

**MINUTES OF COUNCIL STUDY MEETING – MARCH 19, 2013**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MARCH 19, 2013, 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  
Steve Buhler  
Don Christensen  
Tom Huynh  
Karen Lang  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director  
Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
John Evans, Fire Chief  
Layne Morris, CPD Director  
Kevin Astill, Parks and Recreation Director  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
Anita Schwemmer, Acting Police Chief  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department  
Steve Pastorik, CED Department  
Steve Lehman, CED Department  
Brent Garlick, CED Department  
Stan Varney, Fire Department  
Bob Fitzgerald, Fire Department  
Mike Powell, Police Department  
Brandon Hill, Law Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 26, 2013**  
The Council read and considered Minutes of the Study Meeting held February 26, 2013. There were no changes, corrections or deletions.

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After discussion, Councilmember Christensen moved to approve the Minutes of the Study Meeting held February 26, 2013, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. **APPROVAL OF MINUTES OF STUDY MEETING HELD MARCH 5, 2013**

The Council read and considered Minutes of the Study Meeting held March 5, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Study Meeting held March 5, 2013, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

3. **DAVID GRAUER – INTERMOUNTAIN HEALTH CARE PRESENTATION**

Upon recognition, David Grauer, Administrator of Intermountain Medical Center, introduced himself and others in attendance.

Mr. Grauer used PowerPoint and discussed information summarized as follows:

- Overview of Intermountain Medical Center (IMC)

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- “Snapshot” of statistics of IMC for 2012
- List of key services provided by the hospital
- Community involvement efforts
- Role of research on IMC campus

During the above presentation of information, Mr. Grauer answered questions from members of the City Council.

On behalf of the City Council, Mayor Winder expressed appreciation for the above update.

#### 4. **SUSAN WINTER – KARATE FEDERATION PRESENTATION**

Upon recognition, Susan Winter introduced herself and others in attendance at the meeting, including Sensei Amadou Niang, students and parents.

Ms. Winter used PowerPoint and discussed information summarized as follows:

- Information regarding the IMA Budokan Karate Non-Profit Foundation including background, history, mission statement, number of students, etc.
- Community-based dojo serving 100 students of diverse ethnicities, which provided a unique learning and leadership environment for students.
- Benefits of providing supervised after-school programs and activities for children and teens.
- Encourage students to give back to the dojo and community.

Ms. Winter concluded stating they were looking for support and funding from the City for their program and to initiate a relationship in that regard. During the presentation, she also answered questions from members of the City Council.

Mayor Winder thanked Ms. Winter and others for their attendance at the meeting and expressed appreciation for the information provided to the City Council.

#### 5. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MARCH 19, 2013**

City Manager, Wayne Pyle, advised no new items had been added to the Agenda for the Regular Meeting scheduled March 19, 2013. He discussed an item scheduled on that Agenda as follows:

**Item No. 7.A. – PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-7-2012 FILED BY MATTHEW WIRTHLIN, APPEALING THE PLANNING COMMISSION'S DENIAL OF A CHANGE OF ZONE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 (GENERAL COMMERCIAL FOR PROPERTY LOCATED AT 5619 WEST AND 5635 WEST 3500 SOUTH**

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City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 19, 2013, at 6:30 P.M. in order for the City Council to hear and consider public comments regarding Application No. Z-7-2012, filed by Matthew Wirthlin, appealing the Planning Commission's denial of a change of zone from 'C-1' (Neighborhood Commercial) to 'C-2' (General Commercial) for property located at 5619 West and 5635 West 3500 South.

Mr. Pyle stated the applicant had previously requested the public hearing and action be continued to April 2, 2013, due to his scheduling conflict; however, he subsequently contacted the City Recorder and advised he would be in attendance at the meeting this date. The City Manager recommended the Council hold the hearing as advertised and consider action regarding this matter, and he answered questions.

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

### 6. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MARCH 26, 2013:**

#### A. **EMPLOYEE OF THE MONTH, MARCH 2013 – CHAD GEORGE, PARKS AND RECREATION DEPARTMENT**

City Manager, Wayne Pyle, stated Councilmember Vincent would read the nomination of Chad George, Parks and Recreation Department, for the Employee of the Month Award for March 2013, at the Regular Council Meeting scheduled March 26, 2013. Mr. George was nominated for his positive interaction with patrons as well as his outstanding attention to details in accommodating all maintenance requests in an efficient and timely manner.

### 7. **PUBLIC HEARINGS SCHEDULED MARCH 26, 2013:**

#### A. **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-1-2013, FILED BY ADAM NASH, REQUESTING A ZONE CHANGE FROM ZONE 'A' (AGRICULTURE) TO ZONE 'R-1-8' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) FOR PROPERTY LOCATED AT 3128 SOUTH 6400 WEST**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. Z-1-2013, filed by Adam Nash, requesting a zone change from zone 'A' (Agriculture) to zone 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 Square Feet) for property located at 3128 South 6400 West. He discussed proposed Ordinance No. 13-12 and proposed Resolution No. 13-35 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

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**ORDINANCE NO. 13-12, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3128 SOUTH 6400 WEST FROM ZONE 'A' (AGRICULTURE) TO ZONE 'R-1-8' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET)**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 13-12 which would amend the Zoning Map to show a change of zone for property located at 3128 South 6400 West from zone 'A' (Agriculture) to zone 'R-1-8' (Single-Family Residential, minimum lot size 8,000 sq. ft.).

He reported surrounding zones included 'R-1-8' to the north and west, 'R-1-7' (Single-Family Residential, minimum lot size 7,000 sq. ft.) to the east and 'A' (Agriculture) to the south. He advised the property was surrounded by single-family homes. He further stated the subject property was designated as low density residential, which anticipated three to four units per acre in the West Valley City General Plan.

He reported the applicant had submitted a concept plan which had previously been distributed to members of the City Council, and showed the subject property being subdivided into seven lots. He indicated that while 'R-1-8' zoning was requested, the proposed lot sizes ranged from 10,049 to 15,044 square feet. He explained the reason for the 'R-1-8' zone request was to allow for a minimum lot width of 80 feet as opposed to the minimum lot width in the 'R-1-10' zone of 90 feet. He advised homes on the lots along 3100 South would face south.

The City Manager informed a development agreement had been required for the project. He referenced Section 7-14-105 (3)(1)(x) of the West Valley City Zoning Ordinance which stated: "All new subdivisions involving a re-zone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(1)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 2,600 square feet."

He also advised for the development agreement the applicant had proposed to follow the standards outlined in the ordinance. He stated staff had added a standard to the development agreement requiring the fence along the north side of the property be a 6-foot vinyl fence with brick pillars to match the fence on the north side of 3100 South.

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**RESOLUTION NO. 13-35, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MJS REAL PROPERTIES, L.L.C. AND DRP FAMILY LIMITED PARTNERSHIP, FOR APPROXIMATELY 2.24 ACRES OF PROPERTY LOCATED AT 3128 SOUTH 6400 WEST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-35 which would authorize the City to enter into a Development Agreement with MJS Real Properties, L.L.C. and DRP Family Limited Partnership, for approximately 2.24 acres of property located at 3128 South 6400 West.

Mr. Pyle stated the proposal would authorize a development agreement to establish minimum standards for a new single-family home subdivision located at the above stated address. He indicated MJS Real Property LLC and DRP Family Limited Partnership had proposed a seven-lot subdivision and the Planning Commission recommended approval of the application subject to execution of a development agreement. He reported the proposed agreement contained the following requirements:

1. The minimum house size for all new homes shall be 1,600 square feet.
2. All new homes shall abide by the standards in Section 7-14-105 (3)(1) of the West Valley City Zoning Ordinance.
3. A 6-foot tall vinyl fence with brick pillars shall be installed along the entire length of the north side of the property.

Steve Pastorik, CED Department, further reviewed and discussed the Application along with proposed Ordinance and proposed Resolution, displayed the plat map, and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. Z-1-2013, and consider proposed Ordinance No. 13-12 and proposed Resolution No. 13-35, at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

**B. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-4-2013, FILED BY TIM SOFFE, REQUESTING TO AMEND PARCEL A OF THE WEST VALLEY PAVILION SUBDIVISION AND LOTS 101-106 OF HARKER'S LANDING PUD PHASE 1 AND FINAL PLAT APPROVAL FOR THE SAGE GATE AT HAYNE'S LANDING SUBDIVISION LOCATED AT 2606 SOUTH ANNA CAROLINE DRIVE**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. S-4-2013, filed by Tim Soffe, requesting to amend Parcel A of the West Valley Pavilion Subdivision and Lots 101-106 of Harker's Landing PUD Phase 1 and final plat approval for the Sage Gate at Hayne's Landing Subdivision located at

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2606 South Anna Caroline Drive. He discussed proposed Ordinance No. 13-13 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

### **ORDINANCE NO. 13-13, APPROVING THE AMENDMENT OF PARCEL A OF THE WEST VALLEY PAVILION SUBDIVISION AND LOTS 101-106 OF THE HARKER'S LANDING PUD PHASE 1**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 13-13 which would approve the Amendment of Parcel A of the West Valley Pavilion Subdivision and Lots 101-106 of the Harker's Landing PUD Phase 1.

Mr. Pyle stated the West Valley Pavilion Subdivision had been recorded with the Salt Lake County Recorder's Office in August, 2008. He also stated the Harker's Landing PUD had been recorded with the Salt Lake County Recorder's Office in October, 2010. Although it was expected this property would develop as a townhome community, a sluggish economy made it difficult for the project to move forward. He indicated the applicant had petitioned the City to modify the development agreement allowing more density and a change in use from townhomes to apartments. He advised that during negotiations of a new development agreement the City required a public park and trailhead be provided at the northwest corner of the subject property. Mr. Pyle stated ownership and maintenance of the park would be private but accessible to the public via easements to be recorded with the plat. He explained staff was working with the applicant to ensure the legal aspects of this requirement, as well as others pertaining to the existing home owners, were resolved. He indicated easements along with other legal matters associated with the common and limited common areas of the existing townhome units would be prepared by the property owner's attorney.

Mr. Pyle advised the City Council would be required to approve the public recreation and public access easement and a separate application for review of those documents would be forthcoming.

He indicated the subdivision was somewhat complex due to the existing townhome building constructed as part of the first phase of Harker's Landing. However, the owners had secured the consent of each townhome owner and the Home Owner's Association would be a signer of the subdivision plat. He stated residents living in the existing townhomes would have access to the amenities of the new apartment project.

Steve Lehman, CED Department, further reviewed and discussed the Application and proposed Ordinance, and displayed the plat. He also answered questions from members of the City Council. He noted the applicant, Tim Soffe, was in attendance at the meeting to answer questions.

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The City Council will hold a public hearing regarding Application No. S-4-2013 and consider proposed Ordinance No. 13-13 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

**8. ORDINANCE NO. 13-14, AMEND SECTION 1-2-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO REFLECT CHANGES IN THE CONSOLIDATED FEE SCHEDULE FOR THE FIRE DEPARTMENT**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 13-14 which would amend Section 1-2-105 of the West Valley City Municipal Code to reflect changes in the Consolidated Fee Schedule for the Fire Department.

Mr. Pyle stated Section 1-2-105 of the West Valley City Municipal Code listed fees charged for various services provided by the Fire Department, such as plan reviews, operational permits and copies of investigative and emergency medical services reports. He informed the proposed ordinance would update the Fee Schedule to reflect the current costs and charges for those services.

He explained the Fire Department charged nominal fees for certain services provided to individuals and businesses in order to cover costs of those services. He indicated the Fire Department's portion of the Consolidated Fee Schedule had last been updated five years ago, in 2008.

Bob Fitzgerald, Fire Department, further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 13-14 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

**9. RESOLUTION NO. 13-36, AWARD A CONTRACT TO LYNDON JONES CONSTRUCTION FOR THE 3850 WEST SR-201 FRONTAGE ROAD STORM DRAIN PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-36 which would award a contract to Lyndon Jones Construction in an amount not to exceed \$280,357.00, with a possible increase of up to five percent of the contract amount, or \$30,000.00, whichever is greater, for change orders for the 3850 West SR-201 Frontage Road Storm Drain Project.

Mr. Pyle stated bids had been solicited and eight bids received as follows:

Lyndon Jones:	\$280,357.00
Hughes General:	\$293,762.50
Westbrook Construction:	\$309,088.72
Bowen Construction:	\$319,716.00

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MC Green & Sons:	\$349,357.20
Vancon:	\$355,179.00
Wolff Excavating:	\$426,518.00
Davis Construction:	\$427,529.84

The City Manager reported the engineers estimate was \$297,242.00, with Lyndon Jones submitting the lowest responsible bid.

Mr. Pyle explained the project included piping of an existing open ditch along the SR-201 Frontage Road near 3850 West. He indicated the open ditch had been a maintenance problem and was a safety hazard along the roadside. The project included installation of approximately 950 feet of 36 inch concrete storm drain pipe and storm drain cleanout boxes. The project also included installation of a storm water quality device to remove pollutants prior to leaving the City's storm system.

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. 13-36 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

**10. RESOLUTION NO. 13-37, AUTHORIZE CHANGE ORDER NO. 1 TO THE CONTRACT WITH KILGORE CONSTRUCTION FOR THE 2012 ASPHALT OVERLAY PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-37 which would authorize Change Order No. 1 to the contract with Kilgore Construction in the amount of \$24,516.99, for the 2012 Asphalt Overlay Project.

Mr. Pyle stated the subject change order would cover various items of additional work encountered during construction of the 2012 Asphalt Overlay Project, including pipe replacement of collapsed pipe, reconstruction of a portion of LeAnn Drive, and others.

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. 13-37 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

**11. RESOLUTION NO. 13-38, AUTHORIZE CHANGE ORDER NO. 2 TO THE CONTRACT WITH M.C. GREEN AND SONS FOR THE FAIRBOURNE STATION PHASE 1 ROADWAY PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-38 which would authorize Change Order No. 2 to the contract with M.C. Green and Sons in the amount of \$22,517.20, for the Fairbourne Station Phase 1 Roadway Project.

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Mr. Pyle stated the subject change order would cover various items of additional work added to the project during construction including various modifications to UTA Parking Lot landscaping, storm drain modifications, pavement markings, signs, and other miscellaneous work. He reported the change order amount would be paid for using Storm Water Utility fees and from the General Fund.

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. 13-38 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

12. **RESOLUTION NO. 13-39, APPROVE AGREEMENT WITH CAL BROWN BODY SHOP FOR WRECKER, TOWING AND IMPOUND YARD SERVICES**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-39 which would approve an Agreement with Cal Brown Body Shop in the amounts described for wrecker, towing and impound yard services.

Mr. Pyle stated Cal Brown Body Shop would provide services for Class A and Class B tows for the City. He explained the Police Department, Ordinance Enforcement, and other City departments, had vehicles towed on a regular basis during the normal course of duties. He indicated the last City contract for this service had been approved in 2010 and had been for a one year period with the possibility of additional extensions not to exceed three years. He indicated that contract with Cal Brown Body Shop would expire on July 1, 2013, and they had done an excellent job executing the terms of the contract.

He reported bids had been solicited and three bids received, as follows:

Cal Brown Body Shop:

A \$45.00 flat fee for Class A & B tows and a \$65.00 flat fee for Class C tows involving City vehicles, and a \$58.00 flat fee for Class A & B tows with a \$100.00 flat fee for Class C tows involving citizen vehicles; a \$0.75 charge per mile for tow calls outside Salt Lake County for one way only; and a \$15.00 cleanup fee for crash scenes.

Evans & Son's Auto & Towing:

A \$55.00 flat fee for Class A & B tows and a \$100.00 flat fee for Class C tows involving City vehicles and a \$75.00 flat fee for Class A & B with a \$125.00 flat fee for Class C tows involving citizen vehicles; a \$1.00 to \$1.50 charge per mile for tow calls outside of Salt Lake County for one way only.

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### Mountain West Towing:

No fee for Class A & B tows involving City vehicles if they were not involved in a crash; if City vehicle was involved in a crash the cost would be a \$30.00 flat fee. Class A & B citizen tows would be charged a \$125.00 flat fee with an administrative charge of \$25.00 added. The fee charged for a Class C tow involving a City vehicle would be \$25.00 (flat fee) if there was not a crash involved. With a crash involved the Class C tow involving a City vehicle would be \$35.00. The fee for a citizen owned vehicle for a Class C tow would be \$175.00 flat fee with an administrative charge of \$25.00 added. There would also be a \$1.00 to \$1.50 charge per mile outside of Salt Lake County for City vehicles and a charge of \$2.00 to \$2.50 for miles outside of Salt Lake County for a citizen's vehicle.

The City Manager reported Cal Brown Body Shop had four tow trucks and three drivers. He indicated Cal Brown Body Shop was currently the contract tow company for West Valley City and had held that contract since 2007. He stated during that time only one complaint from Police Department personnel had been documented. He also stated Cal Brown had a flat rate fee for City and private citizen vehicles and no administrative fee would be assessed unless the impounded vehicle was placed in their yard for storage, in which case a \$15.00 administrative fee would be charged. He indicated for 2013 Cal Brown had proposed a \$0.75 per mile added charge for vehicles located outside of Salt Lake County.

He reported Evans & Son's Auto & Towing had four tow trucks and three drivers. He stated there had been two complaints since 2008 and both complaints had been satisfactorily handled by the owners of that company. He stated a flat rate fee for City and private citizen vehicles had been submitted. There was no administrative fee assessed for either City or citizen vehicles. There would be a mileage charge assessed if a vehicle needed to be towed from outside of Salt Lake County.

He reported Mountain West Towing had three to trucks and two drivers. He stated a third driver was listed on the proposal paperwork, which driver was not approved for this company through the rotation agreement. He further advised there were no complaints in the Mountain West Towing file. He reported Mountain West offered a no fee charge for City vehicles if they were not involved in a crash and were located within the borders of Salt Lake County. There would be a charge for any City vehicle that needed to be towed and had been involved in a crash. He stated there would also be a per mile charge added to the cost if a City vehicle was located outside of Salt Lake County. The charge for citizen vehicles towed by City request was considerably higher than the proposals received from the other bidders.

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Mr. Pyle indicated West Valley City had approximately 25 City-owned vehicle tows per year and there were over 250 citizen vehicle tows per year, which included both hold for owner and police holds.

The City Manager advised that due to the condition of the economy it was important to look at the most cost effective proposal submitted for the towing services. He stated Cal Brown Body Shop had submitted a fair and balanced fee schedule which would benefit the City and its citizens. He further advised Cal Brown Body Shop had a professional demeanor and maintained an exceptional working environment with the City and its employees. He recommended the towing contract services be awarded to Cal Brown Body Shop with a contract period beginning July 1, 2013.

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

The City Council will consider proposed Resolution No. 13-39 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

**13. RESOLUTION NO. 13-40, APPROVE INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY, ON BEHALF OF THE SALT LAKE VALLEY HEALTH DEPARTMENT, TO PROVIDE A SAFETY PLAN AND SECURITY FOR THE HEALTH DEPARTMENT'S POINT OF DISTRIBUTION LOCATED AT HUNTER HIGH SCHOOL**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-40 which would approve an Interlocal Agreement with Salt Lake County on behalf of the Salt Lake Valley Health Department, to provide a safety plan and security for the Health Department's Point of Distribution (POD) located at Hunter High School.

Mr. Pyle stated the Salt Lake City Health Department had requested to enter into an agreement with West Valley City in regards to security for the Health Department's POD located at Hunter High School. He indicated the City, through the Police Department, would provide physical security and safety for the POD in the event of a public health emergency. He further explained the Police Department would also provide a site safety plan. In consideration for the time and effort for development of the site plan and costs of implementing the agreement, the City would receive up to \$3,500.

He reported the Salt Lake Valley Health Department had agreed to provide mass prophylaxis and other limited health services at certain Points of Distributions (PODs) throughout the Salt Lake Valley in the event of a public health emergency. One of those PODs had been located at Hunter High School in West Valley City. He stated it was important to the operation of this POD, and therefore to the welfare of the citizens, that the POD have a site safety plan in place prior to the event of a public health emergency, including the Police Department's participation in training exercises to implement the safety plan. He explained in this way when a real public health emergency occurred

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health services and medications could be provided to the citizens of West Valley City in an efficient and safe environment.

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. 13-40 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

14. **RESOLUTION NO. 13-41, APPROVE AMENDMENT NO. 1 TO AN AGREEMENT BETWEEN WEST VALLEY CITY AND MCCLAREN, WILSON & LAWRIE, INC. FOR A SPACE AND SITE NEEDS ASSESSMENT FOR A NEW JOINT FORENSIC SCIENCE LABORATORY AND EVIDENCE FACILITY**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-41 which would approve Amendment No. 1 to an Agreement between West Valley City and McClaren, Wilson & Lawrie, Inc. in the amount of \$29,986.00 regarding a space and site needs assessment for a new joint forensic science laboratory and evidence facility.

Mr. Pyle stated West Valley City and Salt Lake City had recently received a complete needs assessment for the Salt Lake Valley Regional Forensic Investigations Center to be located in West Valley City. He advised the next step in the development process would be to prepare the concept key plan and the space needs assessment and West Valley City's portion of that cost would be in the amount of \$29,986.00, the requested amount for the amendment.

He reported that in August of 2011, West Valley City and Salt Lake City entered into a Needs Assessment/Case Load Agreement with consulting firm McClaren, Wilson and Lawrie, Inc. (MWL). In August of 2012, that Needs Assessment/Case Load Agreement had been completed and the report supported a proposal for a joint forensics science laboratory and evidence facility. He indicated information from the Needs Assessment/Case Load Assessment would be provided to MOCA Project Management to allow them to develop an initial project budget to construct the new building and site improvements for the new lab and evidence facility.

Deputy Chief Mike Powell, Police Department, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-41 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

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**15. RESOLUTION NO. 13-42, ACCEPT AN ACCESS AND RECREATION EASEMENT FROM MILLER SAGE GATE ASSOCIATES, LLC, FOR PROPERTY LOCATED WITHIN THE APARTMENT DEVELOPMENT AT 2606 SOUTH ANNA CAROLINE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-42 which would accept an Access and Recreation Easement from Miller Sage Gate Associates, LLC, for property located within the apartment development at 2606 South Anna Caroline Drive.

Mr. Pyle stated the proposed easement would allow the public to access the Cross Towne Trail, trailhead park and associated parking within the apartment development at the above stated location.

He reported the City Council recently approved a Development Agreement for a 278 unit apartment development at 2606 South Anna Caroline Drive just west of Winco. He indicated the project included the Cross Towne Trail along the north portion of the property as well as a trailhead park with associated parking. He explained the agreement for this project stated the developer shall grant to the City a public recreational easement which shall include public recreational access to the Cross Towne Trail and trailhead park, a duty to maintain the easement in a condition acceptable to the City and with public access to the trailhead park and associated parking. He pointed out the location of the easement was shown in Exhibit A of the 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. 13-42 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

**16. RESOLUTION NO. 13-43, APPROVE AN AGREEMENT WITH THE BOARD OF EDUCATION OF GRANITE SCHOOL DISTRICT FOR PROPERTY LOCATED AT 3050 SOUTH 2700 WEST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-43 which would approve an Agreement with the Board of Education of Granite School District for property located at 3050 South 2700 West.

Mr. Pyle stated the Granite School District had design plans and desired to remodel Stansbury Elementary School located at 3050 South 2700 West and the remodel plans included placement of parking improvements within the right-of-way owned by West Valley City. He indicated the subject agreement outlined the process for removal of the parking improvements upon receipt of written notice by the City.

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

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The City Council will consider proposed Resolution No. 13-43 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

17. **NEW BUSINESS SCHEDULED MARCH 26, 2013:**

A. **APPLICATION NO. PUD-3-2013, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR Highbury Towns East Subdivision – Phase 3 located at 3075 South 5290 West**  
City Manager, Wayne Pyle, discussed Application No. PUD-3-2013, filed by Ivory Homes, requesting final plat approval for Highbury Towns East Subdivision – Phase 3 located at 3075 South 5290 West.

Mr. Pyle stated Nick Mingo, representing Ivory Homes, had requested final plat approval for the third phase of Highbury Towns East Subdivision located north of 3100 South and immediately east of the second phase. He reported the third phase would consist of 26 lots and two parcels on approximately 2.11 acres. He indicated buildings constructed thus far had been in accordance with the development agreement approved by the Planning Commission and City Council. He stated buildings in this phase would use the same footprint as in previous phases of this project.

He reported buildings would consist of 100% masonry materials with architecture reflective of the craftsman style, an American domestic style made popular in the early 1900's. He indicated although brick was limited with this style of architecture there were elements that would appear on the front elevation as well as the alleys. Stucco and hardi plank would comprise the other materials used in this development. He stated Ivory proposed three color schemes to be used to provide greater diversity between buildings.

The City Manager also reported staff had evaluated this project in regards to the multiple-family design standards. He stated this project met the standards outlined in the ordinance governing architecture, color and variation. He advised the developer would be provided with a copy of these standards to ensure that all areas would be addressed.

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

The City Council will consider Application No. PUD-3-2013 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

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- B. APPLICATION NO. S-3-2013, FILED BY QUESTAR GAS COMPANY, REQUESTING FINAL PLAT APPROVAL FOR HUNTER PARK STATION SUBDIVISION LOCATED AT 5866 WEST 3500 SOUTH**  
City Manager, Wayne Pyle, discussed Application No. S-3-2013, filed by Questar Gas Company, requesting final plat approval for Hunter Park Station Subdivision, located at 5866 West 3500 South.

Mr. Pyle stated Rick Hellstrom, representing Questar Gas Company, had requested the approval for a one-lot subdivision. He advised the subdivision was bordered on the north by the Meadowlands Subdivision and the east by property owned by Rocky Mountain Power. He stated the property was adjacent to agricultural zoning to the west and immediately north of 3500 South.

He reported the subdivision had been proposed to consolidate a number of parcels to create one lot. The new subdivision would allow Questar the ability to expand their natural gas regulating facility. He explained due to increased demands and continued growth in the area, Questar believed the expansion to be necessary.

The City Manager explained Questar presently operated their facility on approximately .63 acres. Mr. Hellstrom had informed City staff that Questar recently purchased property from Rocky Mountain Power and from the Brown family. He advised these acquisitions were necessary in order to expand the facility, with the total acreage of all property within the subdivision boundary of 1.88 acres.

Mr. Pyle indicated the northern portion of the subdivision was located at the end of Water Leaf Way. He stated City ordinance required that whenever a dead end street was terminated at property to be subdivided, the street shall be extended and incorporated into the design of the subdivision. He stated City staff had met and discussed this issue with Questar and in order to meet those requirements Questar would dedicate a portion of property for a future right-of-way to serve the deep agricultural lots fronting 3500 South. He explained to help illustrate the proposed dedication was in the right location, a conceptual drawing had been prepared by Questar's engineer.

He also reported public improvements for this dedication would not be required at this time and this plat would simply provide dedication needed for the future. Water Leaf Way would remain in its current configuration until development to the west occurred. He stated it was not believed a delay agreement would be needed due to the size of this dedication. However, as discussed in the Planning Commission hearing, a letter of understanding regarding Questar's participation with these improvements was being reviewed by City staff and would be ready for Council review at the upcoming meeting. He further advised as part of the

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subdivision application, the applicant would be required to dedicate a portion of 3500 South.

He stated the applicant had met with the Utah Department of Transportation (UDOT) and discussed the width needed. He concluded that although the plat identified the dedication area, public improvements would not be installed at this time.

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

The City Council will consider Application No. S-3-2013 at the Regular Council Meeting scheduled March 26, 2013, at 6:30 P.M.

### 18. **COMMUNICATIONS:**

#### A. **LEGISLATIVE WRAP-UP**

City Manager, Wayne Pyle, stated time had been scheduled to provide the City Council with information regarding the 2013 legislative session.

Upon direction, Nicole Cottle, Assistant City Manager, CED Director, discussed updated information and gave a "wrap up" of legislative issues. She discussed the following issues relating to bills of interest to West Valley City: towing, concealed carry, land use, funding requests infrastructure and other projects. She also advised a written report would be prepared and distributed to the City Manager and City Council. She expressed praise and appreciation to certain legislators who assisted and supported West Valley City regarding various issues of interest to West Valley City, including funding.

The City Manager commended Ms. Cottle for her legislative work; and on behalf of the City Council, the Mayor expressed appreciation to Ms. Cottle for her efforts at the 2013 State Legislature.

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

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: March 7 – April 24, 2013: Utah's Beehive Exhibit, UCCC; March 27, 2013: Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; March 28, 2013: Best Practices for Riverfront Communities Stakeholder Workshop hosted by Jordan River Commission, UCCC, 8:30 A.M. – 11:30 A.M.; March 29, 2013: Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; March 29 & 30, 2013: Easter Events at Fitness Center; March 30, 2013: Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; April 1, 2013: Shakespeare's Romeo and Juliet, UCCC, 7:00 P.M.; April 2, 2013: Shakespeare's Romeo and Juliet, UCCC, 10:00 A.M.; April 2, 2013: Council Study Meeting, 4:30 P.M., Regular Council

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Meeting, 6:30 P.M.; April 2, 2013: Congressman Chris Stewart's Town Hall Meeting, UCCC, 5:00 P.M. – 7:00 P.M.; April 9, 2013: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; April 10-12, 2013: ULCT Conference, St. George; April 16, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 23, 2013: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; April 30, 2013: No Council Meeting Scheduled (5<sup>th</sup> Tuesday); May 2, 2013: UDOT's Annual Meeting with Municipalities in Salt Lake County, Calvin Rampton Complex, 4501 South 2700 West, 9:00 A.M. – 11:00 A.M.; May 7, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 11, 2013: Council District 1 Neighborhood "Meet-up" at Hillsdale Park, 3205 South 3200 West, 9:00 A.M. – 11:00 A.M.; May 14, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 21, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 27, 2013: Memorial Day Holiday – City Hall closed; May 28, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 1-7, 2013: Filing Period for Municipal Election (During regular business hours); June 4, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 8, 2013: Council District 2 Neighborhood "Meet-up" at the Fairbourne Station Promenade, 9:00 A.M. – 11:00 A.M.; June 11, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 18, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 25, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 4, 2013: Independence Day Holiday – City Hall closed; July 13, 2013: Council District 3 Neighborhood "Meet-up" at Centennial Park, 5415 West 3100 South, 9:00 A.M. – 11:00 A.M.; July 24, 2013: Pioneer Day Holiday – City Hall closed; July 25, 2013: One Direction, Maverik Center, 7:30 P.M.; August 2, 2013: Bruno Mars, Maverik Center, 7:30 P.M.; August 10, 2013: Council District 4 Neighborhood "Meet-up" at West View Park, 4100 South 6000 West, 9:00 A.M. – 11:00 A.M.; August 13, 2013: Municipal Primary Election; and November 5, 2013: Municipal General Election.

### C. **CITY MANAGER UPDATE INFORMATION**

City Manager, Wayne Pyle, recognized a representative of Congressman Matheson's Office in attendance at the meeting.

Mr. Pyle advised that Bob Murri, Ascent Construction, requested another opportunity to discuss the Jordan River Marketplace project with the City Council sometime mid-April. Upon discussion, Mayor Winder suggested the Council exercise a good faith effort to listen to Mr. Murri's new ideas for the project. After discussion, the City Recorder was directed to schedule Mr. Murri at a Study Meeting in mid-April as requested.

He also updated the Council regarding LDS Church property on Lancer Way and advised that property had been listed for sale.

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**19. COUNCIL REPORTS:**

**A. COUNCILMEMBER COREY RUSHTON – JORDAN RIVER COMMISSION MEETING, COG MEETING AND NLC CONFERENCE**

Councilmember Rushton discussed an upcoming meeting of the Jordan River Commission at which a presentation regarding the Pioneer Crossing Park would be given.

He also advised he recently represented West Valley City at a Salt Lake County Council of Governments (COG) meeting but would be unable to attend the meeting scheduled for the following month. Upon discussion, it was determined Councilmember Christensen would attend the meeting as an alternate. In addition, it was mentioned there was need for further discussion regarding two matters under consideration by COG prior to that meeting. Those issues were a regional homeless services fund and excavation.

Councilmember Rushton advised he had submitted an e-mail to members of the City Council with a report regarding the recent National League of Cities (NLC) Conference.

**B. COUNCILMEMBER DON CHRISTENSEN – NLC REPORT, BEEHIVE EXHIBIT AT UCCC AND UTAH SISTER CITIES COALITION ANNUAL MEETING**

Councilmember Christensen advised he would submit a written report regarding the National League of Cities (NLC) Conference after reviewing other members' written reports.

He indicated the Beehive exhibit at the Utah Cultural Celebration Center (UCCC) had been very fun and encouraged everyone to attend.

Councilmember Christensen discussed an invitation to the Utah Sister Cities Coalition annual meeting scheduled April 17, 2013, from 11:00 A.M. to 1:00 P.M., at the Utah Cultural Celebration Center in West Valley City.

**C. COUNCILMEMBER TOM HUYNH – NLC CONFERENCE AND CONGRESSIONAL DELEGATION MEETINGS**

Councilmember Huynh reported he also had attended the National League of Cities (NLC) Conference and discussed meetings with congressional delegation members.

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**D. MAYOR MIKE WINDER – GRANITE HUNTER IMPROVEMENT DISTRICT MEETING RE: PIONEER CROSSING PARK**

Mayor Winder reported regarding a recent meeting with the Executive Director of the Granger-Hunter Improvement District regarding Pioneer Crossing Park. He advised all stakeholders were excited about the project.

**20. MOTION FOR EXECUTIVE SESSION**

After discussion, Councilmember Rushton moved to adjourn and reconvene in an Executive Session for discussion of property acquisition matters and professional character and competency of an individual. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, MARCH 19, 2013, WAS ADJOURNED AT 5:59 P.M., BY MAYOR WINDER.**

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, MARCH 19, 2013, AT 6:00 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  
Steve Buhler  
Don Christensen  
Tom Huynh  
Karen Lang  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director  
Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Jim Welch, Finance Director  
Brent Garlick, CED  
Steve Pastorik, CED

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF MARCH 19, 2013, WAS ADJOURNED AT 6:26 P.M., BY MAYOR WINDER.

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**SWORN STATEMENT**

As the Mayor, I presided at a closed meeting of the West Valley City Council on March 19, 2013. 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 19<sup>th</sup> day of March, 2013.

\_\_\_\_\_  
MAYOR

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 19, 2013.

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