

MINUTES OF COUNCIL STUDY MEETING – APRIL 16, 2013

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, APRIL 16, 2013, 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/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Larry Marx, Acting Police Chief
Jeannette Carpenter, Acting Finance Director (not present after recess)
Brent Garlick, CED Department (not present after recess)
Jody Knapp, CED Department (not present after recess)
Lee Logston, CED Department (not present after recess)
Kevin Despain, CED Department (not present after recess)
Ross Olsen, Administration (not present after recess)
Aaron Crim, Administration (not present after recess)
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD APRIL 2, 2013**

The Council read and considered Minutes of the Study Meeting held April 2, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Study Meeting held April 2, 2013, as written. Councilmember Huynh seconded the motion.

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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.

2. BOB MURRI, ASCENT CONSTRUCTION – JORDAN RIVER MARKET PLACE DISCUSSION

City Manager, Wayne Pyle, advised time had been scheduled for discussion regarding the Jordan River Marketplace. He welcomed Bob Murri and Brad Knowlton, representatives of Ascent Construction.

Bob Murri, Ascent, introduced Russ Naylor of Nichols Naylor Architects. Mr. Naylor used PowerPoint to present information and discussion of information summarized as follows:

- Project team listened carefully to previous comments from the City Council regarding earlier master site plan options for the Jordan River Marketplace
- Showed last site plan shown to the City Council and reviewed progression of subsequent site plans
- Showed current master development plan including renderings and discussed features relating to pedestrian connectivity, interactive entertainment, community attraction, water features, pedestrian engagement, clock tower, building components and uses, and other features

During the above discussion and presentation of information, Mr. Naylor answered questions from members of the City Council. He also distributed hard copies of the PowerPoint information and master site plan.

Upon discussion, members of the City Council individually commented and discussed information, summarized as follows:

- Councilmember Buhler stated he was impressed with the new proposed master plan and would encourage development of the project.

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- Councilmember Vincent indicated he liked the proposal; but also expressed an underlying concern not to cater to only one ethnic group, as many should be included. He stated he would like to see all five continents represented.
- Councilmember Christensen stated the style of architecture was similar to strip malls on Bangerter Highway and he would prefer to see something different and more of a unique nature. He indicated there were some expansion benefits in the plan and gave an example of a similar area he recently visited while in the Washington D.C. area.
- Councilmember Rushton discussed the history of the project, including the Council's frustration in attempting to portray the vision to Ascent Construction for a truly international special marketplace. He indicated he was not opposed to the layout but questions still remained regarding the tenant mix. Councilmember Rushton also suggested the need to revisit the formula for the ethnic mix. He discussed the importance for an entity to oversee tenants and monitor programming to ensure the international flavor was achieved. He also discussed the conditional use process for tenants who met certain criteria, including creation of a business district or merchant association. He expressed the opinion that the tenant mix and programming were of greater importance than the layout and buildings.
- Mayor Winder expressed appreciation to the Ascent team for their perseverance and tenacity in not giving up and continuing development of the master plan. He stated this plan was the best seen thus far and the tenant mix and programming were very important. Mayor Winder also discussed the need to work hand in hand with the Utah Cultural Celebration Center (UCCC). He indicated the layout and design seemed good and a merchant association needed to be put in place. He indicated the pond and power corridor appeared to have been turned into an asset rather than an obstacle.
- Councilmember Lang expressed the desire to have places in the development where ethnic foods and American foods such as hot dogs could be purchased.
- Councilmember Huynh expressed pleasure with the plan and indicated it appeared that much work and thought had gone into it. He expressed agreement with previous comments made regarding the importance of the tenant mix.

Mayor Winder inquired regarding the power corridor. Upon recognition by the Mayor, Ross Olsen, Administration, expressed concerns regarding placing anything underneath the power corridor and reasons were discussed. Mr. Olsen expressed excitement about mix of cultures. He advised in West Valley City there were five major cultures and

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suggested those be the area of focus. He also emphasized the need for sensitivity to customs of each culture.

Upon inquiry, the City Manager stated assuming the concept seemed plausible to a majority of the City Council; he would continue to work with Ascent regarding any changes to the development agreement, including addressing issues of time line, ethnic mix and other matters. He also discussed creation of a merchant association and how that could successfully be used in marketing the Jordan River Marketplace project.

On behalf of the City Council, Mayor Winder thanked Ascent for their presentation and stated the Council looked forward to a continued positive working relationship.

3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED APRIL 16, 2013**
City Manager, Wayne Pyle, advised no new items had been added to the Agenda for the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M. Upon inquiry, there were no questions regarding items scheduled on the referenced Agenda.
4. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED APRIL 23, 2013:**
 - A. **KIM OLSON, EXECUTIVE DIRECTOR OF UTAH RECREATION AND PARKS ASSOCIATION - PRESENTATION OF AWARD TO WEST VALLEY CITY PARKS AND RECREATION DEPARTMENT FOR JUNIOR HIGH PROGRAM AT FITNESS CENTER**
City Manager, Wayne Pyle, stated the Executive Director of the Utah Recreation and Parks Association, Kim Olson, would present an award to the West Valley City Parks and Recreation Department regarding Junior High Programs at the Family Fitness Center, at the Regular Council Meeting scheduled April 23, 2013, at 6:30 P.M.

Kevin Astill, Parks and Recreation Director, explained details of the Junior High programs and informed that a different individual would actually present the award and he would provide that name to the City Recorder.
 - B. **PRESENTATION OF ESSENTIAL PIECE AWARD TO BRIAN BAITY**
City Manager, Wayne Pyle, stated Mayor Winder would read a narrative and present the Essential Piece Award to Brian Baity at the Regular Council Meeting scheduled April 23, 2013, at 6:30 P.M.
5. **RESOLUTION NO. 13-62, APPROVE VOTING PRECINCTS AND POLLING PLACES FOR THE WEST VALLEY CITY 2013 MUNICIPAL ELECTIONS**
City Manager, Wayne Pyle, discussed proposed Resolution No. 13-62 which would approve the voting precincts and polling places for the West Valley City 2013 Municipal Elections.

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Mr. Pyle stated Section 20A-5-301(1) of the Utah State Code provided the City Council may combine up to four Salt Lake County voting precincts into one municipal voting precinct if they designated the location and address of each precinct. He indicated the State Code also provided the polling place should be within the combined voting precinct or within one-half mile of the boundaries of the voting precinct.

He reported all polling places complied with the Americans with Disability Act (ADA) requirements.

The City Manager indicated a list had been attached to the proposed Resolution which contained all the polling locations, addresses, precinct numbers, and City Council Districts for the 2013 Municipal Elections.

City Recorder, Sheri McKendrick, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-62 at the Regular Council Meeting scheduled April 23, 2013, at 6:30 P.M.

6. **NEW BUSINESS SCHEDULED APRIL 23, 2013:**

A. **CITY MANAGER SUBMIT PROPOSED FY2013-2014 BUDGET**

City Manager, Wayne Pyle, stated he would submit the Proposed FY 2013-2014 Budget to the City Council at the Regular Council Meeting scheduled April 23, 2013.

7. **COMMUNICATIONS:**

A. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: April 27, 2013: "Big Fix" Mobile Spay and Neuter Clinic, Animal Shelter; April 30, 2013: No Council Meeting Scheduled (5th Tuesday); May 2, 2013: UDOT's Annual Meeting with Municipalities in Salt Lake County, Calvin Rampton Complex, 4501 South 2700 West, 9:00 A.M. – 11:00 A.M.; May 7, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 11, 2013: Council District 1 Neighborhood "Meet-up" at Hillsdale Park, 3205 South 3200 West, 9:00 A.M. – 11:00 A.M.; May 14, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 16, 2013: ChamberWest Annual Golf Classic, Stonebridge Golf Course, 4414 Links Drive, 8:00 A.M.; May 16, 2013: Brit Floyd, Maverik Center, 8:00 P.M.; May 21, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 24, 2013: WWE Presents RAW World Tour, Maverik Center, 7:30 P.M.; May 27, 2013: Memorial Day Holiday – City Hall closed; May 28, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 1, 2013: Fiesta Olmeca, UCCC, 6:00 P.M. – 10:00 P.M.; June 1-7, 2013: Filing Period for Municipal Election (During

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regular business hours, Mon. – Thurs., 7:00 A.M. to 6:00 P.M.); June 4, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 8, 2013: Council District 2 Neighborhood "Meet-up" at the Fairbourne Station Promenade, 9:00 A.M. – 11:00 A.M.; June 11, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 13, 2013: Employee Barbecue sponsored by EAC, UCCC, 11:30 A.M. – 2:00 P.M.; June 18, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 19-21, 2013: Open House and Tours of The Ridge Golf Club; June 20-23, 2013: WestFest, Centennial Park; June 22, 2013: WestFest Parade, 9:00 A.M.; June 25, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 25-27, 2013: Open House & BBQ at The Ridge Golf Club; June 28, 2013: Grand Opening of The Ridge Golf Club; July 4, 2013: Independence Day Holiday – City Hall closed; July 13, 2013: Council District 3 Neighborhood "Meet-up" at Centennial Park, 5415 West 3100 South, 9:00 A.M. – 11:00 A.M.; July 24, 2013: Pioneer Day Holiday – City Hall closed; July 25, 2013: One Direction, Maverik Center, 7:30 P.M.; August 2, 2013: Bruno Mars, Maverik Center, 7:30 P.M.; August 10, 2013: Council District 4 Neighborhood "Meet-up" at West View Park, 4100 South 6000 West, 9:00 A.M. – 11:00 A.M.; August 13, 2013: Municipal Primary Election; September 11, 2013: Lake Park Golf Social, Stonebridge Golf Course, Breakfast at 8:00 A.M. and Golf at 9:00 A.M.; and November 5, 2013: Municipal General Election.

B. REVIEW DRAFT AGENDAS FOR SPECIAL MEETINGS OF THE REDEVELOPMENT AGENCY, HOUSING AUTHORITY AND MUNICIPAL BUILDING AUTHORITY

City Manager, Wayne Pyle, reviewed the draft Agendas for the Special Meetings of the Redevelopment Agency, Housing Authority and Municipal Building Authority scheduled on April 23, 2013. He advised the Proposed Budget for FY 2013-2014 would be presented to those Boards.

8. COUNCIL REPORTS:

A. COUNCILMEMBER TOM HUYNH – ULCT MID-YEAR CONVENTION

Councilmember Huynh reported regarding his attendance at the Utah League of Cities & Towns (ULCT) mid-year convention in St. George, Utah.

B. COUNCILMEMBER DON CHRISTENSEN – ULCT CONVENTION AND AIRPORT EXTENSION OF WEST VALLEY TRAX LINE

Councilmember Christensen discussed the Utah League of Cities & Towns (ULCT) mid-year convention held the previous week including workshops and information from vendors.

He also stated the airport extension of the West Valley TRAX line had been opened the previous Saturday and he represented the City at that event.

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C. COUNCILMEMBER STEVE VINCENT – ULCT CONVENTION

Councilmember Vincent discussed the Utah League of Cities & Towns (ULCT) mid-year convention and stated he would submit a written report to the City Council.

D. MAYOR MIKE WINDER – HINCKLEY INSTITUTE EVENT

Mayor Winder discussed an event he attended sponsored by the Hinckley Institute.

9. MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Rushton moved to recess the Study Meeting and convene in an Executive Session for discussion of professional competency and character of an individual. Councilmember Huynh 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.

Mayor Winder recessed the Study Meeting at 5:23 P.M. and reconvened the Study Meeting at 5:36 P.M., noting all members of the Council were present.

10. ADDITIONAL COMMUNICATIONS:

A. UNIFIED POLICE DEPARTMENT (UPD) DISCUSSION

Mayor Winder discussed recent matters involving the West Valley City Police Department and informed he and Councilmember Rushton had recently met with Sheriff Winder of Salt Lake County regarding West Valley City joining the Unified Police Department (UPD). He distributed and discussed written information received from Sheriff Winder. He inquired if the City Council desired to have the Sheriff attend a Study Meeting to discuss this issue and pointed out other cities had switched from their own police force to the UPD including Riverton City and the City of Taylorsville.

Upon inquiry, the City Manager discussed past meetings with the County Sheriff regarding sharing of certain police services such as SWAT, forensics, and others. He pointed out some West Valley City services were already shared with Salt Lake City and the UPD.

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Upon discussion, members of the City Council commented and expressed individuals concerns and opinions, summarized as follows:

Councilmember Christensen expressed an adverse reaction to a "knee jerk" response to the District Attorney dismissing some West Valley City cases. He pondered how many cases of the UPD that might not have been forwarded for prosecution and requested research be done in that regard. Councilmember Christensen stated even though he had not been in the City at the time of incorporation; he knew one of the reasons for that incorporation was to have our own services and there would be no reason to return to Salt Lake County services at this time.

Councilmember Vincent expressed concern that a drastic reaction not be taken to a small number of employees in a very large department, who for the most part were doing a great job. He indicated he had not received any e-mails or had any conversations with citizens asking that a change be made in provision of services. He pointed out those individuals who had raised the issue lived in other communities. Councilmember Vincent stated he would not be opposed to listening to a presentation by the Sheriff, but offered caution regarding playing this issue out in the media. He expressed concern about the vast majority of good police officers and staff in the Police Department and about the message that could be sent by the City Council.

Mayor Winder clarified that his suggestion would not be an insinuation the Police Department did not do a good job.

Councilmember Buhler indicated citizen response had related embarrassment regarding the situation and inquiries if the City Council could do something about it. He stated citizens desired more visible policing and gang enforcement and he questioned whether that emphasis would be a priority under the UPD. Councilmember Buhler indicated willingness to hear information and study other options, but expressed concern about perception and timing since it would not be the desire of the City Council to "throw the department under the bus" for the sake of the actions of a few officers. He suggested perhaps a committee could look into this matter and stated he was pleased with recent media releases sent out by the City and the press conference held by the City Manager. He reminded the problems should be dealt with swiftly thus returning the City focus to actual policing, the most important service provided by the City.

Mayor Winder stated if the City went with UPD, the officers employed today would be the same, just be in different uniform. He indicated there were logistical questions that would be worth asking and acknowledged that since recruitment was underway for a new police chief and officers perhaps the timing would not be

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optimum. He also stated that perhaps this would be the best time prior to a new chief being hired.

Councilmember Christensen advised that people who had inquired of him regarding the recent police issues had not been residents or constituents but rather individuals from other communities.

Councilmember Huynh discussed recent negative media received by the City regarding police issues. He expressed his belief that solutions could be found and changes made to correct various problems in the Police Department. He also referenced the discussion at the Council's Strategic Planning Meeting regarding putting more police officers on the streets.

City Manager, Wayne Pyle, referenced the Council's 2013 Strategic Planning Meeting which resulted in the reorganization of the Police Department, including training of Public Works, Building Inspection, and Code Enforcement officers who were already on the streets and in neighborhoods to be additional "eyes and ears." He stated this would free up funds in the new budget year to recruit, hire and train more officers and look at better ways of policing, including additional training. He reported the stated goals had been put in place prior to the current events in the Police Department and can be moved forward for implementation.

Councilmember Vincent suggested the City Manager bring staff and Council together for discussion regarding the processes to be implemented in moving forward.

Councilmember Rushton discussed issues of concern including taking responsibility for completing a broad review of the issues in order to be well informed as elected officials. He discussed timing of those types of reviews and expressed desire to be proactive rather than reactive. He suggested a committee review of all issues and referenced matters of concern, including ideas that had previously been distributed to members of the City Council and the City Manager.

Councilmember Vincent suggested the possibility of some services being contracted, perhaps with Salt Lake City, like the neighborhood narcotics unit.

Councilmember Rushton discussed the idea of a task force or ad hoc committee to meet and study police issues and make recommendations.

Councilmember Lang reflected and discussed the issues and complaints that led to incorporation of the City. She indicated if the City joined the UPD some of the top officers could be reassigned to other areas of Salt Lake County. She discussed doing what was best for West Valley's citizens and not merely reacting to media attention. She stated the bottom line should be for the welfare of the citizens of

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West Valley City and their safety. Councilmember Lang expressed the significance of talking about communication issues and expectations with a new police chief. She stated all issues should be resolved as quickly and openly as possible. She also suggested if proposals were solicited for outside police services, a thorough review should be made to determine the lowest, responsible proposal.

Councilmember Vincent reflected on the process and the lessons learned of being responsive up front and proactive rather than reactive. He expressed the importance of identifying and discussing the City's direction for the Police Department with the new police chief.

Councilmember Buhler suggested that with the new police chief there should be specific identified expectations, a new job description, and a new communication plan. He pointed out with the Police Department remaining with the City there was more accountability than if contracted with an elected sheriff. He expressed concern that contracting police services would be a vote of no confidence for the West Valley City Police Department and that a large part of being a municipality was having a police department.

After further discussion, Councilmember Rushton moved to direct the City Manager to present ideas to the City Council for an ad hoc task force to study the issue issues related to the police department, and include written ideas previously provided to and from the City Council. Councilmember Buhler 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.

Upon request by Mayor Winder for clarification regarding a presentation by the Salt Lake County Sheriff, the City Manager summarized his understanding of the City Council's direction, as follows:

1. City Council to be involved in the process of police chief selection and expectations regarding the Police Department.

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2. Formation of an ad hoc study and recommendation committee.
3. Develop better communication by Police Department regarding reporting and providing of information to the City Council.
4. Develop proactivity and better public relations efforts by the Police Department.

On behalf of the City Council, the Mayor expressed appreciation to all participants in the above discussion and emphasized the Council and others had West Valley City's best interests at heart. Also on behalf of the City Council, the Mayor expressed support to the City Manager for his efforts in this regard.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, APRIL 16, 2013, WAS ADJOURNED AT 6:21 P.M., BY MAYOR WINDER.

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, APRIL 16, 2013, AT 5:27 P.M..., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

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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/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF APRIL 16, 2013, WAS ADJOURNED AT 5:34 P.M., BY MAYOR WINDER.

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SWORN STATEMENT

As the Mayor, I presided at a closed meeting of the West Valley City Council on April 16, 2013. Pursuant to Section 52-4-7.5 Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

SWORN to this 16th day of day of April, 2013.

MAYOR

ATTEST:

City Recorder

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, April 16, 2013.

Sheri McKendrick, MMC
City Recorder