

**MINUTES OF COUNCIL STUDY MEETING – APRIL 12, 2011**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, APRIL 12, 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

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Kevin Astill, Parks and Recreation Director  
Russell Willardson, Public Works Director  
Nicole Cottle, CED Department  
Eric Bunderson, Acting City Attorney  
Anita Schwemmer, Acting Police Chief  
Dan Johnson, Public Works Department  
Steve Lehman, CED Department  
Mark Nord, CED Department  
Rachel White, Law Department  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department  
Nancy Day, Parks and Recreation Department  
Jamie Young, Parks and Recreation Department  
Valerie Custer, Parks and Recreation Department  
Candace Mayweather, Parks and Recreation Department  
Nathan Geving, Parks and Recreation Department  
Clint Burnham, Parks and Recreation Department

**1. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED APRIL 12, 2011**

Acting City Manager, Paul Isaac, stated no new items had been added to the Agenda for the Regular Meeting scheduled April 12, 2011, at 6:30 P.M., and he reviewed other items as follows:

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**Redevelopment Agency Special Regular Meeting**

Acting City Manager, Paul Isaac, reviewed an item on the Special Regular Meeting Agenda scheduled later this night.

Mr. Isaac answered questions from members of the City Council.

Upon inquiry by the Acting City Manager, there were no further questions regarding items to be considered at the scheduled referenced meetings.

2. **RESOLUTION NO. 11-48, AUTHORIZE THE POLICE DEPARTMENT TO PURCHASE AND HAVE INSTALLED NECESSARY POLICE RELATED EQUIPMENT FOR 14 FORD CROWN VICTORIA POLICE PATROL VEHICLES**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-48 which would authorize the Police Department to purchase and have installed necessary police related equipment for 14 Ford Crown Victoria police patrol vehicles, in an amount not to exceed \$56,000.00.

Mr. Isaac stated the Police Department desired to utilize the services of various vendors, as yet not chosen, in order to up-fit patrol vehicles to the specifications required by the Department. He advised that no one vendor had the State bid on all the necessary components. He explained to up-fit the patrol vehicles the Police Department must contract for installation of items such as light bars, computers, and other necessary attachments and equipment.

The Acting City Manager further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-48 at the Regular Council Meeting scheduled April 19, 2011, at 6:30 P.M.

3. **RESOLUTION NO. 11-49, AUTHORIZE THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 1, AN ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND OTHER MATTERS IN CONNECTION THEREWITH**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-49 which would authorize execution and delivery of a Master Lease Agreement, Equipment Schedule No. 1, an Escrow Agreement, and related instruments, and other matters in connection therewith.

Mr. Isaac stated the City Council recently approved purchase of 14 Ford Crown Victoria police vehicles with the source of financing to be determined at a later date. He indicated the proposed resolution would implement financing of those vehicles.

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The Acting City Manager reported the City solicited financing options from multiple financial institutions. He stated SunTrust Equipment Finance and Leasing Corp. submitted a financing proposal that provided competitive financing at a rate of 1.625% for five years. He also reported lease proceeds would be advanced to an escrow agent and then released to reimburse the City for fleet purchases.

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

Finance Director, Jim Welch, answered additional questions from members of the City Council regarding terms of the master lease.

The City Council will consider proposed Resolution No. 11-49 at the Regular Council Meeting scheduled April 19, 2011, at 6:30 P.M.

4. **RESOLUTION NO. 11-50, AWARD A CONTRACT TO KILGORE COMPANIES DBA KILGORE CONTRACTING FOR CONSTRUCTION OF THE 7200 WEST ROADWAY WIDENING PROJECT**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-50 which would award a contract to Kilgore Companies dba Kilgore Contracting in the amount of \$2,824,483.56 for construction of the 7200 West Roadway Widening Project.

Mr. Isaac stated bids had been solicited and a total of seven bids were received as follows:

Kilgore	\$2,824,483.66
Acme	\$3,024,660.87
Geneva Rock	\$3,082,567.83
Hadco	\$3,179,896.65
Granite	\$3,243,306.00
Condie Construction Co.	\$3,357,450.30
Bowen Construction	\$3,665,650.64

The Acting City Manager reported the lowest responsible bid had been received by Kilgore Companies dba Kilgore Contracting in the amount of \$2,824,483.56.

Dan Johnson, Public Works Department, further reviewed and discussed the proposed Resolution including details regarding the project, and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-50 at the Regular Council Meeting scheduled April 19, 2011, at 6:30 P.M.

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**5. RESOLUTION NO. 11-51, RATIFY THE CITY MANAGER’S APPOINTMENT OF TERRENCE CHEN AS CHAIR OF THE SISTER CITY COMMITTEE, TERM: APRIL 19, 2011 – DECEMBER 31, 2011**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 11-51 which would ratify the City Manager’s appointment of Terrence Chen as Chair of the Sister City Committee for the term April 19, 2011, through December 31, 2011.

Mr. Isaac stated Keith Sadler had tendered his resignation as the chair of the committee effective immediately. He recommended Mr. Chen be appointed to fill that unexpired term through December 31, 2011.

Acting City Manager, Paul Isaac, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 11-51 at the Regular Council Meeting scheduled April 19, 2011, at 6:30 P.M.

**6. COMMUNICATIONS:**

**A. PARKS AND RECREATION PROGRAMS UPDATE**

Upon direction of the Acting City Manager, the Parks and Recreation Director, Kevin Astill, introduced staff from the West Valley City Family Fitness Center and indicated they were the “star performers” in the Parks and Recreation Department. He praised their efforts and expressed appreciation to Nancy Day, the Director of the Family Fitness Center.

Nancy Day used PowerPoint and discussed information summarized as follows:

- Staff develop and implement programs at the Fitness Center
- Comments from patrons of all ages and abilities that consider the Fitness Center their “second home” and an important part of the community
- Programs – swim team, swimming and exercise classes for seniors, fitness and wellness for all ages and abilities, children’s programs including “kidz camp” for after-school, summer and off-track, teen programs, special events, member appreciation series, movies in the park, adult programs, and others
- Video of the Halloween Spooktacular event that received the award which would be presented in Regular Council Meeting scheduled later this night

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

On behalf of the City Council, Mayor Winder expressed appreciation to the Fitness Center staff.

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### B. LEGISLATIVE SESSION RE-CAP

Nicole Cottle, CED Director, stated that Mark Nord, CED Department, and Dave Stewart, the City's lobbyist, were in attendance at the meeting. She distributed written information including a summary and list of bills of interest to West Valley City that had passed during the recent 2011 Legislative Session.

In turn, Nicole Cottle, Mark Nord and Dave Stewart discussed certain bills in detail that appeared on the written list. Ms. Cottle recapped the information and, with staff and the lobbyist, answered questions from members of the City Council.

Mayor Winder remarked that a great team represented West Valley City and, on behalf of the City Council, he expressed appreciation for those efforts.

### C. COUNCIL UPDATE

Acting City Manager, Paul Isaac, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: April 13-15, 2011: ULCT Mid-Year Conference, St. George; 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 19, 2011, Sizzler/Cops-for-Kids (Children's Justice Center Benefit), 3429 S. Redwood Road, 4:00 P.M. – 9:00 P.M.; April 20, 2011: ChamberWest Business Matters Luncheon – Speaker, Rep. Jason Chaffetz, Noahs, 322 West 11100 South, South Jordan, 11:45 A.M. – 1:00 P.M.; April 26, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 27, 2011: Mountain View Corridor Project Tour, Meet at Project Office – 5680 Dannon Way, West Jordan, 3:00 P.M. – 5:30 P.M.; April 29, 2011: Arbor Day Tree Planting Project, Sugar Plum Subdivision, 2932 South 7200 West, 1:30 P.M.; April 30, 2011: Yanni in Concert, Maverik Center, 8:00 P.M.; May 3, 4 & 5, 2011: 2011 Utah Governor's Public Safety Summit, Davis Conference Center; 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. – 11:00 A.M.; May 10, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 12, 2011: West Valley City Leadership Summit, UCCC, 8:30 A.M. – Noon; May 13, 2011: ChamberWest Golf Classic, Meadowbrook Golf Course, 8:00 A.M.; May 14, 2011: Fiesta 2011, UCCC, 4:00 P.M. – 8:00 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 – 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 23-26, 2011:

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WestFest, Centennial Park; June 25, 2011: WestFest Parade, 10:00 A.M.; June 28, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 4, 2011: Independence Day Holiday – City Hall closed; July 5, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 11, 2011: Utah Symphony Concert and Fireworks Display, UCCC, 8:30 P.M.; July 12, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 19, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 25, 2011: Pioneer Day Holiday – City Hall closed; July 26, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 1, 2011: National Night Out Kickoff Event, UCCC, 5:30 P.M. – 8:00 P.M.; August 2, 2011: National Night Out Block Parties; September 5, 2011: Labor Day Holiday – City Hall closed; September 12, 2011: Lake Park Golf Social, Stonebridge Golf Course; and September 14-16, 2011: ULCT Annual Conference.

### D. **CITY CENTER UPDATE**

Acting City Manager, Paul Isaac, instructed Aaron Crim, Administration, to provide the City Council with an update regarding the City Center Redevelopment Project, including protocol for responding to inquiries, communications materials, contact information, and other related matters. Mr. Isaac distributed written information and answered questions from members of the City Council. He advised website and flyers would be updated as the project progressed.

Aaron Crim stated it was the goal to have people in the adjacent neighborhoods that would be directly affected to know what was happening with the project including upcoming demolition and construction.

Upon discussion, the City Council requested an electronic copy of the flyer be sent to the people in adjacent neighborhoods who would be directly affected by the project.

Councilmember Brooks stated all residents in the vicinity should be notified of the City Center redevelopment project. He also advised many residents were considering moving away from West Valley City or possibly staying if there were additional options for certain types of dwelling units.

Mr. Crim advised information would be released after April 26<sup>th</sup>.

CED Director, Nicole Cottle, stated due to contractual obligations and a tight timeframe, certain information needed to remain secure. She also stated all details would be released when the time was appropriate. She indicated staff was excited to reveal the great news regarding this major development in the City.

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Councilmember Rushton stated new buildings and transportation options were good, but cities were based on “human capital.” He expressed sadness that progress sometimes took a toll on good and long time residents of the community.

### E. **JORDAN RIVER MARKETPLACE PROJECT**

Mayor Winder stated he recently met with the developer regarding the Jordan River Marketplace project and he showed a map while discussing issues with certain parcels of property in that area and which were outside of the City’s control. He also stated a particular clause in the agreement had caused the developer problems with financing. He explained the developer had indicated a larger issue was the timeframe and the expiration of the agreement in the next few months. He indicated the developer would like to start on certain components of the project including retail, restaurant, lodging and a charter school. He stated the developer had requested the Council consider giving them additional time to make the project happen. He reported both Bob Murri and Brad Knowlton of Ascent Construction were totally committed to the Council’s vision for the project.

Members of the City Council individually discussed issues of concerns. Some members of the Council expressed opinions to let the City Center “play out” and let the developer walk away from the project and then start over in hopefully better economic times. Some members expressed the need to focus on the City Center project and put off the Jordan River Marketplace project to a later date instead of lowering the standards and doing it in a “piece meal” fashion. Some members expressed desire for the developer to do what had been agreed to and carry out the Council’s and City’s vision for the project. Members of the Council stated if the project was not developed as desired it would be regretful for some time to come. Members of the Council indicated they were not adverse to developing the property as a park rather than moving forward with a marketplace at this time. Some members stated there was no reason to continue a relationship with Ascent as they had not been fully truthful on many occasions. Discussion continued regarding the developer’s inability to give assurances regarding the City’s original vision. Some members stated even if the project did not move forward at this time, property acquisitions should continue to assemble the required land. Some members of the Council reminded an agreement had been hammered out with Ascent and Ascent was willing to meet the terms; but they needed additional time. Some members questioned if the City would be viewed as a “bad partner” if consideration was not given to allowing more time.

Acting City Manager, Paul Isaac, stated staff was concerned the project would end up being a “strip mall” rather than the marketplace envisioned by the Council. He also stated from a business perspective staff felt it would not be a good business decision to continue on with this developer and this project.

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CED Director, Nicole Cottle, advised the market would not bear what had been required nor would it bear for several years to come regarding this project. She stated the City had facilitated development when the market was within reason but not in this case. She advised it could not be done at this time as had been agreed.

Mayor Winder stated he would meet with Ascent and report comments and concerns as expressed by all members of the City Council.

**7. COUNCIL REPORTS:**

**A. COUNCILMEMBER COREY RUSHTON – JORDAN RIVER COMMISSION, COG MEETING AND CDBG FUNDING CUTS**

Councilmember Rushton reported regarding a Jordan River Commission meeting held the previous week.

Councilmember Rushton reported regarding a recent Salt Lake County Council of Governments (COG) meeting at which census data had been discussed.

Councilmember Rushton discussed various Community Development Block Grant (CDBG) funding cuts.

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

Councilmember Christensen reported regarding the Sister City Committee.

**C. COUNCILMEMBER STEVE BUHLER – CFI ALONG BANGERTER HIGHWAY**

Councilmember Buhler inquired if there were changes in plans for the CFI's (continuous flow intersections) along Bangerter Highway.

Public Works Director, Russell Willardson, responded that there had been no changes in design and he also reviewed the timeline and other issues.

**D. COUNCILMEMBER CAROLYNN BURT – CEP CHESS TOURNAMENTS**

Councilmember Burt advised the Community Education Partnership (CEP) had recently held the first annual chess tournament with 125 participants

**E. COUNCILMEMBER STEVE VINCENT – APOSHIAN GARDENS**

Councilmember Vincent stated he recently met with the owner of Aposhian Gardens and they desired to resurrect operations at their location. He stated they would meet all code and building requirements. He discussed his understanding that a possible text amendment would allow that use in an 'A' zone. He suggested the City Council be provided with a proposed solution.



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Acting City Manager, Paul Isaac, stated he would direct a review and come back to the Council with recommendations as requested.

**F. MAYOR MIKE WINDER – DANCING MOOSE MONTESSORI SCHOOL, ENGLISH INITIATIVE PROGRAM, UCCC EVENT, ROCKY MOUNTAIN POWER, BUDDHIST TEMPLE TOUR AND GRANGER CROSSINGS**

Mayor Winder discussed a proposal from the owner of the Dancing Moose Montessori School to develop a community garden on land adjacent to that school.

Mayor Winder stated he received good feedback and comments regarding the English Initiative Program and the recent awards presentation held the previous week.

Mayor Winder discussed an event scheduled at the Utah Cultural Celebration Center (UCCC) the following night to encourage youth of ethnic backgrounds to attend college.

Mayor Winder reported he and City Manager, Wayne Pyle, had recently met with Rocky Mountain Power regarding a long-range electrical plan.

Mayor Winder reported he had participated in a tour of the new Buddhist Temple earlier this afternoon.

Mayor Winder reported he had recently met with Granger Crossings Business Improvement District representatives and he discussed concerns expressed regarding the streetscape on 3500 South in front of Granger Crossings properties.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, APRIL 12, 2011, WAS ADJOURNED AT 6:28 P.M., BY MAYOR WINDER.**

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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, April 12, 2011.

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Sheri McKendrick, MMC  
City Recorder