

MINUTES OF COUNCIL STUDY MEETING – NOVEMBER 4, 2014

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, NOVEMBER 4, 2014, 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large (Arrived as noted)
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4 (Arrived as noted)

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Steve Buhler, Councilmember District 2

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Layne Morris, CPD Director
John Evans, Fire Chief
Russell Willardson, Public Works Director
Lee Russo, Police Chief
Sam Johnson, Strategic Communications Director
Jason Ereksen, Acting Parks and Recreation Director
Steve Pastorik, CED Department
Brandon Hill, Law Department
Erik Brondum, Public Works Department
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 21, 2014**
The Council read and considered Minutes of the Study Meeting held October 21, 2014. There were no changes, corrections or deletions.

After discussion, Councilmember Lang moved to approve the Minutes of the Study Meeting held October 21, 2014, as written. Councilmember Nordfelt seconded the motion.

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A roll call vote was taken:

Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

Councilmember Vincent and Councilmember Rushton arrived at the meeting at 4:31 P.M.

2. REVIEW AGENDAS FOR COUNCIL REGULAR, REDEVELOPMENT AGENCY AND HOUSING AUTHORITY MEETINGS SCHEDULED NOVEMBER 4, 2014

Mayor Bigelow informed no new items had been added to the Agendas for the Council Regular Meeting, the Redevelopment Agency and Housing Authority Meetings scheduled later this night. Upon inquiry, there were no further questions regarding items scheduled on the subject Agendas.

3. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED NOVEMBER 18, 2014:

A. EMPLOYEE OF THE MONTH, NOVEMBER 2014 – TYSON EMMETT, IT DIVISION/ADMINISTRATION

Mayor Bigelow inquired if a Councilmember desired to read the nomination of Tyson Emmett, IT Division/Administration, to receive the Employee of the Month award for November 2014, at the Regular Council Meeting scheduled November 18, 2014, at 6:30 P.M. Councilmember Huynh advised he would read the nomination.

B. PROCLAMATION DECLARING NOVEMBER 29, 2014, AS SMALL BUSINESS SATURDAY IN WEST VALLEY CITY

Mayor Bigelow inquired if a Councilmember desired to read a Proclamation declaring November 29, 2014, as Small Business Saturday in West Valley City, at the Regular Council Meeting scheduled November 4, 2014, at 6:30 P.M. Councilmember Lang informed she would read the Proclamation.

4. PUBLIC HEARINGS SCHEDULED NOVEMBER 18, 2014:

A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-5-2014, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO ESTABLISH SEPARATION REQUIREMENTS FOR CAR TITLE LOAN BUSINESSES

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled November 18, 2014, in order for the City Council to

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hear and consider public comments regarding Application No. ZT-5-2014, filed by West Valley City, requesting a zone text amendment to establish separation requirements for car title loan businesses.

Proposed Ordinance No. 14-41 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ORDINANCE NO. 14-41 ENACTING SECTION 7-2-133 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ESTABLISH SEPARATION REQUIREMENTS FOR CAR TITLE LOAN BUSINESSES

Steve Pastorik, CED Department, discussed proposed Ordinance No. 14-41 that would enact Section 7-2-133 of the West Valley City Municipal Code to establish separation requirements for car title loan businesses.

He stated that as requested by the Planning Commission it was proposed a zoning ordinance amendment be considered to establish separation requirements for Car Title Loan Businesses, as Section 7-2-133. Car Title Loans were defined as taking possession of an automobile title in exchange for consideration or extension of a loan. This definition did not include a federal or state chartered bank or credit union. In the past couple of years the number of these types of businesses had essentially doubled.

It had been shown in studies nationwide that alternative financial businesses where money was easily acquired with limited credit checks such as payday lending, check cashing, and car title loans, had adverse secondary effects on surrounding neighborhoods. The purpose of these regulations was to minimize the negative impacts of car title loan businesses on surrounding residential and commercial areas.

The City had already passed regulations for check cashing, payday lending businesses and pawnshops. Several municipalities across the country had also passed regulations regarding the location and separation of these types of businesses.

Included in the information provided to the City Council were three maps showing where car title loan businesses currently were allowed, areas eliminated based on the proposed regulations, and where car title loan businesses would ultimately be allowed.

Mr. Pastorik further reviewed and discussed the Application and proposed Ordinance, explained maps included in the Council's packet of written information, and answered questions.

Upon inquiry, Brandon Hill, Law Department, discussed research conducted by

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City staff regarding alternative financial institutions and stated the ordinance to be considered addressed current trends.

Councilmember Lang requested information regarding setback/distance requirements and cap, if any, for check cashing, payday lending and car title businesses for comparison purposes.

The Council will hold a public hearing regarding Application No. ZT-5-2014 and consider proposed Ordinance No. 14-41 at the Regular Council Meeting scheduled November 28, 2014, at 6:30 P.M.

5. **RESOLUTION NO. 14-185, APPROVE FEDERAL AID AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL IMPROVEMENTS AT 4100 SOUTH 1300 WEST, 4100 SOUTH 2700 WEST, AND 4100 SOUTH 4000 WEST**

Erik Brondum, Public Works Department, discussed proposed Resolution No. 14-185 that would approve a Federal Aid Agreement with the Utah Department of Transportation (UDOT) for traffic signal improvements at 4100 South 1300 West, 4100 South 2700 West, and 4100 South 4000 West.

He stated UDOT had allocated \$1,500,000 for traffic signal improvements at the intersections at the above stated locations from the Federal Highway Safety Improvement Program (FHSIP). The project would reconstruct the signal systems at the intersections as well as improve pedestrian ramps to meet ADA (Americans with Disabilities Act) requirements. The new signal systems would include improved vehicle detection that would provide dilemma zone detection and make it easier to add a future adaptive signal control system in the network to improve east/west traffic flow. Left turn phasing would also be added to improve safety for left turning vehicles.

Background information included that in 2012, UDOT staff from the Traffic and Safety Division identified the project intersections as crash hot spots and approached City staff to participate in a road safety audit. The results of the audit recommended the traffic signals should be reconstructed to meet current safety standards and the pedestrian ramps should also be reconstructed to meet ADA standards. However, a funding source for the recommended improvements was not identified at that time.

In July of 2014, City staff became aware that UDOT had allocated funds for this project after reviewing a list of planned UDOT projects in West Valley City. The City funds for this project would be the City's portion of the match required on all federal aid projects. Taylorsville City would be responsible for the match of 50% regarding the 1300 West intersection and 15% of the 2700 West intersection.

Mr. Brondum 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. 14-185 at the Regular Council Meeting scheduled November 18, 2014, at 6:30 P.M.

6. RESOLUTION NO. 14-186, APPROVE A FRANCHISE AGREEMENT WITH TELEPORT COMMUNICATIONS AMERICA, LLC, FOR A TELECOMMUNICATIONS NETWORK IN THE CITY

Eric Bunderson, City Attorney, discussed proposed Resolution No. 14-186 that would approve a Franchise Agreement with Teleport Communications America, LLC, for a telecommunications network in the City.

He stated the proposed agreement would allow Teleport Communications America to establish a telecommunications network in, under, along, over and across present and future rights-of-way of the City.

Information provided indicated applications for telecommunications networks in West Valley City were governed by Chapter 20-5 of the City Code. The franchise granted by the subject agreement would be for a ten-year period with the option to renew for an additional ten years with the same terms and conditions. Chapter 20-6 of the City Code would permit the City to require all telecommunications providers to collect taxes from their customers and deposit them with the Utah State Tax Commission. The subject agreement memorialized this provision as well as acknowledging Teleport Communications America's duty to secure permits from the Public Works Department for any excavation or construction.

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

The City Council will consider proposed Resolution No. 14-186 at the Regular Council Meeting scheduled November 18, 2014, at 6:30 P.M.

7. COMMUNICATIONS:

A. WEST VALLEY FIBER NETWORK UPDATE

City Manager, Wayne Pyle, advised regarding conversations that were on-going with Macquarie, both internally and with other cities. He advised Council members to feel free to call him with any questions.

Mayor Bigelow suggested a statement be posted on the City's website to let residents know that ballot question/survey had not been sent out.

B. COUNCIL UPDATE

Mayor Bigelow referenced a Memorandum from the City Manager which outlined upcoming meetings and events as follows:

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October 27 – November 6, 2014	Day of the Dead Altar Exhibition, UCCC
October 31, 2014	Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.
November 1, 2014	Day of the Dead Celebration, UCCC, 6:00 P.M.–8:00 P.M.
November 1, 2014	Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.
November 4, 2014	General Election, Polls Open 7:00 A.M. – 8:00 P.M.
November 4, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
November 5, 2014	Employee Gratitude Breakfast hosted by EAC, Multi-purpose Room at City Hall, 7:00 A.M. – 8:30 A.M. (No cost to employees)
November 5, 2014	Community Meeting with Mayor Bigelow, Location TBD, 7:00 P.M. – 8:30 P.M.
November 11, 2014	Veteran’s Day Holiday – City Hall closed
November 11, 2014	Free Admission for Veterans, Family Fitness Center
November 11, 2014	Veterans Day Event, Carl Sandburg Elementary, 3900 South 5325 West, 8:30 A.M. – 9:30 A.M.
November 11, 2014	Annual Veterans Day Celebration, American Preparatory Academy, 1255 W. Crystal Avenue (2590 South), 8:45 A.M. – 9:45 A.M.
November 11, 2014	Annual Veterans Day Celebration, American Preparatory Academy, 3636 West 3100 South, 12:15 P.M. – 1:15 P.M.
November 11, 2014	Veteran’s Day Event, City Hall, 6:00 P.M. – 7:00 P.M.

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November 11, 2014	Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.
November 12, 2014	The Black Keys – Turn Blue World Tour, Maverik Center, 8:00 P.M.
November 14, 2014	Member Appreciation Activity – Movie Night, Fitness Center, 7:00 P.M.
November 14, 2014	Utah Grizzlies vs. Ontario Reign, Maverik Center, 7:05 P.M.
November 15, 2014	Utah Grizzlies vs. Ontario Reign, Maverik Center, 7:05 P.M.
November 17, 2014	Public Meeting re: 4700 South Project hosted by SL County & Lochner Engineering, Kearns Senior Center, 4851 West 4700 South, 5:00 P.M. – 7:00 P.M.
November 17, 2014	Utah Grizzlies vs. Ontario Reign, Maverik Center, 7:05 P.M.
November 18, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
November 18, 2014	Judas Priest – Redeemer of Souls Tour 2014, Maverik Center, 7:30 P.M.
November 19, 2014	WVC Watch Wednesday, City Hall, 6:30 P.M. – 8:00 P.M.
November 19, 2014	Community Meeting with Chief Russo, UCCC, 7:00 P.M.
November 19-22, 2014	NLC Conference, Austin, Texas
November 25, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
November 22, 2014	Turkey Trot 5K, Fitness Center, 8:00 A.M.
November 27, 2014	Thanksgiving Holiday – City Hall closed
December 1, 2014	Annual Christmas Tree Lighting and Walk with Santa, Fitness Center, 6:00 P.M.

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December 1, 2014

Utah Grizzlies vs. Idaho Steelheads,
Maverik Center, 7:05 P.M.

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December 2, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
December 3, 2014	Blood Drive, City Hall, 8:30 A.M. – 12:30 P.M.
December 5 & 6, 2014	World Championship Ice Racing, Maverik Center, Time TBA
December 6, 2014	Breakfast with Santa, Fitness Center, 9:00 A.M.
December 9, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
December 10, 2014	Stories & S'mories, Plaza at Fairbourne Station, 6:00 P.M.
December 10, 2014	Utah Grizzlies vs. Alaska Aces, Maverik Center, 7:05 P.M.
December 11, 2014	International Christmas Celebration 2014 – Sponsored by Latino Community Center, UCCC, 5:00 P.M. – 9:00 P.M.
December 13, 2014	Breakfast with Santa, Fitness Center, 9:00 A.M.
December 16, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
December 17, 2014	Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.
December 19, 2014	So You Think You Can Dance Live, Maverik Center, 8:00 P.M.
December 24 & 25, 2014	Christmas Holiday – City Hall closed
December 27, 2014	Utah Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.
December 29, 2014	Utah Grizzlies vs. Idaho Steelheads, Maverik Center, 7:05 P.M.
January 1, 2015	New Year's Day Holiday – City Hall closed

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C. **CITY MANAGER, SKATE PARK**

City Manager, Wayne Pyle, requested direction from the City Council regarding a skatepark and offered an apology if he had misinterpreted or if there had been a miscommunication regarding this matter. He shared a one-page information sheet and discussed two options regarding certain property at Centennial Park with the City Council: Option 1: sell and Option 2: keep/use for detention. He indicated staff recognized there were pros and cons of each option.

The City Council discussed the options presented including the costs, needs and goals related to each, and discussed individual preferences as follows:

Councilmember Vincent suggested funds from the fund balance reserve could be used, as a skatepark seemed to be something the community desired and had requested for a long time.

Councilmember Rushton advised he would be in favor of Option 2, with some scaling back and phasing in of improvements. He expressed the need to look toward the future and unforeseen use for the Centennial Park campus, and he indicated open space should be preserved.

Councilmember Lang expressed concurrence with Option 2 and stated it would be much smarter in the long run. She also indicated the need to keep the City's identity with the park and not subdivide and have different uses. She urged preservation of park space for the future.

Councilmember Nordfelt stated he believed Option 1 would be the best choice and discussed reasons. He also indicated this would be the best way to fund a skatepark.

Councilmember Huynh indicated Option 2 would be his preference and discussed reasons.

Mayor Bigelow advised he would favor Option 2, but had concerns with spending the fund balance for this project over others that might have a different or higher priority.

During the above comments and discussion, the City Manager answered questions from members of the City Council.

8. **COUNCIL REPORTS**

A. **COUNCILMEMBER LARS NORDFELT – SUMMER PRODUCTION AT UCCC AMPHITHEATER**

Councilmember Nordfelt discussed the summer production usually held at the Utah Cultural Celebration Center (UCCC) amphitheater, but not this year.

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Councilmember Vincent, a member of the Arts Council, indicated a production had not been staged this year because no one submitted a bid. He also questioned if the liability insurance requirement was an issue. He suggested the City could possibly assume more of the liability.

Councilmember Vincent stated the Arts Council had been in on-going discussions regarding this issue. He explained one issue being the difficulty of the City's request for proposal process for someone such as a neighborhood group who might desire to put on a production. He suggested the possibility of working with the Law Department to simplify the process as some other cities had done.

Councilmember Vincent also advised of being behind schedule if a stage production was desired next summer.

Mayor Bigelow discussed the role of the UCCC in these matters and stated all groups should be treated fairly and equally. He also discussed how much the City should contribute in funding of these types of events and how much should be charged to patrons.

Councilmember Vincent discussed background information regarding the request for proposal process, including responses received. He also discussed funding of the Arts Council received from the Cultural Arts Board (CAB), ticket sales, revenues, advertising and other matters. He advised a production was something the community needed and wanted and details were still being figured out.

Mayor Bigelow stated the UCCC was a great facility; but he had questions regarding what it cost for the City to provide that facility.

B. COUNCILMEMBER COREY RUSHTON – COG GENERAL ASSEMBLY MEETING

Councilmember Rushton discussed an invitation extended to the Mayor and Council members to attend the Salt Lake County Council of Governments (COG) general assembly meeting.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, NOVEMBER 4, 2014, WAS ADJOURNED AT 5:38 P.M., BY MAYOR BIGELOW.

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, November 4, 2014.

Sheri McKendrick, MMC
City Recorder