

## MINUTES OF COUNCIL STUDY MEETING – MAY 12, 2015

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MAY 12, 2015, 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:

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  
Jim Welch, Finance Director  
Lee Russo, Police Chief  
Chris Curtis, Acting CPD Director  
Steve Pastorik, CED Department  
Steve Lehman, CED Department  
Bob Fitzgerald, Fire Department  
Jake Arslanian, Public Works Department  
Aaron Crim, Administration  
Rick Westphal, Administration  
Jeni Siebenek, Administration  
Andrew Wallentine, Administration

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD APRIL 28, 2015**  
The Council read and considered Minutes of the Study Meeting held April 28, 2015. There were no changes, corrections or deletions.

After discussion, Councilmember Buhler moved to approve the Minutes of the Study Meeting held April 28, 2015, 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**2. REVIEW AGENDAS FOR COUNCIL REGULAR MEETING AND SPECIAL MEETINGS OF THE REDEVELOPMENT AGENCY, HOUSING AUTHORITY AND BUILDING AUTHORITY SCHEDULED MAY 12, 2015**

Mayor Bigelow informed no new items had been added to the Agenda for the Regular Council Meeting scheduled later this night.

Proposed resolutions to adopt the respective FY 2015-2016 Tentative Budgets had been scheduled on the agendas for the Redevelopment Agency, Housing Authority and Building Authority meetings also scheduled later this night.

Upon inquiry, there were no further questions regarding items scheduled on the above-referenced agendas.

**3. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MAY 19, 2015:**

**A. PRESENTATION OF MAYOR’S STAR OF EXCELLENCE AWARDS TO STUDENTS OF GRANGER, HUNTER, CYPRUS AND TAYLORSVILLE HIGH SCHOOLS**

Mayor Bigelow stated the Mayor’s Star of Excellence Awards would be presented to the top 3% of students (West Valley City residents) with the highest GPA (from Granger, Hunter, Cyprus and Taylorsville High Schools, at the Regular Council Meeting scheduled May 19, 2015, at 6:30 P.M.

The Council discussed the award presentations and it was suggested they be handled as in the past with the Mayor reading the names and Council members passing out the certificates.

**4. PUBLIC HEARINGS SCHEDULED MAY 19, 2015:**

**A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-2-2015, FILED BY ALISHA UNGERMAN, REQUESTING AN ORDINANCE TEXT AMENDMENT TO MODIFY HOME PRESCHOOL REQUIREMENTS**

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Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled May 19, 2015, in order for the City Council to hear and consider public comments regarding Application No. ZT-2-2015, filed by Alisha Ungerman, requesting an ordinance text amendment to modify home preschool requirements.

Proposed Ordinance No. 15-16 related to the application to be considered by the City Council after the public hearing was discussed as follows:

### **ORDINANCE NO. 15-16, AMENDING SECTIONS 7-1-103 AND 7-8-103 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND REGULATIONS GOVERNING HOME PRESCHOOLS**

Steve Pastorik, CED Department, discussed proposed Ordinance No. 15-16 that would amend Sections 7-1-103 and 7-8-103 of the West Valley City Municipal Code to amend regulations governing home preschools.

He stated the requested application would increase the number of children allowed in a home preschool. The current ordinance allowed home preschools to have up to six children per session of instruction. The applicant's request would change the ordinance to allow up to ten children per session. Home preschools were processed as a major home occupation within residential zones that required review of the Planning Commission as a conditional use.

Included with the documentation provided to the Council, were several documents supplied by the applicant to support the application. These documents included a letter outlining the request, Appendix A – standards from other municipalities, Appendix B – a summary of a petition of those supporting the change, and a PowerPoint presentation.

Home pre-schools were considered a home occupation. By definition, home occupations were intended to be an incidental and secondary to the use of the home and not change the residential character of the home. As such, a primary concern of City staff and the Planning Commission regarded an increase in the number of children would increase vehicular traffic to the residence. For these reasons, the Planning Commission recommended an increase to eight children per session as opposed to ten per session as requested.

Mr. Pastorik further reviewed and discussed the Application and proposed Ordinance and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. ZT-2-2015 and consider proposed Ordinance No. 15-16 at the Regular Council Meeting scheduled May 19, 2015, at 6:30 P.M.

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5. **ORDINANCE NO. 15-17, AMEND SECTION 2-4-101 AND REPEAL SECTIONS 2-4-102, 2-4-103, 2-4-104, 2-4-105 AND 2-4-106 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE THE MUNICIPAL ELECTION REQUIREMENTS IN ACCORDANCE WITH STATE LAW**

City Recorder, Sheri McKendrick, discussed proposed Ordinance No. 15-17 that would amend Sections 2-4-101 and repeal Sections 2-4-102, 2-4-103, 2-4-104, 2-4-105 and 2-4-106 of the West Valley City Municipal Code, to update the municipal election requirements in accordance with State law.

She stated the major legislative changes included prohibiting municipal candidates from making personal use expenditures (i.e., clothing, cars, event tickets) and require a candidate who received cash donations over \$50 to donate those to the State or political subdivision, or a 501(c)(3) organization.

In the 2015 legislative session the Utah Legislature had passed several bills impacting municipal elective office candidate obligations to disclose campaign contributions and expenditures. The West Valley City Municipal Code had long required that some disclosure occur. However the recent changes in State law were more expansive and imposed greater disclosure and reporting obligations than those existing presently under the City Code. In an effort to offer clarity to candidates and officeholders, this change would make it clear that following the State Code was required and that there was no lesser obligation for those of municipal officeholders and candidates. The new requirements would take effect this election cycle and information concerning the State law changes would be made available to candidates and officeholders prior to the filing period.

Ms. McKendrick further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 15-17 at the Regular Council Meeting scheduled May 19, 2015, at 6:30 P.M.

6. **RESOLUTION NO. 15-79, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR THE PURCHASE OF DIGITAL ORTHORECTIFIED AERIAL PHOTOGRAPHY**

Jeni Siebenek, Administration, discussed proposed Resolution No. 15-79 that would approve an Interlocal Cooperation Agreement with Salt Lake County, in the amount of \$3,750.00, for the purchase of digital orthorectified aerial photography.

The proposal would authorize the City to enter into an agreement for the purchase and use of digital orthorectified aerial photography of West Valley City at a discounted rate, resulting from an agreement with Salt Lake County and the Utah Department of Technology Services, Automated Geographic Reference Center. Under the subject agreement, the City would agree to participate in the purchase of a commercial aerial

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photography license of high resolution Google imagery data. The data would be acquired each year beginning in 2015 and ending December 31, 2017. The Google imagery data would be available as a GIS WMA service and as a downloadable product. Anticipated delivery would be in June of 2015.

Current and accurate digital orthorectified photography had many uses within the City. Photographs were used within the majority of City departments to visualize and identify growth; compare urban changes with aerial photography from previous years; as a reference for new spatial information; as a background for online map viewers and printed maps; for measurements of impervious surfaces; and more. Additionally, the format was compatible with existing GIS applications used and developed by West Valley City staff. By partnering with other agencies, costs for aerial photography were significantly reduced.

Ms. Siebenek further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 15-79 at the Regular Council Meeting scheduled May 19, 2015, at 6:30 P.M.

### 7. **CONSENT AGENDA SCHEDULED MAY 19, 2015:**

#### A. **RESOLUTION NO. 15-80, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MICHAEL D. HENNESSEY AND KATHERINE T. HENNESSEY FOR PROPERTY LOCATED AT 3436 WEST MEADOWBROOK DRIVE**

Mayor Bigelow discussed proposed Resolution No. 15-80 that would accept a Grant of Temporary Construction Easement from Michael D. Hennessey and Katherine T. Hennessey for property located at 3436 West Meadowbrook Drive.

Michael D. Hennessey and Katherine T. Hennessey had signed a Grant of Temporary Construction Easement for across the frontage of their property located at 3436 West Meadowbrook Drive (Parcel 21-05-209-027).

The subject property was one of nine properties affected and benefitted by construction of the 3425 West Sidewalk Project. The project would construct sidewalk along 3425 West and portions of Meadowbrook Drive where sidewalk did not exist currently and connect to existing sidewalks to provide a safer walking route to Robert Frost Elementary School. The project would also include new curb and gutter, textured, colored concrete park strips along with tie-ins to existing driveways and landscaping. The design of the project did not require additional right-of-way to be acquired; however, Grants of Temporary Construction Easement would be required. The easement would allow the City and its contractor an additional ten feet of space to construct the required improvements within the existing right-of-way and allow the contractor to replace

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improvements on adjoining properties disturbed by construction of the project. Improvements such as driveways, sprinklers and landscaping would be reconstructed as required to match new sidewalk and drive approach locations and elevations. The easement would expire December 31, 2015.

**B. RESOLUTION NO. 15-81, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DOUGLAS R. PEACOCK AND SHERRY A. PEACOCK FOR PROPERTY LOCATED AT 4280 SOUTH 3425 WEST**

Mayor Bigelow discussed proposed Resolution No. 15-81 that would accept a Grant of Temporary Construction Easement from Douglas R. Peacock and Sherry A. Peacock for property located at 4280 South 3425 West.

Douglas R. Peacock and Sherry A. Peacock had signed a Grant of Temporary Construction Easement for across the frontage of their property located at 4280 South 3425 West (Parcel 21-05-252-017).

The subject property was one of nine properties affected and benefitted by construction of the 3425 West Sidewalk Project. The project would construct sidewalk along 3425 West and portions of Meadowbrook Drive where sidewalk did not exist currently and connect to existing sidewalks to provide a safer walking route to Robert Frost Elementary School. The project would also include new curb and gutter, textured, colored concrete park strips along with tie-ins to existing driveways and landscaping. The design of the project did not require additional right-of-way to be acquired; however, Grants of Temporary Construction Easement would be required. The easement would allow the City and its contractor an additional ten feet of space to construct the required improvements within the existing right-of-way and allow the contractor to replace improvements on adjoining properties, disturbed by construction of the project. Improvements such as driveways, sprinklers and landscaping would be reconstructed a required to match new sidewalk and drive approach locations and elevations. The easement would expire December 31, 2015.

**C. RESOLUTION NO. 15-82, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM VUU CORPORATION FOR PROPERTY LOCATED AT 2644 WEST 2365 SOUTH**

Mayor Bigelow discussed proposed Resolution No. 15-82 that would accept a Grant of Temporary Construction Easement from VUU Corporation for property located at 2644 West 2365 South.

VUU Corporation, a Utah corporation, had signed a Grant of Temporary Construction Easement across its property located at 2644 West 2365 South (Parcel 15-21-254-013).



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May 19, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
May 20, 2015	Crossing Guard Banquet, The Ridge Golf Course, 5055 Westridge Blvd., 7:00 P.M. – 8:00 P.M.
May 25, 2015	Memorial Day Holiday – City Hall closed
May 26, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
May 28, 2015	Free Concert Series – FUNdaMENTALS, Fairbourne Station, 6:30 P.M. – 8:30 P.M.
May 29, 2015	Rods, Hogs and Rigs Extravaganza, Maverik Center, 4:00 P.M. – 8:00 P.M.
June 1 – 8, 2015	Filing Period for 2015 Municipal Election (Monday – Thursday 7:00 A.M. to 6:00 P.M. and on Friday 8:00 A.M. to 5:00 P.M.)
June 2, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
June 3, 2015	Meet with Mayor Bigelow, City Hall, 4:30 P.M. – 6:00 P.M.
June 5, 2015	Free Movies in the Park – <i>Penguins of Madagascar</i> , Fairbourne Station Promenade (Start at dusk – approx. 9:00 - 9:30 P.M.)
June 6, 2015	theMix – Arts & Music Festival, UCCC, 5:00 P.M. (Free admission)
June 9, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
June 10, 2015	Employee Barbecue sponsored by EAC, Fairbourne Station, 12:00 P.M. – 2:00 P.M.
June 10, 2015	Celtic Woman – 10 <sup>th</sup> Anniversary World Tour, Maverik Center, 7:00 P.M.
June 10, 2015	Community Meeting with Chief Russo, City Hall, 7:00 P.M. – 8:00 P.M.

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June 11, 2015	Free Concert Series – The Countdown Band, Fairbourne Station, 6:30 P.M. – 8:30 P.M.
June 12, 2015	Brit Floyd – The World’s Greatest Pink Floyd Show, Maverik Center, 8:00 P.M.
June 16, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
June 18-21, 2015	WestFest, Centennial Park, 5415 West 3100 South
June 19, 2015	Free Movies in the Park – <i>Big Hero 6</i> , Centennial Park (During WestFest / start at dusk – approx. 9:00 - 9:30 P.M.)
June 20, 2015	Temple Dharma Worship Hall Inauguration, 3325 West 3800 South, 11:00 A.M. – 2:00 P.M.
June 23, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
June 25, 2015	Free Concert Series – The Cabana Band, Fairbourne Station, 6:30 P.M. – 8:30 P.M.
June 30, 2015	No Council Meetings Scheduled (5 <sup>th</sup> Tuesday)
July 7, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
July 9, 2015	Free Concert Series – Red Desert Ramblers, Fairbourne Station, 6:30 P.M. – 8:30 P.M.
July 10, 2015	Free Movies in the Park – <i>Night at the Museum: Secret of the Tomb</i> , Fairbourne Station Promenade (Start at dusk – approx. 9:00 - 9:30 P.M.)
July 13, 2015	Rush: R40 Live Tour, Maverik Center, 7:30 P.M.
July 14, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
July 21, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
July 23, 2015	Free Concert Series – The Otter Creek Duo, Fairbourne Station, 6:30 P.M. – 8:30 P.M.

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July 28, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
July 28 – August 7, 2015	Early Voting Period for Municipal Primary Election (Details to follow)
July 31, 2015	Move Live on Tour, Maverik Center, 8:00 P.M.
July 31, 2015	Free Movies in the Park – <i>Princess Bride</i> , Centennial Park (Start at dusk – approx. 9:00 - 9:30 P.M.)
August 3, 2015	Police Honorary Colonels Golf Tournament, Stonebridge Golf Club, 4415 Links Drive, 7:00 A.M. – 3:00 P.M.
August 4, 2015	No Council Meeting Scheduled (National Night Out)
August 5, 2015	Sam Smith, Maverik Center, 8:00 P.M.
August 6, 2015	Free Concert Series – Endless Summer, Fairbourne Station, 6:30 P.M. – 8:30 P.M.
August 7, 2015	Hello Kitty’s Supercute Friendship Festival, Maverik Center, 7:00 P.M.
August 8, 2015	Hello Kitty’s Supercute Friendship Festival, Maverik Center, 2:00 P.M. & 7:30 P.M.
August 9, 2015	Hello Kitty’s Supercute Friendship Festival, Maverik Center, 12:00 P.M.
August 11, 2015	Municipal Primary Election
August 11, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
August 14, 2015	Free Movies in the Park – <i>Home</i> , Centennial Park (Start at dusk – approx. 9:00 - 9:30 P.M.)
August 18, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
August 20, 2015	Free Concert Series – The BD Howes Band, Fairbourne Station, 6:30 P.M. – 8:30 P.M.

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August 25, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
September 1, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
September 7, 2015	Labor Day Holiday – City Hall closed
September 8, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
September 9, 2015	Lake Park Golf Social, Stonebridge Golf Course, 4415 Links Drive, 8:00 A.M. – 1:00 P.M.
September 15, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
September 22, 2015	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
September 29, 2015	No Council Meetings Scheduled (5 <sup>th</sup> Tuesday)
October 20-30, 2015	Early Voting Period for Municipal General Election
November 3, 2015	Municipal General Election

**B. POTENTIAL FUTURE AGENDA ITEMS**

Upon inquiry, there were no potential future agenda items to be discussed.

**9. COUNCIL REPORTS:**

**A. COUNCILMEMBER COREY RUSHTON – JORDAN RIVER COMMISSION CLEAN-UP PROJECT AND FREE CONCERT TICKETS AT UCCC**

Councilmember Rushton discussed the Jordan River Commission and volunteers that had or would assist with upcoming clean-up projects along the Jordan River.

He indicated tickets would be distributed to members of the Council for an upcoming free concert at the Utah Cultural Celebration Center.

**10. MOTION FOR EXECUTIVE SESSION**

After discussion, Councilmember Rushton moved to adjourn and reconvene in an Executive Session for discussion of pending or eminent litigation. Councilmember Nordfelt 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**11. ANNUAL YOUTH ARTS FESTIVAL**

Upon adjournment of the Study Meeting and Executive Session, Mayor Bigelow invited members of the City Council and City staff to attend the Youth Arts Festival that had been moved to the City Hall lobby from the Fairbourne Station Plaza due to windy weather conditions.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, MAY 12, 2015, WAS ADJOURNED AT 5:10 P.M., BY MAYOR BIGELOW.**

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, MAY 12, 2015, AT 5:13 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:

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 MAY 12, 2015, WAS ADJOURNED AT 5:45 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, May 12, 2015.

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Sheri McKendrick, MMC  
City Recorder