

**MINUTES OF COUNCIL STUDY MEETING – MAY 11, 2010**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MAY 11, 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  
Russ Brooks  
Steve Buhler  
Don Christensen  
Corey Rushton  
Steve Vincent

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT:

Carolynn Burt

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Kevin Astill, Parks and Recreation Director  
Russell Willardson, Public Works Director  
Jim Welch, Finance Director  
Richard Catten, City Attorney  
John Evans, Fire Chief  
Buzz Nielsen, Police Chief  
Nicole Cottle, CED Director  
Mike Wells, Police Department  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

**1. APPROVAL OF MINUTES OF STUDY MEETING HELD APRIL 27, 2010**

The Council read and considered Minutes of the Study Meeting held April 27, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Study Meeting held April 27, 2010, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MAY 11, 2010**

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Council Meeting scheduled May 11, 2010, at 6:30 P.M.

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

3. **PUBLIC HEARINGS SCHEDULED MAY 18, 2010:**

A. **ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 6402 WEST 6200 SOUTH (PARCEL NUMBER 20-15-400-008) TO BE SURPLUS PROPERTY AND AUTHORIZING ITS SALE**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled May 18, 2010, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding declaring a parcel of property located at approximately 6402 West 6200 South (Parcel Number 20-15-400-008) to be surplus property and authorizing its sale. He discussed proposed Resolution No. 10-81 to be considered by the City Council subsequent to the public hearing, as follows:

**RESOLUTION NO. 10-81, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 6402 WEST 6200 SOUTH TO BE SURPLUS AND APPROVING A REAL ESTATE PURCHASE AGREEMENT AUTHORIZING ITS SALE TO THE UTAH DEPARTMENT OF TRANSPORTATION**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-81 which would declare a parcel of property located at approximately 6402 West 6200 South to be surplus and approve a Real Estate Purchase Agreement authorizing its sale to the Utah Department of Transportation (UDOT).

Mr. Pyle stated UDOT desired to purchase the referenced property for the proposed Mountain View Corridor project. He also stated UDOT had offered \$496,000.00 for the purchase of the 6.45-acre parcel based on an appraisal prepared by Free and Associates, Inc. He also reported UDOT had prepared four

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quit claim deeds for the parcel based on different categorizations for portions of the subject parcel.

City Manager, Wayne Pyle, further reviewed and discussed 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. 10-81 at the Regular Council Meeting scheduled May 18, 2010, at 6:30 P.M.

**B. ACCEPT PUBLIC INPUT REGARDING DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 6427 WEST 5700 SOUTH (PARCEL NUMBER 20-14-151-027) TO BE SURPLUS PROPERTY AND AUTHORIZING ITS SALE**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled May 18, 2010, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding declaring a parcel of property located at approximately 6427 West 5700 South (Parcel Number 20-14-151-027) to be surplus property and authorizing its sale. He discussed proposed Resolution No. 10-82 to be considered by the City Council subsequent to the public hearing, as follows:

**RESOLUTION NO. 10-82, DECLARING A PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 6427 WEST 5700 SOUTH TO BE SURPLUS AND APPROVING A REAL ESTATE PURCHASE AGREEMENT AUTHORIZING ITS SALE TO THE UTAH DEPARTMENT OF TRANSPORTATION**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-82 which would declare a parcel of property located at approximately 6427 West 5700 South to be surplus and approve a Real Estate Purchase Agreement authorizing its sale to the Utah Department of Transportation (UDOT).

Mr. Pyle stated UDOT desired to purchase the referenced property for the proposed Mountain View Corridor project. He also stated UDOT had offered \$519,500.00 to purchase the 6.45 acre parcel based on an appraisal prepared by Bodell-Van Drimmelen Commercial Appraisers, Inc.

City Manager, Wayne Pyle, further reviewed and discussed 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. 10-82 at the Regular Council Meeting scheduled May 18, 2010, at 6:30 P.M.

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**4. RESOLUTION NO. 10-83, AWARD A CONTRACT TO WESTBROOK CONSTRUCTION, INC. FOR THE 5400 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-83 which would award a contract to Westbrook Construction, Inc. for the 5400 West Improvement Project.

Mr. Pyle stated bids had been solicited and 10 bids received as follows:

Westbrook Construction, Inc.	\$50,740.10
Dwight W. Peterson	\$55,201.00
BD Bush Excavation	\$76,370.00
Bowen Construction	\$75,835.00
Lyndon Jones Construction	\$80,786.50
RDJ Construction Inc.	\$85,991.26
Camelot Excavation	\$88,200.00
H.E. Davis Construction	\$98,850.00
ML Stevens Construction	\$99,999.90
Wardell Brothers Construction	\$108,325.00

Mr. Pyle reported Westbrook Construction, Inc. had submitted the lowest responsible bid in the amount of \$50,740.10.

The City Manager stated the project consisted of clearing and grubbing existing trees, fences, lawn, shrubs, driveways, and placement of reinforced concrete pipe and irrigation diversion boxes. He also indicated the project was being done in preparation for work by a contractor hired by the Utah Department of Transportation (UDOT) as part of the “Safe Routes to School” program.

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

The City Council will consider proposed Resolution No. 10-83 at the Regular Council Meeting scheduled May 18, 2010, at 6:30 P.M.

**5. CONSENT AGENDA SCHEDULED MAY 18, 2010:**

**A. RESOLUTION NO. 10-84, RATIFY THE CITY MANAGER’S APPOINTMENT OF SHIRLEY FLORENCE AS A MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: MAY 18, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-84 which would ratify his appointment of Shirley Florence as a member of the Sister City Committee of West Valley City for the term May 18, 2010, through December 31, 2010.

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Mr. Pyle stated the Sister City Committee terms were for one year and Ms. Florence desired to serve the balance of an expired term.

**B. RESOLUTION NO. 10-85, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF STEVE VINCENT AS A MEMBER OF THE CULTURAL ARTS BOARD (CAB) OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-85 which would ratify his reappointment of Steve Vincent as a member of the Cultural Arts Board (CAB) of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Steve Vincent's term had expired and he desired to serve another term on the Board.

**C. RESOLUTION NO. 10-86, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF STEVE VINCENT AS A MEMBER OF THE WEST VALLEY CITY ARTS COUNCIL, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-86 which would ratify his reappointment of Steve Vincent as a member of the West Valley City Arts Council for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Vincent's term had expired and he desired to serve another term on the board.

**D. RESOLUTION NO. 10-87, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LAURA L. THACKERAY AND RODGER K. THACKERAY FOR PROPERTY LOCATED AT 2720 S. LESTER STREET FOR THE LESTER STREET IMPROVEMENT PHASE 2 PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-87 which would accept a Grant of Temporary Construction Easement from Laura L. Thackeray and Rodger K. Thackeray for property located at 2720 S. Lester Street for the Lester Street Improvement Phase 2 Project.

Mr. Pyle stated Laura L. Thackeray and Rodger K. Thackeray 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 Lester Street Improvement Phase 2 Project extending from Crystal Avenue (2590 South) to Russett Avenue (2830 South) on both sides of Lester Street. He further reported the easement would allow the contractor to

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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.

**E. RESOLUTION NO. 10-88, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM K-LINN OLDROYD AND LYLE T. OLDROYD FOR PROPERTY LOCATED AT 1577 W. SOUTHGATE AVENUE FOR THE LESTER STREET IMPROVEMENT PHASE 2 PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-88 which would accept a Grant of Temporary Construction Easement from K-Linn Oldroyd and Lyle T. Oldroyd for property located at 1577 W. Southgate Avenue for the Lester Street Improvement Phase 2 Project.

Mr. Pyle stated K-Linn Oldroyd and Lyle T. Oldroyd 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 Lester Street Improvement Phase 2 Project extending from Crystal Avenue (2590 South) to Russett Avenue (2830 South) on both sides of Lester Street. He further reported 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.

**F. RESOLUTION NO. 10-89, APPROVE A RIGHT-OF-WAY AGREEMENT WITH RICHARD EWING AND SHARON EWING FOR PROPERTY LOCATED AT 1786 W. TENWAY DRIVE, AND ACCEPT A WARRANTY DEED FOR THE 7200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-89 which would approve a Right-of-Way Agreement with Richard Ewing and Sharon Ewing for property located at 1786 W. Tenway Drive, and accept a Warranty Deed for the 7200 West Improvement Project.

Mr. Pyle stated Richard Ewing and Sharon Ewing had signed the Right-of-Way Agreement and Warranty Deed.

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. 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 acquisition consisted of 40 square feet at the southwest corner of the lot to allow a new sidewalk ramp to be constructed in accordance with current ADA requirements. He indicated total

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compensation for the right-of-way would be in the amount of \$350.00. He explained, as the cost of an appraisal would likely exceed the actual value of the property being acquired, compensation was based on a range of rates used by other entities for similar small acquisitions of property.

G. **RESOLUTION NO. 10-90, APPROVE A RIGHT-OF-WAY AGREEMENT WITH VICTOR R. MEZA FOR PROPERTY LOCATED AT 2505 SOUTH 7200 WEST, AND ACCEPT WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT, FOR THE 7200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-90 which would approve a Right-of-Way Agreement with Victor R. Meza for property located at 2505 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Victor R. Meza had signed the Right-of-Way Agreement, 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 3500 South on both sides of 7200 West. He indicated construction was in conjunction with Salt Lake County who would be responsible for improvements on the west side of 7200 West. He advised compensation for the right-of-way and easement would be in the amount of \$4,300.00 based on an appraisal prepared by Free and Associates, Inc.

The City Council will consider proposed Resolution Nos. 10-84 through 10-90 at the Regular Council Meeting scheduled May 18, 2010, at 6:30 P.M.

6. **COMMUNICATIONS:**

A. **FY 2010-2011 BUDGET UPDATE**

City Manager, Wayne Pyle, gave an overview of the budget process. Using PowerPoint, Mr. Pyle discussed information summarized as follows:

- Management outlook
- Review of FY 2008-2009 and FY 2009-2010 and effect of economic downturn/recession on revenue sources and actions taken such as operational cuts, hiring freeze, employee furloughs, and others
- FY 2010-2011: revenues flat, however, hopeful for slight improvement; no increases to employees or operations; no capital projects from General Fund; budget mode of hanging on by cutting and using one-time savings where possible (i.e., retirement incentives, cut travel budgets, hiring freeze, switch from Outlook to Google mail, streetlights, utilities savings)

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- Still looking at some items such as examining permit/fee structure and may come back to City Council with proposal; last minute economy changes; UTOPIA debt reserve fund; integrating Strategic Plan and benchmarks with the budget as a finalized picture
- Future FY 2011-2012: looking at the following budget year to assess needs and opportunities; continuing to look for revenue increases and expenditure decreases; trying to foresee added costs coming such as changes in retirement costs per recent changes approved by State Legislature
- Best forecast – revenues need to pick up by \$2 million in on-going dollars just to stay even; need +\$1million further just to begin recovering operationally; balancing assumes cost decrease or revenue increase: \$1 million = 15 FTE's (full-time equivalent) / \$1 million = \$18 per year per household in property tax
- Other issues beyond stability and recovery such as UTOPIA, personnel costs, fund balance reserves, unavoidable cost increases, etc.
- Bottom line: currently set for next budget year; do not see huge improvement to economy through end of year; will continue to look at ways to increase revenue and decrease expenditures; recommendation that City Council seriously examine possibility of future property tax increase

During the above presentation of information, City Manager, Wayne Pyle, answered questions from members of the City Council.

The City Manager and Finance Director addressed questions regarding specific line items in the FY 2010-2011 Proposed Budget presented to the City Council the previous week.

### B. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: May 14, 2010: ChamberWest Golf Tournament, West Ridge Golf Course, Registration/Breakfast at 7:00 A.M. and Shotgun Start at 8:00 A.M.; May 14 – June 28, 2010: Western Federation of Watercolor Society's 35<sup>th</sup> Annual Exhibit, UCCC; May 18, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 19-23, 2010: Cirque du Soleil Alegria Concert, E-Center; May 22, 2010: Fiesta! 2010, UCCC, 6:00 P.M. – Dark; May 25, 2010: Children's Tile Event, City Center Plaza, 4:00 P.M.; May 25, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 26, 2010: Smucker's Stars on Ice, E-Center; May 31, 2010: Memorial Day Holiday – City Hall closed; June 1, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 8, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 15, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30



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P.M.; June 22, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 24-26, 2010: WestFest, Centennial Park; July 5, 2010: Independence Day Holiday – City Hall closed; July 6, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 6, 2010: 30<sup>th</sup> Anniversary Celebration, UCCC; July 10, 2010: Justin Bieber – My World Tour Concert, E-Center; July 13, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 15, 2010: Employee Summer Barbecue Sponsored by EAC, City Park; July 20, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 27, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and July 28, 2010: 30<sup>th</sup> Anniversary Mayor’s Luncheon, UCCC, Noon.

### C. **PARKS MONUMENT REVIEW COMMITTEE**

City Manager, Wayne Pyle, requested a member of the City Council serve on the Parks Monument Review Committee and Councilmember Rushton volunteered to represent the City Council in that regard.

## 7. **COUNCIL REPORTS**

### A. **COUNCILMEMBER STEVE BUHLER – PROPERTY TAX DISCUSSION**

Councilmember Buhler noted there had been no discussion when consideration of a property tax increase in the future had been mentioned during the City Manager’s budget update earlier in this meeting. Members of the City Council indicated that discussion should be a topic to be considered during a strategic planning meeting. He expressed concern about the City “limping along” for several years, losing employees and then having to make a substantial property tax increase. He suggested the City Council discuss and consider small increases on a regular basis based on a planned strategy rather than being reactionary.

### B. **COUNCILMEMBER STEVE VINCENT – FURLOUGH FOR CITY COUNCIL, COMMUNITY GARDEN AND IMMIGRATION ISSUES**

Councilmember Vincent reminded all employees had to take a one week furlough and stated there had been discussion regarding a furlough for the City Council. The City Manager informed he had discussed this matter with individual Councilmembers and stated direction had been given to take the equivalent of one week of pay from Councilmembers by June 11, 2010.

Councilmember Vincent discussed a community garden proposal and stated an individual desired to coordinate the project and desired to meet with the Parks and Recreation Director and himself. City Manager, Wayne Pyle, stated he desired to keep this on a volunteer basis and, if assistance was needed, the Clean and Beautiful Committee could assist. Councilmember Vincent advised he would set up a meeting and report back to the City Council.

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Councilmember Vincent reported he had engaged in recent conversations with State Representative Chris Herrod regarding immigration issues. He inquired if the City Council desired to hear from Mr. Herrod at a future Study Meeting. Upon discussion, the City Recorder was directed to schedule time at a future Study Meeting for Representative Herrod to address the Council.

**C. COUNCILMEMBER DON CHRISTENSEN – SISTER CITY COMMITTEE, IMMIGRATION, COUNCIL OF GOVERNMENTS MEETING CINCO DE MAYO CELEBRATION AND SALT LAKE COMMUNITY COLLEGE COMMITTEE**

Councilmember Christensen reported regarding a recent meeting of the Sister City Committee and a visit from Boca del Rio delegation during the Fiesta! Celebration later this month. He discussed preparations for the West Valley City Sister City delegation trip to Nantou, Taiwan, in the near future.

Councilmember Christensen reported regarding a recent meeting with diversity leaders and discussion regarding comments made recently by citizens regarding immigration during the comment period at Council meetings.

Councilmember Christensen reported regarding a recent Municipal COG (Council of Governments) meeting and the issues discussed.

Councilmember Christensen reported regarding the Cinco de Mayo celebration held the previous Saturday.

Councilmember Christensen reported the developmental education program advisory committee at the Salt Lake Community College had asked him to serve on that committee.

**D. COUNCILMEMBER COREY RUSHTON - COUNCIL OF GOVERNMENTS MEETING AND JORDAN RIVER COMMISSION**

Councilmember Rushton reported regarding a recent COG (Council of Governments) meeting. He stated, as there had been many presentations and a lot of information he prepared and distributed a written report to members of the City Council.

Councilmember Rushton discussed the status of the Jordan River Interlocal Agreement and stated there were four issues that had surfaced. He indicated the Jordan River Commission would hold a meeting later in the month and review those issues.

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**E. MAYOR MIKE WINDER – CITIZEN SURVEY RESULTS, SUCCESSFUL CONVENTION CANDIDATES, UTAH TAXPAYERS’ ASSOCIATION CONFERENCE, MEETING REGARDING NANTOU, TAIWAN VISIT, MEETING WITH ZIONS SECURITIES, MOUNTAIN WEST EYE CARE, UDOT MEETING, “MILK WITH THE MAYOR” AND COUNCILMEMBER BURT**

Mayor Winder inquired when the current citizen survey results would be presented to the City Council. City Manager, Wayne Pyle, stated the results of the survey should be available in approximately three weeks.

Mayor Winder related a recent conversation with Ron Hamm of The Ferguson Group regarding candidates who made it through Utah’s recent conventions.

Mayor Winder advised he had recently attended the Utah Taxpayers’ Association conference and he gave an overview of presentations and issues discussed.

Mayor Winder reported regarding a breakfast meeting with Director General Chen representing Taiwan. He stated the Director expressed excitement about West Valley City’s delegation visiting Nantou, Taiwan in the near future. Mayor Winder expressed the need to get the word out to see if individuals or businesses wanted the delegation to take information to Taiwan or bring information back. Mayor Winder also discussed members of the delegation stating it was a very well rounded group.

Mayor Winder related conversations with Zions Securities, now known as SLR, regarding the Highbury and Lake Park developments.

Mayor Winder reported regarding Mountain West Eye Care and discussed a tour of that facility where the owner expressed interest in staying in West Valley City and being a part of the City Center Redevelopment Project.

Mayor Winder reported regarding a Utah Department of Transportation (UDOT) meeting held the previous day which was an update regarding transportation planning and upcoming projects.

Mayor Winder discussed the third “Milk with the Mayor” meeting with residents held the previous week and issues discussed, including allowing chickens to be raised in residential areas.

Mayor Winder updated the Council regarding Councilmember Carolynn Burt and related her hopes of recovering from her illness and being back with the City Council very soon.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, MAY 11, 2010, WAS ADJOURNED AT 6:05 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 of the West Valley City Council held Tuesday, May 11, 2010.

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Sheri McKendrick, MMC  
City Recorder