

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-1-

THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JULY 23, 2019, AT 5:06 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
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 (*arrived as noted*)

ABSENT:

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
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russ Willardson, Public Works Director
Jamie Young, Acting Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
John Rock, Administration
Bradley Jeppsen, Legal

APPROVAL OF MINUTES OF STUDY MEETING HELD JULY 16, 2019

The Council considered the Minutes of the Study Meeting held July 16, 2019. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Study Meeting held July 16, 2019. Councilmember Buhler seconded the motion.

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-2-

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

REVIEW AGENDAS FOR REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETINGS OF JULY 23, 2019

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

AWARDS, CEREMONIES, AND PROCLAMATIONS SCHEDULED AUGUST 13, 2019

A. AWARD PRESENTATION TO THE PARKS AND RECREATION DEPARTMENT- BEST OF STATE, GOLF PROGRAMMING

Mayor Bigelow explained that the Parks and Recreation Department has received Best of State for Golf Programming explained as follows:

The Ridge Golf Club, a West Valley City public course, focuses on inclusion through the many programs which are offered. Introducing new golfers to the sport is a passion for The Ridge Golf Pros. The team works closely with schools, seniors, veterans and volunteers to introduce and expand the game of golf while improving the lives of those in the community they serve.

- Through their work with veterans, The Ridge received the 2019 Utah Recreation and Parks Award for Outstanding Adaptive Program of the Year. The veterans golf league began three years ago as an effort to provide activity and support to veterans and active military. The Ridge has partnered with the Valor House, a transitional housing program for veterans. The first year, the league was a short 3-months. Since then, the league has been a full 6 months and expects to again increase its numbers as more veterans learn about the program. Valor House residents and veteran golfers have thanked The Ridge for giving them a gathering place and sense of camaraderie.
- Golf Pros have worked with Hunter High School which has increased their women's golf team participation by 80% over the past five years. Additionally, they have worked with the Kearns High School program, which has revived their women's golf program and now has 8 regular participants.
- The senior golf and junior golf leagues have also grown annually, developing a love of the sport in youth and continuing to support players to participate as they age.

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-3-

- The senior volunteer program has been very successful in keeping senior golfers engaged and on the course. Each season, 20-24 seniors volunteer time and receive free golf time in return. This program, which was started when the course opened in 1991, mostly serves retirees and veterans. These volunteers also help communicate information regarding senior golf leagues to their peers.

The mission statement for the Golf Pros at The Ridge centers around serving the community which is the determining factor in every choice that is made on this public course. Reaching out to veterans, seniors and juniors has led to a diversity of golfers on the course. Through these outreach programs, The Ridge is proud to host and promote the game of golf as part of a healthier, more active community.

B. EMPLOYEE OF THE MONTH AWARD- MELISA CATTEN, PARKS AND RECREATION DEPARTMENT

Councilmember Buhler offered to read the nomination of Melisa Catten, Parks and Recreation Department, to receive Employee of the Month Award for August 2019. The award reads as follows:

Melisa Catten, Nancy Day's Parks and Recreation Administrative Assistant, worked tirelessly to bring the 9/11 Never Forget Mobile Exhibit to West Valley City.

Typically, this event must be scheduled a year or more in advance to allow time to plan and coordinate but due to a late cancellation, the Exhibit became available to West Valley City. The normally extensive arrangements were made in one month and this was due largely to the hard work of Melisa who worked diligently with Nancy Day (Parks and Recreation Director), Wayne Pyle (City Manager), the Mayor, the City Council, the Siller Tunnel to Towers Foundation, the Fire Department, the Police Department, Public Relations, many schools, countless volunteers, and many other groups and individuals. Through much effort, this exhibit was brought to Utah for the first time EVER over the patriotic Memorial Day weekend.

Arrangements like the procession, opening ceremony, honorary wreaths, hours of operation, security, and other logistics had to be detailed and considered carefully. Melisa continually worked with numerous schools along the procession route to invite participation of students and continued her efforts up to and during the morning of the procession. Her efforts have

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-4-

not gone unnoticed... praise for the event and all the hard work that went into it has come from community members, local Fire Departments, City employees, and schools who witnessed and participated in the procession or attended the opening program and toured the Exhibit.

This was truly an amazing Exhibit to have in West Valley City for the community to tour and to remember the first responders from September 11, 2001 and beyond who continue to keep America safe every day and pay tribute to those who have paid the ultimate sacrifice in doing so. This event wouldn't have been so successful without Melisa's hard work and efforts!

C. **PROCLAMATION DECLARING AUGUST 23, 2019 AS LIGHTS ON AFTER SCHOOL DAY IN WEST VALLEY CITY IN SUPPORT OF AMERICAN PREPARATORY ACADEMY'S AFTERSCHOOL PROGRAMS AND OTHER AFTERSCHOOL PROGRAMS IN THE CITY**

Councilmember Christensen offered to read the Proclamation declaring August 23, 2019 as Lights on After School Day in West Valley City in support of American Preparatory Academy's afterschool programs and other afterschool programs in the City at the August 13, 2019 City Council Meeting scheduled for 6:30 PM.

Councilmember Lang arrived at 5:11 PM.

PUBLIC HEARINGS SCHEDULED FOR AUGUST 13, 2019

A. **ACCEPT PUBLIC INPUT REGARDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR 2019-2020**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled August 13, 2019, in order for the City Council to hear and consider public comments regarding the budget of West Valley City for the Fiscal Year 2019-2020

Proposed Resolution 19-95 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: RESOLUTION NO. 19-95, ADOPT A FINAL BUDGET; MAKE APPROPRIATIONS FOR THE SUPPORT OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020; AND DETERMINE THE RATE OF TAX AND LEVY TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN WEST VALLEY CITY, UTAH, TAXABLE BY LAW FOR THE YEAR 2019

Mayor Bigelow discussed the judgement levy process. Wayne Pyle, City Manager, discussed proposed Resolution 19-95 that would adopt a final budget; Make appropriations for the support of West Valley City for the Fiscal Year beginning July

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-5-

1, 2019 and ending June 30, 2020; and determine the rate of tax and levy taxes upon all real and personal property within West Valley City, Utah, taxable by law for the year 2019.

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

West Valley City will adopt a final budget that will be made available for public inspection during regular office hours in the City's Recorder's office and gave notice of a hearing to receive public comment, before the final adoption of this tentative budget for FY 2019-2020.

Councilmember Buhler and Wayne discussed adjustments at the County level and how these impact rates over time and in the future. Mayor Bigelow noted that there are items that are approved by the Council annually for programs as well as a few special ones that were reviewed and approved by the Council earlier in the year.

The City Council will consider Resolution 19-95 at the Regular Council Meeting scheduled August 13, 2019 at 6:30 P.M.

ORDINANCE 19-20: AMEND CHAPTER 22 OF THE WEST VALLEY CITY MUNICIPAL CODE TO PROHIBIT PARKING OF UNINSURED AND UNREGISTERED VEHICLES ON CITY STREETS, PROHIBIT PARKING ON A BIKE LANE OR PEDESTRIAN TRAIL, ALLOW FOR THE USE OF AN IMMOBILIZATION DEVICE ON NUISANCE VEHICLES, AND CREATE AN ELECTRONIC PAYMENT AND APPEAL SYSTEM

Bradley Jeppsen, Legal, presented proposed Ordinance 19-20 that would amend Chapter 22 of the West Valley City Municipal Code to prohibit parking of uninsured and unregistered vehicles on City streets, prohibit parking on a bike lane or pedestrian trail, allow for the use of an immobilization device on nuisance vehicles, and create an electronic payment and appeal system.

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

If approved, this ordinance will enact two new sections and amend nine others.

Proposed Sections 22-2-105 and 22-2-106 will make it unlawful to park an unregistered or uninsured vehicle on a public highway, street, alley, park strip, or parking lot.

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-6-

The substantive amendments to Chapter 22-2 make it possible to cite unregistered owners, make it unlawful to park on a bike lane or a pedestrian trail, clarify when a trailer can be parked on the street, and clarify the term “parking lot.”

The procedural amendments to Chapter 22-2 give the City the ability to place an immobilization device on nuisance vehicles in lieu of towing, facilitate the electronic issuance and collection of parking ticket fines, and raise the total fine for a parking ticket from \$125 to \$128 to allow for the administrative processing fee.

Over the last six months, the Legal Department and the Police Department have seen the need to amend the parking ordinances to compensate for the volume of tickets and have identified several code sections that need to be clarified for the benefit of the citizenry.

Councilmember Nordfelt stated that formatting in the Code is difficult to follow. He noted that he would like to see all defenses in one list as opposed to two. Brad stated that changes could be applied if the Council desired but added that there hasn't been concern expressed by residents or an inability in enforcing the ordinance. Councilmember Lang indicated that she would like to see this section updated. Mayor Bigelow expressed concern about non-registered vehicles being ticketed \$400. Brad replied that the fine is not \$400 and indicated that it would be the same fee as any other parking tickets. Mayor Bigelow expressed concern about a vehicle being towed after 2 unpaid tickets. Brad replied that the ordinance allows the City to boot a vehicle which is a method for collecting payments. He added that if a vehicle is abandoned, the City would remove that and if it was parked in a way the impacted public safety, they would remove that. Councilmember Buhler inquired about the third party software. Brad replied that the third-party company supplies everything from equipment to paper to hosting the payment on their website which appears to be the best method. Councilmember Buhler stated he is comfortable with this. Councilmember Lang stated that she is concerned about small businesses being enforced with parking violations. She suggested that the ordinance be changed to define public parking places at 50 or more stalls. Mayor Bigelow stated he feels this would exempt too many businesses. Brad replied that he could do this but added that safety would still be enforced by Police Officers like handicap, fire lanes, etc. Councilmember Buhler asked if abandoned vehicles could still be addressed in parking lots of small businesses. Brad replied yes. Councilmember Lang stated that she wouldn't want an overzealous parking officer over-ticketing. Councilmember Buhler said he is fine with this change if it allows the ordinance to be passed. Councilmember Nordfelt stated he is not in favor of this change and stated that he doesn't want to put too many restrictions in the Code and tie hands of the Parking Officers. He added that he doesn't feel this is a widespread issue and he doesn't believe Parking Officers will target businesses unless a concern is expressed. Councilmember Lang argued that she doesn't want customers to be driven away from the City. She added that she could

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-7-

bring concerned business owners to the Council meeting. Brad indicated that the City added this to the Ordinance because there are often issues at the Maverik Center where parking overflows into surrounding businesses and the City has an inability to help. Mayor Bigelow stated that a lot of the time the ordinance is in place for security but isn't always enforced. Councilmember Huynh stated that he understands Councilmember Lang's concern but he is concerned that the City would enforce parking on some businesses and not others and this could cause a problem. Councilmember Lang stated that she doesn't want business driven out of the City because of parking tickets. Mayor Bigelow stated that he would support Councilmember Lang's proposal. Councilmember Huynh suggested that a line be added to the ordinance that allows businesses to opt out. Councilmember Buhler and Mayor Bigelow disagreed. Mayor Bigelow stated many people rely on cars and asked if a boot can be removed in a fair amount of time. Brad replied yes and added that there are specific regulations in State Code that dictate when a municipality can boot a vehicle. Mayor Bigelow stated that someone needs to be on call or always be available to remove boots.

The City Council will consider Ordinance 19-20 at the Regular Council Meeting scheduled August 13, 2019 at 6:30 P.M.

ORDINANCE 19-22: AMEND SECTION 1-2-110 OF TITLE 1 OF THE WEST VALLEY CITY MUNICIPAL CODE ADDING RATES FOR FLEET MAINTENANCE SERVICES FOR OUTSIDE AGENCIES

Mayor Bigelow discussed proposed Ordinance 19-22 that would amend Section 1-2-110 of Title 1 of the West Valley City Municipal Code adding rates for Fleet Maintenance Services for outside agencies.

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

The Fleet Management Division provides vehicle maintenance, repairs and emergency equipment installation to several federal law enforcement agencies, and UTOPIA. A review of these labor rates charged to these agencies showed the rates being charged were insufficient to cover all labor and overhead costs. Adoption of the new rates will now be formalized by addition to the Consolidated Fee Schedule.

The new rates are:

\$100 per hour for vehicle maintenance and repairs
\$75 per hour for emergency equipment installation
Cost plus 10% for parts

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-8-

Although these new hourly rates are significantly higher than the \$75 and \$55 respective rates previously charged, they are competitive and will allow the City to maintain this revenue stream of \$100,000 to \$120,000 per year.

The City Council will consider Ordinance 19-22 at the Regular Council Meeting scheduled August 13, 2019 at 6:30 P.M.

RESOLUTION 19-96: AUTHORIZE REIMBURSEMENT OF FUNDS TO WVC INDUSTRIAL, LLC FOR EARTHWORK AND GRADING ON 2540 SOUTH

Mayor Bigelow discussed proposed Resolution 19-96 that would authorize reimbursement of funds to WVC Industrial, LLC for earthwork and grading on 2540 South.

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

West Valley City has hired a contractor to construct the extension of 2540 South from 7200 West to 6200 West. The construction of this road between 6400 West and 6200 West cannot be completed until utilities are installed by the adjoining property owner/developer (WVC Industrial LLC). The utilities in this segment of roadway cannot be installed until roadway fill dirt has been placed.

The Public Works Department determined it to be in the best interest of the city to enter into a reimbursement agreement with WVC Industrial LLC. Reimbursable work includes earthwork (cut and fill), the removal of existing trees and capping existing water wells in the road right of way.

Reimbursement to WVC Industrial LLC totals \$280,164.

The road is being funded through State and County transportation funds. It is anticipated that the road construction will be completed in fall 2019.

The City Council will consider Resolution 19-96 at the Regular Council Meeting scheduled August 13, 2019 at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR AUGUST 13, 2019

A. RESOLUTION 19-97: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM RYAN MATTICE FOR PROPERTY LOCATED AT 3719 SOUTH LEE MAUR STREET (2740 WEST)

Mayor Bigelow discussed proposed Resolution 19-97 that would authorize the City to enter into an Easement Purchase Agreement and accept a Perpetual Easement

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-9-

and Temporary Construction Easement with and from Ryan Mattice for property located at 3719 South Lee Maur Street (2740 West).

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

This portion of the Ryan K. Mattice parcel located at 3719 S. Lee Maur Street is being acquired as part of the 2700 West Improvement Project, scheduled to be constructed in 2019. This project will include construction of sidewalk, textured colored concrete parkstrip, landscaping, and decorative street lighting along the west side of Constitution Boulevard (2700 West) from 4100 South to 3671 South. The project will also include an eight-foot tall decorative concrete post and panel wall along those properties with backyards facing Constitution Boulevard. As part of the project, access to 2700 West will be eliminated and replaced with an eight-foot-tall post and panel wall. The acquisition from Ryan K. Mattice includes a Perpetual Easement for the wall and for a Grant of Temporary Construction Easement. Compensation in the amount of \$19,000.00 was negotiated based upon an Appraisal Report prepared by the Albert L. Jager ordered through the office of the Utah Property Rights Ombudsman and mediation through that office.

The City Council will consider Resolution 19-97 at the Regular Council Meeting scheduled August 13, 2019, at 6:30 P.M.

COMMUNICATIONS

A. 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 spoke with a resident, Paul Nichols, who encouraged the City to ticket people speeding through construction zones on 4100 South.

Resident Survey

Mayor Bigelow stated the City used to send out a survey requesting information. Wayne replied an outside company has done it in the past. Mayor Bigelow suggested conducting a survey on the website. Councilmember Buhler stated that

MINUTES OF COUNCIL STUDY MEETING – JULY 23, 2019

-10-

this would only reach a certain demographic. Wayne stated that past surveys haven't resulted in quality information that directed policy. He added that it costs about \$20,000- \$25,000 to do. Councilmember Buhler requested a presentation with the last survey and information on what other Cities do.

B. COUNCIL REPORTS

COUNCILMEMBER BUHLER- NEIGHBORHOOD WATCH

Councilmember Buhler thanked staff for the neighborhood block party list.

COUNCILMEMBER CHRISTENSEN- UCCC, CAR SHOW, SYMPHONY

Councilmember Christensen stated there is a great exhibit at the UCCC. He indicated that he attended a car show benefitting Harmon Hall and was a good event. Councilmember Christensen concluded that he attended the West Valley Symphony and stated it was a great show.

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 23, 2019 WAS ADJOURNED AT 6:14 PM 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, July 23, 2019.

Nichole Camac, CMC
City Recorder