

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-1-

THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, SEPTEMBER 25, 2012, 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 AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Jim Welch, Finance Director
Eric Bunderson, City Attorney
Nicole Cottle, CED Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Layne Morris, CPD Director
John Evans, Fire Chief
Mike Wells, Acting Police Chief
Aaron Crim, Administration
Jake Arslanian, Public Works Department
Stan Varney, Fire Department
Steve Pastorik, CED Department
Jody Knapp, CED Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD SEPTEMBER 11, 2012**
The Council read and considered Minutes of the Study Meeting held September 11, 2012. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Study Meeting held September 11, 2012, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-2-

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED SEPTEMBER 25, 2012**

City Manager, Wayne Pyle, advised no new items had been added to the Agenda for the Regular Council Meeting scheduled September 25, 2012, at 6:30 P.M. Upon inquiry, there were no questions regarding items scheduled on the subject Agenda.

3. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED FOR OCTOBER 2, 2012:**

A. **PROCLAMATION DECLARING OCTOBER 2012 AS *LIGHTS ON AFTER SCHOOL MONTH* IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Councilmember Buhler would read a Proclamation declaring October 2012 as *Lights on After School Month* in West Valley City, at the Regular Council Meeting scheduled October 2, 2012, at 6:30 P.M.

B. **PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER 2012 AS *NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH* IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Mayor Winder would read a Proclamation recognizing the month of October 2012 as *National Domestic Violence Awareness Month* in West Valley City, at the Regular Council Meeting scheduled October 2, 2012, at 6:30 P.M.

4. **RESOLUTION NO. 12-136, APPROVE THE EXTENSION OF AN INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY, COTTONWOOD HEIGHTS CITY, DRAPER CITY, MURRAY CITY, SALT LAKE CITY, SANDY CITY, SOUTH JORDAN CITY, SOUTH SALT LAKE CITY, AND WEST JORDAN CITY, FOR THE CREATION AND OPERATION OF THE VALLEY POLICE ALLIANCE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-136 which would approve the extension of an Interlocal Agreement between West Valley City, Cottonwood Heights City, Draper City, Murray City, Salt Lake City, Sandy

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-3-

City, South Jordan City, South Salt Lake City, and West Jordan City, for the creation and operation of the Valley Police Alliance.

Mr. Pyle stated the proposed extension would be for a period of 50 years unless the City chose to opt out. He also stated municipalities in the Salt Lake Valley had come together to form the Valley Police Alliance through the Interlocal Agreement. He advised that West Valley City had signed the original agreement on January 13, 2009, which had a three year termination date.

The City Manager further discussed and reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 12-136 at the Regular Council Meeting scheduled October 2, 2012, at 6:30 P.M.

5. **RESOLUTION NO. 12-137, APPROVE AN AGREEMENT WITH PROJECT ENGINEERING CONSULTANTS TO PROVIDE ENGINEERING SERVICES FOR THE 6400 WEST EXTENSION PROJECT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-137 which would approve an Agreement with Project Engineering Consultants, in the amount of \$262,513.00, to provide engineering services for the 6400 West Extension Project.

Mr. Pyle stated as part of House Bill 173 from the 2012 Legislative Session, West Valley City had been given \$3,000,000 for highway improvements on 6400 West from Parkway Boulevard to SR-201 Frontage Road. He indicated this road would provide access to the properties between the Riter Canal and SR-201. He explained presently the only access to this area was from the frontage road either at 7200 West or 5600 West.

The City Manager reported Professional Engineering Consultants were being recommended to provide the environmental and engineering services for the extension of 6400 West. He stated the project was a new roadway to be constructed in areas with potential wetland impacts. He explained scope of the work included wetland delineation and impact mitigation planning, topographic surveying, geotechnical investigations, roadway design services and other tasks associated with the development of construction drawings. He stated it was anticipated the roadway would be constructed in the summer of 2013.

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

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-4-

The City Council will consider proposed Resolution No. 12-137 at the Regular Council Meeting scheduled October 2, 2012, at 6:30 P.M.

6. CONSENT AGENDA SCHEDULED OCTOBER 2, 2012:

A. RESOLUTION NO. 12-138, APPROVE AN AGREEMENT TO PROVIDE FOR THE GRANT OF A CERTAIN ACCESS EASEMENT AND RIGHT-OF-WAY TO PACIFICORP BY WEST VALLEY CITY

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-138 which would approve an Agreement to provide for the grant of a certain access easement and right-of-way to PacifiCorp by West Valley City.

Mr. Pyle stated the approval and authorization of an Access Easement and Right-of-Way in favor of PacifiCorp, an Oregon Corporation, covered a portion of West Valley City property located at approximately 5704 S. Far Vista Drive (Parcel 20-14-151-026) and over a portion of property owned by SR Second Chance, LLC, located at approximately 5728 S. Far Vista Drive (Parcel 20-14-151-025). He advised that SR Second Chance, LLC had prepared and requested a new easement and right-of-way in favor of PacifiCorp to provide access over properties owned by SR Second Chance, LLC and West Valley City to an existing Nextel cell tower site located on the West Valley City property.

He further explained that at the request of SR Second Chance, LLC, PacifiCorp had agreed to abandon an existing Access Easement over properties owned by SR Second Chance, LLC and West Valley City. He advised the existing easement encumbered the proposed and future development of the SR Second Chance, LLC property. He reported the new easement and right-of-way would run from the end of the existing Far Vista Drive within the alignment of the proposed future Far Vista Drive, then to and across the West Valley City parcel to the existing cell tower site. He stated SR Second Chance, LLC would be responsible for recording the executed Access Easement and Right-of-Way document.

B. RESOLUTION NO. 12-139, RATIFY THE CITY MANAGER'S APPOINTMENT OF J. ERIC BUNDERSON AS A MEMBER OF THE SALT LAKE COUNTY NOMINATING COMMISSION FOR A TERM COMMENCING OCTOBER 2, 2012, AND ENDING UPON THE SELECTION OF A WEST VALLEY JUSTICE COURT JUDGE

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-139 which would ratify his appointment of J. Eric Bunderson as a member of the Salt Lake County Nominating Commission for a term commencing

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-5-

October 2, 2012, and ending upon the selection of a West Valley Justice Court judge.

Mr. Pyle stated based on the retirement of current Justice Court Judge Keith Stoney it was necessary to fill a judicial vacancy in the West Valley City Justice Court. He explained the Salt Lake County Justice Court Nominating Commission consisted of one member of the County Bar Association, one member of the Municipal Selection Committee comprised of mayors of each municipality in Salt Lake County, a member selected by the County Mayor, and two members from the jurisdiction where the judicial vacancy was located. He explained the Nominating Commission members were responsible to review applicants and make recommendations to the City.

C. RESOLUTION NO. 12-140, RATIFY THE CITY MANAGER'S APPOINTMENT OF PAUL ISAAC AS A MEMBER OF THE SALT LAKE COUNTY NOMINATING COMMISSION FOR A TERM COMMENCING OCTOBER 2, 2012, AND ENDING UPON THE SELECTION OF A WEST VALLEY JUSTICE COURT JUDGE

City Manager, Wayne Pyle, discussed proposed Resolution No. 12-140 which would ratify his appointment of Paul Isaac as a member of the Salt Lake County Nominating Commission for a term commencing October 2, 2012, and ending upon the selection of a West Valley Justice Court Judge.

Mr. Pyle stated based on the retirement of current Justice Court Judge Keith Stoney it was necessary to fill a judicial vacancy in the West Valley City Justice Court. He explained the Salt Lake County Justice Court Nominating Commission consisted of one member of the County Bar Association, one member of the Municipal Selection Committee comprised of mayors of each municipality in Salt Lake County, a member selected by the County Mayor, and two members from the jurisdiction where the judicial vacancy was located. He explained the Nominating Commission members were responsible to review applicants and make recommendations to the City.

The City Council will consider proposed Resolution Nos. 12-138 through 12-140 at the Regular Council Meeting scheduled October 2, 2012, at 6:30 P.M.

7.

COMMUNICATIONS:

A. RESIDENTIAL RESTRICTION UPDATE

City Manager, Wayne Pyle, stated an update regarding residential restrictions had been scheduled, and upon direction, the CED Director, Nicole Cottle, used PowerPoint and discussed information summarized as follows:

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-6-

- Given this presentation 27 times around the State
- Sensitive nature of this issue
- Overcrowding of single-family homes – definition of family (Federal and State law); zoning code; building code; other applicable City codes
- Overview of Federal Fair Housing Act
- State Law – the story of *The Haven* vs. *WVC* and recent cases in Utah
- Definitions in City Codes – Zoning, Business Licensing and Building
- Additional National Building Codes
- What we do not do and practical problems
- What we do
- Answers to common questions

During the above presentation of information Ms. Cottle answered questions from members of the City Council.

B. **REVIEW DRAFT AGENDAS FOR REDEVELOPMENT AGENCY AND HOUSING AUTHORITY MEETINGS SCHEDULED OCTOBER 2, 2012**

City Manager, Wayne Pyle, reviewed items on the draft Agendas for the Redevelopment Agency and Housing Authority meetings scheduled October 2, 2012. He noted only consideration of Minutes had been listed on those Agendas to date.

C. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: September 11-October 24, 2012: Intermountain Society of Artists' Annual Fall Show, UCCC; September 27, 2012: Kellogg's Tour of Gymnastics Champions, Maverik Center, 7:30 P.M.; September 28, 2012: VIP Dinner & Reception for Nantou Delegation, UCCC, Social Hour at 5:30 P.M., Opening Ceremony at 6:00 P.M. and Dinner at 7:00 P.M.; September 29, 2012: PetFest, West Valley City/Taylorsville Animal Shelter, 4522 West 3500 South, 10:00 A.M. – 2:00 P.M.; October 2, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 2, 2012: Domestic Violence Awareness Program, Lobby, 6:00 P.M.; October 4, 2012: ChamberWest 2012 Legacy Awards Gala, Hilton Salt Lake City Airport, 5151 Wiley Post Way, 6:00 P.M.; October 5, 2012: WVC Employee Golf Tournament, Stonebridge Golf Course, Registration at 7:00 A.M. & Shotgun Start at 8:00 A.M.; October 9, 2012: Pete Harman

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-7-

Day, Harman Senior Center, 4090 South 3600 West, Entertainment at 11:00 A.M. & Lunch at Noon; October 9, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 10, 2012: Carrie Underwood, Maverik Center, 7:30 P.M.; October 16, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 19-21, 2012: Sesame Street Live, Maverik Center; October 23, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 23 – November 2, 2012: Early Voting Period for General Election at City Hall; October 30, 2012: No Council Meeting Scheduled (5th Tuesday); October 31 – November 4, 2012: Cirque du Soleil: Quidam, Maverik Center; November 6, 2012: General Election; November 6, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 9-10, 2012: Monster Truck Spectacular, Maverik Center; November 12, 2012: Veteran's Day – City Hall closed; November 13, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 17, 2012: Eric Church, Maverik Center, 7:30 P.M.; November 20, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2012: Thanksgiving – City Hall closed; November 27, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 28, 2012: National League of Cities (NLC) Conference, Boston, MA; December 4, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 11, 2012: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 18, 2012: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; and December 24 & 25, 2012: Christmas Holiday – City Hall closed.

D. **CITY MANAGER UPDATE**

City Manager, Wayne Pyle, updated the City Council regarding media reports of a person barricaded in a home near an elementary school and the evacuation of students.

He also discussed the City Council's decision regarding a GRAMA appeal heard during the previous Regular Meeting. After discussion, the City Council expressed a consensus for private deliberation after the Study Meeting.

8. **COUNCIL REPORTS**

A. **COUNCILMEMBER DON CHRISTENSEN – UNION PACIFIC RAILROAD 150TH ANNIVERSARY EVENT**

Councilmember Christensen reported he represented West Valley City at the Union Pacific Railroad 150th anniversary event held the previous week.

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 25, 2012

-8-

B. MAYOR MIKE WINDER – MATTRESS FIRM RIBBON CUTTING AND TAIWAN DELEGATION VISIT

Mayor Winder reported regarding a recent ribbon cutting held for Mattress Firm.

He also discussed the Sister City Nantou, Taiwan delegation visit and itinerary.

D. VIEW NEW FIRE APPARATUS

Mayor Winder adjourned the Study Meeting and the City Council and City staff went outside to the parking lot in front of City Hall to view new fire apparatus.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE STUDY MEETING OF TUESDAY, SEPTEMBER 25, 2012, WAS ADJOURNED AT 5:40 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, September 25, 2012.

Sheri McKendrick, MMC
City Recorder