

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-1-

THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, OCTOBER 11, 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
Kevin Astill, Parks and Recreation Director
John Evans, Fire Chief
Nicole Cottle, CED Director
Russell Willardson, Public Works Director
Eric Bunderson, City Attorney
Layne Morris, CPD Director
Jim Welch, Finance Director
Mike Wells, Acting Police Chief
Aaron Crim, Administration
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD SEPTEMBER 27, 2011**
The Council read and considered Minutes of the Study Meeting held September 27, 2011. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held September 27, 2011, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-2-

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

Unanimous.

2. **SISTER CITY COMMITTEE REPORT**

Mayor Winder introduced Lila Wright, Vice Chair of the Sister City Committee.

Ms. Wright discussed information and gave a report of the Sister City Committee, summarized as follows:

- Appreciation for support of City Council, Administration, and the Cultural Arts Board (CAB)
- Committee is at full strength with 13 members including several representing ethnic groups
- History and background of how and why the Committee had been formed
- State of Utah chose Nantou, Taiwan, to be our Sister City due to similarity of population and size
- Goals and mission of the Sister City relationship
- A room in Nantou City Hall dedicated to West Valley City with photographs, mementos and documents, and the other information
- Her participation in past visits to Nantou with West Valley City's delegation
- Background and update information regarding the Chinese Friendship Gate project
- Student exchange program between Nantou and West Valley City
- Update information regarding certain members of Nantou's delegation, including elected officials
- Sister City relationship with Boca del Rio, Mexico
- Friendship City relationship with another city in the state of Chiapas, Mexico
- Have been approached to form Sister City relationships with one of four cities in mainland China
- Committee working on meeting goals set in 2010

During the above discussion and presentation of information, Ms. Wright answered questions from members of the City Council.

On behalf of the City Council, Mayor Winder thanked Ms. Wright the presentation and expressed appreciation to committee members for their service to West Valley City.

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-3-

3. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED OCTOBER 11, 2011

City Manager, Wayne Pyle, stated no new items were added to the Agenda for the Regular Council Meeting scheduled October 11, 2011, at 6:30 P.M.

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

4. RESOLUTION NO. 11-169, APPROVE AN EASEMENT ENCROACHMENT AGREEMENT BETWEEN WEST VALLEY CITY, THE U.S. DEPARTMENT OF THE INTERIOR AND TCG UTAH THAT WILL ALLOW TCG UTAH TO INSTALL, OPERATE AND MAINTAIN A 1.25-INCH HDPE CONDUIT OVER THE JORDAN AQUEDUCT ON PROPERTY OWNED BY WEST VALLEY CITY

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-169 which would approve an Easement Encroachment Agreement between West Valley City, the U.S. Department of the Interior and TCG Utah that would allow TCG Utah to install, operate and maintain a 1.25-inch HDPE conduit over the Jordan Aqueduct on property owned by West Valley City.

Mr. Pyle stated TCG had requested permission to cross property owned by the City that would encroach upon the easement owned by the U.S. Department of the Interior. He also stated the crossing would occur at 4700 South just east of the Bangerter Highway.

The City Manager reported West Valley City owned a right-of-way (4700 South) encumbered by an easement owned by the U.S. Department of the Interior. He indicated TCG Utah desired to install, operate, and maintain three 1.25-inch HDPE conduits over the Jordan Aqueduct, Reach 3, and could do so only with an agreement from the U.S. Department of the Interior because the conduits would encroach on the easement. He explained the U.S. Department of the Interior had agreed to allow TCG Utah to encroach on their easement in accordance with the subject proposed documents.

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. 11-169 at the Regular Council Meeting scheduled October 18, 2011, at 6:30 P.M.

5. RESOLUTION NO. 11-170, APPROVE AN EASEMENT ENCROACHMENT AGREEMENT BETWEEN WEST VALLEY CITY, THE U.S. DEPARTMENT OF THE INTERIOR AND COMCAST OF UTAH II, INC. THAT WILL ALLOW COMCAST OF UTAH II, INC. TO INSTALL, OPERATE AND MAINTAIN AN AERIAL BROADBAND CABLE OVER THE JORDAN AQUEDUCT ON PROPERTY OWNED BY WEST VALLEY CITY

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-4-

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-170 which would approve an Easement Encroachment Agreement between West Valley City, the U.S. Department of the Interior and Comcast of Utah II, Inc., that would allow Comcast of Utah II, Inc. to install, operate and maintain an aerial broadband cable over the Jordan Aqueduct on property owned by West Valley City.

Mr. Pyle stated Comcast had requested permission to cross the Jordan Aqueduct and the City's right-of-way with a broadband cable.

City Manager, Wayne Pyle, reported West Valley City owned property encumbered by an easement owned by the U.S. Department of the Interior, which allowed them to operate the Jordan Aqueduct. He indicated Comcast desired to install a broadband cable that would cross the City's property at and around the intersection of 3100 South and the Bangerter Highway. He stated the broadband cable would be placed on Rocky Mountain Power poles and be at least 27 feet above ground level. He further indicated the U.S. Department of the Interior was also required to consent because Comcast's action would encroach on their easement as well.

The 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. 11-170 at the Regular Council Meeting scheduled October 18, 2011, at 6:30 P.M.

6. **CONSENT AGENDA SCHEDULED OCTOBER 18, 2011:**

A. **RESOLUTION NO. 11-171, ACCEPT A SPECIAL WARRANTY DEED FROM OQUIRRH MEADOWS INVESTMENT, LLC, FOR PROPERTY LOCATED AT 2938 SOUTH REDWOOD ROAD**

City Manager, Wayne Pyle, discussed proposed Resolution No. 11-171 which would accept a Special Warranty Deed from Oquirrh Meadows Investment, LLC, for property located at 2938 South Redwood Road.

Mr. Pyle stated Oquirrh Meadows Investment, LLC, had executed the Warranty Deed for additional right-of-way on Redwood Road.

The City Manager reported Oquirrh Meadows Investment, LLC, was the owner of the property for the Oquirrh Meadow Assisted Living site. He stated, as a condition of approval, additional right-of-way on Redwood Road was required to be deeded to the City. He indicated the current 50-foot half right-of-way was to be widened to a 53-foot half width in accordance with the West Valley City Major Street Plan.

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

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-5-

- B. **RESOLUTION NO. 11-172, ACCEPT A PUBLIC SIDEWALK AND LIGHTING EASEMENT FROM OQUIRRH MEADOWS INVESTMENT, LLC, FOR PROPERTY LOCATED AT 2938 SOUTH REDWOOD ROAD**
City Manager, Wayne Pyle, discussed proposed Resolution No. 11-172 which would accept a Public Sidewalk and Lighting Easement from Oquirrh Meadows Investment, LLC, for property located at 2938 South Redwood Road.

Mr. Pyle stated the subject easement was for the proposed Oquirrh Meadows Assisted Living development to be constructed at the above stated location. He reported the development was located within the Redwood Road Overlay Zone, which required wider park strips, sidewalks and sidewalk lighting along the Redwood Road street frontage. He stated as the proposed sidewalk and lighting fell outside the public right-of-way, a public sidewalk and lighting easement had been required as a condition of approval.

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 Nos. 11-171 and 11-172 at the Regular Council Meeting scheduled October 18, 2011, at 6:30 P.M.

7. **COMMUNICATIONS:**

A. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: October 12, 2011: Grizzlies Face-off Luncheon, Maverik Center, Noon – 1:15 P.M.; October 12, 2011: Piccadilly Circus, Maverik Center, 4:30 P.M. & 7:30 P.M.; October 12, 2011: Meet the Candidates Night for Municipal General Election, UCCC, 7:00 P.M.; October 14, 2011: Ribbon Cutting – The Sweet Tooth Fairy, Valley Fair Mall, 11:00 A.M. – 2:00 P.M.; October 14, 2011: Utah Grizzlies vs. Idaho Steelheads, Maverik Center, 7:05 P.M.; October 15, 2011: Fire Department Open House, Station #74, 5545 West 3100 South, 10:00 A.M. – 4:00 P.M.; October 18, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 19, 2011: Utah Grizzlies vs. Bakersfield Condors, Maverik Center, 7:05 P.M.; October 20, 2011: Annual ChamberWest Breakfast, Pioneer Valley Hospital, 7:30 A.M.; October 21, 2011: Utah Grizzlies vs. Bakersfield Condors, Maverik Center, 7:05 P.M.; October 22, 2011: Jason Aldean, Maverik Center, 7:30 P.M.; October 25 – November 4, 2011: Early Voting for Municipal General Election, City Hall; October 25, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 26, 2011: Waste Management Press Event, City Hall, 10:00 A.M.; October 26, 2011: So You Think You Can Dance, Maverik Center, 7:00 P.M.; October 28, 2011: Utah Grizzlies vs. Alaska Aces,

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-6-

Maverik Center, 7:05 P.M.; October 29, 2011: Utah Grizzlies vs. Alaska Aces, Maverik Center, 7:05 P.M.; November 1, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 2, 2011: Celtic Thunder, Maverik Center, 7:30 P.M.; November 4, 2011: Judas Priest, Maverik Center, 6:30 P.M.; November 8, 2011: Municipal General Election; November 8, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 9-12, 2011: National League of Cities Conference, Phoenix, Arizona; November 15, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2011: Canvass of Municipal General Election during Regular Council Meeting; November 24, 2011: Thanksgiving Holiday – City Hall closed; November 25, 2011: Santa Christmas Parade & 5K Santa Run, 9:00 A.M. – 11:00 A.M.; December 6, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 13, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 20, 2011: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 26, 2011: Christmas Holiday – City Hall closed.

Mayor Winder informed the City Council regarding a “Friends of Susan Powell” balloon release scheduled the upcoming Saturday at 11:00 A.M. at West View Park, and an anniversary event at DDI Advantage, a West Valley City business, scheduled for the upcoming Friday at 5:00 P.M.

B. **OTHER UPDATE INFORMATION**

City Manager, Wayne Pyle, advised he would be out of town between Thursday, October 13th and Tuesday, October 18th, and during his period of absence, Paul Isaac would be Acting City Manager.

City Manager, Wayne Pyle, advised that, at the Regular Council Meeting scheduled later this night, there may be two citizens requesting to address the City Council during the citizen comment period to discuss code enforcement issues.

Mayor Winder inquired regarding the status of James Dix finding a new location for his Reptile Rescue business. Upon direction of the City Manager, the Assistant City Manager, Paul Isaac, discussed updated information regarding Utah Department of Transportation (UDOT) actions on property located in West Valley City and leased by Dix that was to be vacated by this upcoming Thursday. He discussed Mr. Dix’s plans to relocate to property in Salt Lake City, which had fallen through for various reasons. The Assistant City Manager reported regarding the next steps to be taken if further actions became necessary.

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-7-

8. COUNCIL REPORTS

A. COUNCILMEMBER COREY RUSHTON – RIDE WITH FIRE DEPARTMENT

Councilmember Rushton advised he had recently ridden with the Fire Department during an event at USANA Amphitheater.

B. COUNCILMEMBER DON CHRISTENSEN – AMERICAN PUBLIC TRANSIT ASSOCIATION ANNUAL MEETING AND EXPO

Councilmember Christensen reported regarding the annual meeting and expo recently attended by himself and wife of the American Public Transit Association held in New Orleans, Louisiana. He stated he had picked up some useful information that he would pass along to the City Manager.

C. COUNCILMEMBER RUSS BROOKS – PROPERTY OWNER ISSUES

Councilmember Brooks expressed appreciation to the Public Works Department and staff who contacted a property owner regarding easement issues.

D. COUNCILMEMBER STEVE BUHLER – CHAMBERWEST AWARDS GALA, ENGLISH LANGUAGE AWARDS AND NEIGHBORHOOD PIT BULL DAY FLYER

Councilmember Buhler reported regarding the ChamberWest Awards Gala he recently attended.

Upon inquiry by Councilmember Buhler regarding when the next English language awards would be presented, the City Manager advised that presentation was scheduled November 1, 2011, at the Council's Regular Meeting.

Councilmember Buhler discussed a "Neighborhood Pit Bull Day" flyer that he recently received.

E. COUNCILMEMBER CAROLYNN BURT – COMMUNITY EDUCATION PARTNERSHIP (CEP)

Councilmember Burt reported regarding a Community Education Partnership (CEP) Executive Committee meeting and indicated two members had retired and no longer able to serve on the Committee. She also discussed a new member and secretary. She stated two new programs were starting including one against bullying and another to help children in peril of joining gangs and in need of some intervention. She reported 12 schools were participating in after-school programs. Councilmember Burt also discussed a new website and on-line auction program to raise additional funds.

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-8-

F. MAYOR MIKE WINDER – MEETING WITH STATE COMMISSIONER OF AGRICULTURE, ULCT EXECUTIVE BOARD MEETING, MILK WITH THE MAYOR, DANCING MOOSE MONTESSORI SCHOOL, MAYOR’S GALA, HEXCEL DONATION, HISTORICAL SOCIETY MEETING AND BIG BROTHERS/BIG SISTERS ANNUAL LUNCHEON

Mayor Winder reported regarding a recent luncheon meeting with the State Commissioner of Agriculture, Leonard Blackham. He stated the meeting had also included mayors of other cities and he advised of the issues discussed.

Mayor Winder reported regarding a recent Utah League of Cities & Towns (ULCT) executive board meeting.

Mayor Winder advised of some issues raised by citizens during a recent “Milk with the Mayor” forum.

Mayor Winder stated he recently judged the scarecrow contest at the Dancing Moose Montessori School. He reported he also toured the urban garden at that facility.

Mayor Winder reported regarding his annual Mayor’s Gala held the previous Friday. He advised it was a political fundraiser so he was a customer of the Utah Cultural Celebration Center (UCCC) and shared his experience and observations with staff.

Mayor Winder advised regarding a donation from Hexcel to the Historical Society to help with funding of the current book project.

Mayor Winder stated he recently attended a meeting of the Historical Society where a slide show had been shown of the first three chapters of a photo book being worked on by the Committee. He indicated he was assisting with that project.

Mayor Winder stated he recently attended the Big Brothers/Big Sisters annual luncheon at Rocky Mountain Raceway and had given the welcome remarks at that event.

9. MOTION FOR EXECUTIVE SESSION

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

A roll call vote was taken:

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-9-

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, OCTOBER 11, 2011, WAS ADJOURNED AT 5:31 P.M., BY MAYOR WINDER.

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 11, 2011

-10-

THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, OCTOBER 11, 2011, AT 5:34 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSITUTION 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
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Eric Bunderson, City Attorney
Jim Welch, Finance Director

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF OCTOBER 11, 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 and Executive Session of the West Valley City Council held Tuesday, October 11, 2011.

Sheri McKendrick, MMC
City Recorder