron Crim, Administration
Mark Nord, CED Department
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 8, 2011**
The Council read and considered Minutes of the Study Meeting held February 8, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held February 8, 2011, as written. Councilmember Christensen seconded the motion.

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A roll call vote was taken:

Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED FEBRUARY 22, 2011**

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Meeting scheduled February 22, 2011. He discussed items on that Agenda as follows:

Item No. 8.A. – RESOLUTION NO. 11-22, AWARD CONTRACT TO SAVAGE CONSTRUCTION, INC. FOR CONSTRUCTION OF THE 3500 SOUTH SAFE SIDEWALK PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-22 which would award a contract to Savage Construction, Inc., in the amount of \$80,276.53, for construction of the 3500 South Safe Sidewalk Project.

Mr. Pyle reported that upon staff's initial research regarding Savage Construction there had been some issues of concern; however, those matters had been resolved.

City Manager, Wayne Pyle, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-22 at the Regular Council Meeting scheduled February 22, 2011, at 6:30 P.M.

Redevelopment Agency Special Regular Meeting Agenda

City Manager, Wayne Pyle, discussed an item on the Agenda for a Special Regular Meeting of the Redevelopment Agency scheduled February 22, 2011. Mr. Pyle answered questions from members of the City Council.

3. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MARCH 1, 2011:**

A. **EMPLOYEES OF THE MONTH AWARD, MARCH 2011 – FIREFIGHTER PARAMEDIC SCOTT PEARSON AND ENGINEER PARAMEDIC BRETT RUSSELL, FIRE DEPARTMENT**

City Manager, Wayne Pyle, stated Councilmember Christensen would read the nomination of Firefighter Paramedic Scott Pearson and Engineer Paramedic Brett

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Russell, Fire Department, to receive the Employees of the Month Award for March 2011, at the Regular Council Meeting scheduled March 1, 2011, at 6:30 P.M. Firefighter Paramedic Pearson and Engineer Paramedic Russell had been nominated for saving the life of a woman who had been ejected from her vehicle after a slide-off in a severe winter storm.

B. PROCLAMATION DECLARING MARCH 2011 AS NATIONAL CAFFEINE AWARENESS MONTH IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated Mayor Winder would read a proclamation declaring March 2011 as National Caffeine Awareness Month in West Valley City, at the Regular Council Meeting scheduled March 1, 2011, at 6:30 P.M.

4. ORDINANCE NO. 11-10, ENACT TITLE 3-2-103.1 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ALLOW FOR THE APPOINTMENT OF TEMPORARY JUSTICE COURT JUDGES

City Manager, Wayne Pyle, discussed proposed Ordinance No. 11-10 which would enact Title 3-2-103.1 of the West Valley City Municipal Code to allow for the appointment of temporary justice court judges.

Mr. Pyle stated that from time to time because the judges used PTO (paid time off) or were disqualified from a particular case, the West Valley City Justice Court had need to appoint temporary justice court judges. He explained judges had been required to disqualify themselves in the past because of a relationship to a defendant, personal observation of an incident, and for other reasons. He stated that on December 29, 2010, the Utah Court of Appeals changed the common procedure for appointment of temporary justice court judges (*Pett v. Brigham City, 2010 UT App 394, 12/30/10, Court of Appeals Case # 20090620-CA.*). He explained the West Valley City Justice Court currently had two matters pending that required the services of a temporary justice court judge. He indicated the judges had proposed the subject ordinance to allow these two matters, as well as future cases, to proceed without delay.

Eric Bunderson, Acting City Attorney, further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 11-10 at the Regular Council Meeting scheduled March 1, 2011, at 6:30 P.M.

5. RESOLUTION NO. 11-26, RATIFY THE CITY MANAGER'S APPOINTMENT OF ALL CURRENT AND SERVING JUSTICE COURT JUDGES IN SALT LAKE COUNTY AS TEMPORARY JUSTICE COURT JUDGES FOR WEST VALLEY CITY

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-26 which would ratify his appointment of all current and serving justice court judges in Salt Lake County as temporary justice court judges for West Valley City.

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Mr. Pyle stated because the City's Court case load was distributed between two full-time judges when one of those judges took time off, or was recused, there was no coverage to maintain the Justice Court case work flow. He also stated a recent appeals court case prompted West Valley City to consider adoption of an ordinance change allowing the City Manager to appoint temporary judges for the West Valley Justice Court.

Eric Bunderson, Acting City Attorney, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

In response to the City Council's request, the City Manager instructed the Acting City Attorney to conduct a survey and provide names and qualifications of all sitting justice court judges in Salt Lake County.

The City Council will consider proposed Resolution No. 11-26 at the Regular Council Meeting scheduled March 1, 2011, at 6:30 P.M.

6. **CONSENT AGENDA SCHEDULED MARCH 1, 2011:**

A. **RESOLUTION NO. 11-27, RATIFY THE CITY MANAGER'S APPOINTMENT OF SARA STAHILI AS A MEMBER OF THE WEST VALLEY CITY ARTS COUNCIL, TERM: MARCH 1, 2011 – DECEMBER 31, 2012**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-27 which would ratify his appointment of Sara Stahili as a member of the West Valley City Arts Council for the term March 1, 2011, through December 31, 2012.

B. **RESOLUTION NO. 11-28, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM HOMESTEAD FARMS HOMEOWNERS ASSOCIATION, INC., FOR PROPERTY LOCATED AT HOMESTEAD LANE (3650 SOUTH) AND 1950 WEST FOR THE HOMESTEAD FARMS STORM DRAIN PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-28 which would accept a Grant of Temporary Construction Easement from Homestead Farms Homeowners Association, Inc. for property located at Homestead Lane (3650 South) and 1950 West for the Homestead Farms Storm Drain Project.

Mr. Pyle stated Homestead Farms Home Owners Association had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject project was being constructed to resolve problems with the storm drain at the above location which at times resulted in flooding to the Homestead Farms PUD property. He informed the easement would allow the contractor to connect on-site storm drain improvements to new

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storm drain improvements on 1950 West Street and to make necessary tie-ins to the owner's property. He stated the easement would automatically expire December 31, 2011.

The City Council will consider proposed Resolution Nos. 11-27 and 11-28 at the Regular Council Meeting scheduled March 1, 2011, at 6:30 P.M.

7. **COMMUNICATIONS:**

A. **LEGISLATIVE UPDATE**

Mark Nord, CED Department, updated the City Council and discussed bills of interest to the City presently being considered in the Utah State Legislature. Among others, items of interest discussed included unattended child in vehicle, alcohol licensing, RDA's, sales tax on food, and immigration.

Councilmember Vincent arrived at the meeting at 4:54 P.M.

City Manager, Wayne Pyle, and Mr. Nord answered questions from members of the City Council regarding bills under consideration by the Legislature.

B. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: January 24 ó March 10, 2011: General Session of Utah Legislature; February 24, 2011: Grand Opening ó Hunter Hollow Rehabilitation and Skilled Nursing Community, 4090 W. Pioneer Parkway, 1:00 P.M.; February 24, 2011: The Mundi Project and UCCC present *Water: Where Nature Meets Art*, UCCC, 6:30 P.M.; March 1, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 8, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 15, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 19, 2011: Recycle Run ó 5K Race, Family Fitness Center; March 22, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 31, 2011: Retirement Open House for Richard Catten, Multi-Purpose Room, 3:00 P.M. ó 4:30 P.M.; April 5, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 12, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 11-13, 2011: ULCT Mid-Year Conference, St. George; April 19, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 26, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 30, 2011: Yanni in Concert, Maverik Center, 8:00 P.M.; May 3, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 5, 2011: UDOT's Annual Visit to County and City Officials, Calvin Rampton Complex, 1st Floor Admin. Small B Conference Room, 4501 South 2700 West, 9:00 A.M. ó 11:00 A.M.; May 10, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 17, 2011: Council Study Meeting, 4:30 P.M., Regular

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Council Meeting, 6:30 P.M.; May 24, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 30, 2011: Memorial Day Holiday ó City Hall closed; and September 12, 2011: Lake Park Golf Social, Stonebridge Golf Course.

C. LIST OF COMMUNICATION AND PRESENTATION ITEMS

City Manager, Wayne Pyle, advised a new list of communication and presentation items to be added to the Council agendas was being developed which included field trips, updates from departments, and other matters. He requested members of the City Council advise him of any ideas of interest to be added to that list.

8. COUNCIL REPORTS:

A. COUNCILMEMBER STEVE BUHLER – WEST VALLEY CITY “ROYALTY”

Councilmember Buhler stated he recently attended an event at the Olympic Speed Skating Oval where he saw the Kearns òroyalty.ö He stated West Valley City used to have òroyaltyö but did not any more.

The City Council discussed the history and background of the Miss West Valley Pageant and possible ways to resurrect the program with a new committee, if it was determined to be in the best interest of the City.

Councilmember Buhler stated he would contact the Miss America organization and report back to the Council in the future.

Upon further discussion, Councilmember Brooks stated he preferred to see residents of the community rather than City Council members or òroyaltyö riding on parade floats. He further stated òroyaltyö should participate in community events and ribbon cuttings.

B. COUNCILMEMBER DON CHRISTENSEN – LUCHA LIBRE EVENT AT MAVERIK CENTER AND QUEBEC, CANADA TRIP

Councilmember Christensen stated he recently attended the first Lucha Libre event at the Maverik Center and it had not been well attended. He inquired regarding why advertisement had not been better for that event.

In response, City Manager, Wayne Pyle, stated he would inquire how that event had been advertised.

Councilmember Christensen reported regarding his recent visit to Quebec, Canada, to watch his grandson play hockey.

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C. COUNCILMEMBER COREY RUSHTON – JORDAN RIVER COMMISSION

Councilmember Rushton reported regarding the Jordan River Commission and his opportunity to be a presenter at a symposium the previous week. He stated they were in the process of hiring an executive director with a search committee ready to make a recommendation to the board.

D. MAYOR MIKE WINDER – ENGLISH LANGUAGE CLASSES AT GRANGER HIGH SCHOOL, SISTER CITY COMMITTEE CHAIR RESIGNATION, CHANNEL 17, NLC CONFERENCE, ULCT BOARD MEETING, EDCUTAH MEETING, VALLEY CREST SECOND GRADE CLASSES, AND KENNECOTT EXPANSION AND PUBLIC OUTREACH

Mayor Winder stated he recently toured the evening English language classes at Granger High School and he discussed countries of origin of the adults in those classes. He advised April 5, 2011, had been scheduled for the graduates of the classes to receive certificates of completion from the City Council. He requested the City Manager obtain names of the graduates so certificates could be presented.

Mayor Winder advised that the chair of the Sister City Committee, Keith Sadler, had resigned. At the Mayor's request, Councilmember Christensen reported regarding the Sister City Committee, including two other cities, who desired to become sister cities, and the student exchange program. Councilmember Christensen stated more members were needed including a new chairperson. Councilmember Brooks suggested an article be included in the West Valley Journal to recruit members for that committee.

Mayor Winder inquired regarding Channel 17 and problems with no signal, particularly on weekends. At the City Manager's direction, Aaron Crim, Administration, discussed his recent contact with Comcast regarding Channel 17 and indicated problems seemed to be due to some updates on the cable provider's end. Mayor Winder stated we had come a long way in improving quality and content of Channel 17. Mr. Crim advised there was not currently enough content to loop more than two hours running but that issue would get better and easier as more content was developed. The City Council discussed story ideas for the channel.

Mayor Winder advised that he and Councilmember Rushton would attend the upcoming National League of Cities (NLC) Conference and desired to be prepared with the City's federal agenda while meeting with Utah's congressional delegation and/or key agencies. City Manager reported he would discuss and provide ideas for priorities, funding requests and other pertinent issues.

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Mayor Winder reported regarding a recent Utah League of Cities and Towns (ULCT) board meeting and the formula to be used for dues assessment. He stated West Valley City's dues would actually decrease by approximately \$4,000.

Mayor Winder reported regarding a recent EDCUtah meeting.

Mayor Winder stated he had recently visited the second grade classes at Valley Crest Elementary as they were learning more about City government.

Mayor Winder reported regarding Kennecott expansion plans and their recent public outreach efforts.

E. COUNCILMEMBER STEVE VINCENT – ACKNOWLEDGMENT OF E-MAILS SENT TO CITY

Councilmember Vincent stated he had recently received an e-mail from an individual requesting the City's IT Division set up a system to acknowledge receipt of e-mails.

City Manager, Wayne Pyle, advised some requests for services and other matters automatically received a response. The City Manager requested Councilmember Vincent forward any messages to him and he would look into such requests.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, FEBRUARY 22, 2011, WAS ADJOURNED AT 5:56 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, February 22, 2011.

Sheri McKendrick, MMC
City Recorder