

**MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2011**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MARCH 8, 2011, 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 AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

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

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Layne Morris, Community Preservation Director  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
Kevin Astill, Parks and Recreation Director  
Buzz Nielsen, Police Chief  
Nicole Cottle, CED Director  
Eric Bunderson, Acting City Attorney  
Stan Varney, Acting Fire Chief  
Aaron Crim, Administration  
Rachel White, Law Department  
Phil Markham, Public Works Department  
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 22, 2011**  
The Council read and considered Minutes of the Study Meeting held February 22, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Study Meeting held February 22, 2011, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
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 MARCH 8, 2011**  
City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Meeting scheduled March 8, 2011, at 6:30 P.M.

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

3. **RESOLUTION NO. 11-32, APPROVE AN INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY AND THE SALT LAKE COUNTY CLERK ELECTIONS DIVISION FOR THE PURPOSE OF ASSISTING THE CITY RECORDER'S OFFICE IN CONDUCTING THE CITY'S 2011 PRIMARY AND GENERAL MUNICIPAL ELECTIONS**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-32 which would approve an Interlocal Agreement between West Valley City and the Salt Lake County Clerk Elections Division, in an amount not to exceed \$157,760.80, for the purpose of assisting the City Recorder's Office in conducting the City's 2011 Primary and General Municipal elections.

Mr. Pyle stated the proposed agreement would authorize the Salt Lake County Clerk's Office, Elections Division, to provide election services to the City Recorder's Office. He also stated the services included ballot layout, design, ordering and printing; voting machine programming and testing; establishing polling places; recruiting, training and assignment of poll workers; provision and delivery of supplies and equipment; absentee ballot and early voting administration; updating State and County websites; tabulating, reporting and canvassing election results; conducting recounts as needed; all notices and mailing required by law (except those required by Utah Code Ann. §20A-9-203); direct payment of all costs associated with the election including poll workers and polling places; and other services as required by the City to conduct the 2011 Primary and General Municipal elections.

The City Manager indicated provision of these services would assist in conducting the elections in an efficient manner and streamline the election process. The fee for these services would not exceed the stated amount and would be based on the City's pro-rata

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share of actual costs of the elections which would not exceed the County Clerk's estimate provided to the City for budgeting purposes.

Mr. Pyle reviewed information and stated that in 2003 the City began contracting with Salt Lake County Elections in anticipation of using electronic voting equipment for future municipal elections. He explained West Valley City was one of many cities that contracted with the Salt Lake County Clerk's Office, Elections Division, for municipal elections. He reported this had been a good partnership that benefited the City, County and the voters, by providing consolidated municipal elections, turn-key election services, a consistent voter experience, economies of scale, and no-worry elections.

City Recorder, Sheri McKendrick, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-32 at the Regular Council Meeting scheduled March 15, 2011, at 6:30 P.M.

4. **RESOLUTION NO. 11-33, APPROVE AN AGREEMENT BETWEEN WEST VALLEY CITY AND WASTE MANAGEMENT, INC. FOR RESIDENTIAL SOLID WASTE COLLECTION AND CURBSIDE RECYCLING, BEGINNING JULY 1, 2011**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-33 which would authorize City staff to negotiate and propose an agreement between West Valley City and Waste Management, Inc. in the amount not to exceed \$2,240,000.00, for residential solid waste collection and curbside recycling beginning July 1, 2011.

Mr. Pyle stated request for proposals for the services had included a draft agreement and contract specifications. He reported staff had met with Waste Management of Utah representatives to discuss possible modifications to the agreement and specifications, summarized as follows:

1. All references to collection of seasonal weekly green-waste have been deleted. Collection of green waste is not part of this agreement.
2. The contractor will furnish twenty (20), 30 cubic-yard roll-off dumpsters for use in the City's Neighborhood Dumpster Program. Although this is a change from the RFP (Request for Proposal) documents, it is consistent with the current Dumpster Program.
3. Waste Management has agreed to share recycling revenues with the City in an amount equal to 50% of the recyclable material blended stream value that is over \$100/ton.
4. The initial term of the agreement is five years, as stated in the RFP documents. At the option of the City, the agreement may be extended for not more than two successive two-year terms, rather than two, one-year terms. The total contract could potentially be nine (9) years, at the City's option.

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5. The specific consumer price index to be used for annual cost adjustments has been further clarified. If the net change in the CPI is negative or "0", the contractor's compensation rates shall remain unchanged, rather than decreased.

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

The City Council will consider proposed Resolution No. 11-33 at the Regular Council Meeting scheduled March 15, 2011, at 6:30 P.M.

5. **RESOLUTION NO. 11-34, AUTHORIZE USE OF A STANDARD FORM STORM WATER UTILITY ALTERNATE BILLING AGREEMENT BETWEEN WEST VALLEY CITY AND WEST VALLEY CITY PROPERTY OWNERS**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-34 which would authorize use of a standard form West Valley City Storm Water Utility Alternate Billing Agreement between West Valley City and West Valley City property owners.

Mr. Pyle stated the Mayor and City Recorder would pre-sign an acknowledgement page that would be attached to the alternate billing agreements signed by West Valley City utility billing customers. He explained the alternate billing agreement would allow the City to send a West Valley City utility bill to someone other than the property owner, such as a tenant or property manager, and still maintain the ability to collect unpaid charges from a property owner. He indicated the Public Works Department expected to have hundreds, if not thousands, of these cases over time and the pre-signed acknowledgement would allow agreements to be recorded without having to be approved individually by the City Council. He further stated the City Attorney had approved this method provided the Alternate Billing Agreement did not change.

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

The City Council will consider proposed Resolution No. 11-34 at the Regular Council Meeting scheduled March 15, 2011, at 6:30 P.M.

6. **RESOLUTION NO. 11-35, APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY CITY AND WEST VALLEY UNITED COALITION TO SHARE AND COMPARE INFORMATION IN THE OPERATION AND DIRECTION OF THE COALITION**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-35 which would approve a Memorandum of Understanding between West Valley City and West Valley United Coalition to share and compare information in the operation and direction of the coalition.

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Mr. Pyle stated West Valley City representatives and the West Valley United Coalition had been working together for one year to start an organization that focused on Alcohol Abuse Prevention in West Valley City. The Coalition would bring together representatives from several interest groups and City residents.

The City Manager reported this was a new Memorandum of Understanding that would allow West Valley City to assist in the operations of the Coalition. He explained it was needed for the Coalition to obtain outside funding to support the Coalition's current mission and objectives related to Alcohol Abuse Prevention in West Valley City. He stated the Coalition was making application for the Drug-Free Communities Support Program, a Federal youth-based substance abuse prevention grant. If funded, the award would provide \$625,000.00 over five years, or \$125,000.00 annually. He further advised no direct general funds were associated and/or obligated with this proposal.

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. 11-35 at the Regular Council Meeting scheduled March 15, 2011, at 6:30 P.M.

### 7. **COMMUNICATIONS:**

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

City Manager, Wayne Pyle, stated that Nicole Cottle, CED Director, and also liaison with the legislature, had been dealing with legislative issues and would be late to this meeting. He requested the Mayor come back to this item upon her arrival.

Upon Ms. Cottle's arrival later in the meeting, she discussed several bills of interest and answered questions from members of the City Council.

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

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: January 24 ó March 10, 2011: General Session of Utah Legislature; March 15, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 19, 2011: Recycle Run ó 5K Race, Family Fitness Center; March 19, 2011: Grand Opening ó Famous Footwear, Valley Fair Mall, 9:45 A.M.; March 22, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 31, 2011: Retirement Open House for Richard Catten, Multi-Purpose Room, 3:00 P.M. ó 4:30 P.M.; April 5, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 12, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 11-15, 2011: ULCT Mid-Year Conference, St. George; April 12, 2011: Buddhist Temple Tour, 3595 W. Lancer Way, 3:00 P.M.;

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April 12, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 17, 2011: Buddhist Temple Ribbon Cutting, 3595 W. Lancer Way, 10:00 A.M.; April 19, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 26, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 30, 2011: Yanni in Concert, Maverik Center, 8:00 P.M.; May 3, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 5, 2011: UDOT's Annual Visit to County and City Officials, Calvin Rampton Complex, 4501 South 2700 West, 9:00 A.M. ó 11:00 A.M.; May 10, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 17, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 24, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 30, 2011: Memorial Day Holiday ó City Hall closed; June 7, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 14, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 21, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 28, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 4, 2011: Independence Day Holiday ó City Hall closed; July 25, 2011: Pioneer Day Holiday ó City Hall closed; September 5, 2011: Labor Day Holiday ó City Hall closed; September 12, 2011: and Lake Park Golf Social, Stonebridge Golf Course.

### C. **MEMORANDUM RE: CAB EVENTS AND OTHER ISSUES**

City Manager, Wayne Pyle, distributed a memorandum written by Paul Isaac, Assistant City Manager, regarding upcoming CAB events and other issues.

Assistant City Manager, Paul Isaac, discussed information in the memorandum including events and issues in detail regarding CAB events, and other issues involving proposed costs. He also answered questions from members of the City Council. The City Manager informed of his desire that the City Council be aware of these events, some of which had commitments and other issues, along with associated costs and resources which included staff time.

After discussion, the Assistant City Manager requested direction from the City Council, after which the City Manager informed moving forward with the commitment for a Chinese Gate would be fine as long as a funding source other than the City's General Fund was identified.

Councilmember Vincent stated some of the listed items, including a student exchange, should be coordinated with the Granite School District, Salt Lake Community College and/or the Community Education Partnership (CEP) organization.

One of the issues on the referenced Memorandum was forming a "diversity council" and there followed a lengthy discussion by the City Council regarding

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the concept, purpose, who should be involved, which ethnic groups should be represented, and other matters.

### 8. **COUNCIL REPORTS:**

#### A. **COUNCILMEMBER CAROLYNN BURT – CEP**

Councilmember Burt reported regarding the Community Education Partnership (CEP) and number of children served, including locations, payroll and the need for part-time clerical support.

#### B. **COUNCILMEMBER RUSS BROOKS – INQUIRY REGARDING CITY CENTER**

Councilmember Brooks inquired regarding the City Center project.

City Manager, Wayne Pyle, stated a discussion was scheduled for the Study Meeting on March 15, 2011, regarding promenade design and for the Study Meeting on April 5, 2011, regarding branding/naming.

#### C. **COUNCILMEMBER DON CHRISTENSEN – ULCT LEGISLATIVE COMMITTEE AND SPECIAL DISTRICT COMMITTEE**

Councilmember Christensen stated he was involved with the Utah League of Cities & Towns (ULCT) legislative committee and a special district committee. He discussed bills that both of those groups were tracking. He complimented Nicole Cottle, the CED Director, and staff member Mark Nord, for their outstanding efforts in representing the City during this legislative session.

City Manager, Wayne Pyle, also expressed appreciation to staff and stated they did a great job for West Valley City.

#### D. **COUNCILMEMBER STEVE VINCENT – LEGISLATIVE BREAKFAST**

Councilmember Vincent stated he recently attended a legislative breakfast sponsored by the City.

#### E. **COUNCILMEMBER COREY RUSHTON – COG MEETING**

Councilmember Rushton reported regarding a recent Salt Lake County Council of Governments (COG) meeting and the issues discussed at that meeting.

#### F. **MAYOR MIKE WINDER – UTA OUTREACH AND OPEN HOUSES REGARDING BUS LINES CHANGES**

Mayor Winder reported regarding the Utah Transit Authority (UTA) outreach and open houses being held regarding changes to bus lines in conjunction with the West Valley and Mid-Jordan TRAX lines coming on line later this year. He informed he also recently found out the bus route with the most ridership was the MAX line running through West Valley City.

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Councilmember Rushton stated he had a map of the proposed new routes and would leave them in the City Council's office for review.

Mayor Winder reported regarding a premiere table tennis facility in the state of Utah. He reported he had visited there this date and he discussed an overview of that facility.

**9. MOTION FOR EXECUTIVE SESSION**

Upon discussion, Councilmember Rushton moved to adjourn the Study Meeting and reconvene in an Executive Session for the purpose of discussion of professional competency of an individual. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	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, MARCH 8, 2011, WAS ADJOURNED AT 5:57 P.M., BY MAYOR WINDER.

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, MARCH 8, 2011, AT 6:04 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  
Carolynn Burt  
Don Christensen  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager

STAFF PRESENT:

Paul Isaac, Assistant City Manager

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF MARCH 8, 2011 WAS ADJOURNED AT 6:32 P.M., BY MAYOR WINDER.

**SWORN STATEMENT**

As the Mayor, I presided at a closed meeting of the West Valley City Council on March 8, 2011. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

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ATTEST:

\_\_\_\_\_  
City Recorder

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, March 8, 2011.

\_\_\_\_\_  
Sheri McKendrick, MMC  
City Recorder