

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 23, 2012

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, OCTOBER 23, 2012, AT 4:00 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 (Excused for field trip)
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
John Evans, Fire Chief
Buzz Nielsen, Police Chief
Layne Morris, CPD Director
Eric Bunderson, City Attorney
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Nicole Cottle, CED Director
Jim Welch, Finance Director
Steve Lehman, CED Department
Brent Garlick, CED Department
Mark Nord, CED Department
Keith Morey, CED Department
Aaron Crim, Administration
Jake Arslanian, Public Works Department

STAFF PRESENT ON FIELD TRIP:

Russell Willardson, Public Works Director
Jim Welch, Finance Director
John Evans, Fire Chief
Kevin Astill, Parks and Recreation Director
Dan Johnson, Public Works Director

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1. **FIELD TRIP – VIEW 6200 SOUTH EXTENSION ALIGNMENT (SCHEDULED AT 4:00 P.M.)**

After calling the Study Meeting to order Mayor Winder stated a field trip had been scheduled for the City Council to view the 6200 South extension alignment. He recessed the meeting and the City Council members and staff left the multi-purpose room, boarded the City bus, traveled to 6200 South at approximately 5800 West, and viewed the recently completed extension project.

During the field trip the Public Works Director, Russell Willardson, discussed the widening/extension project built by West Valley City up to where it intersected with the new Mountain View Corridor. He pointed out Lodestone Park, the Mountain View Corridor Trail System and bike lanes. Dan Johnson, Public Works Department, also discussed and displayed a map showing the next section to be completed and informed the entire roadway to U-111 would be widened and extended by the year 2016. Mr. Willardson and Mr. Johnson further discussed phasing of the project and funding sources.

Fire Chief, John Evans, pointed out a possible location for a future fire station to serve the southwest quadrant of the City and he noted property near the Mountain View Corridor would be the best location.

City Manager, Wayne Pyle, requested Jim Welch, Finance Director, (driving the van) to travel along the completed portion of the Mountain View Corridor from 6200 South to 5400 South which, he explained, would be open by the end of the year.

The field trip also included passing by the newly constructed and recently completed West Ridge Golf Course. Parks and Recreation Director, Kevin Astill, discussed the golf course project and advised the contractor was currently working on the City's punch list. He advised the natural areas had been seeded, discussed design features, and he praised the designer and contractor for quality work.

During the field trip, the City Manager and City staff answered questions from members of the City Council.

Upon request of Councilmember Vincent, the Council traveled to view property adjacent to WinCo Foods at approximately 5600 West 2400 South currently under consideration for a General Plan amendment (Application No. GP-3-2012) requesting approval to allow apartments and townhomes.

Upon returning to City Hall, Mayor Winder reconvened the Study Meeting at 5:30 P.M.

2. **APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 9, 2012**

The Council read and considered Minutes of the Study Meeting held October 9, 2012. There were no changes, corrections or deletions.

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After discussion, Councilmember Vincent moved to approve the Minutes of the Study Meeting held October 9, 2012, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

3. **REVIEW AGENDA FOR REGULAR COUNCIL MEETING SCHEDULED OCTOBER 23, 2012**

City Manager, Wayne Pyle, stated no new items were added to the Agenda for the Regular Council Meeting scheduled October 23, 2012, at 6:30 P.M.

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

4. **REVIEW AGENDA FOR REDEVELOPMENT AGENCY SPECIAL REGULAR MEETING SCHEDULED OCTOBER 23, 2012**

City Manager, Wayne Pyle, reviewed an item scheduled on the Agenda for a Special Regular Redevelopment Agency meeting scheduled October 23, 2012. He advised that staff desired to give an overview of the Northwest Economic Development Area (EDA) project and answer any questions the City Council might have prior to the public hearing scheduled later this night.

Upon direction by the City Manager, the CED Director, Nicole Cottle, stated the City Council had previously been given hard copies of the Northwest EDA Plan and Budget to review. She also recognized CED Department staff Mark Nord and Keith Morey and praised their work regarding the Northwest EDA project.

Mark Nord expressed appreciation to the entire employee team for their efforts regarding the project and introduced one of the partners in attendance, Brad Ross of Freeport West, the owner of 124 acres in the EDA. Keith Morey also introduced another partner, Steve Peterson of Millrock.

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Mr. Nord advised this was the largest EDA in Utah's history and he answered questions from members of the City Council regarding the timeline, proposed development, and tenant recruitment.

Mayor Winder thanked City staff and expressed appreciation to the project partners for their vision.

Councilmember Rushton informed that members of his extended family owned property within the EDA area.

5. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED NOVEMBER 6, 2012:**

A. **EMPLOYEE OF THE MONTH AWARD, OCTOBER 2012 – MARY LINDSAY, FIRE DEPARTMENT**

City Manager, Wayne Pyle, stated Councilmember Huynh would read the nomination of Mary Lindsay, Fire Department, to receive the Employee of the Month award for October 2012, at the Regular Council Meeting scheduled November 6, 2012, at 6:30 P.M. Ms. Lindsay had been nominated for her professionalism regarding her job duties and responsibilities and her recent compassionate efforts for a fellow firefighter.

B. **EAC QUARTERLY DIVISION AWARD – FLEET DIVISION, PUBLIC WORKS DEPARTMENT**

City Manager, Wayne Pyle, stated Councilmember Buhler would read the nomination of the Fleet Division of the Public Works Department to receive the EAC Quarterly Division award at the Regular Council Meeting scheduled November 6, 2012, at 6:30 P.M. The Fleet Division had been nominated for the purpose of expressing appreciation for their continued support of the Fire Department and all other City departments.

C. **ESSENTIAL PIECE AWARD – SHELLIE'S SCHOOL OF DANCE**

City Manager, Wayne Pyle, stated Councilmember Rushton would present the Essential Piece Award to Shellie's School of Dance at the Regular Council Meeting scheduled November 6, 2012, at 6:30 P.M. Shellie's School of Dance had been nominated to receive the award in recognition of being a successful and essential piece of the business community existing in the West Valley area for the past 46 years.

D. **PROCLAMATION DECLARING NOVEMBER AS ALTERNATIVE FUEL VEHICLE AWARENESS MONTH IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Mayor Winder would read a Proclamation declaring November as Alternative Fuel Vehicle Awareness Month in West Valley City at the Regular Council Meeting scheduled November 6, 2012, at 6:30 P.M.

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E. PROCLAMATION DECLARING NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated Councilmember Christensen would read a Proclamation declaring November as Pancreatic Cancer Awareness Month in West Valley City.

6. RESOLUTION NO. 12-151, APPROVE APPROPRIATION OF \$15,710.00 FROM THE UNCLAIMED CASH ACCOUNT TO AN ADMINISTRATIVE ACCOUNT IN THE POLICE DEPARTMENT

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-151 which would approve appropriation of \$15,710.00 from the unclaimed cash account to an administrative account in the Police Department.

Mr. Pyle stated the subject Resolution if found to be in the public interest would authorize the Finance Director to deposit the subject funds into an account of the Police Department to be used as determined by the head of the department, the Police Chief. He explained, from time to time, the Police Department had funds deposited into the Evidence Room regarding investigations, found property, or for safekeeping. He indicated that when released, the Police Department exercised due diligence to find the rightful owner as required by State law. He further stated when the rightful owner had not been identified the funds became available for appropriation as directed by the City Council.

Police Chief, Buzz Nielsen, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 12-151 at the Regular Council Meeting scheduled November 6, 2012, at 6:30 P.M.

7. RESOLUTION NO. 12-152, AUTHORIZE EXECUTION AND RECORDING OF A DEED RESTRICTION FOR REAL PROPERTY TO BE USED FOR AFFORDABLE HOUSING UNDER THE FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-152 which would authorize execution and recording of a Deed Restriction for real property to be used for affordable housing under the Federal HOME Investment Partnership Program.

Mr. Pyle stated the subject property located at 4478 South Hawarden Drive would be used to meet the required 15 year commitment to provide affordable housing, incurred when the City used HOME funds to purchase property at 3608 South Market Street. He explained the City originally purchased the Market Street property in October, 2004, and operated it as affordable housing as required until demolition in June of 2008. He

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reported the Deed Restriction was then transferred to the property at 1406 West 3300 South which was operated as affordable housing until disposed of in September of 2012.

The City Manager further reported based on the date of the original investment the City's obligation to provide affordable housing would expire in October, 2019. Consequently, the Deed Restriction on the Hawarden Drive property would be in place for seven years from the date of this transfer. He indicated the restriction set a rent ceiling on the property of \$1,410.00 per month and income limits on leasing households. He stated once the time limit had been met the City would own the property free of restriction.

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

The City Council will consider proposed Resolution No. 12-152 at the Regular Council Meeting scheduled November 6, 2012, at 6:30 P.M.

8. **NEW BUSINESS SCHEDULED NOVEMBER 6, 2012:**

A. **APPLICATION NO. S-15-2012, FILED BY CORY ANGELL, REQUESTING FINAL PLAT APPROVAL FOR MOULTON FARMS SUBDIVISION LOCATED AT 4460 SOUTH 3600 WEST**

City Manager, Wayne Pyle, discussed Application No. S-15-2012, filed by Cory Angell, requesting final plat approval for Moulton Farms Subdivision located at 4460 South 3600 West.

Mr. Pyle stated the three lots within the subject subdivision had recently been re-zoned from the 'A' zone to the 'R-1-8' zone. He explained the larger parcels to the west retained the agricultural designation. He advised that at the present time, an existing duplex and single-family dwelling occupied the south parcel and a single duplex occupied the north parcel. He stated the applicant would like to divide the existing parcels to create three individuals lots and two parcels that would eventually be considered for future development.

The City Manager reported that during the re-zoning of the property the applicant put forth a development plan to create a subdivision so that each dwelling unit would stand on its own. He advised the applicant was currently remodeling interiors of the buildings not only for improvement but to conform with building codes, and which also included modification of exteriors to better align with the City's desire for attractive housing.

Mr. Pyle also discussed access to the subdivision would be gained from 3600 West. He explained that a few years ago the City completed a street improvement project along the subject road which included curb, gutter, sidewalk and right-of-way acquisition. He further reported the City's Engineering Division had recommended that any damage to existing improvements or damage resulting

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from remodel of these buildings would be required to be replaced in accordance with City standards.

City Manager, Wayne Pyle, stated the larger parcels to the west would remain undeveloped for the present time. He advised the applicant had yet to decide whether to incorporate these parcels in an overall subdivision that would include property to the north, or to develop these pieces as individual agricultural lots, which decisions would be made in the future.

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

The City Council will consider Application No. S-5-2012 at the Regular Council Meeting scheduled November 6, 2012, at 6:30 P.M.

B. HEAR AND CONSIDER AN APPEAL FILED BY CIMARON NEUGEBAUER, THE SALT LAKE TRIBUNE, REGARDING DENIAL OF A WAIVER OF FEES FOR A RECORDS REQUEST

City Manager, Wayne Pyle, stated the Council would hear an appeal filed by Cimaron Neugebauer, The Salt Lake Tribune, regarding denial of a waiver of fees for a records request, at the Regular Council Meeting scheduled November 6, 2012.

Upon direction by the City Manager, the City Attorney, Eric Bunderson, discussed procedures for an appeal hearing and reviewed applicable City Code Section 3-16-407 and State Code Section 63G-2-203. He further discussed the Council's powers and responsibilities as a quasi-judicial body and the option to either uphold the City Manager's decision or waive the fees.

9. COMMUNICATIONS:

A. REVIEW DRAFT AGENDAS FOR REDEVELOPMENT AGENCY AND HOUSING AUTHORITY MEETINGS SCHEDULED NOVEMBER 6, 2012

City Manager, Wayne Pyle, reviewed draft Agendas for the Redevelopment Agency and the Housing Authority meetings scheduled November 6, 2012.

B. COUNCIL UPDATE

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: October 23 – November 2, 2012: Early Voting Period for General Election at City Hall; October 25, 2012: ChamberWest Ribbon Cutting – Oquirrh Meadows Assisted Living & Memory Care, 2938 S. Redwood Road, 2:00 P.M.; October 26, 2012: Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; October 16 & 29, 2012: Nightmare Alley, Fitness Center, 7:00 P.M. – 10:00 P.M.; October 27, 2012: ChamberWest Ribbon Cutting – Live Rock and Reef, 2196 West 3500

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South, 10:30 A.M.; October 27, 2012: Utah Grizzlies vs. Idaho Steelheads, Maverik Center, 7:05 P.M.; October 29 – November 6, 2012: Day of the Dead Celebration, UCCC; October 30, 2012: No Council Meeting Scheduled (5th Tuesday); October 31, 2012: Employee Halloween Party, Multi-purpose Room, 1:00 P.M. – 3:00 P.M.; November 1-4, 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.; November 28, 2012: National League of Cities (NLC) Conference, Boston, MA; 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.

C. **CITY MANAGER UPDATE**

City Manager, Wayne Pyle, discussed the English Achievement awards originally scheduled on November 13, 2012, and informed there were over 600 students graduating from those programs. He explained that large of a group could not be accommodated at City Hall, both in the building and the parking lot, or within the allotted time period. He recommended consideration of two alternatives that included holding a special meeting at the Utah Cultural Celebration Center (UCCC) to present the awards, or the City Council could visit the schools and present the awards.

The City Council discussed options and ideas for presenting the English Achievement awards including inviting a group from each school to separate Council meetings, and giving the awards out three times per year at City Council meetings. After further discussion, the Council expressed a consensus to hold the event at the UCCC facility this year. The Council also expressed the preference of having the presentation scheduled at Regular Council Meetings in the future, if the number of students could somehow be accommodated. The City Council directed the City Manager to assess the accommodations and schedule accordingly.

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11. COUNCIL REPORTS:

A. COUNCILMEMBER STEVE VINCENT – HALE CENTRE THEATRE BOARD MEETING AND ARTS COUNCIL SUMMER PLAY

Councilmember Vincent reported he would attend a Hale Centre Theatre board meeting scheduled for the following day and make a report at the next Council Study Meeting.

He also reported the Arts Council was waiting for a request for proposal from the Law Department for their summer play scheduled next year.

B. COUNCILMEMBER DON CHRISTENSEN – RAIL AND TOD CONFERENCE

Councilmember Christensen reported regarding a rail and TOD (Transit Oriented Development) conference he attended the previous week. He indicated he would submit a written report to the City Council.

C. COUNCILMEMBER COREY RUSHTON – MONUMENT REVIEW COMMITTEE

Councilmember Rushton advised that the Monument Review Committee would review a possible donation coming our way.

D. MAYOR MIKE WINDER – WEST LAKE AFTER SCHOOL EVENT AND UPCOMING RIBBON CUTTING

Mayor Winder discussed an after school event at West Lake Jr. High School which Council members had been invited to attend. He advised he would not be able to attend and inquired if a member of the Council could represent the City at that event. Councilmember Buhler stated he planned to attend that event and would represent the City.

Mayor Winder advised Councilmember Rushton would represent the City at a ribbon cutting scheduled November 17, 2012.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, OCTOBER 23, 2012, WAS ADJOURNED AT 6:18 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, October 23, 2012.

Sheri McKendrick, MMC
City Recorder