

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 11, 2012

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, SEPTEMBER 11, 2012, 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
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Eric Bunderson, City Attorney
Nicole Cottle, CED Director
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Layne Morris, CPD Director
John Evans, Fire Chief
Buzz Nielsen, Police Chief
Steve Pastorik, CED Department
Brent Garlick, CED Department
Owen Jackson, Administration
Jake Arslanian, Public Works Department
Erik Brondum, Public Works Department

1. APPROVAL OF MINUTES OF STUDY MEETING HELD AUGUST 28, 2012

The Council read and considered Minutes of the Study Meeting held August 28, 2012. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Study Meeting held August 28, 2012, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. REVIEW AGENDAS FOR COUNCIL REGULAR AND HOUSING AUTHORITY SPECIAL REGULAR MEETINGS SCHEDULED SEPTEMBER 11, 2012

City Manager, Wayne Pyle, stated one new item had been added to the Agenda for the Regular Council Meeting scheduled September 11, 2012, at 6:30 P.M. He discussed the new item and an item scheduled on the Agenda for a Housing Authority Special Regular Meeting to be held later this night, as follows:

Item No. 9.C. – DECKER LAKE DEVELOPMENT PLAN

City Manager, Wayne Pyle, informed this item had been added to the Regular Meeting in order for representatives of Hale Centre Theatre to present a proposal for development in the Decker Lake area.

HOUSING AUTHORITY SPECIAL REGULAR MEETING – RESOLUTION NO. 12-26, AUTHORIZE SALE OF HOUSING AUTHORITY A PUBLIC HOUSING UNIT LOCATED AT 5156 WEST BURKMAN WAY FOR THE REVISED AMOUNT OF \$124,000.00.

City Manager, Wayne Pyle, discussed proposed Housing Authority Resolution No. 12-26 which would authorize sale of a public housing unit located at 5156 West Burkman Way for the revised amount of \$124,000.00.

Mr. Pyle stated the subject unit was the last of 18 units being sold. He advised the original offer for \$128,000.00 had fallen through with the next best offer having been received in the amount of \$124,000.00.

The City Manager reported in order to meet federal standards for cleanliness, safety, and comfort each dwelling must be maintained at a high level. He stated the cost to repair and maintain these units at the required standard exceeded the federal funding provided. He also reported the Housing Authority had requested and received approval from HUD to dispose of these units through public sale.

Layne Morris, CPD Director, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

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

3. **PUBLIC HEARINGS SCHEDULED SEPTEMBER 18, 2012:
PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION
NO. ZT-5-2012, FILED BY BRIAN HANSEN, REQUESTING A SIGN
ORDINANCE TEXT CHANGE TO ALLOW FULL VIDEO ANIMATION ON
ELECTRONIC MESSAGE SIGNS UNDER CERTAIN CONDITIONS**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled September 18, 2012, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. ZT-5-2012, filed by Brian Hansen, requesting a Sign Ordinance text change to allow full video animation on electronic message signs under certain conditions. He discussed proposed Ordinance No. 12-39 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

**ORDINANCE NO. 12-39, AMENDING SECTION 11-1-104 OF THE WEST
VALLEY CITY MUNICIPAL CODE TO AMEND THE SIGN ORDINANCE TO
ALLOW VIDEO ANIMATION ON ELECTRONIC MESSAGE SIGNS UNDER
CERTAIN CONDITIONS**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 12-39 which would amend Section 11-1-104 of the West Valley City Municipal Code to amend the sign Ordinance to allow video animation on electronic message signs under certain conditions.

Mr. Pyle stated the owner of Valley Fair Mall, represented by Brian Hansen, had requested the amendment to the Sign Ordinance as currently that ordinance did not allow full video animation. He advised the applicant's letter outlining reasons for the request had been distributed to members of the City Council. He explained the Mall desired to utilize full video animation on the sign over the entrance to the Megaplex Theater.

The City Manager reported that given the significant distance of the sign from the frontage road and I-215 (approximately 500 feet), the sign was intended to draw theater patrons from the parking lot to the entrance of the building and not intended to be read from I-215. He further stated given the unique three-sided design of the building and placement of the Megaplex sign tower on the east side of the building, the video animation was proposed to emphasize the building entrance. He discussed conditions for use of full video animation, summarized as follows:

- Signs with video animation must be located at least 400 feet from any public right-of-way
- Signs with video animation are only allowed for regional shopping malls
- Signs with video animation must be used to designate the entrance of a building
- Only one sign with video animation is allowed per regional shopping mall

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Steve Pastorik, CED Department, further reviewed the Application and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. ZT-5-2012 and consider proposed Ordinance No. 12-39 at the Regular Council Meeting scheduled September 18, 2012, at 6:30 P.M.

4. **OPENING CEREMONY FOR 9/11 MEMORIAL ON THE PROMENADE (SCHEDULED FROM 4:45 P.M. TO 5:15 P.M.)**

Mayor Winder recessed the Study Meeting at 4:42 P.M. and the Council, City staff, and others joined together on the Promenade adjacent to City Hall where a scheduled memorial program honoring victims of the terrorist attacks on the United States on September 11, 2001, was held. The program included the Fallen Hero's Dream Ride that arrived with escorts from the Police and Fire departments, after which the vehicle was placed on display during a community memorial open house. The Fallen Hero's Dream Ride honored Lance Corporal Phillip David Vinnedge who died in the service of his country. In his honor his parents fulfilled his dream of restoring a classic pickup truck complete with murals honoring him, his family, his military colleagues and those lost on September 11, 2001. West Valley City was honored to be one of only six locations chosen to display the truck on its southwest tour.

Upon return to the Multi-Purpose Room, Mayor Winder reconvened the Study Meeting at 5:22 P.M.

5. **RESOLUTION NO. 12-132, APPROVE THE PURCHASE OF A LEICA GEOSYSTEMS SCANSTATION C10 3-D LASER SCANNING SYSTEM FOR USE BY THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 121-132 which would approve the purchase of a Leica Geosystems Scanstation C10 3-D Laser Scanning System, in an amount not to exceed \$75,000.00, for use by the Police Department.

Mr. Pyle stated the purchase would include a crime scene digitizer using Justice Assistance Grant (J.A.G.) funds, Department of Justice Programs. He explained the Police Department had requested authorization to purchase a different system than previously authorized under Resolution No. 12-27. He advised the previously approved system had been the Focus 3D Scene Digitizer from 3rd Tech. He explained this request was for the Leica Geosystems Scanstation C10 Laser Scanning System with accessories and a maintenance package.

The City Manager reported the Police Department had received grant funding from the U.S. Department of Justice Program to be allocated to purchase equipment for use by the Police Department. He stated this was a non-matching grant so the Police Department was not required to match funds. He indicated the crime scene digitizer would be used to

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document crime scenes indoors and outdoors in all types of weather conditions. He further explained the system now being requested had several features making it a better choice, such as safety goggles not being needed to operate the equipment, accuracy was NIST traceable and the system had been subjected to a Daubert hearing in court and passed, and it had better range when used in sunlight.

Mr. Pyle informed this system would be purchased through the Salt Lake City Police Department, and that agency had followed their purchasing requirements for items in this price range.

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. 12-132 at the Regular Council Meeting scheduled September 18, 2012, at 6:30 P.M.

6. **RESOLUTION NO. 12-133, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE CITY FOR PURCHASE, STORAGE AND MAINTENANCE OF A LEICA GEOSYSTEMS SCANSTATION C10 3-D LASER SCANNING SYSTEM**

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-133 which would approve an Interlocal Cooperation Agreement with Salt Lake City for purchase, storage and maintenance of a Leica Geosystems Scanstation C10 3-D Laser Scanning System.

Mr. Pyle advised the West Valley City Police Department and the Salt Lake City Police Department would jointly purchase a Leica Geosystems C10 3-D Laser Scanning System to be shared by both departments. He further advised the proposed agreement set forth the obligations and respective rights of both parties with regard to the purchase, storage and maintenance of that system. He reported West Valley City and Salt Lake City would share the initial cost of the digitizer equally, as well as all maintenance and repair costs. Salt Lake City would store the digitizer at their secure crime lab facility and both parties would have equal opportunity to use it.

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. 12-133 at the Regular Council Meeting scheduled September 18, 2012, at 6:30 P.M.

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7. **NEW BUSINESS SCHEDULED SEPTEMBER 18, 2012:**

A. **HEAR AND CONSIDER APPEAL FROM NATE CARLISLE, SALT LAKE TRIBUNE, REGARDING DENIAL OF A RECORDS REQUEST**

City Manager, Wayne Pyle, stated a hearing had been scheduled to consider an appeal from Nate Carlisle, Salt Lake Tribune, regarding denial of a records request.

Mr. Pyle discussed background information and timing regarding this appeal, and other appeals heard previously by the City Council.

Upon discussion, Councilmember Buhler stated he desired to hear from the Police Department's counsel, Clint Gilmore, regarding each of the requested records specifically and individually along with the respective applicable Code sections.

City Manager, Wayne Pyle, and the City Council members discussed provisions of the GRAMA statute in the Utah State Code as well as the West Valley City Code regarding public records.

The subject hearing will be held during Regular Council Meeting scheduled September 18, 2012.

8. **COMMUNICATIONS:**

A. **SIGNAL COORDINATION PROJECT UPDATE**

City Manager, Wayne Pyle, directed Erik Brondum, Public Works Department, to provide updated information regarding the signal coordination project.

Mr. Brondum used PowerPoint and discussed information summarized as follows:

- Definition of signal coordination
- Benefits and trade-offs
- Map showing layout of traffic signal system
- Maintenance of certain signals by the Utah Department of Transportation (UDOT) and others by West Valley City
- Primary and secondary corridors and number of signals that were part of study
- Previous efforts in 2009 on 4100 South Street
- Changes due to continuous flow intersections (CFIs) on Bangerter Highway
- Challenges
- Project efforts – data collection, simplify traffic signal timing, coordinate signals with the City and State systems, model and optimize traffic progression, implement and monitor new signal

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timing, evaluate results (before and after), identify signal equipment needs (City system)

- Travel time results for 4100 South and 2700 West
- Additional results – emissions reductions, driver savings, developed action item list of signal needs, repairs/improvements, pedestrian/ADA (Americans with Disabilities Act) needs, \$400,000 needed to bring signal system up to standards
- Next steps – continue to monitor, use action list to prioritize needs

During the above presentation of information, Mr. Brondum answered questions from members of the City Council.

B. **VALLEY FAIR MALL REMODEL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously requested an update regarding the Valley Fair Mall Remodel Project.

Upon direction, Brent Garlick, CED Department, used PowerPoint and discussed information summarized as follows:

- Phasing of Valley Fair Mall Project
- Interior remodel – site plan, overview and details, projected cost, total budget
- Photos and drawings for phase 1 – center court; and phase 2 - remodel of interior corridors, new look for store fronts
- Comparison of before and after photos/renderings
- Owners committed to make inside as nice as outside remodel
- Timeline for completion of each phase
- Interest has spiked up for development on east side of Mall after announcement of Megaplex Theater complex

During the above presentation of information Mr. Garlick answered questions from members of the City Council.

C. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: September 11-October 24, 2012: Intermountain Society of Artists' Annual Fall Show, UCCC; September 12-14, 2012: ULCT Annual Convention; September 18, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 18, 2012: Reception and Recognition for WestFest Committee, Lobby, 5:45 P.M.; September 19, 2012: Lake Park Golf Social, Stonebridge Golf Course, 8:00 A.M. – 1:00 P.M.; September 24, 2012: Nantou Delegation Arrives, 7:00 P.M. – 8:00 P.M.; September 25, 2012: Council Study Meeting, 4:30 P.M., Regular Council

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Meeting, 6:30 P.M.; September 27, 2012: Kellogg's Tour of Gymnastics Champions, Maverik Center, 7:30 P.M.; September 28, 2012: Private Reception for Nantou Delegation, UCCC, 5:00 P.M. – 10:00 P.M.; September 29, 2012: Chinese Heritage Friendship Gate Celebration, UCCC 6:00 P.M.; October 2, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 2, 2012: Domestic Violence Awareness Program, Lobby, 6:00 P.M.; October 4, 2012: ChamberWest 2012 Legacy Awards Gala, Hilton Salt Lake City Airport, 5151 Wiley Post Way, 6:00 P.M.; October 9, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 10, 2012: Carrie Underwood, Maverik Center, 7:30 P.M.; October 16, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 19-21, 2012: Sesame Street Live, Maverik Center; October 23, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 23 – November 2, 2012: Early Voting Period for General Election at City Hall; October 30, 2012: No Council Meeting Scheduled (5th Tuesday); October 31 – November 4, 2012: Cirque du Soleil: Quidam, Maverik Center; November 6, 2012: General Election; November 6, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 9-10, 2012: Monster Truck Spectacular, Maverik Center; November 12, 2012: Veteran's Day – City Hall closed; November 13, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 17, 2012: Eric Church, Maverik Center, 7:30 P.M.; November 20, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2012: Thanksgiving – City Hall closed; November 27, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 4, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 11, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 18, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 24 & 25, 2012: Christmas Holiday – City Hall closed.

D. **CITY MANAGER – UPDATE INFORMATION**

Upon inquiry by City Manager, Wayne Pyle, regarding the upcoming National League of Cities (NLC) Conference. Councilmembers Rushton and Christensen, and Mayor Winder indicated they would attend the NLC Conference.

City Manager, Wayne Pyle, discussed updated information regarding the Chinese Gate including events planned for that celebration. He advised there had been no settlement regarding other issues brought up during the public comment period during the previous week's Council Meeting. He advised, however, some donors and Terry Chen had met and there was a third party audit pending.

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9. COUNCIL REPORTS:

A. COUNCILMEMBER STEVE BUHLER – CEP REPORT

Councilmember Buhler reported regarding the Community Education Partnership (CEP).

B. COUNCILMEMBER TOM HUYNH – CHINESE GATE

Councilmember Huynh discussed a recent meeting regarding the Chinese Gate.

C. COUNCILMEMBER DON CHRISTENSEN – CHAMBERWEST, GUNS & HOSES SOFTBALL GAME AND ULCT CONFERENCE

Councilmember Christensen reported ChamberWest had an initiative encouraging small businesses to hire one more employee.

He discussed a Guns & Hoses softball game and fundraiser for a former firefighter who had cancer.

Councilmember Christensen advised he would attend the Utah League of Cities & Towns (ULCT) Conference scheduled this week.

D. MAYOR MIKE WINDER – MEETING WITH CHAMBERWEST AND UNION PACIFIC 100TH ANNIVERSARY EVENT IN OGDEN CITY

Mayor Winder discussed a recent meeting with Alan Anderson of ChamberWest regarding what to do instead of a Christmas parade. He reviewed various ideas that came out of that meeting including a proposed “Winter Fest” event at Fairbourne Station. He stated he would forward further information to the City Manager to follow up coordination with Mr. Anderson and the Chamber.

He discussed the recent Union Pacific 100th anniversary event in Ogden City to be held on Saturday. He inquired if a Council member could represent West Valley City at that event since he would be unable to attend.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, SEPTEMBER 11, 2012, WAS ADJOURNED AT 6:26 P.M., BY MAYOR WINDER.

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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 11, 2012.

Sheri McKendrick, MMC
City Recorder