

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2010

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MARCH 2, 2010, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR WINDER CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Russ Brooks

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Kevin Astill, Parks and Recreation Director
Buzz Nielsen, Police Chief
Richard Catten, City Attorney
Jim Welch, Finance Director
Layne Morris, Community Preservation Director
Russell Willardson, Public Works Director
Stan Varney, Acting Fire Chief
John Janson, Acting CED Director
Brent Garlick, CED Department
Ralph Lee, CED Department
Owen Jackson, Administration
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 16, 2010**
The Council read and considered Minutes of the Study Meeting held February 16, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held February 16, 2010, as written. Councilmember Vincent seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MARCH 2, 2010

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Meeting scheduled March 2, 2010.

Mr. Pyle advised he would request a continuance of two weeks regarding Item No. 8.B., proposed Resolution No. 10-24 scheduled on the subject Agenda.

Upon inquiry by the City Manager, there were no further questions.

3. PUBLIC HEARINGS SCHEDULED MARCH 9, 2010:

A. PUBLIC HEARING, ACCEPT INPUT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled March 9, 2010, at 6:30 P.M., in order for the City Council to hear and consider public comments and accept input regarding Community Development Block Grant (CDBG) Statement of Community Development Objectives and Projected Use of Funds. He discussed proposed Resolution No. 10-29 to be considered by the City Council subsequent to the public hearing, as follows:

RESOLUTION NO. 10-29, APPROVING WEST VALLEY CITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET PROPOSAL ON RECOMMENDED PROJECTS FOR FISCAL YEAR 2010-2011

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-29 which would approve the West Valley City Community Development Block Grant (CDBG) Budget proposal on recommended projects for fiscal year 2010-2011.

Mr. Pyle stated that before the U.S. Department of Housing and Urban Development (HUD) would approve any CDBG expenditures the City must

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approve an Annual Action Plan listing projects intended to be funded for the 2010-2011 fiscal year. He also stated a budget proposal had been prepared that met the funds awarded to the West Valley City Community Development Block Grant Program.

The City Manager reported the CDBG program and Salt Lake County HOME programs funded the City with annual amounts to run various programs pertaining to low-moderate income individuals and families. He indicated estimated CDBG Program Income (PI) generated from the Home Rehabilitation Program paybacks, would be approximately \$25,000 but that estimate might be high. He indicated PI offset the entitlement funds allocated to West Valley City CDBG program from HUD. He also stated PI from HOME funds, approximately \$15,000, had been returned to Salt Lake County to be reallocated to programs at a later date.

City Manager, Wayne Pyle, explained the public service projects and administration costs proposed were equal to the maximum levels allowed by HUD. He stated impact of the decreases in CDBG funding the last few years were felt most significantly in these two areas.

Mr. Pyle stated that each year several people attended the public hearing to speak for or against the proposal. Several agencies had informed the City they would be represented at the public hearing to speak regarding this matter.

Layne Morris, Community Preservation Director, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will hold a public hearing and consider proposed Resolution No. 10-29 at the Regular Council Meeting scheduled March 9, 2010, at 6:30 P.M.

4. **CONSENT AGENDA SCHEDULED MARCH 9, 2010:**

A. **RESOLUTION NO. 10-30, ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MAJESTIC LANDING, L.L.C., FOR PROPERTY LOCATED AT 3155 SOUTH 7200 WEST FOR THE 7200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-30 which would accept a Warranty Deed and Grant of Temporary Construction Easement from Majestic Landing, L.L.C., for property located at 3155 South 7200 West for the 7200 West Improvement Project.

Mr. Pyle stated Majestic Landing, L.L.C. had signed the Warranty Deed and Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 7200 West Improvement project extending from SR-201 to

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3500 South on both sides of 7200 West. He stated the project was being constructed in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He indicated the owner had agreed to sign the Warranty and Easement in exchange for a Delay Agreement release from the Public Works Department.

B. RESOLUTION NO. 10-31, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM DARRELL J. DAVIS AND CONNIE R. DAVIS FOR PROPERTY LOCATED AT 2557 SOUTH 7200 WEST, FOR THE 7200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-31 which accept a Grant of Temporary Construction Easement from Darrell J. Davis and Connie R. Davis for property located at 2557 South 7200 West for the 7200 West Improvement Project.

Mr. Pyle stated Darrell J. Davis and Connie R. Davis 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 7200 West Improvement Project extending from SR-201 to 3500 South on both sides of 7200 West. He also stated the project was being constructed in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He indicated the easement would allow the contractor to make necessary tie-ins to the owner's property. He stated compensation for the easement would be in the amount of \$200.00 which easement would automatically expire December 31, 2011.

C. RESOLUTION NO. 10-32, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MARY A. NESTER FOR PROPERTY LOCATED AT 2545 SOUTH 7200 WEST FOR THE 7200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-32 which would accept a Grant of Temporary Construction Easement from Mary A. Nester for property located at 2545 South 7200 West for the 7200 West Improvement Project.

Mr. Pyle stated Mary A. Nester 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 7200 West Improvement Project extending from SR-201 to 3500 South on both sides of 7200 West. He stated the project was being constructed in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He indicated the easement would

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allow the contractor to make necessary tie-ins to the owner's property. He further stated compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2011.

D. RESOLUTION NO. 10-33, RATIFY THE CITY MANAGER'S APPOINTMENT OF COREY RUSHTON AS CHAIR OF THE AUDIT REVIEW COMMITTEE OF WEST VALLEY CITY, TERM: MARCH 9, 2010 – DECEMBER 31, 2012

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-33 which would ratify his appointment of Corey Rushton as Chair of the Audit Review Committee of West Valley City for the term March 9, 2010, through December 31, 2012.

Mr. Pyle stated the Audit Review Committee consisted of members who served terms of three years with the chair being appointed annually by the City Manager. He also stated Mr. Rushton was currently a member of the committee.

E. RESOLUTION NO. 10-34, RATIFY THE CITY MANAGER'S APPOINTMENT OF DON CHRISTENSEN AS MEMBER OF THE AUDIT REVIEW COMMITTEE OF WEST VALLEY CITY, TERM: MARCH 9, 2010 – DECEMBER 31, 2012

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-34 which would ratify his appointment of Don Christensen as member of the Audit Review Committee of West Valley City for the term March 9, 2010, through December 31, 2012.

Mr. Pyle stated the Audit Review Committee consisted of five members who served terms of three years. He reported the committee was comprised of the City Manager, two members of the City Council, one appointed citizen, and a finance director from another community. He stated, if approved, Mr. Christensen would serve the unexpired term of Joel Coleman, a former member of the City Council.

F. RESOLUTION NO. 10-35, RATIFY THE CITY MANAGER'S APPOINTMENT OF JOEL COLEMAN AS MEMBER OF THE AUDIT REVIEW COMMITTEE OF WEST VALLEY CITY, TERM: MARCH 9, 2010 – DECEMBER 31, 2012

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-35 which would ratify his appointment of Joel Coleman as a member of the Audit Review Committee of West Valley City for the term March 9, 2010, through December 31, 2012.

Mr. Pyle stated the Audit Review Committee consisted of five members who served terms of three years. He indicated the committee comprised the City Manager, two members of the City Council, one appointed citizen, and a finance

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director from another community. He further stated, if approved, Mr. Coleman would serve the unexpired term of Garth Goates, the citizen member of the Committee.

The City Council will consider proposed Resolution Nos. 10-30 through 10-35 at the Regular Council Meeting scheduled March 9, 2010, at 6:30 P.M.

5. **COMMUNICATIONS:**

A. **LEGISLATIVE UPDATE**

City Manager, Wayne Pyle, explained that Nicole Cottle, CED Director, had not yet returned from the Utah State legislative proceedings; therefore, an update regarding legislative issues would be rescheduled. Mr. Pyle stated Ms. Cottle was “keeping a close eye” on bills of interest and/or concern to West Valley City.

Mayor Winder advised he had also recently spent time at the Capitol and he discussed bills and issues regarding retirement, road projects, UTOPIA, euthanasia of animals, and other matters.

City Manager, Wayne Pyle, stated the proposed retirement legislation would have the greatest impact on the City as far as employees were concerned, both present and future.

B. **VALLEY FAIR MALL UPDATE**

City Manager, Wayne Pyle, directed Brent Garlick, CED Department, to provide an update regarding redevelopment of the Valley Fair Mall area.

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

- Photograph of Valley Fair Mall several years ago
- Review of master site plan for the redevelopment project
- Details regarding completed Phase I and Phase II which was currently under construction
- Increase in value upon completion of each phase (proposed Phases III, IV and V possibly still to come)
- Projected increase in sales tax revenue and employees
- Photographs showing progress of Phase II construction which began in January, 2010 – five buildings, plaza area, and other
- Photographs of new signage
- Details regarding features in plaza – landscaping, water fountains, programming, place for community gatherings
- Sketch of plaza finish plan
- New stores – Ross, Famous Footwear, Petco, NYPD Pizzeria, Farr’s Ice Cream, Sushi restaurant, new tenant in Mervyn’s building, In-N-

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Out Burger (construction begins March, 2010), numerous other tenant discussions underway

- Timeline for development to be completed in next 12 months
- Conceptual drawings and plans for proposed interior remodel

During the above presentation and discussion, Mr. Garlick answered questions from members of the City Council.

C. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: March 6, 2010: WWE Raw “Road to WrestleMania,” E-Center, 7:30 P.M.; March 9, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 13-17, 2010: NLC Conference, Washington D.C.; March 16, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 23, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 31, 2010: Michael Buble’ “Crazy Love Tour” Concert, E-Center, 8:00 P.M.; April 5, 2010: Muse Concert, E-Center, 7:30 P.M.; April 6, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 7-9, 2010, ULCT Mid-Year Conference, Dixie Center, St. George; April 13, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 20, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 22, 2010: Daughtry Concert, E-Center; April 27, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 6, 2010: UDOT’s Annual Meeting with Salt Lake County and Municipalities, Calvin Rampton Complex, 4501 South 2700 West, 9:00 A.M. – 11:00 A.M.; May 7, 2010: Sugarland Concert, E-Center; May 10, 2010: Paramore with Relient K and Fun Concert, E-Center; May 19-23, 2010: Cirque Du Soleil Alegria Concert, E-Center; May 26, 2010: Smucker’s Stars on Ice, E-Center; and May 31, 2010: Memorial Day Holiday – City Hall closed.

D. **UNIVERSITY OF UTAH WORK WITH POLICE DEPARTMENT**

City Manager, Wayne Pyle, informed the City received a request from a group at the University of Utah working with the Police Department regarding alcohol and DUI enforcement through a prevention coalition. He advised that Councilmember Corey Rushton was involved in working with that group. He also explained there was a services and responsibility agreement involved that staff was comfortable with after review. He indicated, upon a consensus of the City Council, the City Attorney would approve Corey Rushton signing as the City’s representative. Upon discussion, the City Council expressed a consensus for Corey Rushton to represent the City and sign the subject agreement.

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6. COUNCIL REPORTS

A. COUNCILMEMBER CAROLYNN BURT – CEP REPORT

Councilmember Burt distributed a written report regarding the Community Education Partnership (CEP) and discussed various programs that had been very successful.

B. COUNCILMEMBER COREY RUSHTON – BLUEPRINT JORDAN RIVER COMMITTEE PRESENTATION

Councilmember Rushton advised he had sent an e-mail to the City Manager and City Recorder requesting to schedule a presentation from the Blueprint Jordan River Committee and to review a proposed Interlocal Agreement.

C. COUNCILMEMBER STEVE VINCENT – COMMUNITY GARDEN PROPOSAL AND WESTFEST

Councilmember Vincent reported he had recently met with the principal of West Valley Elementary and the community council leader regarding the community garden proposal. He stated they would discuss information with staff and the community council and get back to him. He indicated there did not seem to be much interest in the proposal.

Councilmember Vincent stated the annual 2010 WestFest celebration had been scheduled for June 24, 25 and 26 at Centennial Park.

Upon discussion, Councilmember Burt suggested having part of the City's celebration of its 30th year of incorporation during the Days of '47 Rodeo. City Manager, Wayne Pyle, stated he would explore the idea and advise the Council at a later date.

D. MAYOR MIKE WINDER – GOVERNOR'S NOMINATION COMMITTEE FOR STATE SCHOOL BOARD, UTOPIA AND CODE ENFORCEMENT ISSUES

Mayor Winder informed former Councilmember Joel Coleman's name would be placed on the list of the governor's nomination committee to the State School Board.

Mayor Winder reported meetings with UTOPIA and elected officials of member cities would be rescheduled for the end of the month. He advised of weekly conference calls with mayors of UTOPIA cities regarding an effort to partner with Google. He discussed the request for proposal process for a partnership with Google to include UTOPIA and individual member cities. He stated he would keep the City Council updated regarding these matters. He also discussed a recent meeting with Lt. Governor Bell in an effort to get the governor's office more excited and dispel myths and misinformation regarding UTOPIA. He stated a

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suggestion from that meeting was to put together a business council of customers and providers of UTOPIA that would work on public relations efforts.

Mayor Winder also reported regarding a meeting earlier today with residents where issues regarding code enforcement had been discussed. He requested input from members of the City Council regarding some of the issues brought up by those residents, particularly the parking of inoperable or unlicensed vehicles on their property. He inquired if the Council felt this issue and the current ordinance needed to be revisited. The City Council discussed this matter as well as other code issues. After further discussion, the City Council expressed a consensus and directed the City Manager to review the ordinance to determine a compromise for unlicensed, but operable, vehicles. City Manager, Wayne Pyle, stated he would study the current ordinance, including statistics for violations and cases that came before Judge Brown.

7. MOTION FOR EXECUTIVE SESSION

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

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, MARCH 2, 2010, WAS ADJOURNED AT 5:45 P.M. BY MAYOR WINDER.

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, MARCH 2, 2010, IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Russ Brooks

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Richard Catten, City Attorney
Jim Welch, Finance Director

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF MARCH 2, 2010, WAS ADJOURNED AT 6:20 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting and Executive Session of the West Valley City Council held Tuesday, March 2, 2010.

Sheri McKendrick, MMC
City Recorder