

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 18, 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

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

STAFF PRESENT:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/ HR Director
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
Layne Morris, CPD Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Tom Huynh conducted the Opening Ceremony. 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 JUNE 11, 2019

The Council considered the Minutes of the Regular Meeting held June 11, 2019. There were no changes, corrections or deletions.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-2-

Councilmember Fitisemanu moved to approve the Minutes of the Regular Meeting held June 11, 2019. Councilmember Lang seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Doyle Griffith stated that he is disappointed in Code Enforcement. He indicated that he is working to get compliance on his property but has had difficulty completing projects due to multiple violations. Mr. Griffith expressed concern regarding the process and added that he received a grant from the City but he can't get the funds until he complies with everything.

Mike Markham stated that he walked around Fairbourne Station and indicated that there are millions of dollars being spent in this area. He stated that the City shouldn't worry about \$5,000 on an electrical unit to make a successful food truck event. Mr. Markham encouraged the Council to do their homework so they can talk confidently about the decisions they are making. He stated that the Council needs to get more involved in the community and suggested removing at-large seats for district only positions.

Richard Draper stated that he represents a neighborhood watch community in the Valley View area. He indicated his neighborhood watch meets regularly and has existed for over 30 years. Mr. Draper stated that Code Enforcement officers have a tough job, work hard, and have an over-abundance of issues. He indicated that the City has an excellent website that is kept up to date and is a wonderful tool that can be better used to educate residents. Mr. Draper indicated that the City needs to do a better job of communicating what is expected of residents and what tools are available. He added that he feels half of Code Enforcement issues will go away if the residents of the City are more educated and this can happen simply by encouraging people to check out the website.

Joe Bustilles stated he also lives in the Valley View area and he is concerned about speeding. He stated that some areas do not have sidewalks and he is concerned that children walking home from school or residents walking their pets are going to get hit. Mr. Bustilles stated that some neighborhoods have speed bumps or screens that indicate speed limits to help slow traffic. He indicated that speeding has gotten worse with construction on 4100 South and added that parking on streets is also a danger. Mr. Bustilles stated that emergency vehicles have difficulty accessing the neighborhood in some areas.

Dave Krommenhoek stated that he feels it's important to take a strong educational approach to Code Enforcement and agreed about traffic problems in the Valley

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-3-

View area. He indicated that he feels the City loves dogs more than its people. Mr. Krommenhoek stated that vicious and unruly dogs are able to attack property, people, and other pets with no repercussion. He stated that he has had to threaten his neighbors with a lawyer for action to be taken after his property, daughter, and pet were attacked by a vicious dog who was released by the West Valley Animal Shelter the next day. Mr. Krammenhoek stated that nothing gets done or changed.

David Jansen stated that a Code Enforcement officer was attacked and killed last year. He indicated that the City needs to further educate Code Officers and train them on dealing with the public. Mr. Jansen stated that he sent a letter to the Mayor last year and officers came to his house claiming that he made terroristic threats. He indicated that some Code Enforcement officers in other areas are made to go through Post and he feels West Valley City Code Officers need additional training as well.

B. CITY MANAGER COMMENTS

Wayne Pyle, City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Councilmember Fitisemanu stated that members of the Council study items on the agenda. He indicated that he is constantly out in West Valley City neighborhoods and is still knocking on doors of residents in the community and encouraging people to speak to him about their concerns. Councilmember Fitisemanu stated that he speaks on behalf of his fellow Councilmembers, he takes his job as Councilmember very seriously and is involved in the community and carefully considers all decisions that are made.

Mayor Bigelow requested that Code Enforcement education and the website, parking and speeding concerns in the Valley View area, and vicious canine ordinances be added to the Study Meeting agenda. He indicated that he would like to work with the City Manager directly on Mr. Jansen's concern to determine what happened there.

RESOLUTION 19-61: AUTHORIZE THE CITY TO REVISE ITS AGREEMENTS WITH SELECTHEALTH FOR FY 2018-2019 TO UPDATE BENEFITS OFFERED TO RETIRED EMPLOYEES

Mayor Bigelow discussed proposed Resolution 19-61 that would authorize the City to revise its agreements with SelectHealth for FY 2018-2019 to update benefits offered to retired employees.

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

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-4-

A pre-65 retiree may be on the retiree plan for 10 years. If the employee becomes eligible to retire with 30 years of service by purchasing up to 5 years of service credits with the Utah State Retirement System, the employee may continue on the pre-65 retiree plan for up to an additional 5 years.

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

Councilmember Buhler moved to approve Resolution 19-61.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 19-62: AUTHORIZE THE CITY TO ENTER INTO AGREEMENTS WITH SELECTHEALTH TO PROVIDE INSURANCE BENEFITS AND SERVICES FOR CITY EMPLOYEES FOR FISCAL YEAR 2019-2020

Mayor Bigelow discussed proposed Resolution 19-62 that would authorize the City to enter into agreements with SelectHealth to provide insurance benefits and services for City employees for Fiscal Year 2019-2020.

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

SelectHealth has been providing medical benefits for West Valley City for the past thirteen years. This year we incorporated our mental health benefits with SelectHealth as well. We negotiated a decrease of 3.8% in premiums.

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

Councilmember Lang moved to approve Resolution 19-62.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-5-

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 19-63: AUTHORIZE THE CITY TO RENEW A POLICY WITH EMI HEALTH TO PROVIDE DENTAL BENEFITS FOR CITY EMPLOYEES FOR FISCAL YEAR 2019-2020

Mayor Bigelow discussed proposed Resolution 19-63 that would authorize the City to renew a policy with EMI Health to provide dental benefits for City employees for Fiscal Year 2019-2020.

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

EMI is the current provider for dental benefits for City employees. The dental premiums will not increase for fiscal year 2019/2020

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

Councilmember Christensen moved to approve Resolution 19-63.

Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-6-

Unanimous.

RESOLUTION 19-64: AUTHORIZE THE PURCHASE OF METAL AND BOMB DETECTION EQUIPMENT FROM CEIA USA, LTD, FOR USE AT THE MAVERIK CENTER

Mayor Bigelow discussed proposed Resolution 19-64 that would authorize the purchase of metal and bomb detection equipment from CEIA USA, LTD, for use at the Maverik Center.

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

Approval is needed to purchase equipment to supplement and update the security equipment within the Maverik Center. The equipment proposed is (13) Metal and Bomb Detectors with the needed accessories and components as well as installation of said equipment for \$90,104.00. This added equipment will facilitate a needed increase in security for the patrons and workers within the Maverik Center.

CEIA USA, LTD is an authorized vendor through the General Services Administration (GSA) Federal Supply purchasing contract. Equipment purchased through CEIA USA, LTD will be funded by the approved US Bancorp Government Leasing and Finance Inc. agreement schedule 17.

Councilmember Fitisemanu noted that this will improve the efficiency of existing staff.

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

Councilmember Fitisemanu moved to approve Resolution 19-64.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-7-

RESOLUTION 19-65: APPROVE A CONTRACT WITH TECHNOLOGY PROVIDERS, INC. FOR INSTALLATION OF AN AUDIO/VISUAL SYSTEM AT THE WEST VALLEY CITY WEST POLICE SUBSTATION

Mayor Bigelow discussed proposed Resolution 19-65 that would approve a Contract with Technology Providers, Inc. for installation of an Audio/Visual System at the West Valley City West Police Substation.

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

The remodel of the Police Substation was approved in a Budget Program Mod. This Audio / Visual System is part of that budget. The police will use it for training.

Formal bidding will not be required since Technology Providers Inc. is on the State Contract. This system uses modern technology and will allow us to expand to use additional video input and video screens throughout our network as needed in the future.

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

Councilmember Nordfelt moved to approve Resolution 19-65.

Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 19-66: AWARD A CONTRACT TO ACME CONSTRUCTION FOR THE MARKET STREET RECONSTRUCTION PROJECT

Mayor Bigelow discussed proposed Resolution 19-66 that would award a Contract to Acme Construction for the Market Street Reconstruction Project.

Written documentation previously provided to the City Council included information as

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-8-

follows:

Bids were opened for the project on June 4, 2019. A total of two (2) bids were received. The lowest responsible bidder was Acme Construction.

Market Street reconstruction is integral to all the new construction at Fairbourne Station. This project will install the new concrete paving on Market Street between Lehman Avenue and Weigh Station Road and along a portion of Lehman Avenue adjacent to the new Public Safety Building. The project is scheduled for completion in mid-September.

Acme Construction was the lowest responsible bidder. It is recommended that the project be awarded to Acme Construction

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

Councilmember Lang moved to approve Resolution 19-66.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 19-67: APPROVE AN AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR HIGHWAY IMPROVEMENT FUNDING ON 4100 SOUTH IN WEST VALLEY CITY

Mayor Bigelow discussed proposed Resolution 19-67 that would approve an Agreement with the Utah Department of Transportation for Highway Improvement Funding on 4100 South in West Valley City.

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

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-9-

This agreement will transfer \$2,000,000 from UDOT to West Valley City, for highway improvements to 4100 South. These funds will be used as partial funding for the 4100 S Reconstruction Project, Bangerter to 5460 W.

During the 2019 legislative session, SB268 directed UDOT to transfer \$2,000,000 for highway improvements to 4100 South, to the City. This agreement is the mechanism for UDOT to pass these funds through to the City.

As planned, these funds will be used in addition to federal Surface Transportation Funds, and Class C Road Funds for the 4100 South Reconstruction Project.

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

Councilmember Huynh moved to approve Resolution 19-67.

Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 19-68: APPROVE MODIFICATION NO. 2 TO A FEDERAL AID AGREEMENT BETWEEN THE CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF 4100 SOUTH

Mayor Bigelow discussed proposed Resolution 19-68 that would approve Modification No. 2 to a Federal Aid Agreement between the City and the Utah Department of Transportation for the reconstruction of 4100 South.

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

The city has been working on a project to reconstruct 4100 South between Bangerter Highway and 5460 West for several years. On March 19, 2019, UDOT opened bids on the project. The engineer's estimate of construction costs was

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-10-

\$15,063,237. The lowest bid received was from Geneva Rock in the amount of \$19,389,875 nearly 29% over the estimate.

The West Valley City Council recently passed a resolution reaffirming the city's commitment to the project, which gave UDOT reassurance necessary to award the project and begin construction. This federal aid agreement formally obligates the City to pay all costs over the federal participation amount of \$11,227,683. Granger Hunter Participation is estimated to be \$4,122,371.25. Total project value is anticipated to be \$26,118,479. Total WVC Cost \$10,768,425 (Including a 9% construction contingency). (The City has previously paid \$244,593.20).

The federal aid agreement allows for phased payment of city funds. Funds will be paid from the following sources:

Committed Funding Sources	
Original Matching Funds from Class C Roads	\$ 815,311.69
Storm Drain Trunk Line Betterment	\$ 1,000,000.00
SB 268 2019 Appropriation	\$ 2,000,000.00
GHID Mobilization and Traffic Control	\$ 681,082.89
GHID Public Involvement Proportional Share	\$ 86,604.53
Class C Road Funds	\$ 3,000,000.00
Total of Committed Funding Sources	\$ 7,582,999.11
Potential Funding Sources	
New Legislative Appropriations	\$ 2,000,000.00 +
Storm Water Utility Fund Balance	\$ 1,000,000.00
Transportation Sales Tax (New Revenue)	\$ 2,500,000.00
Total of Potential Funding Sources	\$ 5,500,000.00
Total of Committed and Potential Funding Sources	\$ 13,082,999.11

Councilmember Lang noted that Granger Hunter is paying a portion of the increase as well since they are also doing improvements to 4100 South.

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

Councilmember Christensen moved to approve Resolution 19-68.

Councilmember Lang seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-11-

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

CONSENT AGENDA

A. RESOLUTION 19-69: AUTHORIZE THE CITY TO APPROVE AND EXECUTE A PERPETUAL EASEMENT FOR AN OIL AND GREASE INTERCEPTOR AND SAMPLING VAULT FOR THE PARKS OPERATION BUILDING LOCATED AT 2729 SOUTH PARKWAY COURT (6750 WEST)

Mayor Bigelow discussed proposed Resolution 19-69 that would authorize the City to approve and execute a Perpetual Easement for an Oil and Grease Interceptor and Sampling Vault for the Parks Operation Building located at 2729 South Parkway Court (6750 West).

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

As part of the approval for the West Valley Parks Operations Building, Magna Water District is requiring an Easement for installation, maintenance and inspection of an Oil and Grease Interceptor and Sampling Vault on the West Valley Parks Operations Building site.

The new Parks Operations Building to be located at 2729 S. Parkway Court (6750 West) on Lot 1 of the West Valley Parks Operations Subdivision (14-27-203-017).

B. RESOLUTION 19-70: AUTHORIZE THE CITY TO APPROVE AND EXECUTE A PERPETUAL EASEMENT FOR A WATER LINE TO BE USED AS A FIRE LINE TO SERVICE THE PARKS OPERATION BUILDING LOCATED AT 2729 SOUTH PARKWAY COURT (6750 WEST)

Mayor Bigelow discussed proposed Resolution 19-70 that would authorize the City to approve and execute a Perpetual Easement for a water line to be used as a fire line to service the Parks Operation Building located at 2729 South Parkway Court (6750 West).

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

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-12-

As part of the approval for the West Valley Parks Operations Building, Magna Water District is requiring an Easement for a water line to be used as a fire line to serve the West Valley Parks Operations Building site.

The new Parks Operations Building to be located at 2729 S. Parkway Court (6750 West) on Lot 1 of the West Valley Parks Operations Subdivision (14-27-203-017).

C. RESOLUTION 19-71: AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY AGREEMENT WITH J2 PM, INC., A UTAH CORPORATION, AND ACCEPT TWO SPECIAL WARRANTY DEEDS AND TWO TEMPORARY CONSTRUCTION EASEMENTS FOR PROPERTY LOCATED AT 6996 AND 6998 WEST 3500 SOUTH

Mayor Bigelow discussed proposed Resolution 19-71 that would authorize the City to enter into a Right-of-Way Agreement with J2 PM, Inc., a Utah Corporation, and accept two Special Warranty Deeds and two Temporary Construction Easements for property located at 6996 and 6998 West 3500 South.

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

These portions of the J2 PM, Inc. parcels located at 6996 and 6998 West 3500 South are being acquired as part of the 3500 South Safe Sidewalks Project (2019 UDOT) scheduled to be constructed in the summer of 2019. This project is a joint effort between West Valley City and the Utah Department of Transportation (UDOT) wherein the City has acquired the needed right-of-way and Temporary Construction Easements, and UDOT will construct the improvements. Construction will include approximately 72 lineal feet of curb, gutter, sidewalk along with textured colored concrete park strip and tie-ins to existing landscaping and driveways. The new improvements will connect with existing curb, gutter and sidewalk on either side of the subject property. The descriptions shown in the owner's deeds extend to the centerline of 3500 South, however street paving has occupied the south 27.5 feet of the underlying property for more than 10 years, resulting in the underlying property becoming public right-of-way through use. The acquisition includes two Special Warranty Deeds to acquire the south 40.00 feet of the subject parcels to clean up the existing record information for the subject properties. Compensation is only for the remaining 12.5 feet of right-of-way width. Compensation for the two Special Warranty Deeds, Temporary Construction Easement and existing improvements in the amount of \$6,500.00 based upon the appraisal report prepared by the Integra Realty Resources.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 18, 2019

-13-

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

Councilmember Buhler moved to approve Resolutions 19-69, 19-70, and 19-71.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	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, JUNE 18, 2019 WAS ADJOURNED AT 7:18 P.M. BY MAYOR BIGELOW.

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, June 18, 2019.



Nichole Camac, CMC
City Recorder