

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 6, 2011

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, SEPTEMBER 6, 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 AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

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

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Steve Vincent

STAFF PRESENT:

Paul Isaac, Assistant City Manager
John Evans, Fire Chief
Layne Morris, CPD Director
Jim Welch, Finance Director
Nicole Cottle, CED Director
Russell Willardson, Public Works Director
Eric Bunderson, City Attorney
Kevin Astill, Parks and Recreation Director
Mike Wells, Acting Police Chief
Steve Lehman, CED Department
Steve Pastorik, CED Department
Dan Johnson, Public Works Department
Bob Fitzgerald, Fire Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD AUGUST 16, 2011**
The Council read and considered Minutes of the Study Meeting held August 16, 2011. There were no changes, corrections or deletions.

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After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held August 16, 2011, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. **MOSQUITO ABATEMENT DISTRICTS UPDATE (Rescheduled from August 16, 2011)**

Mayor Winder introduced Janice Fisher, the City's representative on the Mosquito Abatement Boards. Ms. Fisher introduced Ryan Lusty, Manager of Magna Mosquito Abatement District, and Dr. Sammie Dickson, Manager of Salt Lake City Mosquito Abatement District.

Using PowerPoint, Dr. Dickson discussed information summarized as follows:

- Area map and boundaries of Mosquito Abatement Districts in Salt Lake County
- Mission
- Background and facts regarding the West Nile Virus

During the above presentation and discussion, Dr. Dickson answered questions from members of the City Council.

3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED SEPTEMBER 6, 2011**

City Manager, Wayne Pyle, discussed the following new items added to the Agenda of the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.:

Item No. 6.A. – PROCLAMATION DECLARING SEPTEMBER AS IDLE FREE AWARENESS MONTH IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated Councilmember Rushton would read a Proclamation declaring September as Idle Free Awareness Month in West Valley City, at the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.

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Item No. 9.A. – ORDINANCE NO. 11-20, AMEND SECTION 17-24-101 AND ENACT SECTION 17-24-114 OF THE WEST VALLEY CITY MUNICIPAL CODE TO REGULATE THE USE OF FLAME BY PERFORMERS

City Manager, Wayne Pyle, discussed proposed Ordinance No. 11-20 which would amend Section 17-24-101 and enact Section 17-24-114 of the West Valley City Municipal Code to regulate the use of flame by performers.

Mr. Pyle stated, per previous discussion and direction by the City Council, a new draft ordinance had been prepared with clarification to some of the language. He further discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 11-20 at the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.

Item No. 10.D. – RESOLUTION NO. 11-131, APPROVE A DELAY AGREEMENT WITH CABCO 5600 LLC, FOR PROPERTY LOCATED AT 2514 SOUTH 5700 WEST AND 2518 SOUTH ANNA CAROLINE DRIVE (5700 WEST)

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-131 which would approve a Delay Agreement with Cabco 5600 LLC, for property located at 2514 South 5700 West and 2518 South Anna Caroline Drive (5700 West).

Mr. Pyle stated Cabco had requested to delay construction of curb and gutter, sidewalk, concrete drive approach and road improvements for Lots 1 and 2 of the Cabco 5600 West Subdivision.

He stated RJF Company, LTD, LP, had originally executed a Delay Agreement on August 8, 2011, for property located at 2514 South 5600 West. He further informed that on August 15 2011, the property had been deeded to Cabco. He indicated as RJF Company was no longer the owner of record, a new Delay Agreement had been required. He stated the new Delay Agreement would replace the original document and that only the name of the company had changed and terms and conditions remained the same.

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

The City Council will consider proposed Resolution No. 11-131 at the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.

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Item No. 10.E. – RESOLUTION NO. 11-132, AUTHORIZE A GRANT OF FUNDS TO THE WEST VALLEY CITY REDEVELOPMENT AGENCY TO ASSIST WITH THE PROMENADE/PLAZA SITE IMPROVEMENTS PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-132 which would authorize a grant of funds to the West Valley City Redevelopment Agency to assist with the Promenade/Plaza Site Improvements Project.

Mr. Pyle stated the proposal would authorize the City to provide the RDA with a grant of \$1,611,175.00 toward construction costs for the Promenade/Plaza Site Improvements Project. He also explained the Community Development and Renewal Agencies Act, Utah Code Annotated 17C-1-207 (1)(a)(viii), authorized a municipality to grant funds to a redevelopment agency in order to assist with an urban renewal project.

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. 11-132 at the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.

Item No. 10.F. – RESOLUTION NO. 11-133, APPROVE AN AGREEMENT BETWEEN THE UTAH TRANSIT AUTHORITY, WEST VALLEY CITY, AND THE WEST VALLEY CITY REDEVELOPMENT AGENCY FOR AN EXCHANGE OF PARKING AND PROPERTY WITHIN FAIRBOURNE STATION

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-133 which would approve an Agreement between the Utah Transit Authority (UTA), West Valley City, and the West Valley City Redevelopment Agency (RDA) for an exchange of parking and property within Fairbourne Station.

Mr. Pyle stated the City's RDA and UTA both needed additional parking within Fairbourne Station. He also stated the RDA required UTA owned property for construction of the Promenade and a new road just south of the Embassy Suite Hotel. He reported that under the proposed agreement UTA would:

- Dedicate property to the City for Market Street to account for realignment of the road
- Deed property on the north end of the Park and Ride lot to the City for a new road
- Share parking spaces within the Park and Ride lot for evening use by hotel patrons
- Deed property north of the West Valley Library to the RDA for the Promenade
- Contribute funds to expand the Park and Ride lot

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The City Manager explained in exchange for UTA's contributions the City would stripe parallel parking spaces along the south half of Market Street and share parking spaces at City Hall with UTA for transit patrons. He indicated the RDA would deed property west of the Park and Ride lot to UTA and contribute funds to expand the Park and Ride lot.

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. 11-133 at the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.

Councilmember Brooks arrived at the meeting at 4:59 P.M.

Item No. 10.G. – RESOLUTION NO. 11-134, APPROVE AN AMENDMENT TO THE COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION DATED MARCH 9, 2010, FOR THE DESIGN AND CONSTRUCTION OF THE 1200 WEST CONNECTOR ROAD

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-134 which would approve an Amendment to the Cooperative Agreement with the Utah Department of Transportation dated March 9, 2010, in the amount of \$360,000.00, for the design and construction of the 1200 West Connector Road.

Mr. Pyle stated the subject agreement would cover additional cost to construct a 24-inch waterline for Granger-Hunter Improvement District in the federally funded 1200 West Connector Road Project. He informed the City and the Improvement District had worked together to have the contractor for the 1200 West Connector Road Project install the waterline as part of the project which would allow the line to be installed without cutting the new asphalt roadway. He also advised an Interlocal Agreement would be executed between the City and Granger-Hunter to cover costs to construct the waterline (estimated at \$406,985.00).

The City Manager reported the Federal Aid Agreement needed to be modified to include this work to be done as part of the federally funded project. He indicated adding the 24-inch waterline would be betterment to the City and therefore required a modification of the original agreement.

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. 11-134 at the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.

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Item No. 10.H. – RESOLUTION NO. 11-135, AWARD A CONTRACT TO TNT GENERAL CONTRACTORS FOR THE 2011 STORM DRAIN PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-135 which would award a contract to TNT General Contractors, in the amount of \$276,777.00, for the 2011 Storm Drain Project.

Mr. Pyle stated the project consisted of storm drainage improvements at various locations, including pipe replaced at 6800 West 3800 South; new drainage improvements on the south SR-201 Frontage Road between Bangerter Highway and 5600 West; new drainage improvements on Claybourne Avenue (2785 South) east of Redwood Road and Russet Avenue (2830 South) east of Redwood Road; and replacement of a failed storm drain cleanout box on Constitution Boulevard (2700 West) near Lehman Avenue (3600 South).

The City Manager reported bids had been solicited and one bid received as follows:

TNT General Contractors:

Schedule 1 – 6800 West 3800 South	\$ 19,996.00
Schedule 2 – 201 Frontage Road between Bangerter Highway and 5600 West	\$203,250.00
Schedule 3 – Claybourne Avenue and Russett Avenue	\$ 45,576.00
Schedule 4 – 2700 West Lehman Avenue	\$ 7,955.00
Total:	\$276,777.00

Mr. Pyle further reported the engineer's estimate was in the amount of \$312,925.00.

City Manager, Wayne Pyle, stated the Utah Department of Transportation (UDOT) Region 2 would pay \$91,900.00 to assist with the SR-201 Frontage Road drainage problem.

Mr. 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. 11-135 at the Regular Council Meeting scheduled September 6, 2011, at 6:30 P.M.

Item No. 10.I. - RESOLUTION NO. 11-137, APPROVE A SHORT TERM LEASE/USE AGREEMENT WITH JAMES DIX FOR USE OF THE CITY-OWNED PROPERTY LOCATED AT 4063 SOUTH 7200 WEST IN WEST VALLEY CITY

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-137 which would

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approve a Short Term Lease/Use Agreement with James Dix for use of the City-owned property located at 4063 South 7200 West in West Valley City.

Mr. Pyle stated the proposed agreement defined terms in which the City would allow James Dix to house his animals on the property. He advised the Utah Department of Transportation (UDOT) found it necessary to relocate Mr. Dix in order to begin work on the Mountain View Corridor. He advised that as Mr. Dix had not found a permanent place to house his animals, which included hundreds of snakes, reptiles, amphibians, rodents and mammals, the City, if approved, would agree to a short-term relocation of the animals to the subject property until the City, Mr. Dix and UDOT located a permanent, legal home for the animals.

Upon direction by the City Manager, the Assistant City Manager, Paul Isaac, provided additional background information regarding this matter. He also reviewed additional details of the proposals and answered questions from members of the City Council.

The City Manager advised that Mr. Dix was in attendance at the meeting if the City Council had questions.

Upon discussion, members of the City Council made individual comments, and some members expressed opinions and concerns regarding the proposal

Review Redevelopment Agency and Housing Authority Agenda Items scheduled September 6, 2011

City Manager, Wayne Pyle, reviewed items on the agendas for the Redevelopment Agency and Housing Authority meetings scheduled later this night. He answered questions from members of the City Council.

Upon inquiry by the City Manager, there were no further questions regarding items scheduled on the subject Agendas.

4. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED SEPTEMBER 13, 2011:

A. EMPLOYEE OF THE MONTH, SEPTEMBER 2011 – UBALDO TAPIA, PUBLIC WORKS DEPARTMENT

City Manager, Wayne Pyle, stated Councilmember Buhler would read the nomination of Ubaldo Tapia, Public Works Department, to receive the Employee of the Month Award for September 2011, at the Regular Council Meeting scheduled September 13, 2011, at 6:30 P.M.

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5. PUBLIC HEARINGS SCHEDULED SEPTEMBER 13, 2011:

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. SV-1-2011, FILED BY DUANE WILKEY AND DAVID MILLER, REQUESTING TO VACATE AN EXISTING SCHOOL WALKWAY LOCATED AT 4326 SOUTH WORMWOOD DRIVE

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled September 13, 2011, at 6:30 P.M., in order for the City Council to accept public input regarding Application No. SV-1-2011, filed by Duane Wilkey and David Miller, requesting to vacate an existing school walkway located at 4326 South Wormwood Drive. He discussed proposed Ordinance No. 11-21 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 11-21, VACATING AN EXISTING WALKWAY LOCATED AT APPROXIMATELY 4326 SOUTH WORMWOOD DRIVE IN WEST VALLEY CITY

City Manager, Wayne Pyle, discussed proposed Ordinance No. 11-21 which would vacate an existing walkway located at approximately 4326 South Wormwood Drive in West Valley City.

Mr. Pyle stated the subject walkway provided access to the Hunter Elementary School and the purpose for the vacation would be to mitigate a wide range of problems occurring to the property owners living adjacent to the walkway.

The City Manager reported the subject walkway was located between Lots 344 and 345 of the Woodledge No. 3 Subdivision. He stated the plat had been recorded with the Salt Lake County Recorder's Office in April, 1977; and as part of the plat, a six-foot walkway was situated between said lots providing access to a large field owned by the LDS Church. He indicated eventually the property had been sold to the Granite School District who subsequently constructed the Hunter Elementary School in 1980. The walkway had been used since that time. He advised that in conversations with the Granite School District they expressed the benefits of having the walkway; however, the District did not desire to own or maintain it. He further advised the walkway was six feet wide and fenced on both sides with chain link. He stated due to an elevation difference, the west end of the walkway included a stairway up to the school property.

Mr. Pyle reported the applicants had provided letters outlining the problems they encountered over the years. He indicated although many of the problems were likely not created by students using the school, the walkway did allow access with limited visibility thus causing other problems. He reported if the walkway was vacated, streets on the north and south sides of the school did have sidewalk and the school did have an area for children to be dropped off from vehicles.

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Steve Lehman, CED Department, further reviewed and discussed the Application and proposed ordinance. He discussed background information regarding the primary issues. He also displayed a map of the area and answered questions from members of the City Council. He informed that subsequent to the Planning Commission's public hearing; City staff, Councilmember Rushton and others had met to discuss ways to mitigate the known problem. He informed the Council regarding a discussion with Granite School District representatives and their suggestion to close the gate except for certain times before and after school hours (when custodians would unlock the gate). He reported City staff recommended action regarding the vacation be continued indefinitely to see if this suggestion could mitigate the problems and, if not, then the proposed ordinance could be revisited in the future. He also discussed other suggestions made by City staff, Granite School District and concerned residents.

The City Council will hold a public hearing regarding Application No. SV-1-2011 and consider proposed Ordinance No. 11-21 at the Regular Council Meeting scheduled September 13, 2011, at 6:30 P.M.

6. **RESOLUTION NO. 11-136, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET AT 2975 SOUTH 5990 WEST**
City Manager, Wayne Pyle, discussed proposed Resolution No. 11-136 which would authorize the City to grant a perpetual non-exclusive Cable and Facilities Easement to UTOPIA for placement of a cabinet at 2975 South 5990 West.

Mr. Pyle stated UTOPIA was currently constructing its telecommunications infrastructure in the City and required the use of certain cabinets to connect the infrastructure. He also stated it had been proposed one of the cabinets be placed at 2975 South 5990 West.

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. 11-136 at the Regular Council Meeting scheduled September 13, 2011, at 6:30 P.M.

7. **COMMUNICATIONS:**

A. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: August 30 – September 9, 2011: Early Voting for Municipal Primary Election, City Hall; September 1 – October 11, 2011: 99 Names Exhibit, UCCC; September 7, 2011: Selena Gomez, Maverik Center, 7:00 P.M.; September 7, 2011: Navy Band "Country Current" Concert, UCCC, 7:00 P.M.; September 9, 2011: WVC

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Employee Golf Tournament, West Ridge Golf Course; September 13, 2011: Municipal Primary Election; September 14-16, 2011: ULCT Annual Conference; September 15, 2011: Waste Management Press Event, City Hall, 10:00 A.M.; September 15, 2011: National Association of Letter Carriers, Golden Corral, 3399 West 3500 South, 4:30 P.M. – 6:00 P.M.; September 15, 2011: ChamberWest Membership Appreciation Night, Hollywood Connection, 3217 S. Decker Lake Drive, 5:00 P.M. – 9:00 P.M.; September 19, 2011: Lake Park Golf Social, Stonebridge Golf Course; September 20, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 20, 2011: Canvass of Municipal Primary Election during Regular Council Meeting; September 26, 2011: Media Event – Announcement of Reconstruction of West Ridge Golf Course, 5055 S. Westridge Blvd., 10:00 A.M.; September 27, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 28, 2011: Furthur, Maverik Center, 7:00 P.M.; October 4, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 11, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 11, 2011: Foo Fighters, Maverik Center, 7:00 P.M.; October 12, 2011: Meet the Candidates Night for Municipal General Election, UCCC, 7:00 P.M.; October 18, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 25 – November 4, 2011: Early Voting for Municipal General Election; October 25, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 26, 2011: So You Think You Can Dance, Maverik Center, 7:00 P.M.; November 1, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 2, 2011: Celtic Thunder, Maverik Center, 7:30 P.M.; November 4, 2011: Judas Priest, Maverik Center, 6:30 P.M.; November 8, 2011: Municipal General Election; November 8, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 9-12, 2011: National League of Cities Conference, Phoenix, Arizona; November 15, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2011: Canvass of Municipal General Election during Regular Council Meeting; November 24, 2011: Thanksgiving Holiday – City Hall closed; December 6, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 13, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 20, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 26, 2011: Christmas Holiday – City Hall closed.

8. **COUNCIL REPORTS:**

A. **COUNCILMEMBER DON CHRISTENSEN – GRANGER HIGH STADIUM RIBBON CUTTING CEREMONY**

Councilmember Christensen reported that he, along with Councilmembers Brooks and Buhler and Mayor Winder, attended the Granger High School ribbon cutting for the new stadium.

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B. MAYOR MIKE WINDER – COG MEETING

Mayor Winder reported regarding a recent COG (Council of Governments) meeting and he reviewed issues discussed including the South Jordan City's cardiac arrest awareness program.

Upon inquiry, John Evans, Fire Chief, advised he was aware of the program and stated it required a large amount of funding. He advised South Jordan received donations from their business community.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, SEPTEMBER 6, 2011, WAS ADJOURNED AT 6:10 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, September 6, 2011.

Sheri McKendrick, MMC
City Recorder