

**MINUTES OF COUNCIL STUDY MEETING –SEPTEMBER 23, 2014**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, SEPTEMBER 23, 2014, 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor  
Lars Nordfelt, Councilmember At-Large  
Tom Huynh, Councilmember District 1  
Steve Buhler, Councilmember District 2  
Karen Lang, Councilmember District 3  
Steve Vincent, Councilmember District 4

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

ABSENT: Corey Rushton, Councilmember At-Large

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Kevin Astill, Parks and Recreation Director  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
Layne Morris, CPD Director  
Lee Russo, Police Chief  
Sam Johnson, Strategic Communications Director  
Stan Varney, Acting Fire Chief  
Steve Pastorik, CED Department  
Jake Arslanian, Public Works Department  
Dan Johnson, Public Works Department  
Eric Madsen, Public Works Department  
Jason Nau, Administration

**1. APPROVAL OF MINUTES OF STUDY MEETING HELD SEPTEMBER 9, 2014**

The Council read and considered Minutes of the Study Meeting held September 9, 2014. There were no changes, corrections or deletions.

After discussion, Councilmember Lang moved to approve the Minutes of the Study Meeting held September 9, 2014, as written. Councilmember Vincent seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**2. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED SEPTEMBER 23, 2014**

Mayor Bigelow informed no new items had been added to the Agenda for the Regular Meeting scheduled later this night. Upon inquiry, there were no further questions regarding items scheduled on the subject Agenda.

**3. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED OCTOBER 7, 2014:**

**A. PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER 2014 AS NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH IN WEST VALLEY CITY**

Mayor Bigelow inquired if a member of the Council desired to read a Proclamation regarding Domestic Violence Awareness Month at the Regular Council Meeting scheduled October 7, 2014. He informed the Proclamation would be read during a program in the lobby of City Hall prior to Regular Council Meeting. He inquired if the Council felt it necessary to also read the Proclamation during the scheduled Regular Meeting. There was no one who offered to read the Proclamation during the Regular Meeting.

**4. PUBLIC HEARINGS SCHEDULED OCTOBER 7, 2014:**

**A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2014-2015 BUDGET**

Finance Director, Jim Welch, informed a public hearing had been advertised for the Regular Council Meeting scheduled October 7, 2014, in order for the City Council to accept public input regarding re-opening the FY 2014-1025 Budget.

Proposed Ordinance No. 14-37 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

**ORDINANCE NO. 14-37, AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015, TO REFLECT CHANGES IN THE BUDGET**

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**FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS**

Jim Welch, Finance Director, discussed proposed Ordinance No. 14-37 that would amend the Budget of West Valley City for the fiscal year beginning July 1, 2014 and ending June 30, 2015, to reflect changes in the Budget from increased revenues and authorize the disbursement of funds.

He stated State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allowed the City to amend its budget during the year. He advised West Valley City held public hearings on budget amendments on a quarterly basis each fiscal year. He advised a public notice had been posted as required by law.

He also reviewed specific line items in detail regarding the budget opening and answered questions from members of the City Council.

Acting City Manager, Paul Isaac, referenced a voice mail message previously sent to City Council members from the City Manager regarding funding of salary increases for public sector employees and explaining funding sources. He also noted this matter would be included in next quarter's budget opening.

The City Council will hold a public hearing and consider proposed Ordinance No. 14-37 at the Regular Council Meeting scheduled October 7, 2014, at 6:30 P.M.

**B. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING A PROPOSED MORATORIUM ON APPLICATIONS TO CHANGE ZONING ON PROPERTY TO ANY RESIDENTIAL ZONE**

Steve Pastorik, CED Department, informed a public hearing had been advertised for the Regular Council Meeting scheduled October 7, 2014, in order for the City Council to accept public input regarding a proposed moratorium on applications to change zoning on property to any residential zone.

Proposed Ordinance No. 14-38 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

**ORDINANCE NO. 14-38, ENACTING A TEMPORARY LAND USE REGULATION REGARDING THE RE-ZONING OF PROPERTY WITHIN THE CITY**

Steve Pastorik, CED Department, discussed proposed Ordinance No. 14-38 that would enact a temporary land use regulation regarding the re-zoning of property within the City.

He stated the City Council was currently in the process of updating the General Plan and evaluating current and future land use priorities in West Valley City. Accordingly, the subject ordinance proposed to impose a temporary land use

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regulation prohibiting applications requesting to re-zone property for residential use for a period of six months. The City was authorized to enact temporary land use ordinances by U.C.A. 10-9c-504.

Mr. Pastorik further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council. He also clarified the process to be used by staff to review undeveloped properties based on the direction already provided by the City Council, and with involvement of the Planning Commission.

Upon discussion, members of the City Council discussed individual opinions and concerns and commented regarding the proposal.

In response to inquiry, Nicole Cottle, Assistant City Manager/CED Director, responded to comments and concerns voiced above by members of the Council, and discussed some legal issues related to land use decisions.

The City Council will hold a public hearing and consider proposed Ordinance No. 14-38 at the Regular Council Meeting scheduled October 7, 2014, at 6:30 P.M.

5. **RESOLUTION NO. 14-157, APPROVE FRANCHISE AGREEMENT WITH tw telecom of utah llc AND WEST VALLEY CITY FOR A TELECOMMUNICATIONS NETWORK IN THE CITY**

Eric Bunderson, City Attorney, discussed proposed Resolution No. 14-157 that would approve a Franchise Agreement with tw telecom of utah llc for a telecommunications network in the City.

Mr. Bunderson stated the proposed Franchise Agreement would allow tw telecom of utah llc (tw) to establish a telecommunications network in, under, along, over and across present and future rights-of-ways of West Valley City.

He advised applications for telecommunications networks in the City were governed by Chapter 20-5 of the City Code. The franchise granted by the subject agreement would be for a ten-year period, with the option to renew for an additional ten years with the same terms and conditions. Chapter 20-6 of the City Code permitted the City to require all telecommunications providers to collect taxes from their customers and deposit them with the Utah State Tax Commission. The subject agreement memorialized this provision as well as acknowledging tw's obligation to secure permits from the Public Works Department for any excavation or construction.

Mr. Bunderson further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

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The City Council will consider proposed Resolution No. 14-157 at the Regular Council Meeting scheduled October 7, 2014, at 6:30 P.M.

**6. RESOLUTION NO. 14-158, APPROVE THE PURCHASE OF A 2015 FORD F250 TRUCK FROM HENRY DAY FORD FOR USE BY THE PUBLIC WORKS DEPARTMENT**

Public Works Director, Russell Willardson, discussed proposed Resolution No. 14-158 that would approve purchase of a 2015 Ford F250 4-Door Crew Cab truck from Henry Day Ford, in an amount no to exceed \$30,496.60, for use by the Public Works Department.

Mr. Willardson stated Henry Day Ford had been selected as the supplier of the above-described vehicle to be used by the Public Works Storm Water Engineering Division. He explained the original estimate from Henry Day Ford had been in the amount of \$30,000.00 and upon delivery of the vehicle the invoice reflected a \$496.00 overage of that original estimate. He reported the City's procurement code allowed purchases without bidding from vendors within the City at an amount within 1% of the State bid. He also advised the proposed purchase would replace a vehicle from the Light Vehicle Replacement List.

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

The City Council will consider proposed Resolution No. 14-158 at the Regular Council Meeting scheduled October 7, 2014, at 6:30 P.M.

**7. RESOLUTION NO. 14-159, AUTHORIZE FIVE PERCENT CONTINGENCY TO THE CONTRACT WITH ACE CONSTRUCTION FOR THE CONSTRUCTION OF THE GLENN WEAVER MEMORIAL PARK TO COVER CURRENT AND POTENTIAL CHANGE ORDERS ON THE PROJECT**

Kevin Astill, Parks and Recreation Director, discussed proposed Resolution No. 14-159 that would authorize five percent contingency, up to \$44,330.62, to the contract with Ace Construction for construction of the Glenn Weaver Memorial Park to cover current and potential change orders on the project.

Mr. Astill stated the proposed five percent contingency would cover three current change orders totaling \$5,882.50 and anticipated future change orders to the original contract amount of \$886,612.47.

He advised that during construction of most park projects there were conditions that turned out to be materially different than the plans and specifications indicated. He stated the first three change orders fell into that category. Changes in the design had been made during negotiations with the contractor that needed correction as well as design discrepancies between the architect, engineer and City staff that were discovered during

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the construction process. These errors needed correction to produce a satisfactory and functional final product.

He reported the proposed contingency should cover all corrected change orders as well as any future change orders, and he assured prudence in administering any additional change orders would be exercised by staff.

He reviewed historical information regarding the project and stated Glenn Weaver Memorial Park at the Vistas had been purchased in 2004 as the area developed into single-family residences. The City awarded the construction of Weaver Park to Ace Construction in July and the contractor had been working on the project over the last two months and progress had been made. He advised the park would be a 2.8 acre facility with a fantastic view of the Salt Lake Valley. He also advised it was during this initial work that the changes in work and scope had been identified.

Mr. Astill further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 14-159 at the Regular Council Meeting scheduled October 7, 2014, at 6:30 P.M.

8. **RESOLUTION NO. 14-160, RATIFY THE CITY MANAGER’S APPOINTMENT OF DAVID MCEWEN AS A MEMBER OF THE WEST VALLEY CITY CLEAN AND BEAUTIFUL COMMITTEE, TERM: OCTOBER 7, 2014 – JUNE 30, 2018**  
Acting City Manager, Paul Isaac, discussed proposed Resolution No. 14-160 that would ratify the City Manager’s appointment of David McEwen as a Member of the West Valley City Clean and Beautiful Committee for the term October 7, 2014 through June 30, 2018.

Mr. Isaac stated that Mr. McEwen was willing to serve as a member of the City’s Clean and Beautiful Committee for the above-stated term. He advised that members of the Committee were appointed for four-year terms by the City Manager with the advice and consent of the City Council.

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

The City Council will consider proposed Resolution No. 14-160 at the Regular Council Meeting scheduled October 7, 2014, at 6:30 P.M.

9. **COMMUNICATIONS:**  
A. **ANNUAL STORM WATER REPORT**  
Russell Willardson, Public Works Director, used PowerPoint and discussed information included in the annual storm water report, as follows:

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- Purpose of Storm Water Utility (FY 2013-2014 Annual Report)
- Financial report, including revenues collected, uses, and accomplishments
- Annual revenue comparison
- Storm Water Utility revenue collections
- Remedies for non-payment
- FY 2013-2014 expenditures, including General Fund payment, supplies, utility billing, bonds, transfer to flood impact, in-house labor services, capital equipment, and capital projects
- 5-Year comparison chart (FY 2009-2010 through FY 2013-2014): comparing supplies and professional services, general fund payment and in-house labor
- Capital projects and equipment chart
- Debt, including purchase of Riter Canal Detention Basin property, 5-year amortization schedule through September 2018, 1.6% interest, and annual payments
- Capital project expenditures 2013-2014
- Storm water equipment purchased in FY 2013-2014
- Special Revenue Fund balance chart (FY2007-2008 – FY 2013-2014)
- 2014 high intensity storms
- Future capital projects
- Utah Pollution Discharge Elimination System (UPDES) Permit
- Storm Water Management Plan, including public education and outreach, public involvement/participation, illicit discharge detection and elimination, construction site runoff control, long-term (post-construction) storm water management, and good housekeeping for municipal operations
- Public education and involvement
- Illicit discharge elimination
- Construction site storm water runoff control
- Long-term storm water management in new development and redevelopment including permits issued and inspections completed
- Long-term storm water management including major changes for new development, update to General Plan, and storm water management ordinance revisions
- Good housekeeping for municipal operations: implement City Works asset management system to improve effectiveness of storm drain cleaning
- Municipal operations: 9,064 catch basins inspected and maintained; photograph of cleaning a catch basin

During the above presentation of information, the Public Works Director answered questions from members of the City Council.

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**B. WEST VALLEY FIBER NETWORK UPDATE**

Mayor Bigelow updated the City Council regarding the West Valley Fiber Network and advised of a fully executed contract with the consultant relating to the West Valley Fiber Network.

**C. REVIEW DRAFT AGENDAS FOR REDEVELOPMENT AGENCY AND HOUSING AUTHORITY MEETINGS SCHEDULED FOR OCTOBER 7, 2014**

Acting City Manager, Paul Isaac, reviewed draft Agendas for the Redevelopment Agency and Housing Authority meetings scheduled October 7, 2014. He discussed draft minutes and a proposed budget opening scheduled on the Redevelopment Agency agenda. He also advised consideration of approval of minutes was listed on the Housing Authority agenda.

**D. COUNCIL UPDATE**

Mayor Bigelow referenced a Memorandum from the City Manager that outlined upcoming meetings and events as follows:

September 13 – October 24, 2014	Journey Stories Traveling Smithsonian Exhibit, UCCC
September 24, 2014	Lake Park Golf Social, Stonebridge Golf Course, 8:30 A.M. – 1:30 P.M.
September 27, 2014	Hunter Library Grand Re-opening & Ribbon Cutting, 4740 West 4100 South, 10:00 A.M.
September 27, 2014	4 <sup>th</sup> Annual PetFest, Animal Shelter & City Park, 4522 West 3500 South, 10:00 A.M. – 2:00 P.M.
September 29, 2014	Journeys Town Leadership Panel, UCCC, 7:00 P.M. – 8:30 P.M.
September 30, 2014	No Council Meeting scheduled (5 <sup>th</sup> Tuesday)
October 3, 2014	Annual VIP Night for Members, Family Fitness Center, 6:00 P.M. – 9:00 P.M.
October 4, 2014	Family Activity: Journey Stories Journal Sketchbooks, UCCC, 11:00 A.M. – 1:00 P.M.
October 7, 2014	Council Study Meeting, 4:30 P.M. and

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Regular Council Meeting, 6:30 P.M.

October 7, 2014

Domestic Violence Awareness Program,  
City Hall Lobby, 6:00 P.M.

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October 13, 2014	ARTRageous Student Activity: Journey Stories Journal Sketchbooks, UCCC, 9:00 A.M.
October 14, 2014	ARTRageous Student Activity: Journey Stories Journal Sketchbooks, UCCC, 9:00 A.M.
October 14, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
October 15, 2014	WVC Watch Wednesday – Information Update, City Hall, 6:30 P.M. – 8:00 P.M.
October 15, 2014	Community Meeting with Chief Russo, Location TBD, 7:00 P.M.
October 18, 2014	West Valley Women in Motion Conference, UCCC, 9:00 A.M. – 2:00 P.M.
October 21, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
October 21 – 31, 2014	Early Voting for General Election, City Hall Lobby, 12:00 P.M. – 6:00 P.M. (weekdays only)
October 24, 2014	Member Event – Pumpkin Painting & Refreshments, Fitness Center, 6:00 P.M. – 7:00 P.M.
October 25, 2014	Bewitching Breakfast, Fitness Center, 9:30 A.M. – 10:30 A.M.
October 25, 2014	Halloween Safety Fair, Fitness Center, 11:00 A.M. – Noon
October 27, & 28, 2014	Nightmare Alley, Fitness Center (Edutainment Center), 7:00 P.M. – 10:00 P.M.
October 28, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
November 4, 2014	General Election, Polls Open 7:00 A.M. – 8:00 P.M.

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November 4, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
November 11, 2014	Veteran’s Day Holiday – City Hall closed
November 11, 2014	Veteran’s Day Program and Events, Family Fitness Center (Details to Follow)
November 12, 2014	The Black Keys – Turn Blue World Tour, Maverik Center, 8:00 P.M.
November 14, 2014	Member Appreciation Activity – Movie Night, Fitness Center, 7:00 P.M.
November 18, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
November 18, 2014	Judas Priest – Redeemer of Souls Tour 2014, Maverik Center, 7:30 P.M.
November 22, 2014	Turkey Trot 5K, Fitness Center, 8:00 A.M.
November 25, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
November 27, 2014	Thanksgiving Holiday – City Hall closed
December 1, 2014	Annual Christmas Tree Lighting and Walk with Santa, Fitness Center, 6:00 P.M.
December 2, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
December 3, 2014	Blood Drive, City Hall, 8:30 A.M. – 12:30 P.M.
December 6, 2014	Breakfast with Santa, Fitness Center, 9:00 A.M.
December 9, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
December 10, 2014	Stories & S’mories, Plaza at Fairbourne Station, 6:00 P.M.

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December 13, 2014	Breakfast with Santa, Fitness Center, 9:00 A.M.
December 16, 2014	Council Study Meeting, 4:30 P.M. and Regular Council Meeting, 6:30 P.M.
December 19, 2014	So You Think You Can Dance Live, Maverik Center, 8:00 P.M.
December 24 & 25, 2014	Christmas Holiday – City Hall closed
January 1, 2015	New Year’s Day Holiday – City Hall closed

9. **COUNCIL REPORTS:**

A. **COUNCILMEMBER KAREN LANG – WOMEN IN MOTION CONFERENCE**

Upon inquiry by Councilmember Lang, the Assistant City Manager/CED Director, Nicole Cottle, advised the *Women in Motion* Conference had been scheduled in October and would be held at the Utah Cultural Celebration Center.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, SEPTEMBER 23, 2014, WAS ADJOURNED AT 6:00 P.M., BY MAYOR BIGELOW.

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 23, 2014.

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Sheri McKendrick, MMC  
City Recorder