

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 8, 2009

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THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, SEPTEMBER 8, 2009, 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 BY MAYOR PRO TEM BROOKS.

THE FOLLOWING MEMBERS WERE PRESENT:

Russ Brooks
Carolynn Burt
Joel Coleman
Corey Rushton

Wayne Pyle, City Manager
Carel Hicks, Acting City Recorder

ABSENT:

Dennis J. Nordfelt
Mike Winder
Steve Vincent

STAFF PRESENT:

John Evans, Fire Chief
Layne Morris, Community Preservation Director
Russell Willardson, Public Works Director
Buzz Nielsen, Police Chief
Jim Welch, Finance Director
John Janson, Acting CED Director
Tim Bywater, Acting City Attorney
Aaron Crim, Administration
Jake Arslanian, Public Works Department
Erik Brondum, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD AUGUST 25, 2009**

The Council read and considered the Minutes of the Study Meeting held August 25, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held August 25, 2009, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

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Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

2. **JEFF HATCH, SALT LAKE COUNTY AUDITOR**

City Manager, Wayne Pyle, stated Jeff Hatch, Salt Lake County Auditor, had been scheduled to be in attendance at the meeting, however, was unable to do so and requested to be rescheduled.

3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED SEPTEMBER 8, 2009**

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Meeting scheduled September 8, 2009. Upon inquiry, there were no questions regarding items scheduled on that Agenda.

4. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED SEPTEMBER 15, 2009:**

A. **EAC QUARTERLY DIVISION AWARD – FACILITIES DIVISION, PUBLIC WORKS DEPARTMENT**

City Manager, Wayne Pyle, stated Councilmember Rushton would read the nomination of the Facilities Division, Public Works Department, to receive the EAC Quarterly Division Award, at the Regular Council Meeting scheduled September 15, 2009, at 6:30 P.M.

5. **RESOLUTION NO. 09-292, APPROVE AMENDMENT TO THE AMPHITHEATER EVENT MANAGEMENT AGREEMENT BETWEEN THE CITY AND PRISTINE ALPINE ENTERTAINMENT, LLC, FOR THE USANA AMPHITHEATER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-292, which would approve an Amendment to the Amphitheater Event Management Agreement between the City and Pristine Alpine Entertainment, LLC, for the USANA Amphitheater.

Mr. Pyle stated the subject amendment would change the payment schedule of the subject agreement, which original agreement provided that Pristine Alpine Entertainment (PAE) pay the City a flat fee of \$150,000.00 to provide management services to USANA Amphitheater. He indicated the amendment would change the formula to a reduced flat fee of \$75,000.00 and an additional payment of \$.75 for each paid amphitheater ticket in excess of \$130,000 per year. He advised there was no cap on the additional \$.75 per ticket payments.

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The City Manager reported that when the Amphitheater had been constructed, PAE contracted with the City to provide certain management services. He stated the City had subcontracted those services to Centennial Management Group. He advised that over its years of operation, the number of events at the Amphitheater had been subject to quite a wide variation in number of events and attendance. The proposed changes to the agreement would bring the payments for management services more in line with the attendance. The flat payment would ensure the City's costs were covered and provide PAE with a stable management expense combined with the per ticket payment to provide the City with more revenue in busy years.

Mr. Pyle further advised USANA was current with their payments and staff believed there was some financial advantage to the City for staying in the agreement. Upon inquiry regarding if the \$75,000 included the police and fire expense, the City Manager indicated it would strictly be for Centennial Management. He explained the City provided the public safety service to USANA. He stated public safety service costs in the future would more accurately reflect the level of services received. Upon inquiry by Councilmember Coleman regarding the cost of public safety, the City Manager explained the cost of public safety was different according to the type of event being held. Councilmember Burt inquired if the City received parking revenue from the event. The City Manager stated that was in fact the case and the money went directly to the City.

City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-292 at the Regular Council Meeting scheduled September 15, 2009, at 6:30 P.M.

6. **RESOLUTION NO. 09-293, AUTHORIZE CITY TO PURCHASE THE CURRENT STREET LIGHTING SYSTEM FROM PACIFICORP, DBA ROCKY MOUNTAIN POWER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-293 which would authorize the City to purchase the current street lighting system from Pacificorp, dba Rocky Mountain Power, in the amount of \$1,300,000.00.

Mr. Pyle stated the purchase agreement included approximately 5,572 street lights, 1,716 dedicated poles, 143,550 feet of underground wire, and 85,800 feet of overhead wire. He indicated the exact quantities were to be determined by a detailed inventory. He further stated funds would come from the street light reserve fund.

The City Manager reported that in 1992 the City entered into an agreement with UP&L to install Citywide street lighting. He indicated the street light system was owned and maintained by the power company and the City paid for the system in accordance with the Public Service Commission Rate Schedule 11. He further indicated the rate schedule included paying for power, maintenance and fees. He explained the agreement signed in

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1992 expired in 2002, however, Rocky Mountain Power had continued to provide power and maintenance for the street lights and the City continued to pay the Schedule 11 rate. However, if the City purchased the streetlights, the City would be able to change to an energy only rate schedule which would save the City money. He also stated in order to switch to an energy only rate schedule the City must purchase the existing street light system from the power company.

Mr. Pyle indicated the City currently paid approximately \$1,032,000 per year for street lighting. He stated this included approximately \$264,000 for energy and \$768,000 for maintenance and fees. He further stated the Public Works Department estimated owning the street light system would cost the City the same energy cost plus \$250,000 per year for maintenance, leaving a net savings of \$500,000 per year.

Public Works Director, Russell Willardson, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-293 at the Regular Council Meeting scheduled September 15, 2009, at 6:30 P.M.

7. **RESOLUTION NO. 09-294, APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE CITY FOR JOINT POLICE OPERATIONS TO COMBAT METH**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-294 which would approve an Interlocal Cooperation Agreement between West Valley City and Salt Lake City for joint police operations.

Mr. Pyle stated the proposed agreement would provide for working together with Salt Lake City for the purpose of disrupting and responding to criminal activity involving illicit drugs, prostitution, and illegal gang activity in Salt Lake City and West Valley City neighborhoods.

The City Manager reported Salt Lake City had acquired grant funds through the COPS 2007 Methamphetamine Grant Award which they desired to use to fund joint crime fighting operations to combat problems of illegal narcotics, prostitution and illegal gang activity adversely affecting the quality of life for citizens living in Salt Lake City and West Valley City.

Mr. Pyle further reported the Salt Lake City Police Department and the West Valley City Police Department had learned through experience that many of the same subjects who committed crime in one jurisdiction were the same subjects committing crime in other jurisdictions. He indicated pushing these criminal elements from one jurisdiction to the next did nothing to create a permanent solution to the problems. By working together to address those issues there would be better success at improving the quality of life in neighborhoods in both West Valley City and Salt Lake City. He stated the grant funds

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would be used to pay overtime to officers and detectives involved in the joint operations so as not to affect the daily operations of either Department.

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

The City Council will consider proposed Resolution No. 09-294 at the Regular Council Meeting scheduled September 15, 2009, at 6:30 P.M.

8. **COMMUNICATIONS:**

A. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: September 1-11, 2009: Early Voting for Primary Election; September 9-11, 2009: ULCT Annual Convention, Sheraton City Center, 150 West 500 South; September 12, 2009: Float the Jordan River; September 14, 2009: Animal Shelter Grand Opening, 10:00 A.M.; September 14, 2009: Rededication Ceremony for the Bicentennial Grove, City Park, 3500 South 4522 West, 6:30 P.M.; September 14, 2009: 2009 Crime Prevention Seminar, Topic: National Preparedness Month (CERT), Family Fitness Center, 6:30 P.M. – 7:30 P.M.; September 15, 2009: Municipal Primary Election; September 15, 2009: Retirement Open House for Joseph Moore, City Hall Lobby, 2:00 P.M. – 4:00 P.M.; September 15, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 17, 2009: ChamberWest 2009 Community Awards Gala, SLCC Oak Room, 6:30 P.M.; September 22, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 24, 2009: Latino Seminar – Fire Prevention, UCCC, 6:30 P.M.; September 25, 2009: Employee Golf Tournament, West Ridge Golf Course, 7:30 A.M. Shotgun Start; September 26, 2009: The Killers, E-Center; September 18, 2009: Pearl Jam, E-Center; September 30, 2009: Lake Park Owners Golf Social, Stonebridge Golf Course, 8:00 A.M. – 1:00 P.M.; October 2, 2009: Creed, E-Center; October 6, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 13, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 19, 2009: 2009 Crime Prevention Seminar, Topic: National Domestic Violence Awareness Month, Family Fitness Center, 6:30 P.M. – 7:30 P.M.; October 20, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 20-30, 2009: Early Voting for Municipal General Election; October 22, 2009: Latino Seminar – Domestic Violence Awareness, UCCC, 6:30 P.M.; October 22, 2009: Meet the Candidates Night for Municipal General Election, UCCC, 7:00 P.M.; October 27, 2009: Council Study Meeting, 4:30 P.M., November 3, 2009: Municipal General Election; November 7, 2009: So You Think You Can Dance Tour, E-Center; and November 9, 2009: 2009 Crime Prevention Seminar, Topic: Gang Awareness, Family Fitness Center, 6:30 P.M. – 7:30 P.M.

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City Manager, Wayne Pyle, advised that Taylorsville City's Mayor Wall would be at the Animal Shelter on September 14, 2009, at 9:00 A.M. for a tour of the building prior to the scheduled 10:00 A.M. ceremony. Mr. Pyle indicated the Council had been invited to participate in that tour.

9. COUNCIL REPORTS:

A. COUNCILMEMBER CAROLYNN BURT – BUSINESS LICENSE FEES WAIVER REQUESTS AND GRAFFITI

Councilmember Burt stated some businesses on 3500 South had requested their business license fees be waived for one year due to construction on 3500 South and the impact on those businesses.

Councilmember Burt informed regarding new graffiti on the east side of 2700 West. She stated the police had taken pictures and said it had been gang related.

B. COUNCILMEMBER RUSS BROOKS – COG MEETING, BOARD OF HEALTH, AND GENERAL ASSEMBLY MEETING

Councilmember Brooks reported on a recent COG meeting. He stated pre-disaster mitigation needed to be formally signed again with another resolution being adopted.

Councilmember Brooks also reported regarding information relating to the H1N1 virus. He indicated the Board of Health advised seniors 65 and older would not get vaccine as they had immunity due to an outbreak of the flu in the 1950's. He indicated students and paramedics and EMT's should receive the vaccine. Fire Chief, John Evans, reminded the best thing would be to remind everyone to take proper care of themselves. Councilmember Brooks stated the Board of health wanted to make sure the City was doing proper census count. He advised that Mayor Corroon's office was available to help.

Councilmember Brooks advised that October 5th at 6:00 P.M. would be a General Assembly meeting at South Jordan City Hall, 10778 South Redwood Road.

10. NEW BUSINESS SCHEDULED AT 5:30 P.M.:

A. RECEPTION FOR RECIPIENTS OF 2009 CLEAN & BEAUTIFUL COMMITTEE BEAUTIFICATION AWARDS IN LOBBY OF CITY HALL

City Manager, Wayne Pyle, stated the City Council and staff had been invited to attend a reception for recipients of 2009 Clean & Beautiful Committee beautification awards scheduled in the lobby at 5:30 P.M.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, SEPTEMBER 8, 2009, WAS ADJOURNED AT 5:15 P.M. BY MAYOR PRO TEM BROOKS.

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, September 8, 2009.

Carel Hicks, MMC
Acting City Recorder