

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 12, 2010

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Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED OCTOBER 12, 2010

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Council Meeting scheduled October 12, 2010. He discussed an item on that Agenda as follows:

Item No. 8.A. - PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-1-2010, FILED BY PHIL HOLLAND, REQUESTING A CHANGE OF ZONE FROM ZONE ‘M’ (MANUFACTURING) TO ‘R-1-4’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 4,000 SQ. FT.) AND ‘C-2’ (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT 5300 SOUTH 5600 WEST

City Manager, Wayne Pyle, stated a public hearing had been advertised, held and closed at the Regular Council Meeting on September 28, 2010, regarding Application No. Z-1-2010, filed by Phil Holland, requesting a change of zone from zone ‘M’ (Manufacturing) to ‘R-1-4’ (Residential, Single-Family, Minimum Lot Size 4,000 sq. ft.) and ‘C-2’ (General Commercial) for property located at 5300 South 5600 West.

The City Manager noted that Phil Holland, applicant, and Colin Wright, developer, were in attendance at the Study Meeting to address concerns regarding their proposal and to answer any additional questions from members of the City Council.

Mr. Colin Wright, representing Strategic Capital Partners (developer), and Henry Walker Homes (builder), distributed written information including a plan to the City presented in 2008. Mr. Wright discussed background information and the timeline regarding the application and proposals for development of the subject property. He requested clear direction be given from the City Council in order for the subject property to be developed using the mixed use designation. He also addressed concerns expressed previously by the City Council regarding parks, open space, connecting trails, density, and types of dwellings. He further discussed some issues with the Utah Department of Transportation (UDOT) and the Utah Transit Authority (UTA).

Upon discussion, members of the City Council commented and inquired regarding if the applicant had designs for townhomes. Some members of the Council gave examples of certain types of townhomes viewed in other locations. Some members of the Council

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expressed personal opinions regarding design of townhomes on the concept drawings. A suggestion was made to consider approval of the zoning ordinance with a continuance of the proposed resolution regarding the development agreement until the proposal could be finalized. Some members of the Council expressed concerns regarding density and connectivity to the subdivision located on the north of the subject property.

Mr. Wright and Mr. Holland answered questions regarding the proposal including the conceptual drawings. Mr. Wright stated he desired the issue to be tabled in order to allow more time to refine the proposal and work through the terms of the proposed development agreement.

Steve Pastorik, Acting CED Director, further discussed the proposal and answered questions regarding various Planned Unit Development (PUD) requirements.

City Manager, Wayne Pyle, advised marketing issues needed to be taken into consideration with any development, but were especially important in a mixed use and TOD (transit oriented development) project.

On behalf of the City Council, Mayor Winder expressed appreciation to the applicant for his willingness to work with the City regarding the subject proposed development.

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

3. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED OCTOBER 19, 2010:**

A. **PRESENTATION OF ESSENTIAL PIECE AWARD TO MARGENE CONDE'**

City Manager, Wayne Pyle, stated Mayor Winder would present the Essential Piece Award to Margene Conde' at the Regular Council Meeting scheduled October 19, 2010, at 6:30 P.M. Ms. Conde' had been nominated for her unwavering support of the arts in West Valley City.

B. **PROCLAMATION DECLARING OCTOBER 2010 AS UTAH RENTAL HOUSING APPRECIATION MONTH IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Councilmember Brooks would read a Proclamation declaring October 2010, as Utah Rental Housing Appreciation Month in West Valley City, at the Regular Council Meeting scheduled October 19, 2010, at 6:30 P.M.

4. **PUBLIC HEARINGS SCHEDULED OCTOBER 19, 2010:**

A. **ACCEPT PUBLIC INPUT REGARDING (A) THE PROPOSED EXECUTION BY THE CITY OF A COMMUNICATIONS SERVICE CONTRACT BETWEEN THE CITY, CERTAIN OTHER CITIES AND**

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THE UTAH INFRASTRUCTURE AGENCY (UIA), AND (B) ANY POTENTIAL ECONOMIC IMPACT THE SERVICE CONTRACT, THE CONNECTION SERVICES FINANCED UNDER THE SERVICE CONTRACT, AND THE PLEDGE OF FRANCHISE TAX REVENUES MAY HAVE ON THE PRIVATE SECTOR

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled October 19, 2010, at 6:30 P.M., in order for the Council to accept public input regarding (a) the proposed execution by the City of a Communications Service Contract between the City, certain other cities and the Utah Infrastructure Agency (UIA), and (b) any potential economic impact the service contract, the connection services financed under the service contract, and the pledge of franchise tax revenues might have on the private sector. He discussed proposed Resolution No. 10-181 to be considered by the City Council subsequent to the public hearing, as follows:

RESOLUTION NO. 10-181, AUTHORIZING AND APPROVING THE EXECUTION OF A COMMUNICATIONS SERVICE CONTRACT BY AND AMONG THE CITY, CERTAIN OTHER CITIES, AND THE UTAH INFRASTRUCTURE AGENCY (UIA)

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-181, which would authorize and approve the execution of a Communications Service Contract by and among the City, certain other cities, and the Utah Infrastructure Agency (UIA).

Mr. Pyle stated the City was a member of UTOPIA, a cooperative association of local governments formed to extend telecommunication infrastructure to its members. He also stated local government members of UTOPIA formed the UIA as an agency whose purpose was to construct, own, and operate (or have operated) additional telecommunications infrastructure and facilities that would be built as part of the UTOPIA network.

The City Manager indicated the Communications Service Agreement with the UIA set forth rates that would be charged to the City for connectivity, contracting and recruiting service providers, network management and support, network construction management, engineering, and other services necessary for citizens to have a connection. He explained the agreement also set forth the fees the City shall collect for administration of billing and accounting.

Mr. Pyle discussed background information including business model data and related feasibility study, reviewed the proposed Resolution and Agreement, and answered questions from members of the City Council. He also distributed a draft of the proposed agreement, which had not been included in the written information packets previously distributed to the City Council members. He advised the final agreement to be considered would be ready for the Regular

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Council Meeting scheduled the following week. He stated he would recommend approval of the proposal and encouraged members of the City Council to meet with him individually, if desired, to answer any additional questions regarding the proposal.

The City Council will hold a public hearing and consider Resolution No. 10-181 at the Regular Council Meeting scheduled October 19, 2010, at 6:30 P.M.

5. **ORDINANCE NO. 10-32, AMEND SECTIONS 20-7-102; 20-7-106; AND 20-7-107 OF TITLE 20 AND SECTION 1-2-110 OF TITLE 1 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING THE DEFINITIONS CONTAINED THEREIN; THE IMPOSITION OF STORM WATER UTILITY FEES; AND THE SYSTEM OF FEES, RATES AND CHARGES PERTAINING TO STORM WATER UTILITY**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 10-32 which would amend Sections 20-7-102; 20-7-106; and 10-7-107 of Title 20 and Section 1-2-110 of Title 1 of the West Valley City Municipal Code regarding the definitions contained therein; the imposition of storm water utility fees; and the system of fees, rates and charges pertaining to storm water utility.

Mr. Pyle stated the proposed ordinance and accompanying change to the Storm Water Utility Ordinance would eliminate storm water utility fee credits and, in lieu thereof, establish a three-tiered rated system. He also stated the standard monthly charge per equivalent residential unit (ERU) would continue to be \$4.00 per month. He explained Rate B, \$2.80 per month, would apply to developments that implemented treatment control best management practices. He further explained Rate B was offered as an incentive to older developments that implemented best management practices that reduced impact of a development to the storm water system. He further explained Rate C, \$1.80 per month, would be available to all parcels that retained all storm water runoff on site.

The City Manager indicated that, in most cases, Rate B and Rate C would closely approximate the fees paid by business owners and institutions under the previous fee credit system. He stated, however, in preparing the proposed ordinance change it had been discovered that several business and institutions had mistakenly been given unwarranted credits. He explained the fees charged to those properties would increase substantially when they were assigned to the appropriate rate schedule. He advised a list of the businesses and institutions previously receiving storm water utility fee credits, showing the previous fee charged and the proposed new fees had been provided to the City Council.

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

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The City Council will consider proposed Ordinance No. 10-32 at the Regular Council Meeting scheduled October 19, 2010, at 6:30 P.M.

6. COMMUNICATIONS:

A. COUNCIL UPDATE

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: September 3 – October 26, 2010: Intermountain Society of Artists (ISA) Exhibit, UCCC; October 14, 2010: Utah Transportation Commission Meeting, Sandy City Hall, 8:30 A.M. – 9:30 A.M.; October 14, 2010: Multi-Chamber Luncheon, Guest speaker: Robert Mather, IMC Dotti Eccles Education Center; October 17, 2010: WWE presents World Tour!, Maverik Center; 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 (Weekdays only, Noon to 6:00 P.M.; No later than 5:00 P.M. on Oct. 29th); October 21, 2010: “Peter Pan” Cast Party, UCCC, 7:00 P.M. – 9:00 P.M.; October 23, 2010: Halloween Activities at Family Fitness Center; October 25, 2010: COG General Assembly Meeting, Cottonwood Heights City Offices, 1265 E. Fort Union Blvd. #250, 6:30 P.M. – 7:30 P.M.; October 26, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 27, 2010: Salt Lake County Council of Governments Emergency Response Exercise, South Towne Expo Center, 11:00 A.M. – 1:00 P.M.; October 28, 2010: EAC Halloween Party, City Hall, 3:00 P.M. – 5:00 P.M.; November 1, 2010: Day of the Dead, Community Celebration, UCCC, 6:00 P.M. – 9:00 P.M. (Display – November 1-4); November 2, 2010: Election Day; November 2, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 4, 2010: So You Think You Can Dance Tour, Maverik Center; November 5, 2010: ChamberWest 2010 Legacy Awards Gala, UCCC, 6:00 P.M.; November 9, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; 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 16, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 19 – December 30, 2010: Trees of Diversity, UCCC; November 23, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 25, 2010: Thanksgiving – City Hall closed; November 26, 2010: ChamberWest’s Santa Christmas Parade, 9:00 A.M.; November 26-29, 2010: Radio City Christmas Spectacular, Maverik Center; November 30 – December 4, 2010: NLC Congress of Cities & Exposition, Denver, Colorado; December 2, 2010: EAC Holiday Luncheon, UCCC; December 4, 2010: Winter Market, UCCC, 10:00 A.M. – 8:00 P.M.; December 7, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 13, 2010: Winter Concert Series – Bonnie Harris Christmas Concert, UCCC, 7:00 P.M.; December 14, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.;

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and December 21, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.

7. **COUNCIL REPORTS:**

A. **COUNCILMEMBER CAROLYNN BURT – HISTORICAL SOCIETY**

Councilmember Burt reported regarding a recent meeting of the Historical Society and a proposal to publish a book for the City's 30th anniversary of incorporation. Councilmember Burt stated if the City was not going to do a book then the Historical Society would do their own.

City Manager, Wayne Pyle, advised he would follow up with staff regarding the status of a book.

Mayor Winder commented there was a company that would publish a book at no charge, but they needed assistance in gathering photographs and/or information.

B. **COUNCILMEMBER RUSS BROOKS – NEIGHBORHOOD PETITION, CHAMBER STRATEGIC PLANNING MEETING AND CHAMBER BOOKLET**

Councilmember Brooks discussed a neighborhood that was getting a petition together to bring to the City Council. He stated residents of the neighborhood advised they "liked code enforcement, but not in their area."

Councilmember Brooks reported that Councilmember Buhler had recently attended the Chamber's strategic planning meeting and was preparing to act as the City's representative.

Councilmember Brooks discussed the difficulty in gathering sponsors and advertisers and publishing a Chamber booklet this year, but it would be ready for print in 2011.

C. **COUNCILMEMBER DON CHRISTENSEN – SISTER CITY COMMITTEE**

Councilmember Christensen stated the Sister City Committee was working on goals as a result of the last visit to Nantou, Taiwan.

D. **COUNCILMEMBER STEVEN VINCENT – ARTS COUNCIL AND HALE CENTRE THEATRE**

Councilmember Vincent reported regarding a recent meeting with the Arts Council. He stated the Arts Council remained hopeful there would be a connection to the City's website.

Councilmember Vincent reported a conversation he overheard at the Hale Centre Theatre wherein an individual visiting from out of state. Councilmember Vincent

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noticed West Valley City did not “have a presence” or any reference in the Hale Centre Theatre program. He noted that Salt Lake County had a quarter- page, but West Valley City did not even that their logo included.

Councilmember Burt stated she would bring that issue up at the Hale Centre Theatre board meeting to be held the following day.

E. COUNCILMEMBER COREY RUSHTON – COG MEETING, 5600 WEST AND PROPOSED BRT, JORDAN RIVER COMMISSION MEETING AND BYU ELECTED OFFICIALS SURVEY

Councilmember Rushton reported regarding a recent COG (Council of Governments) meeting and a report regarding the recent wildfire in the City of Herriman, including an inquiry regarding the reverse 911 capability.

Fire Chief, John Evans, answered questions from members of the City Council regarding information discussed by Councilmember Rushton.

Councilmember Rushton reported regarding a UTA transit map shown during the above-referenced meeting and questions regarding 5600 West and if the proposed BRT (bus rapid transit) could be designed for conversion to LRT (light rail transit) later on.

Councilmember Rushton reported regarding a recent meeting of the Jordan River Commission.

Councilmember Rushton discussed a study of elected officials being conducted by Brigham Young University (BYU) and questions asked on that survey.

F. MAYOR MIKE WINDER – PETE HARMAN DAY, MILK WITH THE MAYOR, SALT LAKE AREA DOMESTIC VIOLENCE CONFERENCE, MAYOR’S GALA, UTAH HERITAGE FOUNDATION EVENT, SALT LAKE COUNTY HOUSING AUTHORITY GROUNDBREAKING

Mayor Winder expressed appreciation to City staff for their efforts regarding the recent Pete Harman Day, which event had been very successful.

Mayor Winder reported regarding a recent Milk with the Mayor event and issues raised by citizens.

Mayor Winder reported regarding the Salt Lake Area Domestic Violence Conference recently held at the Utah Cultural Celebration Center (UCCC).

Mayor Winder stated his Mayor’s Gala had been held the previous week at the UCCC and he discussed his point of view as a “customer” of the facility.

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Mayor Winder reported regarding a recent Utah Heritage Foundation event held in the Westshire neighborhood.

Mayor Winder reported regarding groundbreaking for the Salt Lake County Housing Authority's refugee housing and housing for the chronically homeless.

8. NEW BUSINESS SCHEDULED AT 6:00 P.M.:

A. DOMESTIC VIOLENCE AWARENESS PROGRAM

City Manager, Wayne Pyle, advised that the Domestic Violence Awareness Program was previously scheduled to be held in the Lobby of City Hall, but had been moved to the Council Chambers.

Upon adjournment of the Study Meeting, Mayor Winder invited the City Council and City staff to attend the Domestic Violence Awareness Program scheduled at 6:00 P.M.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, OCTOBER 12, 2010, WAS ADJOURNED AT 6:08 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, October 12, 2010.

Sheri McKendrick, MMC
City Recorder