

MINUTES OF COUNCIL REGULAR MEETING – MAY 28, 2019

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 28, 2019, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR PRO-TEM BUHLER.

THE FOLLOWING MEMBERS WERE PRESENT:

Steve Buhler, Mayor Pro-Tem/ Councilmember District 2
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Karen Lang, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

ABSENT:

Ron Bigelow, Mayor

STAFF PRESENT:

Paul Isaac, Assistant City Manager/ HR Director
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Cindy Hobbs, Acting CPD Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Lars Nordfelt conducted the Opening Ceremony. He indicated that he has thought a lot about the people who have lost their lives for our freedom over Memorial Day and with the 9/11 Exhibit located in Centennial Park this last weekend. He requested that members of the audience, City Staff, and the Council rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 21, 2019

The Council considered the Minutes of the Regular Meeting held May 14, 2019. There were no changes, corrections or deletions.

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Councilmember Fitisemanu moved to approve the Minutes of the Regular Meeting held May 21, 2019. Councilmember Lang seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

AWARDS, CEREMONIES AND PROCLAMATIONS

A. PRESENTATION OF THE MAYOR'S STAR OF EXCELLENCE AWARDS TO STUDENTS OF GRANGER, HUNTER, CYPRUS, AND TAYLORSVILLE HIGH SCHOOLS

Mayor Pro-Tem Buhler and the City Council presented the Star of Excellence Awards to West Valley City students from Granger, Hunter, Cyprus and Taylorsville High Schools.

COMMENT PERIOD

A. PUBLIC COMMENTS

Mike Markham stated he is concerned about parking on streets. He stated that people change license plates and find ways to keep their vehicles parked on the streets for longer than 72 hours. Mr. Markham stated that keeping streets clean is important to the City. He indicated that he has a hard time understanding some of the decisions the Council makes. Mr. Markham stated that he would like to see no at-large seats so that every Councilmember has a district that they oversee. Mr. Markham stated he has had to make multiple calls to Code Enforcement to clean up a property. He indicated he wants the City to be improved so that good people continue to move into the City. Mr. Markham stated that he understands every City has bad areas but he wants the City to be better than the rest.

B. CITY MANAGER COMMENTS

Paul Isaac, Acting City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Upon inquiry, members of the City Council had no comments.

ORDINANCE 19-14: AMEND SECTION 16-6-101 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE

Paul Isaac, Assistant City Manager, discussed proposed Ordinance 19-14 that would amend Section 16-6-101 of the West Valley City Municipal Code to adopt the 2018 edition of the International Fire Code.

Written documentation previously provided to the City Council included information as follows:

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Every three years revised editions of the building and fire codes, which are adopted by the State of Utah as the minimal building standards for all buildings within our State, must be adopted by local municipalities to replace the older building and fire codes that are considered obsolete. The building and fire codes are living documents which are subject to revision at annual code development hearings in a national forum. The results of those hearings are published every three years in revised editions.

In order to comply with the actions of the State Legislature, and current State law, it is necessary to replace the 2015 edition of the International Fire Code with the 2018 edition.

Upon inquiry by Mayor Pro-Tem Buhler there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve Ordinance 19-14.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Buhler	Yes

Unanimous.

RESOLUTION 19-54: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM ROBERT AND SHELENE MITCHELL FOR PROPERTY LOCATED AT APPROXIMATELY 4059 SOUTH 6000 WEST

Paul Isaac, Acting City Manager, discussed proposed Resolution 19-54 that would authorize the City to enter into a Real Estate Purchase Agreement and accept a Warranty Deed with and from Robert and Shelene Mitchell for property located at approximately 4059 South 6000 West.

Written documentation previously provided to the City Council included information as follows:

Property owner is willing to sell the 1.24 acres to the city. The property is located between West View Park and the sports field installed at the current end of Mountain View Corridor. Parks and Recreation would like to purchase the property

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and develop it into park property that would join West View Park to the new sports field.

West Valley City assisted UDOT in the construction of the sports field located at the current end of Mountain View Corridor (4100 S and 5908 W) with the plan of obtaining at least one the adjacent properties to link the new field to existing West View Park.

Salt Lake County will also be starting construction of phase 3 of the Utah and Salt Lake Canal Trail, which will be located on the south side of the canal and will run adjacent to the property located at 4059 S 6000 W and will join the shared use path along Mountain View corridor to the Utah and Salt Lake Canal Trail.

West Valley City Parks and Recreation was contacted by Robert B Mitchell and Shelene S. Mitchell to determine if there was interest in purchasing the property from them. An appraisal of the property was obtained from Valbridge Property Advisors, and an offer of \$350,000 was presented and accepted by the Mitchells.

Upon inquiry by Mayor Pro-Tem Buhler there were no further questions from members of the City Council, and he called for a motion.

Councilmember Huynh moved to approve Resolution 19-54.

Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Buhler	Yes

Unanimous.

RESOLUTION 19-55: AUTHORIZE THE PURCHASE OF A TYMCO 600 STREET SWEEPER FROM INTERMOUNTAIN SWEEPER

Mayor Pro-Tem Buhler discussed proposed Resolution 19-55 that would authorize the purchase of a Tymco 600 Street Sweeper from Intermountain Sweeper.

Written documentation previously provided to the City Council included information as follows:

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Intermountain Sweeper submitted a proposal to the Public Works Department. The proposal qualifies under the provisions of the West Valley City Procurement Code 5-3-110, Procurement to Meet Existing Needs. The code allows the procurement of matching equipment when it is beneficial to operations and maintenance. The Fleet Manager and Operations Managers have negotiated the best price available. Intermountain Sweeper is the only authorized Tymco dealer in the state of Utah.

Street sweepers are high maintenance vehicles. The current policy of replacing sweepers every four years has proven economical by avoiding high repair costs and recouping high trade-in values for the old sweepers. The street sweeper being replaced is a 2015 Tymco 600.

The Public Works Department has used Tymco sweepers for many years, and has been pleased with the equipment performance, and the customer service received from Intermountain Sweeper, the local Tymco vendor.

Upon inquiry by Mayor Pro-Tem Buhler there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to approve Resolution 19-55.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Buhler	Yes

Unanimous.

RESOLUTION 19-56: APPROVE THE LICENSE FOR USE OF WEST VALLEY CITY RIGHT-OF-WAY AT APPROXIMATELY 3550 SOUTH MARKET STREET

Paul Isaac, Acting City Manager, presented proposed Resolution 19-56 that would approve the License for Use of West Valley City Right-of-Way at approximately 3550 South Market Street.

Written documentation previously provided to the City Council included information as follows:

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With this agreement, West Valley Land Holdings, LLC (“WVLH”, the entity building the Office Tower) will be allowed to construct a pedestrian bridge over Market Street to connect the Fairbourne Station Parking Structure with the Office Tower.

Parking for the Office Tower is located in the Parking Structure across Market Street. The plans submitted by WVLH for the Office Tower, include a pedestrian bridge connecting the office building to the parking.

This agreement allows WVLH to construct the privately-owned bridge in the City right-of-way, at WVLH’s expense. WVLH is responsible for maintenance of the bridge and must remove the structure upon demand by the City.

Upon inquiry by Mayor Pro-Tem Buhler there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve Resolution 19-56.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Buhler	Yes

Unanimous.

RESOLUTION 19-57: AUTHORIZE THE CITY TO ENTER INTO A FIRST AMENDMENT TO THE PARKING STRUCTURE MANAGEMENT AND USE AGREEMENT

Mayor Pro-Tem Buhler discussed proposed Resolution 19-57 that would authorize the City to enter into a First Amendment to the Parking Structure Management and Use Agreement.

Written documentation previously provided to the City Council included information as follows:

This amendment shall allow the construction financing for the new Office Tower (also on Market Street at about 3200 South) to be completed.

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Parking for the Office Tower is located in the Parking Structure across Market Street. The lender securing the final construction financing for the Office Tower requested an amendment to the Parking Structure Management Agreement in order to protect the Office Tower in the event of bankruptcy or foreclosure.

This amendment requires that the City be notified in the event of foreclosure of the Office Tower as well as a continuation of the Parking Management Agreement in the event of foreclosure of the Office Tower. Further, this amendment states that the City will cooperate in the event of a bankruptcy.

Upon inquiry by Mayor Pro-Tem Buhler there were no further questions from members of the City Council, and he called for a motion.

Councilmember Christensen moved to approve Resolution 19-57.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Pro-Tem Buhler	Yes

Unanimous.

MOTION TO ADJOURN

Upon motion by Councilmember Huynh, all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, MAY 28, 2019 WAS ADJOURNED AT 6:58 P.M. BY MAYOR PRO-TEM BUHLER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, May 28, 2019.

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Nichole Camac, CMC
City Recorder