

MINUTES OF COUNCIL STUDY MEETING – MARCH 4, 2014

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MARCH 4, 2014, 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Lee Russo, Police Chief
Layne Morris, CPD Director
Sam Johnson, Strategic Communications Director
Claire Gillmor, Acting City Attorney
Ryan Robinson, Law Department
Brandon Hill, Law Department
Steve Lehman, CED Department
Jake Arslanian, Public Works Department
Jason Nau, Administration

OTHERS PRESENT:

Dean Trump, Professional Standards Review Board Chair
Jeannetta Williams, Professional Standards Review Board Member

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 18, 2014**
The Council read and considered Minutes of the Study Meeting held February 18, 2014. 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 February 18, 2014, as written. 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

2. **CHAIRMAN DEAN TRUMP - PROFESSIONAL STANDARDS REVIEW BOARD ANNUAL REPORT**

City Manager, Wayne Pyle, stated a presentation and discussion of the Professional Standards Review Board (PSRB) annual report had been scheduled to be given by Chairman Dean Trump. Mr. Pyle also recognized and welcomed board member Jeannetta Williams.

Chairman Trump reviewed information including charts included the PSRB annual report and advised the document had previously been distributed to all members of the City Council. He gave summary information and answered questions from members of the City Council. He also discussed the types of issues reviewed by the PSRB during the past year, including the Board's recommendations. He requested input and feedback from members of the City Council specifically regarding what types of information and data was desired for future reports.

Upon discussion, Councilmember Lang indicated she was pleased with the information provided in the submitted report. On behalf of the City Council, Mayor Bigelow thanked Mr. Trump and board members for their service to West Valley City.

3. **REVIEW AGENDAS FOR REGULAR COUNCIL, REDEVELOPMENT AGENCY AND HOUSING AUTHORITY MEETINGS SCHEDULED MARCH 4, 2014**

City Manager, Wayne Pyle, advised two new items had been added to the Agenda for the Regular Council Meeting scheduled later this night. He also indicated consideration of approval of Minutes had been listed on the Agendas of the Redevelopment Agency and Housing Authority meetings. He discussed the added items as follows:

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Item No. 7.D. – RESOLUTION NO. 14-36, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY ACCESS EASEMENT FROM TERRY L. RUSHTON AND JACKIE L. RUSHTON FOR PROPERTY LOCATED AT 4451 SOUTH 5400 WEST (PARCEL #20-01-326-005) FOR THE PURPOSE OF REMOVING A HISTORIC LOG GRANARY STRUCTURE FROM THE PROPERTY

City Manager, Wayne Pyle, discussed proposed Resolution No. 14-36 that would authorize the City to accept a Grant of Temporary Access Easement from Terry L. Rushton and Jackie L. Rushton for property located at 4451 South 5400 West (Parcel #20-01-326-005) for the purpose of removing a historic log granary structure from the property.

Mr. Pyle advised the aforementioned property owners had signed the Grant of Temporary Access Easement over a portion of their property for the purpose of removing a historic log granary. He indicated in order to move the granary the City needed temporary access to the property.

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

The City Council will consider proposed Resolution No. 14-36 at the Regular Council Meeting scheduled March 4, 2014, at 6:30 P.M.

Item No. 7.E. – RESOLUTION NO. 14-37, AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY ACCESS EASEMENT FROM CRAIG D. RUSHTON, TRUSTEE OF THE DON R. RUSHTON TRUST DATED FEBRUARY 21, 1990, FOR PROPERTY LOCATED AT 4465 SOUTH 5400 WEST (PARCEL #20-01-326-075) FOR THE PURPOSE OF REMOVING A HISTORIC LOG GRANARY STRUCTURE FROM THE PROPERTY

City Manager, Wayne Pyle, discussed proposed Resolution No. 14-37 that would authorize the City to accept a Grant of Temporary Access Easement from Craig D. Rushton, Trustee of the Don R. Rushton Trust dated February 21, 1990, for property located at 4465 South 5400 West (Parcel #20-01-326-075) for the purpose of removing a historic log granary structure from the property.

Mr. Pyle stated the aforementioned property owner had signed the easement for the purpose of removing a historic log granary. He indicated in order to move the granary the City needed temporary access to the property.

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

The City Council will consider proposed Resolution No. 14-37 at the Regular Council Meeting scheduled March 4, 2014, at 6:30 P.M.

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

4. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MARCH 11, 2014:**

A. **EMPLOYEE OF THE MONTH, MARCH 2014 – DON GROO, FINANCE DEPARTMENT**

City Manager, Wayne Pyle, stated Mayor Bigelow would read the nomination of Don Groo, Finance Department, to receive the Employee of the Month Award for March 2014, at the Regular Council Meeting scheduled March 11, 2014, at 6:30 P.M. Mr. Groo had been nominated for his 24 years of service and exhibiting pride and professionalism in every aspect of his job.

B. **DANYCE STECK, PAST PRESIDENT OF THE UTAH GOVERNMENT FINANCE OFFICERS ASSOCIATION – PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AWARD TO WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Danyce Steck, Past President of the Utah Government Finance Officers Association, had been scheduled to present West Valley City with the Comprehensive Annual Finance Report (CAFR) Award, at the Regular Council Meeting scheduled March 11, 2014, at 6:30 P.M. He advised the introduction of Ms. Steck would be made by the City's Finance Director, Jim Welch.

5. **PUBLIC HEARINGS SCHEDULED MARCH 11, 2014:**

A. **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-9-2013, FILED BY WEST VALLEY CITY, REQUESTING TO AMEND SECTION 7-19-618 AND 7-19-619 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING PERFORMANCE BONDS FOR SUBDIVISION DEVELOPMENT**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 11, 2014, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. ZT-9-2013, filed by West Valley City, requesting to amend Section 7-19-618 and 7-19-619 of the West Valley City Municipal Code regarding performance bonds for subdivision development. He discussed proposed Ordinance No. 14-17 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 14-17, AMENDING SECTION 7-9-618 AND 7-9-619 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE CITY ORDINANCES GOVERNING PERFORMANCE BONDS CONSISTENT WITH STATE LAW

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City Manager, Wayne Pyle, discussed proposed Ordinance No. 14-17 that would amend Section 7-9-618 and 7-9-619 of the West Valley City Municipal Code to update City ordinances government performance bonds consistent with State law.

Mr. Pyle stated the City's Subdivision Ordinance established requirements for performance bonds guaranteeing the construction of required improvements. He advised recently the Utah Legislature amended the law governing performance bonds to require cities to impose lower bond requirements. He indicated Title 7, Chapter 19 of the Subdivision Ordinance required performance bonds guaranteeing construction and suitability of public improvements constructed as a condition of approval. Previously the State's subdivision statute and the City's corresponding ordinance permitted the City to require a bond in the amount of 20% of the cost of installation of the public improvements covered by the bond. The legislature recently amended the State statute to limit the City to require a bond for 10% of the cost of installation of the public improvements covered by the bond.

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

The Council will hold a public hearing regarding Application No. ZT-9-2013 and consider proposed Ordinance No. 14-17 at the Regular Council Meeting scheduled March 11, 2014, at 6:30 P.M.

B. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-28-2013, FILED BY DLM DEVELOPMENT – BRET MACKAY, REQUESTING FINAL PLAT APPROVAL FOR THE 201 COMMERCE CENTER SUBDIVISION NO. 3 AND THE AMENDMENT OF PARCEL C OF THE 201 COMMERCE CENTER SUBDIVISION NO. 2 LOCATED AT 2200 SOUTH COMMERCE CENTER DRIVE

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 11, 2014, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. S-28-2013, filed by DLM Development – Bret Mackay, requesting final plat approval for the 201 Commerce Center Subdivision No. 3 and the Amendment of Parcel C of the 201 Commerce Center Subdivision No. 2 located at 2200 South Commerce Center Drive. He discussed proposed Ordinance No. 14-18 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 14-18, APPROVING THE AMENDMENT OF PARCEL C OF THE 201 COMMERCE CENTER SUBDIVISION NO. 2 LOCATED IN WEST VALLEY CITY, UTAH

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City Manager, Wayne Pyle, discussed proposed Ordinance No. 14-18 that would approve the amendment of Parcel C of the 201 Commerce Center Subdivision No. 2 located in West Valley City, Utah.

Mr. Pyle stated the subject property was presently vacant and located in a manufacturing zone. He indicated the amendment would divide the existing large parcel into two platted lots; Lot 301 would be approximately 17.9 acres, and Lot 302 would be 12.1 acres.

He indicated access to the subdivision would be from Commerce Center Drive that had recently been completed along with improvements to the 201 Frontage Road. He explained Commerce Center Drive Drive would provide a connection with Links Drive to the south.

The City Manager reported the applicant recently received conditional use approval from the Planning Commission for the first building, and construction was expected to be underway this spring with the first building planned for Lot 301.

Steve Lehman, CED Department, further reviewed the application and proposed ordinance, displayed the plat map, and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. S-28-2013 and consider proposed Ordinance No. 14-18 at the Regular Council Meeting scheduled March 11, 2014, at 6:30 P.M.

6. **RESOLUTION NO. 14-38, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY TO PROVIDE CONGREGATE MEALS AND TRANSPORTATION TO THE HARMAN SENIOR RECREATION CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 14-38 that would approve an Interlocal Cooperation Agreement with Salt Lake County to provide congregate meals and transportation to the Harman Senior Recreation Center.

Mr. Pyle stated the existing agreement between the parties needed to be updated and changed periodically to reflect current practices. He indicated the City and Salt Lake County had worked together for many years to provide meals, transportation and other federally funded services to seniors at the Harman Senior Recreation Center. He advised the contract needed to be renewed and updated to make changes reflecting current practices.

Parks and Recreation Director, Kevin Astill, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

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The City Council will consider proposed Resolution No. 14-38 at the Regular Council Meeting scheduled March 11, 2014, at 6:30 P.M.

7. **NEW BUSINESS SCHEDULED MARCH 11, 2014:**

A. **APPLICATION NO. S-31-2013, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR Highbury Place Subdivision Phase 9 Located at 5100 West Highbury Parkway**

City Manager, Wayne Pyle, discussed Application No. S-31-2013, filed by Nick Mingo representing Ivory Homes, requesting final plat approval for Highbury Place Subdivision phase 9 located at 5100 West Highbury Parkway.

Mr. Pyle stated the proposed subdivision was located to the north and east of Phase 6 and to the east of Phase 8. He indicated property to the east was vacant and would be platted as future phases of Highbury. He reported this phase consisted of 29 lots and seven parcels on 10.3 acres. He advised lot sizes ranged from 6,510 square feet to 11,872 square feet, with an average lot size of 8,500 square feet. He reported home construction would be similar to other phases in the Highbury community with Ivory using select plans from their various catalogues.

The City Manager explained Parcels A-F were located within various areas of the waterway system. These areas included landscaping and sidewalk. He stated Parcels B and E were owned by the City and were specific to the waterway itself. A new parcel was being created within the proposed subdivision. He stated Parcel G was situated between Lots 806 and 920. The purpose for this parcel would be to provide access to the sidewalk system along the waterway to the south, and would be a ten-foot wide hard surfaced area maintained by the residential homeowners association (HOA). He indicated fencing would be installed on each side of the walkway and, upon staff recommendation, would match the fencing used along the waterways.

He continued that access to the subdivision would be gained from Brixham Way, Dartford Way and Sandwell Drive. Each of the existing streets was located to the west of the new subdivision. This phase would extend Brixham Way and Sandwell Drive to the east for future development. All streets in the subdivision would be dedicated and consist of a 54 foot right-of-way. This would allow a five foot park strip and five foot sidewalk. He stated Ivory Homes had submitted a tree-planting plan for the entire Highbury Place Subdivision. He also stated Ivory would provide home owners with a voucher to purchase and plant the trees and the HOA would ensure the trees were planted and maintained in accordance with the approval plan.

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Mr. Pyle reminded the City Council had reviewed and approved a Development Agreement for the entire Highbury community that addressed lot size, dwelling size, building materials and other items related to construction of residential homes. He reported requirements outlined in the agreement had created a unique community with a variety of housing options along with ample open space and recreational opportunities.

He also discussed the subdivision being located next to two of many waterways planned for the overall development. In phases 2, 3, 5 and 8, Ivory installed a semi-private fence along the rear property lines adjacent to the waterway. This fence was constructed of a Trex post and wrought iron allowing visibility into the waterway. He explained the same fence type would be installed along Lots 920-922 in this phase adjacent to the waterway.

The City Manager reported Ivory Homes planned to install basements for all homes based on a soils report indicating the ground water had been encountered at a depth ranging from 9-13 feet below existing grades. He advised all homes would be eligible for basements and would comply with the water table elevation as noted on the plat. In addition, a sub-drain system would be installed to provide an extra measure of protection for new homeowners.

Steve Lehman, CED Department, further reviewed the application, displayed the plat, and answered questions from members of the City Council.

The City Council will consider Application No. S-31-2013 at the Regular Council Meeting scheduled March 11, 2013, at 6:30 P.M.

8. **COMMUNICATIONS:**

A. **LEGISLATIVE UPDATE**

Upon direction by the City Manager, the Assistant City Manager/CED Director, Nicole Cottle, reviewed a bill-tracking list previously e-mailed to the City Council and Executive Staff. In particular, Ms. Cottle reviewed bills of interest to the City, after which she answered questions from members of the City Council.

B. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: March 6 – April 30, 2014: Utah Travels Exhibition, UCCC; March 6, 2014: Retirement Open House for Barbara Thomas, Salt Lake County Government Center, Room N2003, 2001 S. State Street, 4:00 P.M. – 5:30 P.M.; March 6, 2014: Fire Department Awards Banquet, UCCC, 5:00 P.M. – 6:30 P.M.; March 8-12, 2014: National League of Cities Conference, Washington, D.C.; March 11, 2014: Boy Scout First Aid Merit Badge, Fire Station #74, 5545 West 3100 South, 6:00 P.M. – 8:00 P.M.; March 11, 2014: Council Study Meeting, 4:30 P.M., Regular

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Council Meeting, 6:30 P.M.; March 12, 2014: Mobile Command Post Display, Maverik Center Parking Lot, 10:00 A.M. – 12 Noon; March 13, 2014: Utah Legislative Session Ends; March 18, 2014: Council Meetings Canceled (Neighborhood Caucus Meetings); March 18, 2014: Democratic Party Neighborhood Caucus Meetings; March 19, 2014: WVC Watch Wednesday – Mobile Patrol Training, City Hall, 6:30 P.M. – 8:30 P.M.; March 19, 2014: Police Chief’s Community Meeting, UCCC, 7:00 P.M. – 9:00 P.M.; March 19, 2014: Grizzlies vs. Stockton Thunder, Maverik Center, 7:05 P.M.; March 20, 2014: Republican Party Neighborhood Caucus Meetings; March 21, 2014: Employee Bowling Tournament sponsored by EAC, Delton Bowling Lanes; March 21, 2014: Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; March 22, 2014: Grizzlies vs. Idaho Steelheads, Maverik Center, 7:05 P.M.; March 25, 2014: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 1, 2014: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 2, 2014: Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; April 8, 2014: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 9, 2014: Grizzlies vs. Las Vegas Wranglers, Maverik Center, 7:05 P.M.; April 9-11, 2014: ULCT Mid-Year Conference, St. George; April 11, 2014: Grizzlies vs. Idaho Steelheads, Maverik Center, 7:05 P.M.; April 12, 2014: Grizzlies vs. Idaho Steelheads, Maverik Center, 7:05 P.M.; April 15, 2014: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 22, 2014: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 29, 2014: Spring into Success Women’s Conference, UCCC, 8:00 A.M. – 4:00 P.M. (Cost: \$45 includes breakfast and lunch); May 13, 2014: Granite School District Town Hall Meeting, Hunter High School, Media Center, 7:00 P.M.; May 29, 2014: 2014 Jordan River Festival – Conservation Day; May 31, 2014: 2014 Jordan River Festival – Festival Celebration with festivities along the Parkway; and May 31, 2014: Pioneer Crossing Bridge Grand Opening, UCCC (outdoors on the grounds), 8:00 A.M. – 9:00 A.M.

9. **COUNCIL REPORTS**

A. **COUNCILMEMBER TOM HUYNH – SISTER CITY REPORT**

Councilmember Huynh advised the delegation desired to report regarding the recent Sister City visit to Nantou, Taiwan.

After discussion, City Recorder, Sheri McKendrick, was instructed to schedule time for a Sister City delegation report on the next Study Meeting agenda.

B. **COUNCILMEMBER COREY RUSHTON – AUDIT REVIEW COMMITTEE, COG SUBCOMMITTEE, JORDAN RIVER EVENTS AND BRIDGE OPENING**

Councilmember Rushton reported regarding a recent Audit Review Committee meeting at which the auditors presented their audit report and three findings. He

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discussed the findings and indicated a written report and summary would be provided to the City Council.

Councilmember Rushton advised he was a member of the Salt Lake County Council of Governments (COG) subcommittee that would soon discuss grants for homeless services and stated the committee would make determinations in that regard.

He also reported regarding a recent meeting with staff relating to plans for Jordan River events and the Pioneer Crossing pedestrian bridge opening scheduled in May 2014.

C. COUNCILMEMBER STEVE VINCENT – REMODEL PERMIT ISSUES

Councilmember Vincent discussed residents doing remodeling projects without permits and then receiving notices from the City. He inquired if consideration could be given to working with local hardware stores to post requirements and types of projects requiring building permits.

City Manager, Wayne Pyle, advised he would direct staff to look into the possibilities as suggested by Councilmember Vincent.

D. MAYOR RON BIGELOW – MEETING WITH MAYORS OF UTOPIA MEMBER CITIES

Mayor Bigelow reported regarding recent meetings with mayors of UTOPIA member cities, many of them being new to that office. He discussed and showed a PowerPoint presentation entitled “UTOPIA Review” that included monthly cash flow, bond status, customers, percentage of addresses passed in each member city, status, perspective, and questions posed by mayors. He advised there would be additional meetings in the near future.

Upon discussion, Councilmember Vincent expressed appreciation to the Mayor for involvement in the aforementioned meetings and for providing the information to the Council. Mayor Bigelow also answered additional questions from members of the City Council regarding information in the report.

10. MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Rushton moved to adjourn and reconvene in an Executive Session for discussion of potential or eminent litigation and disposition of real property. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes

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Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, MARCH 4, 2014, WAS ADJOURNED AT 5:32 P.M., BY MAYOR BIGELOW.

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THE WEST VALLEY CITY COUNCIL MET IN EXECUTIVE SESSION ON TUESDAY, MARCH 4, 2014, AT 5:37 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Claire Gillmor, Acting City Attorney

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF MARCH 4, 2014, WAS ADJOURNED AT 6:31 P.M., BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting and Executive Session of the West Valley City Council held Tuesday, March 4, 2014.

Sheri McKendrick, MMC
City Recorder