

MINUTES OF COUNCIL STUDY MEETING – JANUARY 25, 2011

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JANUARY 25, 2011, 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
Carolynn Burt
Corey Rushton
Don Christensen
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

John Evans, Fire Chief
Kevin Astill, Parks and Recreation Director
Jim Welch, Finance Director
Russell Willardson, Public Works Director
Layne Morris, Community Preservation Director
Nicole Cottle, CED Director
Richard Catten, City Attorney
Aaron Crim, Administration
Steve Lehman, CED Department
Margo Hoyt, CED Department
Brent Garlick, CED Department
Keith Morrey, CED Department
Lee Logston, CED Department
Frank Lilly, CED Department
Jody Knapp, CED Department
Steve Pastorik, CED Department
Ed Domian, CED Department
Mark Nord, CED Department
Ron Weibel, CED Department
Hannah Thiel, CED Development Department
Phil Markham, Public Works Department
Erik Brondum, Public Works Department
Jake Arslanian, Public Works Department

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1. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED JANUARY 25, 2011

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Council Meeting scheduled January 25, 2011, at 6:30 P.M. He discussed an item on the subject Agenda, as follows:

Item No. 6.A. – PROCLAMATION HONORING RON C. BIGELOW FOR HIS OUTSTANDING PUBLIC SERVICE TO WEST VALLEY CITY AND ITS CITIZENS

City Manager, Wayne Pyle, stated Ron C. Bigelow had been scheduled to be honored, by Proclamation, regarding his outstanding public service to West Valley City and its citizens at the Regular Council Meeting scheduled later this night. The City Manager advised that Mr. Bigelow had another commitment and might not be able to attend the meeting and, if that be the case, the item would be rescheduled.

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

2. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED FEBRUARY 1, 2011:

A. PROCLAMATION HONORING BRENT H. GOODFELLOW FOR HIS OUTSTANDING PUBLIC SERVICE TO WEST VALLEY CITY AND ITS CITIZENS

City Manager, Wayne Pyle, stated a Proclamation would be read honoring Brent H. Goodfellow for his outstanding public service to West Valley City and its citizens, at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

3. PUBLIC HEARINGS SCHEDULED FEBRUARY 1, 2011:

A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. SV-4-2010, FILED BY WEST VALLEY CITY, REQUESTING TO VACATE 2870 WEST STREET

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. SV-4-2010, filed by West Valley City, requesting to vacate 2870 West Street. He discussed proposed Ordinance No. 11-06 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 11-06, VACATING ALL OF 2870 WEST STREET LOCATED IN WEST VALLEY CITY, UTAH

City Manager, Wayne Pyle, discussed proposed Ordinance No. 11-06 which would vacate all of 2870 West Street located in West Valley City, Utah.

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Mr. Pyle stated the subject street had been platted as part of the Lehman Subdivision recorded in 1958 and the request to vacate the right-of-way was in anticipation of the forthcoming development in the City Center project.

The City Manager explained the City owned property on the north and west sides of the proposed vacated right-of-way. He indicated property to the east was owned by the Utah Transit Authority (UTA) which was presently used as a park and ride location. He further stated as plans moved forward with the City Center various modifications to subdivision plats and dedicated rights-of-way would undoubtedly take place, thus needing review and approval from the Planning Commission and City Council.

Mr. Pyle reported the vacated right-of-way would not adversely affect residents who used the road to access housing. He stated the vacating ordinance would include language protecting the access and other utility installations until such time as they were not needed.

Steve Lehman, CED Department, further reviewed the Application and proposed Ordinance and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. SV-4-2010 and consider proposed Ordinance No. 11-06 at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

B. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-8-2010, FILED BY PARSONS BRINCKERHOFF (REPRESENTING THE UTAH DEPARTMENT OF TRANSPORTATION), REQUESTING A PLAT AMENDMENT OF LOT 1 BINGHAM SUBDIVISION, LOT 1A LAGRANGE PARK NO. 1 SUBDIVISION AND LOT 15 WEST HAVEN NO. 1 SUBDIVISION AND CLOSURE OF CORBIN DRIVE

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. S-8-2010, filed by Parsons Brinckerhoff (representing the Utah Department of Transportation), requesting a plat amendment of Lot 1 Bingham Subdivision, Lot 1A LaGrange Park No. 1 Subdivision and Lot 15 West Haven No. 1 Subdivision and closure of Corbin Drive. He discussed proposed Ordinance No. 11-07 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

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ORDINANCE NO. 11-07, APPROVING THE AMENDMENT OF LOT 1 BINGHAM SUBDIVISION, LOT 1A LAGRANGE PARK NO. 1 SUBDIVISION AND LOT 15 WEST HAVEN NO. 1 SUBDIVISION AND CLOSURE OF CORBIN DRIVE

City Manager, Wayne Pyle, discussed proposed Ordinance No. 11-07 which would approve the Amendment of Lot 1 Bingham Subdivision, Lot 1A LaGrange Park No. 1 Subdivision and Lot 15 West Haven No. 1 Subdivision and closure of Corbin Drive.

Mr. Pyle explained the purpose of the proposed amendments would accommodate a partial continuous flow (CFI) interchange at 3100 South and Bangerter Highway. He indicated the proposed interchange would impact the configuration of three lots in three different subdivisions to the west of Bangerter Highway and to the north of 3100 South. In addition, the residential communities north of 3100 South would be impacted by the proposed closure of Corbin Drive as residents would use different travel patterns.

The City Manager stated the partial CFI interchange would have an acceleration lane west of Bangerter Highway which extended westward to approximately 3820 West. He further stated the length of this lane continued beyond Corbin Drive making turning movement unsafe. He indicated a determination had been made the best approach to resolve the safety concerns would be to close Corbin Drive.

Mr. Pyle reported closure of Corbin Drive would culminate in an off-set cul-de-sac. This design had been chosen to lessen the impacts to properties on the west side of the street. He indicated closure of Corbin Drive would require the primary emergency access for lots north of 3100 South be gained from 2925 South. The Uniform Fire Code allowed a single point of access to serve up to 30 lots. He continued, in this case, there were 33 lots platted south of 2925 South. In order to provide secondary emergency access, removable bollards would be positioned at the end of the cul-de-sac adjacent to 3100 South. He explained this would allow emergency vehicles the ability to remove the bollards should the need arise. He also explained the bollards would be a deterrent for those residents who wanted to continue using this access even though curb and gutter would be installed along 3100 South.

The City Manager further reported closure of Corbin Drive would have an impact for those residents living along 3825 West, the street immediately to the west of Corbin Drive. He indicated in order to address concerns with this application a public open house had been held on August 18, 2010, whereat plans for this interchange had been displayed. He stated, in addition, a neighborhood meeting had been held on October 27, 2010, to answer questions from residents not able to

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attend the previously held open house. He explained notices had been delivered to each resident in the area consisting of a total of 264 homes.

Mr. Pyle stated City staff had discussed the proposed CFI with Erik Brondum, the City's Traffic Engineer. He reported that according to Mr. Brondum, the proposed CFI had been designed with the least amount of impact to surrounding properties and would improve traffic movements along 3100 South and Bangerter Highway.

Steve Lehman, CED Department, further reviewed the Application and proposed Ordinance and answered questions from members of the City Council. He informed that representatives of the Utah Department of Transportation (UDOT) and Parsons Brinckerhoff were in attendance to answer additional questions.

Using PowerPoint, representatives of UDOT and Parsons Brinckerhoff presented additional information summarized as follows:

Oanh Le-Spradlin, UDOT Project Manager for 3100 South CFI, gave an overview of the project, discussed the public input process, and requested support of the City Council for the proposal for safety reasons.

Sarah Johnson and Diego Carroll, Parsons Brinckerhoff, reviewed a presentation previously given to the Planning Commission, summarized as follows:

- Need for improvements at this intersection
- Purpose
- Explanation of CFI
- Intersection layout
- Raised medians
- Need to close Corbin Drive
- Recommendation
- Timeline

During the above discussions and presentations of information, questions by members of the City Council were answered.

The City Council will hold a public hearing regarding Application No. S-8-2010 and consider proposed Ordinance No. 11-06 at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

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4. **RESOLUTION NO. 11-07, AUTHORIZE EXECUTION OF AN INTERLOCAL TAX INCREMENT AGREEMENT BY AND BETWEEN WEST VALLEY CITY AND THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, TO SECURE PAYMENT, IN PART, OF THE CITY'S SALES TAX REVENUE REFUNDING BONDS (CAPITAL APPRECIATION BONDS), SERIES 2010, ISSUED IN THE TOTAL INITIAL PRINCIPAL AMOUNT OF \$14,466,760; AND RELATED MATTERS**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-07 which would authorize execution of an Interlocal Tax Increment Agreement by and between West Valley City and the Redevelopment Agency of West Valley City, to secure payment, in part, of the City's Sales Tax Revenue Refunding Bonds (Capital Appreciation Bonds), Series 2010 issued in the total initial principal amount of \$14,466,760; and related matters.

Mr. Pyle stated proceeds of the Sales Tax Revenue Refunding Bonds, Series 2010, were used to refund the Sales Tax Revenue Bonds issued by the City in 2002 to finance the land acquisition and construction of the Utah Cultural Celebration Center (UCCC). He indicated that through this agreement, the City and Redevelopment Agency (RDA) agreed the City could use sales tax proceeds to make debt service payments on the Series 2010 Bonds, if additional tax increments expected to be generated by the Agency were insufficient.

The City Manager reported State law allowed the RDA to collect certain additional tax increment payments that could be used for limited purposes. He explained those limited purposes included funding construction of cultural and recreational facilities. He indicated issuance of these bonds was expected to be paid back through collection of such additional tax increment payments. He further indicated Series 2010 Bonds allowed the Agency and City to more closely match future bond payments with expected tax increment revenues resulting in savings 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. 11-07 at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

5. **RESOLUTION NO. 11-08, APPROVE AN AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY TO PROVIDE ZOO, ARTS, AND PARKS FUNDS TO THE UTAH CULTURAL CELEBRATION CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-08 which would approve an Agreement between West Valley City and Salt Lake County to provide Zoo, Arts, and Parks Funds to the Utah Cultural Celebration Center.

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Mr. Pyle stated the Zoo Arts and Parks (ZAP) funding program of Salt Lake County had granted the Utah Cultural Celebration Center (UCCC) a Tier II award in the amount of \$48,000.00. He indicated those funds were to be used for expansion of existing programs and creation of new cultural initiatives, and used during the program year of 2010-2011.

The City Manager explained the UCCC would primarily use the funds for general program development in three designated areas: 1) educational programming and workshops; 2) festivals, celebrations, and concerts; and 3) gallery exhibitions. He stated with this new funding, the UCCC would be able to expand its community based arts and cultural programming. He further explained UCCC would also reach a greater number of West Valley City and Salt Lake County residents of all ages and income levels, representing many cultural and ethnic groups.

Mr. Pyle reported that over the past five years, the UCCC had become the preferred destination for many high quality and diverse cultural and arts events reflecting interests of the community and thereby enhancing the image of West Valley City. He stated the Cultural Center was poised to continue maximizing benefits that would result from the yearly ZAP financial award. He stated that over the next 12 months, the Center would develop community programming, expand the Partners Program, continue to seek and expand diversified funding sources, and collaborate on opportunities for residents to experience quality multi-disciplinary arts and cultural programming.

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. 11-08 at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

6. **RESOLUTION NO. 11-09, SELECTING WASTE MANAGEMENT OF UTAH TO PROVIDE AUTOMATED RESIDENTIAL SOLID WASTE COLLECTION AND RECYCLING**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-09 which would select Waste Management of Utah to provide automated residential solid waste collection and recycling services, and in the amount of \$2,244,319.00 annually.

Mr. Pyle stated Ace Disposal currently provided solid waste collection and recycling services to West Valley City. He further stated Ace had fulfilled the initial five year term of their agreement plus one option year as requested by the City. He indicated Ace had given the City the required one year notice to terminate the contract after the City extended the contract for the final option. He stated the agreement with Ace Disposal would terminate on June 30, 2011.

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The City Manager reported requests for proposal had been solicited and proposals had been received from Ace Disposal, Allied Waste and Waste Management of Utah. He indicated a detailed spreadsheet had been included in the Council's agenda packet.

Mr. Pyle stated Waste Management of Utah had submitted the lowest cost proposal. Their cost was only slightly higher than the current service agreement, and slightly lower than Allied. The Ace Disposal proposal was 12% higher than Waste Management. Mr. Pyle also advised Waste Management of Utah had previously provided these services to the City and had performed well.

The City Manager further reported proposals had been requested for the additional service of providing seasonal weekly collection of green waste. He advised the additional cost for green waste collection would be \$737,864.00 annually, and in order to provide this additional service, rates would need to be increased \$3.50 per month.

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

City Manager, Wayne Pyle, expressed appreciation to Ace Disposal and Rocky Mountain Recycling for their services over the last few years. He expressed confidence that Waste Management would be able to do a great job and provide the same level of service at no increase in residential rates. He also expressed appreciation to the Public Works Director and his staff for their diligent work regarding this matter.

The City Council will consider proposed Resolution No. 11-09 at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

7. **RESOLUTION NO. 11-10, AUTHORIZE THE CITY TO ENTER INTO AN OPTION TO PURCHASE AGREEMENT WITH AARCML06, LLC, FOR PROPERTY LOCATED AT 2615 SOUTH 7200 WEST, AND TO ACCEPT A SPECIAL WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 7200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-10 which would authorize the City to enter into an Option to Purchase Agreement with AARCML06, LLC for property located at 2615 South 7200 West; and to accept a Special Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated ARCML06, LLC, had signed the Option to Purchase Agreement, Special Warranty Deed, and Grant of Temporary Construction Easement.

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 indicated the project was being constructed in

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conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He informed compensation for the right-of-way would be in the amount of \$54,600.00 based on an appraisal prepared by Free and Associates, Inc. He stated an additional \$3,925.00 was being paid as reimbursement for costs paid by ARCML06, LLC, to its lender in order to process and complete a Partial Reconveyance for the portion of property being acquired by the City. He indicated a Partial Reconveyance, and a UCC Financing Statement Amendment were also included and would need to be recorded with the Special Warranty Deed and Grant of Temporary Construction Easement.

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. 11-10 at the Regular Council Meeting scheduled February 1, 2011, at 6:30 P.M.

8. **COMMUNICATIONS:**

A. **STRATEGIC PLAN PRESENTATION, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**

City Manager, Wayne Pyle, stated the Community and Economic Development (CED) Department had been scheduled to present departmental information to the City Council regarding the strategic planning process. He also advised this would be the final presentation in preparation for the upcoming Strategic Planning meeting.

Upon direction of the City Manager, Nicole Cottle, CED Director, introduced staff members in attendance, distributed written documentation and used PowerPoint to discuss information summarized as follows:

- Council action items, benchmarks and performance measures
- Overview of responsibilities and activities of Building Inspections, Planning and Zoning, and Economic Development Divisions
- Information regarding Utah incentives for business retention, expansion and recruitment in order to retain or create jobs
- Development updates regarding Valley Fair Mall and City Center

During the above presentation of information, Ms. Nicole answered questions from the City Council.

B. **LEGISLATIVE UPDATE**

Nicole Cottle, CED Director, distributed hard copies of the 2011 legislative session bill tracking sheet. She indicated an updated version of that document would be e-mailed to all members of the City Council, City Manager and

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Executive Staff on a weekly basis. She discussed challenges the City would face during this Legislative session, in particular, those due to changes in representation after the 2010 election. She stated the session just began the previous day and an update would be scheduled on the Council's Study Session agenda through the end of the session. Ms. Cottle also answered questions from members of the City Council on certain proposed bills.

The City Council also discussed details regarding the Utah League of Cities and Towns (ULCT) Local Officials Day at the Legislature scheduled for the following day.

Mayor Winder stated he was the ULCT president this year and two major issues of concern to be addressed would be immigration and alcohol licensing.

9. COUNCIL REPORTS:

A. COUNCILMEMBER STEVE VINCENT – ZIP CODE IN WEST VALLEY CITY

Councilmember Vincent stated he had discussed with some other Council members and had researched the process to request one zip code for West Valley City. He indicated he would look into the issue further and inform the City Manager of his findings.

B. COUNCILMEMBER DON CHRISTENSEN – SPECIAL DISTRICT LEGISLATIVE COMMITTEE MEETING

Councilmember Christensen stated his wife was a member of a special district legislative committee and he attended a meeting with her this date.

C. COUNCILMEMBER COREY RUSHTON – AUDIT REVIEW COMMITTEE AND PUBLIC MEETINGS WITH KENNECOTT

Councilmember Rushton stated the semi-annual audit review committee meeting had been held the previous day with Jensen & Keddington, the City's auditors. He reported regarding issues discussed at that meeting and stated this was the best audit in years.

He inquired regarding public meetings scheduled by Kennecott regarding extending the life of the mine. City Manager, Wayne Pyle, stated he was aware of those meetings and would instruct the appropriate staff to attend if needed. He also advised of staff's regular meetings with Kennecott representatives.

D. MAYOR MIKE WINDER – U.S. CONFERENCE OF MAYORS

Mayor Winder reported regarding his attendance at the U.S. Conference of Mayors conference in Washington D.C. the previous week. He discussed topics of interest, various issues, and meetings held with Congressional delegation accompanied by representatives of The Ferguson Group, the City's lobbyist.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, JANUARY 25, 2011, 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, January 25, 2011.

Sheri McKendrick, MMC
City Recorder