

MINUTES OF COUNCIL STUDY MEETING – JULY 16, 2019

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JULY 16, 2019, AT 4:00 P.M. AT WEST VALLEY CITY HALL, MULTIPURPOSE ROOM, 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
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Jake Fitisemanu, Councilmember District 4

ABSENT:

Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Karen Lang, Councilmember District 3

STAFF PRESENT:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder

John Evans, Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russ Willardson, Public Works Director

TRAVEL TO CENTENNIAL PARK LOCATED AT 5405 WEST 3100 SOUTH

The Mayor and Council recessed the Study Meeting at 4:01 PM. They then traveled to Centennial Park and participated in the ribbon cutting and opening program of the new bike pump track. The Mayor and Council also briefly visited the newly remodeled pickleball courts.

RETURN TO CITY HALL AND RECONVENE STUDY MEETING

The Study Meeting reconvened at 5:10 PM.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Don Christensen, Councilmember At-Large

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Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

ABSENT:

Lars Nordfelt, Councilmember At-Large

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
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russ Willardson, Public Works Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Steve Pastorik, CED
Erik Madsen, Public Works
Mark Nord, CED
Robert Hamilton, Police Department
Bradley Jeppsen, Legal

APPROVAL OF MINUTES OF STUDY MEETING HELD JULY 9, 2019

The Council considered the Minutes of the Study Meeting held July 9, 2019. There were no changes, corrections or deletions.

Councilmember Fitisemanu moved to approve the Minutes of the Study Meeting held July 9, 2019. Councilmember Christensen seconded the motion.

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

REVIEW AGENDAS FOR REGULAR CITY COUNCIL MEETING OF JULY 16, 2019

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Upon inquiry by Mayor Bigelow, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular City Council Meeting scheduled later this night.

AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED FOR JULY 23, 2019

A. A PROCLAMATION DECLARING AUGUST AS “NEIGHBORHOOD NIGHTS MONTH” AND AUGUST 6, 2019 AS “NATIONAL NIGHT OUT 2019” IN WEST VALLEY CITY

The Mayor and Council decided not to read the Proclamation next week and will simply reference the event and kickoff dates.

Councilmember Buhler asked when the Council would receive a spreadsheet of the neighborhood parties. Sam replied within the next week. Councilmember Lang noted that there would be two neighborhood parties over the weekend. Councilmember Huynh suggested encouraging businesses to participate in neighborhood night out events. Councilmember Buhler suggested bringing this up next year so staff can think of ways to successfully accomplish this this.

RESOLUTION 19-92: APPROVE THE PURCHASE OF TWENTY FIVE (25) VEHICLES FROM YOUNG FORD

Eric Madsen, Public Works, presented proposed Resolution 19-92 that would approve the purchase of twenty five (25) vehicles from Young Ford.

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

The City has selected Young Toyota as the supplier of four (4) vehicles. Young Toyota has the State contract (AV2531).

Number of Vehicles	Type of Vehicle	Cost Per Vehicle
4	Toyota Camry Hybrid LE	\$25,638.00
	TOTAL	\$102,552.00

Following are the vehicles being replaced:

Replaced Vehicle	Make Model Year	Miles
711358	Toyota Camry 2011	101539
711354	Toyota Camry 2011	113249
711351	Toyota Camry 2011	98169
711356	Toyota Camry 2011	117875

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Councilmember Buhler noted that the interceptor sedan that has been used is no longer being produced. Eric replied yes. Councilmember Buhler also noted that staff and equipment are prepared to handle this type of change without a significant increase. Eric replied yes. Councilmember Buhler asked if staff will have to up-fit the police vehicles. Eric replied yes. Councilmember Lang asked if this will cost the same as it has in the past. Eric replied this has been increased slightly to install various safety measures in the types of vehicles.

The City Council will consider Resolution 19-92 at the Regular Council Meeting scheduled July 23, 2019 at 6:30 P.M.

RESOLUTION 19-93: APPROVE THE PURCHASE OF FOUR (4) VEHICLES FROM YOUNG TOYOTA

Eric Madsen, Public Works, presented proposed Resolution 19-93 that would approve the purchase of four (4) vehicles from Young Toyota.

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

The City has selected Young Toyota as the supplier of four (4) vehicles. Young Toyota has the State contract (AV2531).

Number of Vehicles	Type of Vehicle	Cost Per Vehicle
4	Toyota Camry Hybrid LE	\$25,638.00
	TOTAL	\$102,552.00

Following are the vehicles being replaced:

Replaced Vehicle	Make Model Year	Miles
711358	Toyota Camry 2011	101539
711354	Toyota Camry 2011	113249
711351	Toyota Camry 2011	98169
711356	Toyota Camry 2011	117875

The City Council will consider Resolution 19-93 at the Regular Council Meeting scheduled July 23, 2019 at 6:30 P.M.

RESOLUTION 19-94: AUTHORIZE THE EXECUTION OF A GENERAL LICENSE AGREEMENT BETWEEN WEST VALLEY CITY AND UTAH

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TRANSIT AUTHORITY FOR THE COMPLETION OF THE WINTON STREET SIDEWALK PROJECT

Russ Willardson, Public Works, presented proposed Resolution 19-94 that would authorize the execution of a General License Agreement between West Valley City and Utah Transit Authority for the completion of the Winton Street Sidewalk Project.

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

The Utah Transit Authority is requiring a General License Agreement for Pedestrian Walkway between UTA and West Valley City, as Licensee for the Winton Street Sidewalk Project. This project scheduled for construction in 2019 will include construction of curb, gutter, sidewalk and textured colored concrete across portions of properties owned by UTA. The project also crosses the UTA Trax line at 1070 West Parkway Avenue and will include a six-foot wide sidewalk along the Parkway Avenue and Winton Street frontages of property owned by the Utah Transit Authority. This project will provide a pedestrian walkway from the existing mosque at the end of Parkway Avenue to the Islamic Cemetery at the south end of Winton Street.

Mayor Bigelow clarified where UTA property is located. Councilmember Buhler asked if there is a delay agreement for improvements from the mosque to the cemetery. Russ replied that improvements are required when new frontages are added. Councilmember Buhler noted that there are a lot of areas in the City that need sidewalks. Russ replied that there are and this is one that has been evaluated. Wayne indicated that the mosque requested this and detailed reasons why the City felt it was a good location as well.

The City Council will consider Resolution 19-94 at the Regular Council Meeting scheduled July 23, 2019 at 6:30 P.M.

COMMUNICATIONS

A. PARKING ORDINANCE PRESENTATION

Robert Hamilton, Deputy Police Chief, discussed a PowerPoint presentation summarized as follows:

- West Valley City Ordinance Title 22 Amendments
 - o Amended Sections

- 22-2-101-Definitions

- 22-2-103- REGISTERED OWNER RESPONSIBLE

- 22-2-105- Vehicles Required to be Registered

- 22-2-106- Vehicles Required to be Insured Against Liability

- 22-2-107- Restrictions on stopping, standing, or parking

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- 22-2-116 -Parking or Leaving Trucks, Trailers, Campers, Boats, Etc. on the Street
- 22-2-118- Parking in parking lots
- 22-2-119- Authority to Remove Illegally-Parked Vehicles
- 22-2-201- NOTICE OF PARKING VIOLATION
- 22-2-202- Hearing and Appeal Procedures
- 22-2-203 - Civil Penalties for Parking Offenses
- o 22-2-101- Definitions
 - “Parking lot” means any public or private parking lots which are open to the general public and designated for the parking of motor vehicles.
- o 22-2-103- Registered Owner Responsible
 - Whenever any vehicle is used in violation of the parking provisions of this Title, the person in whose name the vehicle is registered or was last registered, shall be strictly liable for the violation and the penalty for that violation.
- o 22-2-105- Vehicles Required to be Registered
 - (1) Every vehicle, at all times, while being parked upon the public highways, streets, alleys, or parking lots of West Valley City shall:
 - Be registered in the name of the owner thereof in accordance with the laws of Utah;
 - Display in proper position a valid, unexpired license plate or temporary registration; and
 - Display current validation or indicia of registration attached to the rear plate and in a manner complying with the laws of the state of Utah, and free from defacement, mutilation, and obscuring matter so as to be plainly visible.
- o 22-2-106- Vehicles required to be insured against liability
 - Every vehicle, at all times, while being parked upon the public highways, streets, alleys, or parking lots of West Valley City shall maintain owners or operator’s security in accordance with state law.
- o 22-2-107- Restrictions on stopping, standing, or parking
 - On or within a lane of travel or trail designated for use by pedestrians, bicycles, or other non-motorized vehicles.
- o 22-2-116- Parking or leaving trucks, trailers, campers, boats, etc. on the street

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- Regardless of whether it is attached or unattached to a motor vehicle
- o 22-2-116- Parking or leaving trucks, trailers, campers, boats, etc. on the street
 - Three minute parking defined
 - Three minutes is used to define what parking is;
 - This is not a new proposed amendment,
 - Loading and unloading is an exception (no time limits for loading unloading)
 - o Multiple affirmative defenses for this.
 - Parking a recreation vehicle for 24 hours has been suggested as a reasonable solution
- o 22-2-118- Parking in Parking Lots
 - In any parking lot ~~owned by the City~~ where parking stalls are designated by painted lines or otherwise, no motorized or non-motorized vehicle shall be parked outside of a designated parking stall, unless specifically authorized by the City.
- o 22-2-119- Authority to remove illegally-parked vehicles
 - ...Any motor vehicle with two or more unpaid Notice of Violations, or two or more Notices of Violations within a 12-month period, are a public nuisance and may be towed from the public streets or be subjected to an immobilizing device at the expense and risk of the registered owner. The motor vehicle shall be held and not released until the unpaid fees, penalties, accrued interest and reasonable costs of towing and storage have been paid...
- o 22-2-201- Notice of Parking Violation
 - Notice given by way of citation affixed to vehicle, photos of citation in place taken as part of the report.
- o Hearing and Appeal Procedures
 - Online by computer
 - Online by phone app
 - In person at City Hall
 - By letter/ mail
 - Computer access provided at City Hall
 - Help is given if unable to use computer
 - Phone number (website or given in person)
 - Appeal notice is currently 30 days, would like to change to 10 days.
- o 22-2-203- Civil Penalties for Parking Offenses

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- Civil penalties for violations of this Chapter are as follows:
 - (1) For a violation of Section 22-2-114, Parking in Disabled Parking Stalls: \$210.00 213.00
 - (2) For all other violations: \$125.00 128.00 ***(~~\$100.00~~ Waived if paid within 10 days)**
 - (3) The fee for removal of an immobilization device is \$50.00.
- Parking Stats
 - Since the Parking Compliance Program Inception;
 - 5,565 citations written *
 - 1858 outstanding
 - 432 appeals or 7.7% appeal rate

Mayor Bigelow asked for clarification on fines and Deputy Chief Hamilton explained. Councilmember Buhler stated that parking violations can be ticketed by Police Officers but the City must adopt some regulations into its Code in order for Civil Officers to ticket in various scenarios. The Council talked about loading and unloading RVs, trucks, trailers, campers, etc. Deputy Chief Hamilton discussed how officers address beats, issuing citations, shifts of officers, etc. He indicated that the Parking Enforcement division is so overwhelmed with complaints at this point that they are unable to be proactive and are simply responding to concerns. Councilmember Lang stated that she wouldn't want officers enforcing parking on her business. Bradley Jeppsen clarified the purpose of this Code and indicated it would be to allow officers the ability to ticket people who park in handicap stalls, fire lanes, etc. Councilmember Lang stated that she parks in the handicap stall on her business property during the offseason and does not want to be ticketed for that. Mayor Bigelow stated that he believes handicap stalls, regardless of the situation, should always be reserved for handicap individuals and violators should be ticketed. Mayor Bigelow suggested allowing officers the ability to ticket while off-duty. The Mayor and Council discussed the appeal process. Councilmember Christensen stated that someone gave information to a resident that parking officers are not part of the city. Wayne stated that this is not true and the two parking enforcement officers are employees. Councilmember Buhler thanked Officer Hamilton and stated that the Council decided, as a policy issue, that parking enforcement was important. He indicated that these officers know the best way to do their job and the Council should trust them to suggest ordinance changes that they see are necessary. Deputy Chief Hamilton stated that the officers feel like they have the Council's support and are thankful for this. He added that there has been a lot of positive reception from the community and noted that he understands the Council probably doesn't hear that side of it too often. Councilmember Lang stated that she would like to see recreational vehicles have a 24-hour time limit for loading

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and unloading and added that this should include RV's, boats, 4 wheelers, etc. She indicated that she feels it shouldn't matter if the trailer is attached or unattached. The Mayor and Council debated unattached versus attached and the majority agreed that they would not like to see a 24 hour allowance for unattached trailers. Mayor Bigelow noted that he feels there is a safety concern.

B. COUNCIL CALENDAR

Mayor Bigelow referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events.

Members of the City Council had no further questions regarding the Council Update.

NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

Council Suggestions

Mayor Bigelow stated that he had a good discussion with Wayne and would like to propose a new practice for public comment in the regular meeting. He stated that when someone raises a policy issue, the Council or himself may suggest that this item be placed on the agenda as a "potential future agenda item" to be discussed at the following Study Meeting. Mayor Bigelow stated that any specific complaints regarding parking citations, Code Enforcement violations, etc. will be referred to staff and speakers will be encouraged to talk with the appropriate staff member during regular business hours. He indicated that if a Councilmember is interested in a specific case, staff can provide a brief summary to the entire Council as a follow up. Councilmember Huynh stated he doesn't like when residents use bad language and feels it's important to stop that. Mayor Bigelow stated that this is difficult to do and the Council has to have some leniency with this. He added that he would speak with Councilmember Huynh about this further.

HOA's and Enforcement

Councilmember Christensen stated that HOA's often don't have adequate streets for City equipment. Councilmember Lang asked how many HOA's the City can access. Wayne replied he isn't sure but staff can look into this. Councilmember Lang stated that she would like to discuss HOA's further. The Mayor and Council briefly discussed public streets, enforcement, and the City taking over HOA's.

Accessory Dwelling Units

Wayne indicated that an email was sent regarding the last discussion on accessory dwelling units. Councilmember Christensen stated it may be a good time to discuss this again. Mayor Bigelow agreed and requested an update on what is happening elsewhere.

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B. COUNCIL REPORTS

The Council did not have enough time for Council reports.

C. REVIEW AGENDA FOR SPECIAL REDEVELOPMENT AGENCY MEETING SCHEDULED JULY 23, 2019

RESOLUTION 19-09: AUTHORIZE THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY TO GRANT A LICENSE TO ICO COMMERCIAL CONSTRUCTION FOR THE USE OF AGENCY PROPERTY IN FAIRBOURNE STATION

Wayne Pyle, City Manager, presented proposed Resolution 19-09 that would authorize the Redevelopment Agency of West Valley City to grant a license to ICO Commercial Construction for the use of Agency property in Fairbourne Station.

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

ICO is beginning construction on Phase 2 of the Fairbourne Residences and has requested the use of three adjacent parcels. The parcels are owned by the West Valley City Redevelopment Agency. ICO plans on using the parcels for staging and parking. ICO will pay the City \$348.00 per month for the period of 2 years for the license and will maintain the properties to the standards that the City requires.

The Redevelopment Agency acquired these parcels as part of the Fairbourne Development. Plans for the parcels are still being discussed and so the need for them during this time will not be an issue.

Councilmember Buhler asked what the timeline for construction is. Mark stated they are digging now and will begin leasing in January 2020.

The Redevelopment Agency will consider Resolution 19-09 at the Regular Council Meeting scheduled July 23, 2019 at 6:30 P.M.

MOTION TO ADJOURN

Upon motion by Councilmember Christensen all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY JULY 16, 2019 WAS ADJOURNED AT 6:32 PM BY MAYOR BIGELOW.

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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, July 16, 2019.

Nichole Camac, CMC
City Recorder