

## MINUTES OF COUNCIL STUDY MEETING – MAY 25, 2010

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MAY 25, 2010, 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 WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder  
Russ Brooks  
Steve Buhler  
Don Christensen  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager  
Nichole Camac, Acting City Recorder

ABSENT:

Carolynn Burt

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
John Evans, Fire Chief  
Layne Morris, Community Preservation Director  
Jim Welch, Finance Director  
Richard Catten, City Attorney  
Kevin Astill, Parks and Recreation Director  
Russell Willardson, Public Works Director  
Nicole Cottle, CED Director  
Mike Wells, Acting Police Chief  
Aaron Crim, Administration  
Jason Erekson, Parks and Recreation Department  
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD MAY 11, 2010**

The Council read and considered the Minutes of the Study Meeting held May 11, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held May 11, 2010, as written. Councilmember Christensen seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

**2. PRESENTATION, HOB CALHOUN, SENIOR FORESTER FOR TREE UTAH – “TREES FOR EAGLES” PROJECT**

City Manager, Wayne Pyle, introduced Hob Calhoun, a senior forester working with the TreeUtah organization. Mr. Calhoun explained TreeUtah had gathered over 100,000 volunteers to complete tree planting in parks throughout the State of Utah. He informed trees and shrubs had been planted along the Jordan River and this, along with introduction of a walking trail, had been a wonderful success for Salt Lake County and TreeUtah. He further indicated he desired West Valley City to join the TreeUtah program to help better the local community as well as get word out to residents of the City. He stated an entire generation was being lost to television and video games with people becoming less concerned about the environment and the planting of trees.

Wayne Pyle, City Manager, expressed interest in the City participating in the program.

**3. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MAY 25, 2010**

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Meeting scheduled May 25, 2010, at 6:30 P.M.

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

**4. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED JUNE 1, 2010:**

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

City Manager, Wayne Pyle, stated Mayor Winder would present the Star of Excellence Awards to students from Cyprus, Granger and Hunter High Schools at the Regular Council Meeting scheduled May 25, 2010, at 6:30 P.M., as follows:

Cyprus High School  
Colin Anderson  
Amanda Starks

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Dylan Harding  
Erica Scott  
Lauren Fishbeck  
Amanda Martinez  
Caleb Berry  
Emily Landon  
Halie Elliott  
Tiana Bettinson

Granger High School

Liana Tan  
Kate Allen  
Sarah Bramall  
Kenadee Hatch  
Sivaosa Mulitalo  
Uyen Tang  
Xaela M. Walden  
Luz D. Yanez  
Nora Abu-Dan  
Jeanine Bell  
Rebekah Fuller  
Miranda Moore  
Michael Nguyen  
Dereck Vongphouthone  
Michelle Watrous

Hunter High School

Alema Tauliili  
Amber Chase  
Braden Hutchinson  
Destiny Riley  
Jenica Webb  
Joel Maxwell  
Laura Damewood  
Lindly Fernandez  
Roldan M. Diaz  
Adriann Peterson  
Angela Van Den Akker  
Brie Jensen  
Emily Wells  
Jessica Lim  
Kaycee Kingsbury  
Laura Silvester  
Nittaya Phonharath

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The City Council discussed presentation of the awards and inquired why students of Kearns High School and Taylorsville High School had not been included as there were students from West Valley City who attended those high schools. Mayor Winder requested the City Manager direct staff to identify students from those two schools, if possible, to be included in the award presentations. He further stated, and the City Manager noted, if the limited amount of time precluded that inclusion this year, those schools should be included on the list for next year.

### 5. **PUBLIC HEARING SCHEDULED JUNE 1, 2010:**

#### A. **ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2009-2010 BUDGET FOR THE PURPOSE OF MAKING AMENDMENTS TO REFLECT CHANGES IN ACTUAL REVENUES AND EXPENDITURES**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled June 1, 2010, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding re-opening the FY 2009-2010 Budget for the purpose of making amendments to reflect changes in actual revenues and expenditures. He discussed proposed Ordinance No. 10-15 to be considered by the City Council subsequent to the public hearing, as follows:

#### **ORDINANCE NO. 10-15, AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, AND ENDING JUNE 30, 2010, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE DISBURSEMENT OF FUNDS**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 10-15 which would amend the Budget of West Valley City for the fiscal year beginning July 1, 2009, and ending June 30, 2010, to reflect changes in the Budget from increased revenues and authorize disbursement of funds.

Mr. Pyle stated State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allowed the City to amend its budget during the year. He advised West Valley City held two such public hearings on budget amendments annually: one mid-fiscal year and the second just prior to the end of the fiscal year. He reported required notice had been posted regarding the public hearing.

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

The City Council will hold a public hearing and consider proposed Ordinance No. 10-15 at the Regular Council Meeting scheduled June 1, 2010, at 6:30 P.M.

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**6. ORDINANCE NO. 10-16, ENACT TITLE 26, CHAPTERS 1 THROUGH 4 OF THE WEST VALLEY CITY MUNICIPAL CODE IN ORDER TO ESTABLISH UNLAWFUL DISCRIMINATORY EMPLOYMENT AND HOUSING PRACTICES BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 10-16 which would enact Title 26, Chapters 1 through 4 of the West Valley City Municipal Code in order to establish unlawful discriminatory employment and housing practices based on sexual orientation or gender identity.

Mr. Pyle stated the proposed ordinance would also create a process for the conciliation between the parties involved in a discriminatory practice and an enforcement mechanism if necessary. He also indicated it would establish penalties for violation of the ordinance.

The City Manager indicated West Valley City was a diverse community made up of a wide variety of groups, communities and individuals. He explained the Utah Antidiscrimination Act addressed discrimination based on race, color, religion, sex, pregnancy, childbirth, or pregnancy-related conditions, national origin, age and disability; but it did not address discrimination based on sexual orientation or gender identity. He stated the proposed ordinance, based on an ordinance recently enacted by Salt Lake City, addressed that sexual orientation and gender identity gap in the discrimination laws with respect to housing and employment.

City Manager, Wayne Pyle, further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council. City Attorney, Richard Catten, advised how the proposed ordinance would “function in the real world.” He indicated the proposed ordinance would create a new title to the West Valley City Code and he discussed the various chapters in the ordinance. The City Attorney stated the City Manager would have a three-member board to address complaints and problems. If a complaint and/or problem could not be resolved it would then go to the Law Department and then to ACE Enforcement instead of the justice courts as specified in the Salt Lake City ordinance. Mr. Catten advised he had sent a draft of the proposed ordinance to Quality Utah, who had, in turn, suggested some minor changes. He stated those suggested minor changes would be distributed in written format to the Council prior to formal consideration of the proposed ordinance.

The City Council will consider proposed Ordinance No. 10-16 at the Regular Council Meeting scheduled June 1, 2010, at 6:30 P.M.

**7. UNFINISHED BUSINESS SCHEDULED JUNE 1, 2010:**

**A. CONSIDER ORDINANCE NO. 10-02 RELATED TO APPLICATION NO. GP-1-2009, FILED BY WEST VALLEY CITY, REQUESTING TO AMEND THE WEST VALLEY CITY GENERAL PLAN TO UPDATE THE HUNTER TOWN CENTER SMALL AREA PLAN AND SUPPORT**

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**CHANGES TO THE GENERAL PLAN MAP AND TEXT (*PUBLIC HEARING HELD AND CLOSED AT REGULAR MEETING HELD JANUARY 19, 2010; AND ACTION ON PROPOSED ORDINANCE CONTINUED TO NO DATE CERTAIN AND AFTER MEETING HELD WITH RESIDENTS*)**

City Manager, Wayne Pyle, stated a public hearing had been advertised, held and closed at the Regular Council Meeting held January 19, 2010, at 6:30 P.M., and action on proposed Ordinance No. 10-02 continued to no date certain and after meeting held with residents. Upon being set for consideration, the City Council would consider public comments regarding Application No. GP-1-2009 filed by West Valley City requesting to amend the West Valley City General Plan to update the Hunter Town Center Small Area Plan and support changes to the General Plan map and text. He discussed proposed Ordinance No. 10-02 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

**ORDINANCE NO. 10-02, ADOPTING THE HUNTER TOWN CENTER SMALL AREA PLAN AND APPROVING SUPPORTING CHANGES TO THE GENERAL PLAN MAP AND TEXT**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 10-02 which would adopt the Hunter Town Center Small Area Plan and approve supporting changes to the General Plan map and text.

Mr. Pyle stated the Hunter Town Center Small Area Plan addressed the area between approximately 3300 South and 3700 South and between approximately 5500 West and 5700 West. He advised the current General Plan included the following actions:

- Identify small areas to begin preparing specific plans to provide more detail for orderly growth and appropriate development. Areas that may be aided by such small area master plans include Chesterfield, transit station areas, as well as the Redwood Road, 5600 West and 3500 South corridors. These master plans should complement the General Plan while providing greater land use detail and urban design criteria to guide the adoption of zoning that will help the particular area to achieve anticipated or desired changes.
- Develop small area plans as time and resources permit for specific corridors or other areas in the City where specific design standards are desired.

Mr. Pyle reported to begin implementation of these recommended actions, staff began working with the Planning Center, a planning consulting firm, in the later part of 2008, to develop a small area plan for the area around the intersection of 5600 West and 3500 South. During the planning process, this area had been

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named Hunter Town Center. He further indicated the Planning Center had been paid by the Utah Department of Transportation (UDOT), as UDOT had an interest in promoting transit-oriented development (TOD) along 5600 West due to the planned bus rapid transit (BRT) along 5600 West and 3500 South.

The City Manager stated there were essentially three recommended changes to the General Plan as part of this application: the first to adopt the Hunter Town Center Small Area Plan; the second to amend the text of the current General Plan to reference and integrate with the Hunter Town Center Small Area Plan; and third to amend the current General Plan map to reference and integrate with the Hunter town Center Small Area Plan Map. He advised members of the City Council that each of the three changes were fully described in Exhibits A, B and C attached to the proposed ordinance.

Steve Pastorik, CED Department, further reviewed and discussed the proposed Ordinance, displayed maps, and answered questions from members of the City Council. Mr. Pastorik stated there were two significant changes made to the plan subsequent to meeting with residents in the area. He indicated the first change would be removal of any street or pedestrian connection to 5450 West. He advised the second change would modify the text to clarify that this would be a long-term plan for the area. He reported many questions and concerns had been received from residents regarding the Mountain View Corridor and other transportation projects for the area. He advised clarification had been given to residents that the Plan did not initiate those changes.

Upon discussion, some members of the City Council stated it would be a good idea for the City to prepare for future TOD areas. Councilmember Rushton indicated Salt Lake City had not planned for the TOD areas on 400 South and therefore encountered many problems.

The City Council will consider proposed ordinance No. 10-02 at the Regular Council Meeting scheduled June 1, 2010, at 6:30 P.M.

### 8. **CONSENT AGENDA SCHEDULED JUNE 1, 2010:**

#### A. **RESOLUTION NO. 10-96, APPROVE A RIGHT-OF-WAY AGREEMENT WITH LISA C. EVANS AND ANTHONY EVANS FOR PROPERTY LOCATED AT 7194 W. SCHULER AVENUE, AND ACCEPT WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 7200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-96 which would approve a Right-of-Way Agreement with Lisa C. Evans and Anthony Evans for property located at 1794 W. Schuler Avenue, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

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Mr. Pyle stated Lisa C. Evans and Anthony Evans had signed the Right-of-Way Agreement and Warranty Deed.

The City Manager reported the subject parcel was one of the properties affected by construction of the 7200 West Improvement Project extending from SR-201 to 3500 South on both sides of 7200 West. He also reported the project was being constructed in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He indicated the acquisition consisted of 72 square feet at the southwest corner of the parcel to allow for a new sidewalk ramp to be constructed in accordance with current ADA requirements. He stated total compensation for the right-of-way and easement would be in the amount of \$650.00. He further reported, as the cost of an appraisal would likely exceed the actual value of the property being acquired, compensation had been based on a range of rates used by other entities for similar small acquisitions of property.

The City Council will consider proposed Resolution No. 10-96 at the Regular Council Meeting scheduled June 1, 2010, at 6:30 P.M.

### 9. **COMMUNICATIONS:**

#### A. **PARK FORESTRY UPDATE**

Jason Erikson, Parks and Recreation Department, discussed forestry goals for West Valley City including maintaining the City's urban forest, increasing number of trees annually, supporting other departments and citizens, and creating a legacy of parks and trees by caring for the urban forest today. He also stated there were 3,500 trees maintained by the City, all 25 years or younger. He further discussed forestry duties continually performed by staff to maintain the urban forest of the City. He explained those duties included planting, pruning, spraying, deep root watering, diagnosis of illness/pests, tree inventory problem, hazard assessments, active tree committee, appraisal/valuation, Christmas tree chipping, and City Christmas celebration lighting. Mr. Erikson discussed an overview of different types of trees located throughout the City including challenges faced by staff regarding vandalism, pests/insects, animals, virus, fungus, disease, and lack of manpower. He also mentioned the numerous awards received by West Valley City for maintenance and care of its urban forest.

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

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: May 14 – June 28, 2010: Western Federation of Watercolor Society's 35<sup>th</sup> Annual Exhibit, UCCC; May 26, 2010: Utah Special Olympics Torch Run, UTA Parking Lot behind City Hall, 10:00 A.M. – 10:30 A.M.; May 26, 2010: Smucker's Stars on Ice, E-Center; May 26, 2010: Retirement Open House for Virginia Duke, Multi-

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Purpose Room, 3:00 P.M. – 5:00 P.M.; May 27, 2010: Polynesian Cultural Center's Ha: Breath of Life Production, UCCC, 7:30 P.M.; May 31, 2010: Memorial Day Holiday – City Hall closed; June 1, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 5, 2010: Fabolous, E-Center; June 8 – 18, 2010: Early Voting, City Hall, 12:00 P.M. to 6:00 P.M. (ends at 5:00 P.M. on June 18<sup>th</sup>); June 8, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 9, 2010: Ribbon Cutting – Kelly Benson Apartments, 3122 South 3600 West, Buffet Lunch at 11:00 A.M. and Ceremony at Noon; June 15, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 16, 2010: Mayor's Summit of Ethnic Leaders, UCCC, 8:00 A.M. – 11:00 A.M.; June 22, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 23-26, 28 & 29, 2010: West Valley City Arts Council's Production of "Peter Pan," UCCC Amphitheater, 8:00 P.M.; June 24-26, 2010: WestFest, Centennial Park; July 5, 2010: Independence Day Holiday – City Hall closed; July 6, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 6, 2010: 30<sup>th</sup> Anniversary Celebration, UCCC; July 10, 2010: Justin Bieber – My World Tour Concert, E-Center; July 13, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 15, 2010: Employee Summer Barbecue Sponsored by EAC, City Park; July 19-24, 2010: Days of '47 Rodeo, E-Center; July 20, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 27, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 28, 2010: 30<sup>th</sup> Anniversary Mayor's Luncheon, UCCC, Noon; August 3, 2010: The Wiggles Wiggly Circus, E-Center; August 3, 2010: National Night Out Against Crime; August 10, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 17, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 24, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and September 6, 2010: Labor Day Holiday – City Hall closed.

### 10. **COUNCIL REPORTS:**

#### A. **COREY RUSHTON – JORDAN RIVER MEETING AND OREM CITY POLICE DEPARTMENT**

Councilmember Rushton advised regarding a Jordan River meeting scheduled Wednesday, May 26, 2010, at 3:30 P.M. at the Salt Lake County Complex.

Councilmember Rushton reported a resident had provided him with a lengthy report regarding how the Police Department in Orem City posted stolen cars, etc., on Facebook. He suggested this could be a helpful resource for the Police Department in solving crimes.

#### B. **COUNCILMEMBER STEVE BUHLER – FIESTA! 2010**

Councilmember Buhler stated he had received many positive comments from residents who attended the Fiesta! 2010 event held the previous Saturday.

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**11. NEW BUSINESS SCHEDULED AT 5:00 P.M.**

**A. BOARD THE CITY BUS AND TRAVEL TO APPROXIMATELY 1300 WEST 3300 SOUTH TO VIEW PROPERTY TO BE DEVELOPED AS THE JORDAN RIVER MARKETPLACE**

The City Council and City staff boarded a bus at approximately 5:25 P.M. and traveled to approximately 1300 West 3300 South to view property to be developed as the Jordan River Marketplace.

City Manager, Wayne Pyle, advised the stakes on the property indicated where the future road would be located. The City Council walked the terrain and discussed potential ideas for the area including bridges, walkways and parks.

The City Council and City staff returned on the bus to City Hall at approximately 6:20 P.M.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, MAY 25, 2010, WAS ADJOURNED AT 6:27 P.M., BY MAYOR WINDER.

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, May 25, 2010.

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Nichole Camac, Acting City Recorder