

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 18, 2009

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THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, AUGUST 18, 2009, 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 BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman (Arrived as noted)  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Nicole Cottle, CED Director  
Russell Willardson, Public Works Director  
Jim Welch, Finance Director  
Richard Catten, City Attorney  
Anita Schwemmer, Acting Police Chief  
Chris Curtis, Acting Community Preservation Director  
Zenda Rogers, Parks and Recreation Department  
Brent Garlick, CED Department  
Mark Nord, CED Department  
Frank Lilly, CED Department  
Hannah Theil, CED Department  
Aaron Crim, Administration  
Erik Brondum, Public Works Department  
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD AUGUST 4, 2009**

The Council read and considered the Minutes of the Study Meeting held August 4, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held August 4, 2009, as written. Councilmember Burt seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

**2. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED AUGUST 18, 2009**

City Manager, Wayne Pyle, stated no new items have been added to the Agenda for the Regular Meeting scheduled August 18, 2009. He reminded that items had been discussed briefly during the previous Study Meeting due to time constraints. Mr. Pyle answered questions and discussed items scheduled on the subject Agenda, and on the Redevelopment Agency Agenda, as follows:

**Item No. 8.C. - RESOLUTION NO. 09-283, AWARD CONTRACT TO INTERMOUNTAIN AQUATECH POOL & SPA FOR THE REPLACEMENT OF DRAINS AND SUMPS IN THE POOLS AT THE WEST VALLEY CITY FAMILY FITNESS CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-283 which would award a contract to Intermountain Aquatech Pool & Spa, in the amount of \$46,560.00, for the replacement of drains and sumps in the pools at the West Valley City Family Fitness Center.

City Manager, Wayne Pyle, stated he would recommend the Council consider continuing this matter to the Regular Meeting scheduled August 25, 2009, in order to allow additional time to finalize terms of the contract.

The City Council will consider proposed Resolution No. 09-283 at the Regular Council Meeting scheduled August 18, 2009, at 6:30 P.M.

**Item No. 9.A. - PUBLIC HEARING, APPLICATION NO. ZT-3-2009, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO THE OFF-STREET PARKING ORDINANCE (SURFACING)**

City Manager, Wayne Pyle, stated a public hearing had been advertised and held at the Regular Council Meeting on July 28, 2009, at 6:30 P.M. The City Council heard and considered public comments regarding Application No. ZT-3-2009, filed by West Valley City, requesting a zone text amendment to the Off-Street Parking Ordinance (Surfacing).

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He discussed proposed Ordinance No. 09-25 which would amend Section 7-9-115 of Title 7 of the West Valley City Municipal Code regarding hard surfacing requirements and informed a re-drafted ordinance with amended language had been distributed to members of the City Council, pursuant to the Council's motion on July 28, 2009.

Frank Lilly, CED Department, discussed new language requiring gravel to be four inches deep and citizen comments that it would be difficult to drive through. He also informed he had discussed this issue with several local landscapers and their opinions were four inches would not cause a problem if the gravel were compacted into the soil. Mr. Lilly also answered questions from the City Manager and members of the City Council.

Upon discussion, members of the City Council commented regarding their thoughts and opinions about certain language in the proposed ordinance.

Nicole Cottle, CED Director, clarified that the City Council would consider amending the ordinance currently in place regarding hard surfaces; she also clarified some language in question.

Upon further discussion, City Council members commented and expressed a consensus regarding language clarifications thereupon City Manager, Wayne Pyle, directed staff to make those changes to the document prior to the Council meeting scheduled this night.

The City Council will consider and proposed Ordinance No. 09-25 at the Regular Council Meeting scheduled August 18, 2009, at 6:30 P.M.

### **Redevelopment Agency Special Regular Meeting Agenda – RESOLUTION NO. 09-18, DESIGNATE AN URBAN RENEWAL SURVEY AREA KNOWN AS THE “GRANGER CROSSINGS URBAN RENEWAL SURVEY AREA” AND AUTHORIZE A STUDY OF SAID SURVEY AREA TO DETERMINE WHETHER ONE OR MORE URBAN RENEWAL PROJECTS WITHIN THE SURVEY AREA ARE FEASIBLE AND WHETHER BLIGHT EXISTS WITHIN THE SURVEY AREA**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-18 which would designate an urban renewal survey area known as the “Granger Crossings Urban Renewal Survey Area,” and authorize a study of said survey area to determine whether one or more urban renewal projects within the survey area would be feasible and whether blight exists within the survey area.

Mr. Pyle stated creation of the survey area would be the first step in the process of establishing a redevelopment project area. He indicated that through the survey process the Agency would 1) attempt to determine the extent to which physical and economic blight may exist, and 2) attempt to determine the feasibility of development projects within the area designated on the map distributed to the City Council in the informational packets.

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The City Manager indicated the proposed survey area was one of the major entrances to the City and the heart of the downtown. He stated the area was currently in a state of decline as exhibited by poor property maintenance, falling commercial activity, and negative perceptions forming regarding the area as an undesirable downtown gateway. He explained it was anticipated a concerted redevelopment effort would reverse the negative trends and serve as a catalyst for the subsequent revitalization of both commercial and residential uses in the area. He stated participation of the Agency might be needed to assemble parcels for redevelopment, provide infrastructure improvements or provide incentives to existing property owners who would like to revitalize their respective properties.

Upon direction of the City Manager, Mark Nord, CED Department, used PowerPoint and discussed information summarized as follows:

- Map of proposed blight study area
- Overview of process in creating RDA area
- Negotiations with certain property owners

During the above discussion and presentation of information, Mr. Nord answered questions and received input from members of the City Council.

After further discussion, the City Council expressed a consensus to redraw the map and thereupon the City Manager directed staff to prepare a new map to be distributed prior to the Redevelopment Agency Meeting scheduled this night.

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

### 3. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED AUGUST 25, 2009:**

#### A. **EMPLOYEE OF THE MONTH, AUGUST 2009 – BONNIE HARWARD, JUSTICE COURT**

City Manager, Wayne Pyle, stated Mayor Nordfelt would read the nomination of Bonnie Harward, Justice Court, to receive the Employee of the Month Award for August 2009, at the Regular Council Meeting scheduled August 25, 2009, at 6:30 P.M.

### 4. **RESOLUTION NO. 09-284, INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR REBUILD OF THE TRAFFIC SIGNAL AT 3650 SOUTH 2700 WEST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-284 which would approve an Interlocal Cooperation Agreement with Salt Lake County, in the amount of \$150,000.00, for rebuild of the traffic signal at 3650 South 2700 West.

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Mr. Pyle stated Salt Lake County currently constructed new signals and signal upgrades on the City's traffic signals. He advised the City's experience with the County had been good. He further advised the existing traffic signal needed to be reconstructed because of changes to the roadway due to LRT (light rail transit) construction as well as changing traffic patterns. He stated this project would allow for left turn phasing to be installed on all approaches as well as provide more responsive vehicle detection.

Erik Brondum, Public Works Department, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-284 at the Regular Council Meeting scheduled August 25, 2009, at 6:30 P.M.

5. **RESOLUTION NO. 09-285, DESIGNATE AND APPOINT POLL WORKERS TO SERVE IN THE MUNICIPAL PRIMARY ELECTION, SEPTEMBER 15, 2009, AND THE MUNICIPAL GENERAL ELECTION, NOVEMBER 3, 2009; SET COMPENSATION FOR THEIR SERVICES AND PROVIDE FOR OTHER RELATED MATTERS**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-285 which would designate and appoint poll workers to serve in the Municipal Primary Election, September 15, 2009, and the Municipal General Election, November 3, 2009; and set compensation for their services and provide for other related matters.

Mr. Pyle stated Section 20A-5-602 of the Utah State Code sets forth the procedure for appointing poll workers, designating their compensation, and setting forth their duties. He referenced a list distributed to the Council containing the name, address and telephone number of persons to be named as poll workers for the 2009 Municipal Primary Election to be held September 15, 2009, and the Municipal General Election to be held November 3, 2009.

The City Manager advised the receiving clerk and poll book clerk would receive \$110.00 and the poll managers and technicians would receive \$220.00 for attending required training and actually serving on election days. He advised the cost of poll worker services had been built into the City's contract with Salt Lake County Elections. He also advised a certificate of appointment would be issued and an oath administered to each appointed poll worker and alternate.

City Recorder, Sheri McKendrick, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-285 at the Regular Council Meeting scheduled August 25, 2009, at 6:30 P.M.

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Councilmember Coleman arrived at the meeting at 5:19 P.M.

**6. UNFINISHED BUSINESS SCHEDULED FOR AUGUST 25, 2009:**

- A. APPEAL, APPLICATION NO. GPZ-1-2009, FILED BY DAN NORTHRUP AND KELLY JENSEN, REQUESTING TO AMEND THE WEST VALLEY CITY GENERAL PLAN FROM RESIDENTIAL OFFICE TO NEIGHBORHOOD COMMERCIAL AND TO AMEND THE ZONING MAP FROM ‘RB’ (RESIDENTIAL BUSINESS) ZONE TO ‘C-1’ (NEIGHBORHOOD COMMERCIAL) ZONE, FOR PROPERTY LOCATED AT APPROXIMATELY 5221 WEST 3500 SOUTH (*PUBLIC HEARING HELD AND CLOSED; AND ACTION POSTPONED AT REGULAR MEETING OF JUNE 23, 2009, PENDING DEVELOPMENT AGREEMENT*)**

City Manager, Wayne Pyle, stated an appeal had been received regarding the Planning Commission’s denial of Application No. GPZ-1-2009, filed by Dan Northrup and Kelly Jensen, requesting to amend the West Valley City General Plan from Residential Office to Neighborhood Commercial and to amend the Zoning Map from ‘RB’ (Residential Business) zone to ‘C-1’ (Neighborhood Commercial) zone, for property located at approximately 5221 West 3500 South.

City Manager, Wayne Pyle, advised a letter from the applicants had been distributed to the Council stating why they believed the application should be approved. He stated re-zoning the property would grant the applicants more tenant options for possible leases.

Mr. Pyle stated, generally speaking, the ‘RB’ zone was geared toward residential and non-retail commercial with banking type hours. He indicated the ‘C-1’ zone prohibited residential use and allowed retail commercial where hours could extend beyond banking hours.

The City Manager explained the Planning Commission considered and denied the project application on May 13, 2009, and the applicants were now appealing that decision.

He reminded that a public hearing regarding the Application had been advertised, held, and then closed; and action regarding proposed Ordinance Nos. 09-20 and 09-21 was postponed pending a development agreement by motion of the City Council at the Regular Council Meeting held June 23, 2009,.

He discussed each issue proposed for action regarding Application No. GPZ-1-2009 as follows:

**ORDINANCE NO. 09-20, AMEND GENERAL PLAN TO SHOW CHANGE OF LAND USE FROM RESIDENTIAL OFFICE LAND USES TO NEIGHBORHOOD COMMERCIAL LAND USES FOR PROPERTY LOCATED AT APPROXIMATELY 5221 WEST 3500 SOUTH**

City Manager, Wayne Pyle, reviewed proposed Ordinance No. 09-20 which would amend the General Plan to show a change of land use from Residential Office to Neighborhood Commercial land uses for property located at approximately 5221 West 3500 South.

**ORDINANCE NO. 09-21, AMEND ZONING MAP TO SHOW CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 5221 WEST 3500 SOUTH FROM ZONE 'RB' (RESIDENTIAL BUSINESS) TO 'C-1' (NEIGHBORHOOD COMMERCIAL) ZONE**

City Manager, Wayne Pyle, reviewed proposed Ordinance No. 09-21 which would amend the Zoning Map to show a change of zone for property located at approximately 5221 West 3500 South from zone 'RB' (Residential Business) to 'C-1' (Neighborhood Commercial) zone.

**RESOLUTION NO. 09-286, AUTHORIZE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH DAN NORTHRUP AND JOHN K. JENSEN FOR APPROXIMATELY 0.66 ACRES OF REAL PROPERTY LOCATED AT 5221 WEST 3500 SOUTH**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-286 which would authorize the City to enter into a Development Agreement with Dan Northrup and John K. Jensen for approximately 0.66 acres of real property located at 5221 West 3500 South.

Mr. Pyle stated the proposed development agreement would establish restrictions on use of an existing building at the subject location. He also stated that on June 23, 2009, the Council had held a public hearing and continued a matter of appeal of the Planning Commission's denial of Application No. GPZ-1-2009. He reminded the decision to continue the matter to allow time for City staff to work with the applicants and the concerned resident that attended the Council hearing on restrictions that could be imposed on the property through a development agreement. He indicated the purpose of the restrictions would be to prevent conflicts between future tenants in the building and neighboring residents.

The City Manager also advised the proposed agreement limited the allowable uses for the property to those listed in Exhibit B of the Development Agreement and restricted the business hours.

Upon invitation by Mayor Nordfelt, Dan Northrup, applicant, made comments and answered questions from members of the City Council. Mr. Northrup advised

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of his concurrence with the proposed changes. He also answered questions from members of the City Council regarding progress and the timeline of installation of landscaping.

The City Council will consider proposed Ordinance Nos. 09-20 and 09-21, and proposed Resolution No. 09-286 at the Regular Council Meeting scheduled August 25, 2009, at 6:30 P.M.

### 7. **COMMUNICATIONS:**

#### A. **HARMAN HOME UPDATE**

Upon direction the City Manager, Kevin Astill, Parks and Recreation Director, provided information and updated the City Council regarding the Harman Home senior recreation facility.

Mr. Astill remarked there were many things going on at the Harman Home and praised Zenda Rogers, Director, for her efforts in making it the “flagship” senior center in Salt Lake County.

Zenda Rogers discussed needs of seniors, especially socializing with other people. She also discussed baby boomers becoming seniors and stated they desired to be very active, go on excursions and participate in activities with other seniors. She stated the activity calendar for September had been distributed this date and three of the bus trips were already full.

Ms. Rogers presented a video regarding “Camp Wrinkle” which was an annual themed activity really enjoyed by the seniors. She expressed great appreciation for support from the City Council, administration and other City departments. She distributed copies of the current activities calendar to members of the City Council.

The City Council expressed appreciation to Ms. Rogers for the update, video presentation, and for the outstanding job being accomplished at the Harman Home.

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

City Manager, Wayne Pyle, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: August 20, 2009: Latino Seminar – How to Obtain a West Valley City Business License, UCCC, 6:30 P.M.; August 24, 2009: Animal Shelter Grand Opening, 10:00 A.M.; August 25, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting 6:30 P.M.; August 25, 2009: Depeche Mode, E-Center; August 26, 2009: Dedication of Terrace Ridge Park, 6260 W. Terrace Ridge Drive (4365 S.), 6:30 P.M.; August 27, 2009: West Valley City Neighborhood Nights: National Night Out Family Safety Fair, Family Fitness Center, 5:30 P.M. – 7:30 P.M.; August 29, 2009: “Dog Days of Summer,” Family Fitness Center, 2:00 P.M. – 5:00 P.M.;



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September 1, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 1-11, 2009: Early Voting for Municipal Primary Election; September 2, 2009: Meet the Candidates Night for Municipal Primary Election, UCCC, 7:00 P.M.; September 7, 2009: Labor Day Holiday – City Hall closed; September 8, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 9-11, 2009: ULCT Annual Convention, Sheraton City Center, 150 West 500 South; September 14, 2009: 2009 Crime Prevention Seminar, Topic: National Preparedness Month (CERT), Family Fitness Center, 6:30 P.M. – 7:30 P.M.; September 15, 2009: Municipal Primary Election; September 15, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 17, 2009: ChamberWest 2009 Community Awards Gala, SLCC Oak Room, 6:30 P.M.; September 22, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 24, 2009: Latino Seminar – Fire Prevention, UCCC, 6:30 P.M.; September 26, 2009: The Killers, E-Center; September 18, 2009: Pearl Jam, E-Center; September 30, 2009: Lake Park Owners Golf Social, Stonebridge Golf Course, 8:00 A.M. – 1:00 P.M.; October 2, 2009: Creed, E-Center; October 6, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 13, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 19, 2009: 2009 Crime Prevention Seminar, Topic: National Domestic Violence Awareness Month, Family Fitness Center, 6:30 P.M. – 7:30 P.M.; October 20, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 20-30, 2009: Early Voting for Municipal General Election; October 22, 2009: Latino Seminar – Domestic Violence Awareness, UCCC, 6:30 P.M.; October 22, 2009: Meet the Candidates Night for Municipal General Election, UCCC, 7:00 P.M.; October 27, 2009: Council Study Meeting, 4:30 P.M., November 3, 2009: Municipal General Election; November 7, 2009: So You Think You Can Dance Tour, E-Center; and November 9, 2009: 2009 Crime Prevention Seminar, Topic: Gang Awareness, Family Fitness Center, 6:30 P.M. – 7:30 P.M.

Assistant City Manager, Paul Isaac, briefly discussed upcoming events and exhibits scheduled at the UCCC.

### 8. **COUNCIL REPORTS:**

#### A. **COUNCILMEMBER RUSS BROOKS – DISCUSSION OF CITIZEN COMMENT REGARDING REQUIRED AGREEMENT AT GOLF COURSE**

Councilmember Brooks reminded of the citizen who spoke recently at a Council Meeting regarding an agreement patrons were required to sign in order to use golf carts. He inquired if that was a requirement at both of the City's golf courses. In response, City Manager, Wayne Pyle, stated the agreement was used at both West Ridge and Stonebridge Golf Course.

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City Attorney, Richard Catten, answered questions from members of the City Council regarding legal issues and stated some language in the agreement could be amended for clarification.

**B. COUNCILMEMBER MIKE WINDER – ZIONS BANK DINNER INVITATION**

Councilmember Winder discussed a voice mail message from a representative of Zions Bank inviting the City Council to attend a dinner scheduled September 1, 2009. He advised he had declined the invitation as a Council Meeting was scheduled for that same time.

**C. MAYOR DENNIS NORDFELT – FLOAT TRIP ON JORDAN RIVER**

Mayor Nordfelt discussed a float trip on the Jordan River the previous summer and he stated one of the organizers had offered to arrange another trip this summer for the City Council and staff. He stated the route for this summer would be the portion of the River running through West Valley City. Upon inquiry by Mayor Nordfelt, most members of the City Council indicated a desire to participate in the activity. Mayor Nordfelt stated he would make the appropriate arrangements and advised regarding the details.

**THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, AUGUST 18, 2009, WAS ADJOURNED AT 5:56 P.M., BY MAYOR NORDFELT.**

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, August 18, 2009.

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Sheri McKendrick, MMC  
City Recorder