

**MINUTES OF COUNCIL STUDY MEETING – AUGUST 24, 2010**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, AUGUST 24, 2010, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR WINDER CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

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

Wayne Pyle, City Manager  
Carel Hicks, Acting City Recorder

ABSENT:

Carolynn Burt

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
John Evans, Fire Chief  
Kevin Astill, Parks and Recreation Director  
Russell Willardson, Public Works Director  
Layne Morris, Community Preservation Director  
Richard Catten, City Attorney  
Buzz Nielsen, Police Chief  
Nicole Cottle, CED Director  
Jim Welch, Finance Director  
Aaron Crim, Administration  
Russ Bailey, Public Works Department

**1. APPROVAL OF MINUTES OF STUDY MEETING HELD AUGUST 10, 2010**

The Council read and considered Minutes of the Study Meeting held August 10, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Study Meeting held August 10, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED AUGUST 24, 2010:**

City Manager, Wayne Pyle, stated three new items had been added to the Agenda for the Regular Meeting scheduled August 24, 2010, as follows:

**Item No. 6.C. – PROCLAMATION DECLARING AUGUST 26, 2010, AS IDENTITY THEFT AWARENESS DAY IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Councilmember Rushton would read a Proclamation declaring August 26, 2010, as Identity Theft Awareness Day in West Valley City, at the Regular Council Meeting scheduled August 24, 2010, at 6:30 P.M.

**Item No. 6.D. – PROCLAMATION DECLARING SEPTEMBER 3, 2010, AS COLLEGE COLORS DAY IN WEST VALLEY CITY**

Mayor Winder requested Councilmember Vincent read a Proclamation declaring August 26, 2010, as College Colors Day in West Valley City, at the Regular Council Meeting scheduled August 24, 2010, at 6:30 P.M., as he was wearing a University of Utah necktie.

**Item No. 8.C. – RESOLUTION NO. 10-164, DECLARE CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 1300 WEST AND 3300 SOUTH AS SURPLUS PROPERTY AND APPROVE A REAL ESTATE PURCHASE AGREEMENT BETWEEN WEST VALLEY CITY AND THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY FOR THE SALE OF SAID PROPERTY**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-164 which would declare certain real property located at approximately 1300 West and 3300 South as surplus property and approve a Real Estate Purchase Agreement between West Valley City and the Redevelopment Agency (RDA) of West Valley City for the sale of said property.

Mr. Pyle stated that prior to selling 0.369 acres of unimproved land (located at approximately 1300 West 3300 South); West Valley City must declare the land surplus and approve its sale. He also stated the approval of the purchase agreement for the sale of the land to the Redevelopment Agency would also be required.

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The City Manager reported the City must declare the land surplus property and approve the land for disposal, specifically, for sale to the RDA. He indicated the City planned to sell the land to the RDA so the RDA could transfer the land to the Jordan River Marketplace, LLC (JRM LLC), the developers of the Jordan River Marketplace project.

Mr. Pyle further explained the City selected JRM LLC to develop the Jordan River Marketplace. He stated in order for Phase 1 of the development to proceed, the JRM LLC required control of the 0.369 acres of land currently owned by the City. In order to facilitate the development of the land the City must first declare the land surplus. He stated upon declaring the land surplus, the City must approve of its disposal. He continued, next, the City could sell the land to the RDA, who could then transfer the land to JRM LLC.

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

The City Council will consider proposed Resolution No. 10-164 at the Regular Council Meeting scheduled August 24, 2010, at 6:30 P.M.

**Items on the Agenda for the Redevelopment Agency Special Regular Meeting scheduled August 24, 2010**

City Manager, Wayne Pyle, discussed items on the agenda for the Redevelopment Agency Special Regular Meeting scheduled August 24, 2010.

**3. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED SEPTEMBER 7, 2010:**

**A. SERGIO MARTINEZ, U.S. CENSUS – HONORING WEST VALLEY CITY AND THE WEST VALLEY CITY COMPLETE COUNT COMMITTEE FOR PARTICIPATION IN THE 20<sup>TH</sup> CENSUS**

City Manager, Wayne Pyle, stated Sergio Martinez of the U. S. Census, would be introduced by Aaron Crim, Administration, at the Regular Council Meeting scheduled September 7, 2010. He also stated Mr. Martinez would address the City Council, and give an acknowledgment honoring West Valley City regarding the Complete Count Committee and participation in the 20<sup>th</sup> Census.

**4. RESOLUTION NO. 10-165, APPROVE AGREEMENT WITH KBJR ENTERPRISES, INC. TO PROVIDE ADMINISTRATIVE LAW JUDGE SERVICES TO THE WEST VALLEY CITY JUSTICE COURT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-165 which would approve an agreement with Ken Brown of KBJR Enterprises, Inc., in an amount not to exceed \$63,022.54, to provide administrative law judge services to the West Valley City Justice Court.

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Mr. Pyle stated in conjunction with the operation of the Justice Court, the City had need for an Administrative Law Judge to hear cases involving civil traffic citations, administrative code enforcement cases, and to act as a criminal traffic citation commissioner. He further stated Ken Brown had served as the Administrative Law Judge in the past and was a qualified paralegal with the necessary professional experience and training to perform those services for the City.

Upon inquiry by Councilmember Buhler regarding bidding of the contract, City Manager, Wayne Pyle stated the proposal was an extension of a current contract. Assistant City Manager, Paul Isaac, explained that Mr. Brown was an employee and had approached the City about changes to the contract. He stated it would be less cost to the City not to pay benefits and the contract could be easily cancelled, or hours increased and/or decreased. He indicated the contract was more flexible for the City and there would be no raise in the contract extension price.

Councilmember Buhler stated residents felt Mr. Brown's position was to increase revenue to the City through ordinance violation fines. City Manager, Wayne Pyle, stated Mr. Brown heard 60 to 70 cases per month and handled ACE and traffic cases.

The City Council will consider proposed Resolution No. 10-165 at the Regular Council Meeting scheduled September 7, 2010, at 6:30 P.M.

### 5. **COMMUNICATIONS:**

#### A. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: August 25, 2010: Multi-Chamber Luncheon & ChamberWest General Membership Meeting, Guest Speaker – Senator Orrin Hatch, UCCC, 11:45 A.M. – 1:00 P.M.; August 26, 2010: Neighborhood Watch Mobile Patrol Training, City Hall, Suite 230, 6:30 P.M. – 7:30 P.M.; August 28, 2010: Dog Days of Summer, Fitness Center, 2:00 P.M. – 5:30 P.M.; August 31, 2010: ACE Disposal, Inc. 30<sup>th</sup> Anniversary, Lunch 11:00 A.M. – 2:00 P.M. and Tours 11:00 A.M. – 4:00 P.M., 2274 S. Technology Drive (3450 W.); September 6, 2010: Labor Day Holiday – City Hall closed; September 7, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 14, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 15-17, 2010: ULCT Annual Convention, Sheraton City Center Hotel, 150 West 500 South; September 16, 2010: Gary Allan, Maverik Center; September 21, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 22, 2010 (Tentative); ChamberWest Breakfast, Pioneer Valley Hospital, 8:30 A.M.; September 28, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 5, 2010: Annual Lake Park Owners Association Golf Social, Stonebridge Golf Course; October 5, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 6, 2010: Pete Harman Day, Harman Home,

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11:00 A.M.; October 12, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 p.m.; October 19, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 19, 2010: Jagermeister Music Tour, Maverik Center; October 19-29, 2010: Early Voting for General Election; October 20, 2010: ChamberWest 2010 Awards Gala; October 26, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 2, 2010: Election Day; November 4, 2010: So You Think You Can Dance Tour, Maverik Center; November 9, 2010: Yo Gabba Gabba Live! There's a Party in My City!, Maverik Center; November 11, 2010: Veteran's Day – City Hall closed; November 25, 2010: Thanksgiving – City Hall closed; and November 26-29, 2010: Radio City Christmas Spectacular, Maverik Center.

### 6. **COUNCIL REPORTS:**

#### A. **COUNCILMEMBER DON CHRISTENSEN – RELAY FOR LIFE AND UCCC FINAL CONCERT**

Councilmember Christensen reported regarding the American Cancer Society's Relay for Life and stated the event had been successful.

Councilmember Christensen reported regarding the final concert held at the Utah Cultural Celebration Center (UCCC) and stated approximately 550 people had attended that event. He stated compliments had been received by many citizens. He also advised a resident had reported a tattered U.S. flag on the plaza.

#### B. **MAYOR MIKE WINDER – CHIAPAS MEXICO GOVERNOR; WASATCH FRONT REGIONAL COUNCIL; UTOPIA/UIA UPDATE; EDUCATION SUMMIT; HIGH SCHOOL GRADUATIONS; MONTHLY VIDEO; AND GENERAL OBLIGATION BOND**

Mayor Winder inquired if West Valley City would consider a Sister City relationship with Chiapas, Mexico. He stated the information had been given to the Sister City Committee to consider options. He advised he received a 200 lb. replica of a Tree of Life Stone and would donate to the City for display at the Utah Cultural Celebration Center.

Mayor Winder stated representatives of TransCom had appeared at a recent meeting of the Wasatch Front Regional Council and advised they might move from the International Center in Salt Lake City. He indicated perhaps they might be interested in locating at the West Valley City Center. City Manager, Wayne Pyle, advised he would follow up on that suggestion.

Mayor Winder stated stimulus money would be forthcoming to UTOPIA. He advised West Valley City and Layton City were recipients of the largest amounts.

Mayor Winder updated the City Council regarding UIA and advised Payson City had joined that organization.

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Mayor Winder reported regarding the Education Summit and stated good information had been presented. He stated there had been three summits this year and he inquired regarding input for next year's summits.

Mayor Winder stated high school graduations were not being held at the Maverick Center and he inquired if staff would attempt to get ceremonies back in West Valley City.

Mayor Winder invited Council members to be in a monthly video.

Mayor Winder discussed the upcoming General Obligation Bond election and stated elected officials were free to advocate for, and support passage of, the bond. He stated City resources could not be used to support the bond and City staff could provide appropriate information. City Attorney, Richard Catten, advised the name of the bond to appear on the ballot was yet unknown.

**C. COUNCILMEMBER RUSS BROOKS – PARKS AND OPEN SPACE INFORMATION**

Councilmember Brooks stated the City must given complete information to citizens on how parks and open space would be maintained.

Mayor Winder stated a tax increase would be needed to support maintenance and elected officials should be candid.

**7. MOTION FOR EXECUTIVE SESSION**

After discussion, Councilmember Rushton moved to adjourn and reconvene in an Executive Session for discussion of professional competency of an individual. Councilmember Brooks seconded the motion.

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.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY, AUGUST 24, 2010, WAS ADJOURNED AT 5:08 P.M., BY MAYOR WINDER.**

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, AUGUST 24, 2010, AT 5:10 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

Paul Isaac, Acting City Manager

ABSENT:

Carolynn Burt

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF AUGUST 24, 2010, WAS ADJOURNED AT 6:25 P.M., BY MAYOR WINDER.

As the Mayor, I presided at a closed meeting of the West Valley City Council on August 24, 2010. Pursuant to Section 52-4-7.5 Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

SWORN to this 24<sup>th</sup> day of August, 2010.

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MAYOR

ATTEST:

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ACTING CITY RECORDER

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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, August 24, 2010.

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Carel Hicks, MMC  
Acting City Recorder