

MINUTES OF COUNCIL STUDY MEETING – APRIL 9, 2013

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, APRIL 9, 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 PRO TEM RUSHTON.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Mike Winder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Layne Morris, CPD Director
Stan Varney, Acting Fire Chief
Anita Schwemmer, Acting Police Chief
Kevin Conde', Administration
Lee Logston, CED Department
Kevin Despain, CED Department
Jody Knapp, CED Department
Steve Pastorik, CED Department
Larry Marx, Police Department
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD MARCH 26, 2013**

The Council read and considered Minutes of the Study Meeting held March 26, 2013. There were no changes, corrections or deletions.

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

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A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

2. **REVIEW AGENDAS FOR COUNCIL REGULAR MEETING AND SPECIAL REDEVELOPMENT AGENCY MEETING SCHEDULED APRIL 9, 2013**

City Manager, Wayne Pyle, stated two new items had been added to the Agenda for the Regular Council Meeting scheduled April 9, 2013. He discussed the added items and one item scheduled on the Redevelopment Agency Agenda as follows:

Item 8.B. – RESOLUTION NO. 13-52, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH DESERET TITLE HOLDING CORPORATION FOR PROPERTY LOCATED AT 6511 WEST 6200 SOUTH AND TO ACCEPT A SPECIAL WARRANTY DEED

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-52 which would authorize the City to enter into a Right-of-Way Contract with Deseret Title Holding Corporation for property located at 6511 West 6200 South, and to accept a Special Warranty Deed.

Mr. Pyle stated Deseret Title Holding Corporation had agreed to sign the Right-of-Way Contract for the 6200 South Extension Project.

He indicated the 1.631 acre parcel was one of the properties to be acquired for the project that would extend 6200 South to State Highway No. 111, westerly from its current terminus at Mountain View Corridor. He reported compensation for the purchase of this parcel would be in the amount of \$206,100.00 pursuant to an appraisal report prepared by Free and Associates, Inc. He indicated funding for the acquisition would be facilitated through the State Corridor Preservation Fund. He also reported although the funding for this acquisition had not yet been approved, the contract was now required to be completed in order to submit the funding application.

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

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Item 8.C. – RESOLUTION NO. 13-53, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH DESERET TITLE HOLDING CORPORATION FOR PROPERTY LOCATED AT 7011 WEST 6200 SOUTH AND TO ACCEPT A SPECIAL WARRANTY DEED

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-53 which would authorize the City to enter into a Right-of-Way Contract with Deseret Title Holding Corporation for property located at 7011 West 6200 South, and to accept a Special Warranty Deed.

Mr. Pyle stated Deseret Title Holding Corporation had agreed to sign the Right-of-Way Contract for the 6200 South Extension Project.

He stated the 3,309 square foot parcel was one of the properties to be acquired for the 6200 South Extension Project. He indicated the project would extend 6200 South to State Highway No. 111, westerly from its current terminus at Mountain View Corridor. He reported compensation for the purchase would be in the amount of \$9,600.00 pursuant to an appraisal report prepared by Free and Associates, Inc. He stated funding for the acquisition would be through the State Corridor Preservation Fund. He explained although the funding for this acquisition had not yet been approved, the contract was now required to be completed in order to submit the funding application.

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

Redevelopment Agency Agenda Item No. 3.A. – RESOLUTION NO. 13-09, APPROVE A REAL ESTATE PURCHASE AGREEMENT WITH MIDLAND ENTERPRISES, LLC, TO PURCHASE PROPERTY LOCATED AT 2797 WEST 3500 SOUTH

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-09 on the Agenda for the special Redevelopment Agency meeting. The proposed resolution would approve a Real Estate Purchase Agreement with Midland Enterprises, LLC, in the amount of \$430,000.00 plus closing/broker costs, to purchase property located at 2797 West 3500 South.

Mr. Pyle stated the Agency desired to acquire the commercial property at the above described location as it was located in the Fairbourne Station and would play a key role in development of that area. He explained by owning the property the Agency would have control over its use and development thus insuring development in accordance with the Vision for Fairbourne Station. He indicated the Fairbourne Station Vision involved the urban renewal of the area including the Valley Fair Mall, the property surrounding West Valley City Hall, and the area to the west of City Hall.

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Mr. Pyle further reviewed and discussed the proposed Resolution and answered questions.

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

3. PUBLIC HEARINGS SCHEDULED FOR APRIL 16, 2013:

A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. GPZ-1-2013, FILED BY RYAN ANDERTON, REQUESTING A GENERAL PLAN CHANGE FROM LOW DENSITY RESIDENTIAL TO NON-RETAIL COMMERCIAL; AND A ZONE CHANGE FROM ‘A’ (AGRICULTURE) TO ‘RB’ (RESIDENTIAL BUSINESS) FOR PROPERTY LOCATED AT 4110 SOUTH AND 4130 SOUTH 3600 WEST

City Manager, Wayne Pyle, stated a public hearing was advertised for the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. GPZ-1-2013, filed by Ryan Anderton, requesting a General Plan change from Low Density Residential to Non-Retail Commercial; and a zone change from ‘A’ (Agriculture) to ‘RB’ (Residential Business) for property located at 4110 South and 4130 South 3600 West. He discussed proposed Ordinance Nos. 13-15 and 13-16 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 13-15, AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LOW DENSITY RESIDENTIAL LAND USES TO NON-RETAIL COMMERCIAL LAND USES; AND ORDINANCE NO. 13-16, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FROM ZONE ‘A’ (AGRICULTURE) TO ‘RB’ (RESIDENTIAL BUSINESS), FOR PROPERTY LOCATED AT 4110 SOUTH AND 4130 SOUTH 3600 WEST

City Manager, Wayne Pyle, discussed proposed Ordinance No. 13-15 which would amend the General Plan to show a change of land use from Low Density Residential land uses to Non-Retail Commercial land uses; and proposed Ordinance No. 13-16 which would amend the Zoning Map to show a change of zone from zone ‘A’ (Agriculture) to ‘RB’ (Residential Business), for property located at 4110 South and 4130 South 3600 West

Mr. Pyle stated the application included two parcels totaling 1.68 acres specified at the above location. He indicated the proposed ‘RB’ zone and General Plan designation as non-retail commercial was meant to invite small-scale commercial offices and professional services.

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The City Manager advised surrounding zones included 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) to the west, north and east, and 'A' (Agriculture) to the south. Surrounding land uses included single-family homes to the south, west and east, and the Harman Home senior recreation center to the north. He advised the north parcel included a home built in 1962, and the south parcel included the Small World daycare business.

He reported if the application was approved, the applicant planned to demolish the home on the north parcel and develop the property into an office building. He stated the daycare use on the south parcel would remain the same. He also stated a copy of the office concept plan had been distributed to the City Council, including a letter from the applicant outlining the reasons for the proposed change.

Mr. Pyle recommended an office would be an appropriate use at the specified location for reasons as follows:

1. The south parcel was already in commercial use as a daycare.
2. The proposed office use was a fairly low impact use adjacent to residential, since most offices were not open late in the evenings.
3. The Harman Home was located across the street on the northwest corner of the intersection.
4. While the General Plan states that "development along 4100 South should remain primarily single-family residential," there are nodes to commercial use at 2700 West, 3200 West, 3600 West, Bangerter Highway, 4000 West, 4800 West, 5600 West and 6400 West.

Steve Pastorik, CED Department, further reviewed and discussed the Application and proposed Ordinances and displayed the plat. He also answered questions from members of the City Council.

The City Council members discussed and expressed individual opinions and concerns regarding the proposal and specifically the need for broader discussions of the uses on 4100 South Street as mentioned in the Strategic Planning Meeting held in February, 2013.

The City Council will hold a public hearing regarding Application No. GPZ-1-2013 and consider proposed Ordinance Nos. 13-15 and 13-16 at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

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B. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-1-2013, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO AMEND THE ORDINANCE REGARDING CARGO CONTAINERS IN RESIDENTIAL AND AGRICULTURAL ZONES

City Manager, Wayne Pyle, stated a public hearing was advertised for the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. ZT-1-2013, filed by West Valley City, requesting a zone text change to amend the ordinance regarding cargo containers in Residential and Agriculture zones. He discussed proposed Ordinance No. 13-17 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 13-17, AMENDING SECTIONS 7-1-103 AND 7-2-130 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE, LAND USE DEVELOPMENT AND MANAGEMENT ACT, REGARDING CARGO CONTAINERS AND TEMPORARY RESIDENTIAL STORAGE CONTAINERS

City Manager, Wayne Pyle, discussed proposed Ordinance No. 13-17 which would amend Sections 7-1-103 and 7-2-130 of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, regarding cargo containers and temporary residential storage containers.

Mr. Pyle stated cargo containers were large prefabricated metal structures used for overseas shipping, for rail car freight, or as enclosed truck trailers. He indicated the proposed ordinance change would specify where and when those containers would be allowed.

The City Manager reported the City had received complaints over the past few years concerning use of cargo containers in residential neighborhoods. He advised the primary issue was their lack of aesthetic appeal due to their industrial appearance and incompatibility with architecture of homes. He reported based on research of what other communities throughout the country had done, along with input from City staff and the Planning Commission, it was proposed to prohibit cargo containers in residential zones and allow them on agriculture properties of one acre or more provided they met certain criteria in terms of placement, color, use and quantity. He also reported City ordinances did allow for "temporary residential storage containers" to be used for up to 14 days for moving purposes, and up to six months for remodeling and construction purposes.

Kevin Despain, CED Department, further reviewed and discussed the proposed Application and Ordinance and answered questions from members of the City Council.

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The City Council discussed and expressed individual concerns regarding certain language not being clear relating to the size of containers, such as PODs (temporary storage containers) that were smaller than cargo containers. Assistant City Manager/CED Director, Nicole Cottle, advised regarding the current definition in the City Code for PODs or smaller containers, and that the proposal would add additional definition.

Upon further discussion and for purposes of clarification, the City Manager was directed to provide additional definitions in the broader context of the proposed ordinance to the City Council prior to the scheduled Regular Meeting.

Mayor Pro Tem Rushton discussed results of responses and comments he received from an e-mail survey questions regarding storage containers. He reported a majority of respondents felt strongly that some type of ordinance was needed regarding this issue.

The City Council will hold a public hearing regarding Application No. ZT-1-2013 and consider proposed Ordinance No. 13-17 at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

C. **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING THE PLANNING COMMISSION'S DENIAL OF APPLICATION NO. ZT-2-2013, FILED BY STEVE APOSHIAN (REPRESENTING FIREFLY EQUIPMENT, LLC), REQUESTING A ZONE TEXT AMENDMENT TO THE 'A' (AGRICULTURE) ZONE TO ALLOW FOR ASSEMBLY, REPAIR AND SERVICE OF TURF FARM EQUIPMENT AS A CONDITIONAL USE**

City Manager, Wayne Pyle, stated a public hearing was advertised for the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding an appeal of the Planning Commission's denial of Application No. ZT-2-2013, filed by Steve Aposhian (representing Firefly Equipment, LLC), requesting a zone text amendment to the 'A' (Agriculture) zone to allow for assembly, repair and service of turf farm equipment as a conditional use. He discussed proposed Ordinance No. 13-18 related to the Application, as follows:

ORDINANCE NO. 13-18, AMENDING SECTIONS 7-1-103, 7-6-203 AND 7-6-204, AND ENACTING SECTION 7-6-215 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ALLOW FOR ASSEMBLY, REPAIR AND SERVICE OF TURF FARMING EQUIPMENT AS A CONDITIONAL USE

City Manager, Wayne Pyle, discussed proposed Ordinance No. 13-18 which would amend Sections 7-1-103, 7-6-203 and 7-6-204, and enact Section 7-6-215

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of the West Valley City Municipal Code to allow for assembly, repair and service of turf farming equipment as a conditional use.

Mr. Pyle stated the applicant had developed a sod harvesting machine which he desired to assemble and sell out of his existing sod farm and retail greenhouse located at 6570 West 3550 South. He indicated currently the agricultural zone did not permit any manufacturing or assembly use; therefore, it had been proposed to amend the ordinance to allow for that type of facility. He reported the applicant had submitted a list of suggested regulations to accompany this use, as follows:

Assembly, repair and service to turf farm related equipment on a turf farm of 5-10 acres:

- a. Construction of a building, 25,000 square feet
- b. Assembly of one to five machines per month
- c. Hard surface access with off street parking
- d. Building to be 75-feet from existing residences
- e. Noise level not to exceed levels normally used in turf farming operations (i.e., tractors, implements, trucks, forklifts and harvesters)
- f. Storage building for turf farm equipment, parts and turf
- g. Hours of normal operation – daylight in summer, 7:00 a.m. – 7:00 p.m. winter hours
- h. Testing of turf equipment

The City Manager advised staff had reviewed the above suggestions and drafted a definition as well as a proposed ordinance fitting the structure of the ‘A’ zone, as follows:

Turf farm equipment manufacturing would be defined as a commercial business engaged in assembling, testing, storing, selling and/or repairing equipment, parts and machinery used exclusively for sod harvesting. The use would be listed under the conditional uses and the guidelines that would apply under the zoning regulations would be as follows:

- a. A minimum lot size of five acres shall be required
- b. All assembly, repair, storage and maintenance must be conducted within an enclosed structure
- c. The total area dedicated to this use within a structure or structures shall not exceed 25,000 square feet
- d. Must provide a hard surface access to the facility and hard surface parking for employees and customers
- e. All structures used for this purpose must be setback at least 75-feet from any residential zone boundary

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Mr. Pyle stated all other issues including, but not limited to, screening, landscaping, access, hours of operation, number of employees, parking, off-site improvements, and others, would be reviewed during the conditional use process.

The City Manager reported the Planning Commission had denied the Application stating the current ordinance requirements were adequate and the proposed use would not be appropriate in this zone.

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

The City Manager advised the applicant was in attendance at the meeting and could answer additional questions, if any.

The City Council will hold a public hearing regarding the appeal of the Planning Commission's denial of Application No. ZT-2-2013 and consider proposed Ordinance No. 13-18, at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

4. **RESOLUTION NO. 13-54, APPROVE THE PURCHASE OF REPLACEMENT EVIDENCE LOCKERS FOR USE BY THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-54 which would approve the purchase of replacement evidence lockers, in an amount not to exceed \$37,000.00, for use by the Police Department.

Mr. Pyle stated the proposed purchase of replacement evidence lockers would be funded from the Justice Assistance Grant (J.A.G.) through the U.S. Department of Justice. He reported the purchase from Spacesaver International would be under vendor contract MA 1943 with the State of Utah.

The City Manager explained the U.S. Department of Justice Programs granted J.A.G. funds to West Valley City Police Department that could be used to purchase equipment, fund approved programs, and pay salaries for approved programs. He indicated this would be a non-matching grant which meant the Police Department would not be required to match those funds. He also advised the application for the 2012 J.A.G. funds had been approved pursuant to Resolution No. 12-146.

He reported the evidence storage lockers would replace the current wooden lockers that had deteriorated. The new lockers were metal construction which would improve the Police Department's ability to maintain a secure chain of custody for items of evidence.

Mr. 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. 13-54 at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

5. **RESOLUTION NO. 13-55, APPROVE THE PURCHASE OF NEW TEE SIGNS FROM DELTA STONE PRODUCTS FOR THE RIDGE GOLF CLUB**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-55 which would approve the purchase of new tee signs from Delta Stone Products, in an amount not to exceed \$43,160.00, for The Ridge Golf Club (formerly West Ridge Golf Course).

Mr. Pyle stated proposals had been solicited for tee signs and directional signs for The Ridge Golf Club through the public request for proposal process. He further stated the request specified 28 signs to be constructed of smooth-faced stone with ¾-inch depth letters, colored for each tee distance, and the price should include all costs for production, delivery, and installation of the signs. He reported four proposals had been received, as follows:

Delta Stone Products:	\$43,160.00
National Golf Graphics:	\$50,292.00
James Moore Company:	\$88,300.00
Eagle One Golf:	(Not responsive to specifications; Proposal was for bronze and aluminum signs)

Kevin Astill, Parks and Recreation Director, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-55 at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

6. **RESOLUTION NO. 13-56, AWARD A CONTRACT TO KILGORE CONTRACTING FOR THE WESTRIDGE BOULEVARD CUL-DE-SAC PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-56 which would award a contract to Kilgore Contracting, in an amount not to exceed \$82,993.55, with a possible increase of up to 5% of the contract amount or \$30,000 whichever is greater, for change orders, for the Westridge Boulevard Cul-De-Sac Project.

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

Kilgore Contracting:	\$ 82,993.55
Bowen Construction:	\$ 83,611.00
Morgan Asphalt:	\$ 93,995.00
Kriser Excavating:	\$ 95,847.60
Miller Paving:	\$103,957.73
Lyndon Jones:	\$111,908.60

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Davis Construction: \$119,480.99

The City Manager reported Kilgore Contracting had submitted the lowest responsible bid.

He further advised the project would consist of construction of a cul-de-sac at the new terminus of Westridge Boulevard and would also incorporate a slurry seal and re-stripping on the existing parking lot.

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. 13-56 at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

7. **RESOLUTION NO. 13-57, APPROVE A ROAD IMPACT FEES REIMBURSEMENT AGREEMENT WITH SPERRY TRADING, LLC, FOR ROADWAY IMPROVEMENTS**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-57 which would approve a Road Impact Fees Reimbursement Agreement with Sperry Trading, LLC, in the amount of \$19,697.25, for roadway improvements.

Mr. Pyle stated Sperry Trading, LLC had installed certain qualified improvements to the City's major roadway system in exchange for future reimbursement for the successful installation, construction and completion of those improvements. He advised the qualified improvements had been completed in compliance with the West Valley City Road Impact Fee Ordinance, Section 8-4-103. He further advised Sperry had installed, constructed, financed, and completed the improvements and were due reimbursement subject to terms of the agreement.

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

The City Council will consider proposed Resolution No. 13-57 at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

8. **CONSENT AGENDA SCHEDULED FOR APRIL 16, 2013:**

A. **RESOLUTION NO. 13-58, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET AT 4155 WEST 3980 SOUTH**

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-58 which would authorize the City to grant a Perpetual Non-Exclusive Cable and Facilities Easement to UTOPIA for placement of a cabinet at 4155 West 3980 South.

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Mr. Pyle stated the proposed easement would approve placement of a cabinet on City-owned property at the above described location. He indicated UTOPIA was currently constructing its telecommunications infrastructure in the City and that construction required use of certain cabinets to connect the infrastructure.

B. RESOLUTION NO. 13-59, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET AT 4314 WEST 4100 SOUTH

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-59 which would authorize the City to grant a Perpetual Non-Exclusive Cable and Facilities Easement to UTOPIA for placement of a cabinet at 4314 West 4100 South.

Mr. Pyle stated the proposed easement would approve placement of a cabinet on City-owned property at the above described location. He indicated UTOPIA was currently constructing its telecommunications infrastructure in the City and that construction required use of certain cabinets to connect the infrastructure.

C. RESOLUTION NO. 13-60, AUTHORIZE THE CITY TO GRANT A PERPETUAL NON-EXCLUSIVE CABLE AND FACILITIES EASEMENT TO UTOPIA FOR PLACEMENT OF A CABINET AT 4087 SOUTH 3670 WEST

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-60 which would authorize the City to grant a Perpetual Non-Exclusive Cable and Facilities Easement to UTOPIA for placement of a cabinet at 4087 South 3670 West.

Mr. Pyle stated the proposed easement would approve placement of a cabinet on City-owned property at the above described location. He indicated UTOPIA was currently constructing its telecommunications infrastructure in the City and that construction required use of certain cabinets to connect the infrastructure.

D. RESOLUTION NO. 13-61, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY AGREEMENT WITH DARRIN SOLOMON AND MERRILL JENSEN FOR PROPERTY LOCATED AT 3972 SOUTH 4000 WEST, AND TO ACCEPT A WARRANTY DEED

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-61 which would authorize the City to enter into a Right-of-Way Agreement with Darrin Solomon and Merrill Jensen for property located at 3972 South 4000 West, and to accept a Warranty Deed.

Mr. Pyle stated Darrin Solomon and Merrill Jensen had signed the Right-of-Way Agreement and Warranty Deed.

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He reported the subject parcel was one of the properties affected by construction of the 4000 West Pipe Replacement Project which extended from 4100 South to 3500 South along the west side of 4000 West. He indicated as part of the project the existing drainage box beneath the sidewalk at Volta Avenue would be replaced, and the street corner would be reconstructed with an ADA compliant pedestrian access ramp. He advised the property was being acquired to provide room for the new ADA pedestrian ramp. He stated as the cost of an appraisal would likely exceed the actual value of the property, compensation had been based on a range of rates used by other entities for similar small property acquisitions.

The City Council will consider proposed Resolution Nos. 13-58 through 13-61 at the Regular Council Meeting scheduled April 16, 2013, at 6:30 P.M.

9. **COMMUNICATIONS:**

A. **FLOAT UPDATE**

Upon direction, Kevin Conde', Administration, distributed a drawing and written information regarding a proposed float design. Mr. Conde' advised the West Valley City float would be entered in the WestFest parade and the Days of '47 parade. He explained the theme "10 Years of Bridging Cultures" in recognition of the 10th anniversary of the Utah Cultural Celebration Center (UCCC) facility and the new Pioneer Crossing Park. He advised that last year the float had been funded entirely by donations and sponsors and he would attempt the same this year.

Members of the City Council discussed and made suggestions regarding the float.

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; April 10-12, 2013: ULCT Conference, St. George; April 11, 2013: Pioneer Crossing Park Open House, UCCC, 5:00 P.M. – 8:00 P.M.; April 11 & 12, 2013: "Big Fix" Mobile Spay and Neuter Clinic, Animal Shelter; April 16, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 17, 2013: Utah Sister Cities Coalition Annual Meeting, UCCC, 11:30 A.M. – 1:00 P.M.; April 18, 2013: Multi-Chamber Business Matters Luncheon, The Gathering Place at Gardner Village, 1100 West 7800 South, West Jordan, 11:00 A.M. – 11:00 P.M.; April 23, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 27, 2013: "Big Fix" Mobile Spay and Neuter Clinic, Animal Shelter; April 30, 2013: No Council Meeting Scheduled (5th 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

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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 16, 2013: ChamberWest Annual Golf Classic, Stonebridge Golf Course, 4414 Links Drive, 8:00 A.M.; May 16, 2013: Brit Floyd, Maverik Center, 8:00 P.M.; May 21, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 24, 2013: WWE Presents RAW World Tour, Maverik Center, 7:30 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, 2013: Fiesta Olmeca, UCCC, 6:00 P.M. – 10:00 P.M.; June 1-7, 2013: Filing Period for Municipal Election (During regular business hours, Mon. – Thurs., 7:00 A.M. to 6:00 P.M.); 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 13, 2013: Employee Barbecue sponsored by EAC, UCCC, 11:30 A.M. – 2:00 P.M.; June 18, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 19-21, 2013: Open House and Tours of The Ridge Golf Club; June 25, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 25-27, 2013: Open House & BBQ at The Ridge Golf Club; June 28, 2013: Grand Opening of The Ridge Golf Club; 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; September 11, 2013: Lake Park Golf Social, Stonebridge Golf Course, Breakfast at 8:00 A.M. and Golf at 9:00 A.M.; and November 5, 2013: Municipal General Election.

C. **CITY MANAGER UPDATE**

City Manager, Wayne Pyle, distributed a written report regarding the Professional Standards Review Board (PSRB) as previously requested in a letter from the City Council. He reviewed the executive summary and invited Council members to peruse the information and provide direction. He advised a presentation would not be given this night and the information was in response to the Council's prior request for information and recommendations. He also discussed background information regarding the purpose and how PSRB had been established, and he advised it had been set up and functioned similar to other cities.

The City Manager stated he would encourage suggestions from members of the City Council regarding improvements of the PSRB. He advised copies of the information would be also provided to news media.

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Upon discussion, the City Manager answered questions from members of the City Council.

10. COUNCIL REPORTS:

A. COUNCILMEMBER DON CHRISTENSEN – COG MEETING

Councilmember Christensen reported regarding the most recent Salt Lake County Council of Governments (COG) meeting and indicated all voting items had been tabled to the next scheduled meeting. He advised he had brought back written information to pass on to Mayor Winder and Councilmember Rushton. He advised all members had been concerned regarding a funding proposal for homeless services and some were unaware of the amount West Valley City already provided. He advised he would share his notes with the City Council.

B. COUNCILMEMBER STEVE VINCENT – WESTFEST COMMITTEE

Councilmember Vincent stated the WestFest Committee was looking for youth groups who would like to volunteer setting up and taking down tables and chairs for the annual event. He advised of the additional need for volunteers to bus tables in the food court.

11. MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Vincent moved to adjourn and reconvene in an Executive Session for discussion of pending litigation. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, APRIL 9, 2013, WAS ADJOURNED AT 5:34 P.M., BY MAYOR WINDER.

MINUTES OF COUNCIL STUDY MEETING – APRIL 9, 2013

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, APRIL 9, 2013, AT 5:41 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 PRO TEM RUSHTON.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Mike Winder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Anita Schwemmer, Acting Police Chief
Larry Marx, Assistant Police Chief

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF APRIL 9, 2013, WAS ADJOURNED AT 6:23 P.M., BY MAYOR PRO TEM RUSHTON.

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, April 9, 2013.

Sheri McKendrick, MMC
City Recorder