

**MINUTES OF COUNCIL STUDY MEETING – MARCH 16, 2010**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MARCH 16, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH.

THE FOLLOWING MEMBERS WERE PRESENT:

Russ Brooks  
Steve Buhler  
Carolynn Burt  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT:

Mike Winder  
Don Christensen  
Corey Rushton

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Nicole Cottle, CED Director  
Kevin Astill, Parks and Recreation Director  
Jim Welch, Finance Director  
John Evans, Fire Chief  
Layne Morris, Community Preservation Director  
Russell Willardson, Public Works Director  
Richard Catten, City Attorney  
Craig Black, Acting Police Chief  
Claire Gillmor, Law Department  
Steve Lehman, CED Department  
Aaron Crim, Administration  
Craig Thomas, Administration  
Jake Arslanian, Public Works Department

1. **ELECT TEMPORARY MAYOR PRO TEM**

Upon discussion, Councilmember Brooks noted that three members of the City Council, including the Mayor and Mayor Pro Tem, were absent and in attendance at the National League of Cities meetings in Washington, D.C.; and there was a quorum present. The City Council determined the necessity to elect a Temporary Mayor Pro Tem to conduct the Study Meeting and Regular Meeting scheduled for this night.

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After discussion, Councilmember Vincent nominated Carolynn Burt to serve in the position of Temporary Mayor Pro Tem to conduct the Study and Regular Meetings scheduled this night. Before a second was made, Councilmember Burt declined the nomination.

After further discussion, Councilmember Burt nominated Russ Brooks to serve in the position of Temporary Mayor Pro Tem to conduct the Study and Regular Meetings scheduled this night. Councilmember Buhler seconded the motion.

A roll call vote was taken:

|             |     |
|-------------|-----|
| Mr. Vincent | Yes |
| Mr. Brooks  | Yes |
| Mr. Buhler  | Yes |
| Ms. Burt    | Yes |

Unanimous.

Temporary Mayor Pro Tem Brooks called the meeting to order.

**2. APPROVAL OF MINUTES OF STUDY MEETING HELD MARCH 2, 2010**

The Council read and considered the Minutes of the Study Meeting held March 2, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Study Meeting held March 2, 2010, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

|                                |     |
|--------------------------------|-----|
| Mr. Vincent                    | Yes |
| Mr. Buhler                     | Yes |
| Ms. Burt                       | Yes |
| Temporary Mayor Pro Tem Brooks | Yes |

Unanimous.

**3. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MARCH 16, 2010**

City Manager, Wayne Pyle, advised that no new items had been added to the Agenda for the Regular Meeting scheduled March 16, 2010, at 6:30 P.M.

Upon inquiry by the City Manager, there were no questions by members of the City Council regarding the subject Agenda.

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**4. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MARCH 23, 2010:**

**A. RECOGNITION OF MAJOR DONORS OF THE 2009 GIVING TREE PROJECT**

City Manager, Wayne Pyle, stated Councilmember Burt would read a narrative regarding the West Valley City Giving Tree project at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M. The City Manager reported that six families received support from the food and money collected when the program began back in 2004. He advised that later officers in the Community Services Division of the Police Department recognized that with larger community support many more families that are deserving could benefit from the Giving Tree program. He indicated that in 2009 the program provided a wonderful Christmas for 60 families including over 200 children.

**5. PUBLIC HEARINGS SCHEDULED FOR MARCH 23, 2010:**

**A. PUBLIC HEARING, APPLICATION NO. S-12-2009, FILED BY WOODBURY CORPORATION, REQUESTING FINAL PLAT APPROVAL FOR WILLOW WOOD SHOPPING CENTER AMENDED SUBDIVISION LOCATED AT 3450 WEST 3500 SOUTH**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. S-12-2009, filed by Woodbury Corporation, requesting final plat approval for Willow Wood Shopping Center Amended Subdivision located at 3450 West 3500 South. He discussed proposed Ordinance No. 10-09 to be considered by the City Council subsequent to the public hearing, as follows:

**ORDINANCE NO. 10-09, APPROVING AMENDMENT OF LOTS 2, 6 AND 8 OF THE WILLOW WOOD SHOPPING CENTER SUBDIVISION AND EXTENDING THE BOUNDARY OF THE SUBDIVISION BY ADDING A NEW LOT (LOT 9)**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 10-09 which would approve an Amendment of Lots 2, 6 and 8 of the Willow Wood Shopping Center Subdivision and extending the boundary of the subdivision by adding a new lot (Lot 9).

Mr. Pyle stated the amended subdivision plat would adjust various property lines and add a new lot within the subdivision. He further stated more specifically, property lines for Lots 2, 6 and 8 would be modified to correct inaccuracies resulting from recorded deeds. He indicated the plat amendment would also create Lot 9 which was presently the Flower Patch. He explained this property was part of the original shopping center property, but was not platted as a formal lot.

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The City Manager also explained the second reason for the amendment was the property owner would like to accurately reflect the recent right-of-way dedication along 3500 South. He stated the Utah Department of Transportation (UDOT) recently completed their 3500 South project and right-of-way acquisition affected each of the subject lots. He indicated a new plat would reflect the new descriptions for each of the subject lots.

Mr. Pyle further explained the last reason for the plat amendment was the applicant was in the process of revising the Declaration of Restrictions and Grant of Easements within the shopping center. He stated the applicant would like the new legal descriptions and right-of-way dedication to be part of the revised declaration.

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 and consider Application No. S-12-2009 and proposed Ordinance No. 10-09 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

**6. RESOLUTION NO. 10-37, APPROVE A COOPERATIVE AGREEMENT BETWEEN WEST VALLEY CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AND THEREAFTER MAINTAIN A PEDESTRIAN SAFETY PROJECT ON SR-171 (3500 SOUTH) AT THE LOCATIONS AS FOLLOWS: 4210 WEST TO 4270 WEST ON THE NORTH SIDE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-37 which would approve a Cooperative Agreement between West Valley City and the Utah Department of Transportation (UDOT) to construct and thereafter maintain a pedestrian safety project on SR-171 (3500 South) at the locations as follows: 4210 West to 4270 West on the north side.

Mr. Pyle stated upon execution of the subject agreement the City would receive \$18,300.00 from UDOT as allocated from the State Legislature to construct a new sidewalk on the north side of the above-described location. He further stated the City applied for funding to build the sidewalk, which funding would come through the Utah State Safe Sidewalks Program administered by UDOT. He informed the program was intended to build sidewalks on state roads.

The City Manager reported the subject sidewalk had been estimated to cost \$24,400.00 and the agreement would allow UDOT to fund 75% of the project with the City paying the remaining 25% in the amount of \$6,100.00.

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

The City Council will consider proposed Resolution No. 10-37 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

**7. RESOLUTION NO. 10-38, APPROVE A COOPERATIVE AGREEMENT BETWEEN WEST VALLEY CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AND THEREAFTER MAINTAIN A PEDESTRIAN SAFETY PROJECT ON SR-171 (3500 SOUTH) AT THE LOCATIONS AS FOLLOWS: 4537 WEST TO 4567 WEST ON THE SOUTH SIDE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-38 which would approve a Cooperative Agreement between West Valley City and the Utah Department of Transportation (UDOT) to construct and thereafter maintain a pedestrian safety project on SR-171 (3500 South) at the locations as follows: 4537 West to 4567 West on the south side.

Mr. Pyle stated that upon execution of the subject agreement the City would receive \$6,750.00 from UDOT as allocated from the State Legislature to construct a new sidewalk at the above-described location. He also stated the City had applied for funding to build the sidewalk. He indicated the funding would come through the Utah State Safe Sidewalks Program administered by UDOT. He explained the program was intended to build sidewalks on state roads with an estimated cost of \$9,000.00. He indicated the agreement would allow UDOT to fund 75% of the project with the City paying the remaining 25% in the amount of \$2,250.00.

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

The City Council will consider proposed Resolution No. 10-38 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

**8. NEW BUSINESS SCHEDULED FOR MARCH 23, 2010:**

**A. APPLICATION NO. PUD-1-2009, FILED BY HOLMES HOMES, REQUESTING FINAL PLAT APPROVAL FOR HARKER'S LANDING PUD – PHASE 1, LOCATED AT 2560 SOUTH ANNA CAROLINE DRIVE**

City Manager, Wayne Pyle, discussed Application No. PUD-1-2009, filed by Holmes Homes, requesting final plat approval for Harker's Landing PUD – Phase 1, located at 2560 South Anna Caroline Drive.

Mr. Pyle stated the first phase of the project was bordered on the north by the Riter Canal, and the east by Anna Caroline Drive. He indicated property to the south and west would be platted at a later date.

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The City Manager indicated the Harker's Landing PUD would be a residential community consisting of 138 units on 13.8 acre, equating to an overall density of 10 units per acre. He stated that during the re-zone of the subject property, a development agreement had been reviewed and approved by the Planning Commission and City Council, and had been recorded and used to guide development of the community.

Mr. Pyle explained the site had been designed with alley loaded units. He stated units designated as A, B and C would be front loaded while units E, F, and G would be rear loaded. He indicated the developer had been careful to design the portion of the project adjacent to Anna Caroline with units fronting the dedicated street. He indicated this would create a more pleasing street scene and be consistent with what the City required for townhome developments in Highbury.

The City Manager reported the first phase of the project would consist of 11 units on 1.13 acres and the buildings would consist of 100% masonry products. He stated the architectural style had been labeled a contemporary by the developer and therefore building materials would consist of stucco with vertical and horizontal hardi-board. He indicated stone would be added as an additional material and other masonry products could be used as accents where determined appropriate.

Mr. Pyle also reported staff had evaluated this project regarding the multiple-family design standards. He indicated the project exceeded standards outlined for pedestrian access and circulation, architecture, building materials and amenities.

City Manager, Wayne Pyle, further advised each building would have units of varying square footage and within each building at least one of the end units would have a master bedroom on the main level. He stated unit sizes ranged from 1,243 square feet to 1,633 square feet with the average size at approximately 1,504 square feet. He indicated all units would have either a courtyard or patio depending upon the unit type.

Mr. Pyle discussed access to the development and stated that would be gained from Anna Caroline Drive. He stated Anna Caroline Drive had been dedicated as part of the West Valley Pavilion Subdivision to the east. The developer of that subdivision, which included the Winco property, had completed the improvements which allowed development of the subject site to now occur. He further stated the north access point of the development would align with the supply access to the Winco property to the east. He explained internal access would be provided via a private street system. The cross section would provide curb and gutter, a sidewalk on the interior side and 20 feet of pavement.

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The City Manager reported that during the approval process for the West Valley Pavilion Subdivision, consideration had been given to the Cross Town Trail system. He stated a 10 foot sidewalk had been installed along Parkway Avenue which then turned north on Anna Caroline Drive. He indicated this walk extended across the entire development and would eventually end upon the north side of the Riter Canal. He stated from that point, it would turn west to continue the trail system.

Mr. Pyle continued that, overall, the project consisted of 51% open space or 6.98 acres. He stated 3.04 acres, of 22%, of the open space would be for active use. In future phases, the developer had proposed a clubhouse, swimming pool, hot tub, walking paths and a tot lot. The developer had yet to finalize the amenity package for the overall development but would do so as future phases were submitted.

The City Manager stated the density proposed for the project would require the property owner and/or developer to participate in the TDR (Transfer of Development Rights) program. He also stated, as specified in the development agreement, the property owner would need to resolve this issue as part of the subdivision process. He indicated staff would coordinate this matter as development moved forward and a resolution to the TDR requirement would need to be satisfied prior to plat recordation.

Mr. Pyle advised the project would be managed by a professional management company. He stated the development agreement addressed this issue and would necessitate involvement of the developer, the homeowners association (HOA), and City staff prior to the project being transferred. He indicated this would help reduce the amount of problems that seemed to be typical when a project of this size was turned over to an uneducated homeowner's association.

Steve Lehman, CED Department, further discussed the Application, displayed the plat map, and answered questions from members of the City Council. The City Council commented and inquired if the developer would consider Trex rather than vinyl fencing. Some members of the City Council expressed desires to review the floor plans. Some members of the Council discussed access points for the fire apparatus. Also discussed was the issue of no sidewalk in certain areas and a desire for raised pavement "table" for pedestrian safety. Inquiry was made if there would be adequate visitor parking and also if the developer would have responsibility to construct a bridge across the Riter Canal in the future. Some members expressed appreciation for the units being of a good size.

Mr. Lehman noted a representative from Holmes Homes was in attendance and could answer questions, if any.

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The City Council will consider Application No. PUD-1-2009 at the Regular Council Meeting scheduled March 23, 2010, at 6:30 P.M.

### 9. **COMMUNICATIONS:**

#### A. **LEGISLATIVE UPDATE**

City Manager, Wayne Pyle, stated the 2010 legislative session had ended the previous week. He instructed Nicole Cottle, CED Director, to provide a condensed update at this time and a more detailed report on various bills the following week when all members of the City Council were present. He also advised Ms. Cottle would also invite Dave Stewart, lobbyist, and Mark Nord, CED Department, to assist with presentation of the “wrap up” information next week.

CED Director, Nicole Cottle, updated the City Council regarding West Valley City road projects that had received State funding.

Councilmember Vincent discussed a recent newspaper article regarding the amount paid and number of lobbyists hired by certain municipalities, in particular, Sandy City.

#### B. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: March 18, 2010: ChamberWest General Membership Meeting, Speaker – Matt Townsend, Stonebridge Golf Course, 11:45 A.M. – 1:00 P.M.; March 23, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 23 – April 29, 2010: Egg Carving Exhibit, UCCC; March 26, 2010: Employee Bowling Tournament Sponsored by EAC, Delton Bowling Lanes, 11:30 A.M.; March 31, 2010: Michael Buble’ “Crazy Love Tour” Concert, E-Center, 8:00 P.M.; April 5, 2010: Muse Concert, E-Center, 7:30 P.M.; April 6, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 7, 2010: Chief Chat (Resident opportunity to interface with Police & Fire Chiefs), UCCC, 6:30 P.M. – 8:30 P.M.; April 7-9, 2010, ULCT Mid-Year Conference, Dixie Center, St. George; April 8, 2010: Chief Chat (Resident opportunity to interface with Police & Fire Chiefs), Community Preservation Building, 6:30 P.M. – 8:30 P.M.; April 13, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 20, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 22, 2010: Daughtry Concert, E-Center; April 26, 2010: Book Fair Sponsored by EAC, City Hall Lobby, 10:00 A.M. – 3:00 P.M.; April 27, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 4, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 6, 2010: UDOT’s Annual Meeting with Salt Lake County and Municipalities, Calvin Rampton Complex, 4501 South 2700 West, 9:00 A.M. – 11:00 A.M.; May 7, 2010: Sugarland Concert, E-Center; May

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10, 2010: Paramore with Relient K and Fun Concert, E-Center; May 11, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 18, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 19-23, 2010: Cirque Du Soleil Alegria Concert, E-Center; May 25, 2010: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; May 26, 2010: Smucker's Stars on Ice, E-Center; May 31, 2010: Memorial Day Holiday – City Hall closed; June 24-26, 2010: WestFest, Centennial Park; July 5, 2010: Independence Day Holiday – City Hall closed; and July 15, 2010: Employee Summer Barbecue Sponsored by EAC, City Park.

### C. **CITY CENTER REDEVELOPMENT PROJECT UPDATE**

City Manager, Wayne Pyle, updated the City Council regarding the City Center Redevelopment project, including property acquisitions and discussions with developers who could be interested in the project as the master developer. He discussed a proposal to hire a consulting designer and possibly two sub-developers. He expressed confidence in the project and the next steps. Upon direction of the City Manager, the CED Director, Nicole Cottle, discussed reasons why developers were interested in the subject project.

## 10. **COUNCIL REPORTS:**

### A. **COUNCILMEMBER STEVE BUHLER – CHILEAN EARTHQUAKE VICTIMS' FUNDRAISER EVENT**

Councilmember Buhler reported regarding a recent fundraising event he attended the previous Saturday held to raise funds to benefit victims of the recent earthquake in Chile.

### B. **COUNCILMEMBER CAROLYNN BURT – PROPERTY LOCATED ON 2700 WEST**

Councilmember Burt discussed property at 2700 West that the Utah Department of Transportation (UDOT) had sold to Rindlesbach who then leased the property to Sunroc for five years. She stated the property was being used as a site to clean and filter dirt and the neighbors were not happy with that use. She inquired if Rindlesbach and Sunroc were in compliance with City ordinances.

City Manager, Wayne Pyle, advised staff was aware of this issue and were following up on the situation.

### C. **COUNCILMEMBER STEVE VINCENT – ISSUE REGARDING CERTAIN PROPERTY, JORDAN RIVER MARKETPLACE, GRIZZLY PLAZA AND RETAILER AT VALLEY FAIR MALL**

Councilmember Vincent discussed a similar situation as described by Councilmember Burt where a certain property was being used to separate sand, gravel and rock. City Manager, Wayne Pyle, advised the referenced property

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should have actual landscaping and he would direct appropriate staff to look into the matter and advise.

Councilmember Vincent inquired regarding the Jordan River Marketplace and proposals submitted by the developer. City Manager, Wayne Pyle, indicated an update regarding the Jordan River Marketplace was scheduled on the Study Meeting agenda for the following week.

Upon inquiry, Mr. Pyle also reviewed a discussion regarding major upgrades and remodeling of the Grizzly Plaza near the E-Center. Nicole Cottle, CED Director, discussed and updated the Council regarding that project and proposed “branding” of the entertainment district in the subject area.

Upon inquiry, the City Manager also discussed a site visit he made recently to a retailer who would like to occupy the vacant Mervyns building at the Valley Fair Mall.

**D. TEMPORARY MAYOR PRO TEM RUSS BROOKS – EMPLOYEE FURLOUGHS AND CITY FINANCES**

Temporary Mayor Pro Tem Brooks stated citizens had recently inquired regarding employee furloughs and the financial situation of the City. He indicated citizens had also asked if it was cost effective to continue the monthly residential bulky waste pickup when the City also had the neighborhood dumpster program. City Manager, Wayne Pyle, stated the Public Works Director, Russell Willardson, was currently reviewing terms of the waste contract and would make recommendations regarding those issues. Public Works Director, Russell Willardson, stated both programs were very popular with residents, however, that could change if a higher rate was proposed.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, MARCH 16, 2010, WAS ADJOURNED AT 5:30 P.M., BY TEMPORARY 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, March 16, 2010.

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Sheri McKendrick, MMC  
City Recorder