

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-1-**

THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MARCH 17, 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  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT:

Joel Coleman  
Corey Rushton  
Steve Vincent

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
John Evans, Fire Chief  
Richard Catten, City Attorney  
Russell Willardson, Public Works Director  
Jim Welch, Finance Director  
Kelly Davis, Acting Community Preservation Director  
Tom McLachlan, Acting Police Chief  
Mike Richards, Acting Parks and Recreation Director  
John Janson, Acting CED Director  
Nicole Cottle, Law Department  
Brent Garlick, CED Department  
Hannah Thiel, CED Department  
Dean Williams, Fire Department  
Carl Andrus, Fire Department  
Ross Olsen, Administration  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

-2-

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD MARCH 3, 2009**

The Council read and considered the Minutes of the Study Meeting held March 3, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held March 3, 2009, as written. Councilmember Winder seconded the motion.

A roll call vote was taken:

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

Unanimous.

2. **LEGISLATIVE UPDATE**

Nicole Cottle, Law Department, discussed “wrap up” issues regarding the Legislative session ending the previous week. Ms. Cottle distributed a written update and discussed the status and/or action taken on bills of interest to West Valley City. She also discussed alcohol amendments, budget matters, transportation funding, and elections. Ms. Cottle answered questions from members of the City Council. She informed some changes to laws at the Legislature would cause changes to be made to many City ordinances in the near future.

3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MARCH 17, 2009**

City Manager, Wayne Pyle, stated several new items had been added to the Agenda for the Regular Meeting scheduled March 17, 2009, at 6:30 P.M., and he discussed those items and others, as follows:

**Item No. 8.I. – RESOLUTION NO. 09-110, APPROVE REAL ESTATE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY, GRANITE SCHOOL DISTRICT, AND HEIRS OF THE WOODBURY FAMILY TO PROVIDE FOR THE SALE OF GRANGER PARK TO THE SCHOOL DISTRICT TO USE IN THE CONSTRUCTION OF A NEW HIGH SCHOOL**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-110 which would approve a Real Estate Purchase and Sale Agreement between the City, Granite School District, and heirs of the Woodbury Family, to provide for the sale of Granger Park to the School District to use in the construction of a new high school.

Mr. Pyle stated that through the subject agreement the City would sell the Granger Park property to Granite School District for the sum of \$1,353,300.00. He also stated the

## MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009

-3-

agreement provided payment to the City would be negotiated during the planning and construction of the new school and could consist of cash, or new park land and improvements acceptable to the City in lieu of cash, or a combination of cash, land and/or improvements or city/school shared improvements. He indicated the agreement also provided for the District to compensate the Woodbury Family for their legal interests in the property.

The City Manager reported the subject resolution was a replacement for Resolution No. 08-308 approved by the Council on December 16, 2008. He indicated the revised agreement changed the purchase price from \$1.6 million to \$1,353,300.00, which change had been necessary to accurately reflect a reduction in the size of the property due to sale of a portion of the property to the Utah Department of Transportation (UDOT) for widening of 3500 South. He stated completion of the transaction would facilitate construction of a new Granger High School by Granite School District.

Mr. Pyle stated this matter had been continued from the Regular Meeting held February 17, 2009, and he distributed and discussed a draft of the final agreement. He also answered questions from members of the City Council.

The Council discussed a map of potential replacement park sites.

Councilmember Winder indicated he had been absent from the previous Study Meeting and desired Mayor Nordfelt to provide a summary of the comments made by Granite School District representatives who were present at the Study Meeting last week. Mayor Nordfelt summarized, as requested, and also reported regarding issues he and Councilmember Burt had discussed at her home the previous Thursday.

The City Council will consider proposed Resolution No. 09-110 at the Regular Council Meeting scheduled March 17, 2009, at 6:30 P.M.

**Item No. 8.F. – RESOLUTION NO. 09-138, AUTHORIZING ISSUANCE AND SALE OF NOT MORE THAN \$2,250,000 AGGREGATE PRINCIPAL AMOUNT OF FRANCHISE TAX REVENUE BONDS, SERIES 2009 OF WEST VALLEY CITY, UTAH, FOR THE PURPOSE OF CONSTRUCTING CERTAIN PUBLICLY OWNED IMPROVEMENTS WITHIN THE CITY CENTER REDEVELOPMENT PROJECT AREA; CALLING A PUBLIC HEARING; PROVIDING FOR PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR A PLEDGE OF THE CITY'S MUNICIPAL ENERGY AND/OR TELECOMMUNICATION FRANCHISE TAXES FOR REPAYMENT OF THE BONDS; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS; THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE**

## MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009

-4-

### **MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-138 which would authorize issuance and sale of not more than \$2,250,000 aggregate principal amount of Franchise Tax Revenue Bonds, Series 2009 of West Valley City, Utah, for the purpose of constructing certain publicly owned improvements within the City Center Redevelopment Project Area; calling a public hearing; providing for publication of a Notice of Public Hearing and Bonds to be Issued; providing for a pledge of the City's municipal energy and/or telecommunication franchise taxes for repayment of the bonds; fixing the maximum aggregate principal amount of the bonds; the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the running of a contest period; and related matters.

Mr. Pyle stated West Valley City recognized the need to make certain public infrastructure improvements within the City Center project area to facilitate the continued development of the Valley Fair Mall and surrounding projects. He also stated the City intended to issue the Series 2009 Bonds in the principal amount of not to exceed \$2,250,000 to bear interest at a net effective interest rate of not to exceed 6% per annum and use proceeds from those bonds to pay for the improvements.

The City Manager reported the City had actively participated in planning and promoting development within the City Center area to stabilize economic viability and to compliment other development projects. He indicated additional funding was required to meet those objectives. He advised it was anticipated that revenues generated from development of the area would be used to service debt payments.

City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council. He also reviewed a similar Resolution on the agenda for the Redevelopment Agency Meeting scheduled later this night (proposed Resolution No. 09-06).

Mr. Pyle advised that Laura Lewis of Lewis Young Robertson Burningham, the City's financial advisor, was in attendance at the meeting to answer any further questions. Ms. Lewis reviewed additional details of the subject transaction and answered questions from members of the City Council.

The City Manager introduced representatives of the Valley Fair Mall including Greg Helm, Owner; Gary Hall, Leasing Director; and Jonnie Arbuckle, Development Director. He gave an overview of reasons why the City had been requested to consider and take action regarding this issue. He also answered questions from members of the City Council.

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-5-**

Mayor Nordfelt stated the Council appreciated the partnership with the Valley Fair Mall owners, especially in these difficult economic times.

The City Council will consider proposed Resolution No. 09-138 at the Regular Council Meeting scheduled March 17, 2009, at 6:30 P.M.

**Item No. 8.G. – RESOLUTION NO. 09-139, AUTHORIZE CITY TO ENTER INTO AN AGREEMENT WITH THE UTAH GRIZZLIES HOCKEY CLUB, LLC, TO PROVIDE FOR A CITY INTEREST IN THE HOCKEY CLUB’S MEMBERSHIP IN THE ECHL HOCKEY LEAGUE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-139 which would authorize the City to enter into an Agreement with the Utah Grizzlies Hockey Club, LLC, to provide for a City interest in the hockey club’s membership in the ECHL Hockey League.

Mr. Pyle stated in payment of certain debts owed to the City, the Utah Grizzlies Hockey Club would give the City approximately 40% interest in the team’s membership (franchise) in the ECHL, Inc., the hockey league in which the Grizzlies played. He further stated this would give the City more control over the retention of the Grizzlies as the anchor tenant of the E-Center.

The City Manager explained the ECHL was a professional ice hockey league based in Princeton, New Jersey, with teams located across the United States and Canada. He indicated it was the “Premier AA” league of hockey in North America because most teams served as feeder teams for the American Hockey League (AHL) teams. He also stated the ECHL, along with the AHL, were the only minor leagues recognized by the collective bargaining agreement between the National Hockey League and the National Hockey League Players’ Association, meaning any player signed to an entry level NHL contract and designated for assignment, must report to a club either in the AHL or the ECHL. He further indicated the value of the ECHL membership was approximately \$1.5 million.

Mr. Pyle distributed draft copies of the proposed agreement to members of the City Council. The City Manager and City Attorney further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-139 at the Regular Council Meeting scheduled March 17, 2009, at 6:30 P.M.

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-6-**

**Item No. 8.H. - RESOLUTION NO. 09-140, APPROVE AMENDMENT TO THE ARENA LICENSE AGREEMENT BETWEEN THE CITY AND THE UTAH GRIZZLIES HOCKEY CLUB, LLC**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-140 which would approve an Amendment to the Arena License Agreement between the City and the Utah Grizzlies Hockey Club, LLC.

Mr. Pyle stated the subject amendment provided for adjustments in the user fee payments the Grizzlies made to the City for use of the E-Center. He further stated payment would be more closely tied to the revenue and profit generated by the Grizzlies so they would have some payment relief during hard economic times, and payments to the City would increase in good economic times. He indicated the amendment also provided for sharing a certain amount of the E-Center parking revenues under some circumstances.

The City Manager reported the Utah Grizzlies Hockey Club operated the Utah Grizzlies in the ECHL Hockey League. He stated the team had operated in the E-Center since the facility opened and was the E-Center's anchor tenant, providing approximately 40 event nights per year in that venue. He explained since the E-Center opened, more than one million people had attended Utah Grizzlies' home games.

City Manager, Wayne Pyle, distributed a new information paper, the proposed Resolution and subject draft agreement. Mr. Pyle and the City Attorney, Richard Catten, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-140 at the Regular Council Meeting scheduled March 17, 2009, at 6:30 P.M.

**Item No. 8.J. – RESOLUTION NO. 09-121, APPROVE AN AMENDMENT TO THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT BETWEEN THE CITY, THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, AND CONVENTRY III/SATTERFIELD HELM VALLEY FAIR MALL, LLC, TO PROVIDE FOR THE REDEVELOPMENT OF THE VALLEY FAIR MALL (TABLED AND CONTINUED FROM REGULAR MEETING HELD MARCH 10, 2009)**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-121 which would approve an Amendment to the Agreement for Disposition of Land for Private Development between the City, the Redevelopment Agency (RDA) of West Valley City, and Conventry III/Satterfield Helm Valley Fair Mall, LLC, to provide for the redevelopment of the Valley Fair Mall.

## MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009

-7-

Mr. Pyle stated the proposed amendment would reduce the total square footage of leaseable space required at the Mall in order for the Mall owners to qualify for a tax increment subsidy from the Redevelopment Agency. He reported the square footage changes were as follows:

Substantial completion: original 897,750 sq. ft. / new 800,000 sq. ft.

Space under lease: original 673,125 sq. ft. / 550,000 sq. ft.

Minimum acceptable improvement area: original 139,000 sq. ft. / new 100,000 sq. ft.

Town center: original 41,325 sq. ft. / new 35,117 sq. ft.

The City Manager reported the original agreement was primarily an agreement between the RDA and the Mall owners. He indicated the City's involvement consisted of agreeing to enter into an agreement with the RDA to, if necessary, create a financial backstop to the issuance of RDA bonds that would provide certain financial assistance to the redevelopment of the Valley Fair Mall. He also indicated the amount of potential City backstop had been capped at three million dollars. He stated the bonds were not expected to be issued by the RDA until 2009 or 2010, and the City's obligation to participate was subject to non-appropriation of funds by the City Council at the time the bonds were issued.

Mr. Pyle reported the subject Resolution had been tabled and the matter continued from the Regular Meeting held March 10, 2009.

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

The City Council will consider proposed Resolution No. 09-121 at the Regular Council Meeting scheduled March 17, 2009, at 6:30 P.M.

Upon inquiry, there were no further questions regarding items on the Agenda for the Regular Council Meeting scheduled March 17, 2009, at 6:30 P.M.

#### 4. **PUBLIC HEARINGS SCHEDULED MARCH 24, 2009:**

##### A. **PUBLIC HEARING, APPLICATION NO. ZT-17-2008, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT MODIFICATION ADDRESSING ULTIMATE FIGHTING IN SECTIONS 7-6-1108, 7-2-131, 7-6-1002 AND 7-6-1012 OF THE WEST VALLEY CITY MUNICIPAL CODE**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 24, 2009, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. ZT-17-2008, filed by West Valley City, requesting a zone text modification addressing ultimate fighting in Sections 7-6-1108, 7-2-131, 7-6-1002 and 7-6-

## MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009

-8-

1012 of the West Valley City Municipal Code. He discussed proposed Ordinance No. 09-08 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

### **ORDINANCE NO. 09-08, AMENDING SECTIONS 7-1-103, 7-6-1002, 7-6-1012, 7-6-1103, 7-6-1108, AND ENACTING SECTION 7-2-131 REGARDING GUIDELINES FOR FIGHTING EVENTS**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 09-08 which would amend Sections 7-1-103, 7-6-1002, 7-6-1012, 7-6-1103, 7-6-1108 and enacting Section 7-2-131 regarding guidelines for fighting events.

Mr. Pyle stated that with the growing support of fighting events in the media, small businesses in the City desired to host fights at their place of business. He proposed a text change to provide guidelines for fighting events to ensure they occurred in the correct zones within the City.

The City Manager reported the proposed ordinance would add a definition to the ordinance for “unarmed combat” that would include ultimate fighting, kick boxing, boxing, martial arts, or combative event. He stated this would not include classes at a karate school or a similar instructional setting. He explained the fighting event would be limited to permanent facilities with permanent fixed seating. He stated the Planning Commission recommended approval of the ordinance if facilities were limited to a minimum of 2,000 fixed seats.

Mr. Pyle stated in addition a series of requirements were already set forth in State law to provide for the safety and security of the fighters and spectators. He indicated the requirements included keeping a doctor ringside, requiring an ambulance onsite, requiring fighters to have a physical before and after the match, requiring law enforcement officers onsite, and so on. He indicated these use of a facility for these events would require a conditional use permit in ‘C-2,’ ‘C-3,’ and ‘M’ zones and would not be permitted in other zones. In addition, unarmed combat would be added to the regulations for reception halls that would require fighting events to be located at least 500 feet from any residential property line if the event continued later than ten o’clock p.m.

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

During the above discussion members of the City Council expressed concern and/or made suggestions regarding certain language in the proposed ordinance.

Carl Andrus, Fire Department, answered questions from members of the City Council regarding safety issues. Dean Williams, Fire Department, also addressed



**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-9-**

this matter and discussed other issues of concern regarding out of control events that had occurred in the past and stated control was better maintained for certain events in a facility such as the E-Center as the facility was geared to handle it.

Mayor Nordfelt inquired if there were concerns or comments from the Police Department. Tom McLachlan, Acting Police Chief, indicated the venue needed to be appropriate for the activity and law enforcement needed to be there for many reasons.

City Attorney, Richard Catten, informed the E-Center had concerns regarding the proposal as they might not be able to hold such events in the future per this ordinance.

Upon further discussion, members of the Council respectively discussed personal opinions and commented regarding the proposal.

City Manager, Wayne Pyle, discussed the background regarding the proposal and how it came to be presented to the Council.

The City Council will hold a public hearing regarding Application No. ZT-17-2008 and consider proposed Ordinance No. 09-08 at the Regular Council Meeting scheduled March 17, 2009, at 6:30 P.M.

**5. RESOLUTION NO. 09-141, AUTHORIZE CITY TO PURCHASE A TEE MOWER FROM ROCKY MOUNTAIN TURF AND INDUSTRIAL EQUIPMENT COMPANY FOR USE AT STONEBRIDGE GOLF COURSE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-141 which would authorize the City to purchase a tee mower from Rocky Mountain Turf and Industrial Equipment Company, in an amount not to exceed \$18,897.00, for use at Stonebridge Golf Course.

Mr. Pyle stated competitive sealed bids had been requested from vendors through newspaper ads and three vendors responded, as follows:

Rocky Mountain Turf & Ind. Equip.	Jacobsen GK IV Plus	\$18,897.00
Rocky Mountain Turf & Ind. Equip.	Jacobsen Greens-Plex III	\$19,797.00
Greenline Equipment Company	John Deere 2500 B	\$20,265.00
Turf Equipment & Irrigation Inc.	Toro GM 3150	\$22,900.00

The City Manager stated Rocky Mountain Turf & Industrial Equipment Company was the lowest responsible bidder for the tee mower at \$18,897.00.

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-10-**

Mr. Pyle indicated Stonebridge Golf Course needed to replace a tee mower to enable staff to get work done between all scheduled tournaments. He stated a list of requirements for the machine had been prepared and competitive sealed bids requested and received as outlined above.

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

The City Council will consider proposed Resolution No. 09-141 at the Regular Council Meeting scheduled March 24, 2009, at 6:30 P.M.

**6. RESOLUTION NO. 09-142, AUTHORIZE CITY TO PURCHASE A FAIRWAY MOWER FROM GREENLINE EQUIPMENT COMPANY FOR USE AT STONEBRIDGE GOLF COURSE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-142 which would authorize the City to purchase a Fairway mower from Greenline Equipment Company, in an amount not to exceed \$26,900.00, for use at Stonebridge Golf Course.

Mr. Pyle stated competitive sealed bids had been requested from vendors through newspaper ads and three vendors responded, as follows:

Greenline Equipment Company	John Deere 3235 Demo	\$26,900.00
Greenline Equipment Company	John Deere 7700	\$36,706.00
Rocky Mountain Turf & Ind. Equip.	Jacobsen LF 3800	\$42,438.00

Mr. Pyle indicated Stonebridge Golf Course needed to replace the fairway mower to enable staff to get work done between all scheduled tournaments. He stated a list of requirements for the machine had been prepared and competitive sealed bids requested and received as outlined above.

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

The City Council will consider proposed Resolution No. 09-142 at the Regular Council Meeting scheduled March 24, 2009, at 6:30 P.M.

**7. CONSENT AGENDA SCHEDULED MARCH 24, 2009:**

**A. RESOLUTION NO. 09-143, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DONALD MONTGOMERY FOR PROPERTY LOCATED AT 3969 SOUTH SUNNYVALE DRIVE FOR THE SUNNYVALE ACORD SIDEWALK PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-143 which would accept a Grant of Temporary Construction Easement from Donald

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-11-**

Montgomery for property located at 3969 South Sunnyvale Drive for the Sunnyvale Acord Sidewalk Project.

Mr. Pyle stated Donald Montgomery had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the Sunnyvale Acord Sidewalk Project. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

**B. RESOLUTION NO. 09-144, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JUNIOR AND ANNIE BANZA FOR PROPERTY LOCATED AT 4027 SOUTH ACORD WAY FOR THE SUNNYVALE ACORD SIDEWALK PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-144 which would accept a Grant of Temporary Construction Easement from Junior and Annie Banza for property located at 4027 South Acord Way for the Sunnyvale Acord Sidewalk Project.

Mr. Pyle stated Junior and Annie Banza had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the Sunnyvale Acord Sidewalk Project. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

**C. RESOLUTION NO. 09-145, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOSE URCINO AND FORENTINA LABRA FOR PROPERTY LOCATED AT 3897 SOUTH SUNNYVALE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-145 which would accept a Grant of Temporary Construction Easement from Jose Urcino and Forentina Labra for property located at 3897 South Sunnyvale Drive.

Mr. Pyle stated Jose Urcino and Forentina Labra had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the Sunnyvale Acord Sidewalk Project. He indicated the

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-12-**

easement would allow the contractor to make the necessary tie-ins to the property. He also reported compensation for the easement would be in the amount of \$200.00, which easement would automatically expire on December 31, 2010.

**D. RESOLUTION NO. 09-146, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DIAN AND ROBERT DRESSLER FOR PROPERTY LOCATED AT 3985 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-146 which would accept a Grant of Temporary Construction Easement from Dian and Robert Dressler for property located at 3985 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Dian and Robert Dressler had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

**E. RESOLUTION NO. 09-147, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOHN AND JACKIE BETTS FOR PROPERTY LOCATED AT 3920 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-147 which would accept a Grant of Temporary Construction Easement from John and Jackie Betts for property located at 3920 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated John and Jackie Betts had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-13-**

**F. RESOLUTION NO. 09-148, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM STEPHEN J. MITCKES FOR PROPERTY LOCATED AT 3723 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-148 which would accept a Grant of Temporary Construction Easement from Stephen J. Mitckes for property located at 3723 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Stephen J. Mitckes had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

**G. RESOLUTION NO. 09-149, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM RUSSELL E. DAY FOR PROPERTY LOCATED AT 3789 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-149 which would accept a Grant of Temporary Construction Easement from Russell E. Day for property located at 3789 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Russell E. Day had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

H. **RESOLUTION NO. 09-150, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LLOYD AND JOANN TAYLOR FOR PROPERTY LOCATED AT 3965 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-150 which would accept a Grant of Temporary Construction Easement from Lloyd and Joann Taylor for property located at 3965 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Lloyd and Joann Taylor had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

I. **RESOLUTION NO. 09-151, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ALLEN AND DIANE RUSHTON FOR PROPERTY LOCATED AT 3910 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-151 which would accept a Grant of Temporary Construction Easement from Allen and Diane Rushton for property located at 3910 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Allen and Diane Rushton had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

J. **RESOLUTION NO. 09-152, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ALLEN AND DIANE RUSHTON FOR PROPERTY LOCATED AT 3912 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-152 which would accept a Grant of Temporary Construction Easement from Allen and Diane Rushton for property located at 3912 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Allen and Diane Rushton had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 South to 4100 South. He indicated the easement would allow the contractor to make the necessary tie-ins to the property. He stated compensation for the construction easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

The City Council will consider proposed Resolution Nos. 09-143 through 09-152 at the Regular Council Meeting scheduled March 24, 2009, at 6:30 P.M.

8. **COMMUNICATIONS:**

A. **ANIMAL SHELTER AND POLICE STORAGE FACILITY UPDATE**

Upon direction by the City Manager, Jake Arslanian, Public Works Department, using PowerPoint, updated the City Council regarding construction projects summarized as follows:

Police Facility:

- Timeline
- Photographs taken during construction
- Progress to date
- Move-in projected for March 30, 2009

Animal Shelter:

- Timeline
- Architectural renderings
- Groundbreaking ceremony
- Photographs showing progress of construction
- Progress to date
- Completion projected for July, 2009

## MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009

-16-

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

### B. **UTAH CULTURAL CELEBRATION CENTER FACILITY IMPROVEMENTS UPDATE**

Upon direction by the City Manager, Jake Arslanian, Public Works Department, using PowerPoint, updated the City Council regarding facility improvements at the Utah Cultural Celebration Center (UCCC) summarized as follows:

- Funding source for the project, including monies received from Salt Lake County
- Photographs of portable stage currently in use at the UCCC facility
- Reasons for construction of new, permanent stage with changing rooms, etc., to provide versatility for different uses
- Architectural plans and artist rendering for proposed project
- Sound and lighting improvements
- Cost estimate
- Timeline for construction upon completion of bidding process and award of contract

Ross Olsen, Executive Director of UCCC, discussed the groups using that facility and the various types of events and activities conducted there. He also discussed benefits to the City, the entire community and the performing groups using the facility as a result of these improvements. Mr. Arslanian and Mr. Olsen also discussed improvements to be made to the outdoor amphitheater.

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

### C. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the Council had previously received outlining upcoming meetings and events as follows: March 14-18, 2009: National League of Cities Conference, Washington, D.C.; March 17, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 18, 2009: 2<sup>nd</sup> Open House – 5200 West Improvement Project, 5:00 P.M. – 7:00 P.M., Carl Sandburg Elementary, 3900 South 5325 West; March 20 – May 27, 2009: Art Exhibit – Exit Saigon, Enter Little Saigon: Vietnamese America Since 1975, UCCC; March 24, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 31, 2009: Special Council Study Meeting, 4:30 P.M.; April 1, 2009: Open House – Public Comments re: 1200 West Environmental Study, 5:00 P.M. – 7:00 P.M., UCCC; April 1-30, 2009: Art Exhibit – Easter Eggs-travaganza: A Celebration of Artisan Eggshell Carvings, UCCC; April 7, 2009: Council Study



## MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009

-17-

Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 13, 2009: 2009 Crime Prevention Seminar, Topic: National Alcohol Awareness Month, Family Fitness Center, 6:30 P.M. – 7:30 P.M.; April 14, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 15-17, 2009: ULCT Mid-Year Conference, St. George; April 21, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 28, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 5, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 7, 2009: UDOT Annual Meeting with Salt Lake County and Cities, Calvin Rampton Complex, Administration Conference Rom, 1<sup>st</sup> Floor, 4501 South 2700 West, 9:00 A.M. – 11:00 A.M.; May 11, 2009: 2009 Crime Prevention Seminar, Topic: National Safe Kids Month (Internet Safety), Family Fitness Center, 6:30 P.M. – 7:30 P.M.; May 12, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 15, 2009: ChamberWest Golf Classic, Meadowbrook Golf Course; May 19, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 25, 2009: Memorial Day Holiday – City Hall closed; May 26, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 2, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 8, 2009: 2009 Crime Prevention Seminar, Topic: Graffiti Awareness, Family Fitness Center, 6:30 P.M. – 7:30 P.M.; June 9, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 16, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 23, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 13, 2009: 2009 Crime Prevention Seminar, Topic: Home Safety, Family Fitness Center, 6:30 P.M. – 7:30 P.M.; August 10, 2009: 2009 Crime Prevention Seminar, Topic: ID Theft and Senior Fraud, Family Fitness Center, 6:30 P.M. – 7:30 P.M.; September 14, 2009: 2009 Crime Prevention Seminar, Topic: National Preparedness Month (CERT), Family Fitness Center, 6:30 P.M. – 7:30 P.M.; September 30, 2009: Lake Park Owners Golf Social, Stonebridge Golf Course, 8:00 A.M. – 1:00 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.; and November 9, 2009: 2009 Crime Prevention Seminar, Topic: Gang Awareness, Family Fitness Center, 6:30 P.M. – 7:30 P.M.

### 9. **COUNCIL REPORTS:**

#### A. **COUNCILMEMBER MIKE WINDER – MAYOR’S STAR OF EXCELLENCE AWARDS & VOLUNTEERS OF AMERICA EVENT**

Councilmember Winder advised he would send letters to high school counselors regarding the Mayor’s Star of Excellence Awards.

Councilmember Winder also reported regarding Volunteers of America event held the previous week which he attended with Councilmember Rushton.

**MINUTES OF COUNCIL STUDY MEETING – MARCH 17, 2009**

**-18-**

- B. COUNCILMEMBER RUSS BROOKS – REQUEST TO RECOGNIZE GRANGER HIGH SCHOOL DRILL TEAM FOR RECEIVING A NATIONAL COMPETITION AWARD**  
Councilmember Brooks requested the City prepare recognition to the Granger High School Drill Team for receiving an award at a national competition. City Recorder, Sheri McKendrick, stated she would follow up and facilitate the request.
- C. COUNCILMEMBER CAROLYNN BURT – TOUR OF OXBOW JAIL FACILITY**  
Councilmember Burt reported regarding the recent tour of the Oxbow Jail facility and distributed copies of a fact sheet to members of the City Council.
- D. MAYOR DENNIS NORDFELT – GROUND BREAKING OF AMERICAN PREPARATORY ACADEMY**  
Mayor Nordfelt stated he and Councilmember Burt had recently attended a ground breaking ceremony for the new American Preparatory Academy charter school.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, MARCH 17, 2009, WAS ADJOURNED AT 6:28 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, March 17, 2009.

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Sheri McKendrick, MMC  
City Recorder