

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 14, 2010

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, SEPTEMBER 14, 2010, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR PRO TEM RUSHTON CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Steve Buhler
Carolynn Burt
Don Christensen
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Russ Brooks
Mike Winder

STAFF PRESENT:

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

1. **MARGARET PETERSON – COMMUNITY EDUCATION PARTNERSHIP (CEP) ANNUAL REPORT**

City Manager, Wayne Pyle, introduced Margaret Peterson, Director of the Community Education Partnership (CEP). Ms. Peterson introduced several elementary school principals in attendance at the meeting.

Using PowerPoint, Ms. Peterson discussed information summarized as follows:

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- Expanding successful communities through partnerships for youth – goal and theme for 2010
- Background information regarding CEP
- Structure including membership, committees, and list of board members/positions
- Reasons schools need partners to make a difference in education system and community
- Goal is good quality of life for educators, parents and children
- Principles of effective partnerships
- Sponsors, corporate and private donors, grants, foundations, and partnerships
- List of major donors and partners
- Progress report
- CEP funded programs and projects
- Fundraising efforts and in-kind services – over \$2.3 million in grants last year
- Successes including Project Swing at Rolling Meadows Elementary
- Contact information: www.cep4kids.org

During the above presentation of information, Ms. Peterson answered questions from members of the City Council and the City Manager.

On behalf of the City Council, Mayor Pro Tem Rushton expressed appreciation for the efforts of the CEP and educators involved and thanked Ms. Peterson for the report.

2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED SEPTEMBER 14, 2010**

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Council Meeting scheduled September 14, 2010, at 6:30 P.M.

He reviewed the following items scheduled on that Agenda:

Item No. 8.B. – RESOLUTION NO. 10-166, APPROVE AMENDMENT TO THE AGREEMENT FOR THE DISPOSITION OF LAND (ADL) BETWEEN THE CITY, THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, AND JORDAN RIVER MARKETPLACE, LLC, TO PROVIDE FOR THE REDEVELOPMENT OF THE JORDAN RIVER REDEVELOPMENT AREA

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-166 which would approve an Amendment to the Agreement for the Disposition of Land (ADL) between the City, the Redevelopment Agency (RDA) of West Valley City, and Jordan River Marketplace, LLC, to provide for the redevelopment of the Jordan River Redevelopment Area.

Mr. Pyle stated the proposed Amendment would clarify and redefine the purchase price to be made in consideration of the improvements to be constructed on the property by the developer and what land, specifically, would be transferred to the developer.

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The City Manager reported in the Agreement, the RDA would agree to convey the parcels of land in Phase I and Phase II of the Agreement for Development of Land. He also reported Phase I included Lots 2 and 3 of the Utah Cultural Celebration Subdivision, the remainder parcel north of Lot 3; and a part of a remnant parcel of land lying to the east of Lot 3, provided the City obtained title to that lot. He stated this was a total square footage of 432,182 square feet and would be sold to the developer at \$3.00 per square foot. He further indicated Phase II included Lot 1 of the Utah Cultural Celebration Subdivision and would be sold at the same rate.

Mr. Pyle informed there had been additional issues the developer requested to be considered by the City Council; therefore, this item had been continued from the Regular Council Meeting held September 7, 2010.

Nicole Cottle, CED Director, discussed and reviewed the new amendments in details and answered questions from members of the City Council. She also advised a similar resolution would be considered by the Redevelopment Agency.

Special Redevelopment Agency Meeting Agenda items

City Manager, Wayne Pyle, reviewed two items on the Agenda for a Special Redevelopment Agency Meeting scheduled later this night.

3. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED SEPTEMBER 21, 2010:

A. GAYLEN RASMUSSEN, PRESIDENT OF UTAH GOVERNMENT FINANCE OFFICERS ASSOCIATION (UGFOA) – PRESENTATION OF UGFOA DISTINGUISHED BUDGET AWARD FOR FY 2009 TO WEST VALLEY CITY

City Manager, Wayne Pyle, stated Gaylen Rasmussen of the UGFOA would present the Distinguished Budget Award for FY 2009 to West Valley City, at the Regular Council Meeting scheduled September 21, 2010, at 6:30 P.M.

B. EMPLOYEE OF THE MONTH, JULY, 2010 – MARGO HOYT, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

City Manager, Wayne Pyle, stated Councilmember Rushton would read the nomination of Margo Hoyt, CED Department, to be recognized as Employee of the Month for July 2010, at the Regular Council Meeting scheduled September 21, 2010, at 6:30 P.M.

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4. **ORDINANCE NO. 10-28, AMEND SECTIONS 16-6-101, OF TITLE 16 OF THE WEST VALLEY CITY MUNICIPAL CODE BY ADOPTING THE 2009 INTERNATIONAL FIRE CODE, ACCOMPANYING APPENDICES, EXCLUDING APPENDIX A**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 10-28 which would amend Sections 16-6-101 of Title 16 of the West Valley City Municipal Code by adopting the 2009 International Fire Code, accompanying Appendices, excluding Appendix A.

Mr. Pyle stated the West Valley City Fire Department was required to provide fire suppression and protection from fire to the citizens residing within the boundaries of the City. He further stated under Utah State law, cities were required to implement Fire and Life Safety Codes adopted by the Utah State Fire Prevention Board. He indicated those codes could be amended with greater restrictions when approved by that Board. He explained in order to comply with the past actions of West Valley City and current State law, it was necessary to replace the 2006 edition of the International Fire Code by adopting the 2009 edition.

Carl Andreason, Fire Department, further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 10-28 at the Regular Council Meeting scheduled September 21, 2010, at 6:30 P.M.

5. **RESOLUTION NO. 10-172, APPROVE APPROPRIATION OF \$13,939.00 FROM THE UNCLAIMED CASH ACCOUNT TO AN ADMINISTRATIVE ACCOUNT IN THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-172 which would approve an appropriation of \$13,939.00 from the unclaimed cash account to an administrative account in the Police Department.

Mr. Pyle stated that in the public interest, the proposal would authorize the Finance Director to deposit the funds into an account of the Police Department to be used as determined by the Police Chief.

The City Manager reported that from time to time the Police Department would have money deposited into the Evidence Room. He advised the money came from investigations the Department was conducting, as found property or had been deposited for safekeeping. He further explained the funds had become available to be released to the rightful owner; however, the Department had exercised due diligence to find the rightful owner, as required by State law, and the rightful owner had not been identified. He stated, therefore, according to State law, the funds were now available for appropriation, as the City Council so directed.

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City Manager, Wayne Pyle, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council. In response to inquiry, Mike Wells, Acting Police Chief, stated the subject funds would be used for various projects such as on-going investigations of certain cases.

The City Council will consider proposed Resolution No. 10-172 at the Regular Council Meeting scheduled September 21, 2010, at 6:30 P.M.

6. CONSENT AGENDA SCHEDULED SEPTEMBER 21, 2010:

A. RESOLUTION NO. 10-173, APPROVE A RIGHT-OF-WAY AGREEMENT WITH EQUITABLE PARTNERS, L.C. FOR PROPERTY LOCATED AT 2481 SOUTH 7200 WEST, AND ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 7200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-173 which would approve a Right-of-Way Agreement with Equitable Partners, L.C. for property located at 2481 South 7200 West, and accept a Warranty Deed and Grant of Temporary Construction Easement for the 7200 West Improvement Project.

Mr. Pyle stated Equitable Partners, L.C. 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 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 compensation for the right-of-way and easement would be in the amount of \$3,000.00, negotiated based on an appraisal prepared by Free and Associates, Inc. indicating a value of \$2,500.00.

B. RESOLUTION NO. 10-174, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOHN M. DIAMOND AND CYNTHIA B. DIAMOND FOR PROPERTY LOCATED AT 2789 SOUTH 7200 WEST FOR THE 7200 WEST IMPROVEMENT PROJECT

City Manager, Wayne Pyle, discussed proposed Resolution No. 10-174 which would accept a Grant of Temporary Construction Easement from John M. Diamond and Cynthia B. Diamond for property located at 2789 South 7200 West from the 7200 West Improvement Project.

Mr. Pyle stated John M. Diamond and Cynthia B. Diamond had signed the Grant of Temporary Construction Easement.

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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 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 further stated 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.

The City Council will consider proposed Resolution Nos. 10-173 and 10-174 at the Regular Council Meeting scheduled September 21, 2010, at 6:30 P.M.

7. **COMMUNICATIONS:**

A. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: September 3 – October 26, 2010: Intermountain Society of Artists, Exhibit, UCCC; September 15-17, 2010: ULCT Annual Convention, Sheraton City Center Hotel, 150 West 500 South; September 16, 2010: Gary Allan, Maverik Center; September 21, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 22, 2010 (Tentative); ChamberWest Breakfast, Pioneer Valley Hospital, 8:30 A.M.; September 28, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 5, 2010: Annual Lake Park Owners Association Golf Social, Stonebridge Golf Course; October 5, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 6, 2010: Pete Harman Day, Harman Home, 11:00 A.M.; October 12, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 17, 2010: WWE presents World Tour!, Maverik Center; October 19, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 19, 2010: Jagermeister Music Tour, Maverik Center; October 19-29, 2010: Early Voting for General Election (Weekdays only, Noon to 6:00 P.M.; No later than 5:00 P.M. on October 29th); October 20, 2010: ChamberWest 2010 Awards Gala; October 20, 2010: EDCUtah 2010 Annual Meeting, Grand America Hotel, 7:30 A.M. – Registration / 8:00 A.M. – Breakfast Meeting; October 26, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 1, 2010: Day of the Dead, Community Celebration, UCCC, 6:00 P.M. – 9:00 P.M. (Display – November 1-4); November 2, 2010: Election Day; November 2, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 4, 2010: So You Think You Can Dance Tour, Maverik Center; November 9, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 9, 2010: Yo Gabba Gabba Live! There's a Party in My City!, Maverik Center; November 11, 2010: Veteran's Day – City Hall closed; November 16, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 19 – December 30, 2010: Trees of Diversity,

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UCCC; November 23, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 25, 2010: Thanksgiving – City Hall closed; November 26-29, 2010: Radio City Christmas Spectacular, Maverik Center; December 4, 2010: Winter Market, UCCC, 10:00 A.M. – 8:00 P.M.; December 7, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 13, 2010: Winter Concert Series – Bonnie Harris Christmas Concert, UCCC, 7:00 P.M.; December 14, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 21, 2010: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.

8. **COUNCIL REPORTS:**

A. **COUNCILMEMBER CAROLYNN BURT – CEP MEETING**

Councilmember Burt reported regarding a Community Education Partnership (CEP) meeting she attended the previous day including issues discussed. She discussed some of the after-school programs available to participating students and praised the efforts of Director Margaret Peterson.

B. **COUNCILMEMBER DON CHRISTENSEN – HALE CENTRE THEATRE ANNUAL PARTY; HEXEL FACILITY TOUR; AND BOY SCOUT PROJECT**

Councilmember Christensen reported that he and Councilmember Brooks had recently attended the Hale Centre Theatre annual party.

Councilmember Christensen advised he and Mayor Winder had recently toured the Hexel facility.

Councilmember Christensen stated he had been working with the Parks and Recreation Department and the Boy Scouts organization regarding an urban campsite near the Jordan River.

C. **MAYOR PRO TEM COREY RUSHTON – NATIONAL LEAGUE OF CITIES (NLC) CONGRESS OF CITIES AND EXPOSITION**

Mayor Pro Tem Rushton advised the NLC Congress of Cities and Exposition was scheduled the first week of December in Denver, Colorado. Mr. Rushton reminded he was a member of one of the committees which would hold its meeting during the event. He requested the City Council's approval to attend. After discussion, the City Council expressed a consensus regarding Mayor Pro Tem Rushton attending the scheduled NLC meetings.

City Manager, Wayne Pyle, stated he would instruct staff to determine if other City Council members desired to attend that conference.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, SEPTEMBER 14, 2010, WAS ADJOURNED AT 5:17 P.M., BY MAYOR PRO TEM RUSHTON.

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, September 14, 2010.

Sheri McKendrick, MMC
City Recorder