

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 26, 2019

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 26, 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
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Jake Fitisemanu, Councilmember District 4

ABSENT:

Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3

STAFF PRESENT:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Jeanette Carpenter, Acting 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

Councilmember Don Christensen 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 NOVEMBER 19, 2019

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The Council considered the Minutes of the Regular Meeting held November 19, 2019. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Regular Meeting held November 19, 2019. Councilmember Fitisemanu seconded the motion.

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

AWARDS, CEREMONIES AND PROCLAMATIONS

A. PROCLAMATION RECOGNIZING NOVEMBER 30, 2019 AS SMALL BUSINESS SATURDAY

Mayor Bigelow encouraged residents to shop small businesses on November 30, 2019 for Small Business Saturday.

COMMENT PERIOD

A. PUBLIC COMMENTS

Darren Clift read the purpose of the Code Enforcement Department as stated on the City's website. He indicated that he disagrees with the ordinance that states that inoperable or unregistered vehicles cannot be parked on private property and encouraged the Council to reconsider this ordinance.

Jihad Ali stated that he is frustrated that his dog was taken from him. He indicated that the City will pay fines for this issue and expressed concerns about racketeering. Mr. Ali stated that he doesn't want to live in a shelter but wants to stay inside for Christmas. He indicated that this is important for his health. Mr. Ali stated that he would like to live in his tent. He indicated that anyone who runs against the City Council will lose in the next election and expressed concern about the City Manager.

Josh Cameron stated that Salt Lake County is the second worst in the nation for air quality. He discussed the power of neighborhoods, communities, 100-year forests in 10 years, and other environmental goals. Mr. Cameron discussed the value of improving the environment via political and other methods. He detailed the importance and value of being innovators in the renewable energy industry.

Jesse Cox stated that he is in support of HB 411. He indicated that he brought a copy of City Weekly that discusses the importance of renewable energy and clean air.

B. CITY MANAGER COMMENTS

Wayne Pyle, City Manager, had no comments.

C. CITY COUNCIL COMMENTS

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Mayor Bigelow stated that the Council will discuss the policy regarding inoperable vehicles as a potential future agenda item.

ORDINANCE 19-47: REPEAL AND RECLASSIFY CERTAIN ORDINANCES, MODIFY CRIMINAL PUNISHMENTS, AND ADD MENTAL STATES FOR CRIMINAL CULPABILITY

Mayor Bigelow discussed proposed Ordinance 19-47 that would repeal and reclassify certain ordinances, modify criminal punishments, and add mental states for criminal culpability

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

This ordinance change adds a culpable mental state to our criminal ordinances, clarifies that if no culpable mental state is added then the culpable mental state is reckless, clarifies that the traffic code does not have a culpable mental state, changes and clarifies several levels of punishment for various criminal ordinances, repeals some outdated ordinances, and generally cleans up some issues with the Criminal Code.

The City Attorney's Office is constantly reviewing City ordinances to ensure compliance with the law, case law, and best practices. In coordination with the Police Department and other City departments, the City Attorney's Office determined that the proposed changes would be in the best interest of the City.

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 Ordinance 19-47.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 19-151: APPROVE A SUBSCRIPTION TERM AGREEMENT WITH PAYLOCITY CORPORATION ENTERPRISE FOR THE CITY'S

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PAYROLL PROGRAM

Mayor Bigelow discussed proposed Resolution 19-151 that would approve a subscription term agreement with Paylocity Corporation Enterprise for the City's payroll program.

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

Human Resources needs a new payroll software system. Paylocity is a Human Resource Information System (HRIS) which provides more than just payroll. It will provide services for payroll, time and attendance, applicant tracking, compensation and benefits management all in one system.

Human Resources is currently using Innoprise to run payroll. The time and attendance module has never worked, as promised, along with other functionalities. It takes several hours to run a payroll process. We have had to purchase additional software to accommodate what lacks in Innoprise. Other Departments were out looking for software to do the same. It is time to purchase a state of the art Human Resources Information System to meet the needs of all departments and employees.

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 19-151.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 19-152: AUTHORIZE THE PURCHASE OF A TRACTOR FROM DEERE AND COMPANY FOR USE BY THE PARKS DEPARTMENT

Mayor Bigelow discussed proposed Resolution 19-152 that would authorize the purchase of a tractor from Deere and Company for use by the Parks Department.

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

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The full size, front loading tractor utilized by Park Maintenance broke down, was not repairable and was surplussed. A new tractor is needed to enable the Park Maintenance Division to perform numerous tasks that have not been able to be performed since the old tractor was eliminated.

Parks Maintenance had a 30-year old tractor it used regularly. It was utilized in numerous aspects of park maintenance including: aeration, seeding, digging holes, trenching, and loading bulk materials. This tractor broke down early in 2019 and was not able to be repaired. This has caused a delay in performing numerous park maintenance tasks and an increase in manhour usage throughout the year.

Also, as the Park Maintenance Division is moving to the new shop next year, the loader will be needed to move and load bulk materials into trucks such as top soil, bark, sand, etc.

A program modification was approved for this purchase. A new model replacement can be purchased from Deere and Company using Utah state purchasing contract number MA2184 for the cost of \$48,515.62.

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 19-152.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

CONSENT AGENDA

- A. **RESOLUTION 19-153: REAPPOINT JANICE FISHER AS WEST VALLEY CITY'S REPRESENTATIVE TO THE MAGNA MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES FOR A TERM COMMENCING JANUARY 2, 2020 AND ENDING JANUARY 1, 2024**

Mayor Bigelow discussed proposed Resolution 19-153 that would reappoint Janice

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Fisher as West Valley City's representative to the Magna Mosquito Abatement District Board of Trustees for a term commencing January 2, 2020 and ending January 1, 2024.

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

Reappoint Janice Fisher to serve on the board for a term beginning January 2, 2020 and ending January 1, 2024.

Janice Fisher has expressed a desire to serve on the Magna Mosquito Abatement District Board. Her reappointment to the Board will be a term beginning January 2, 2020 and ending January 1, 2024.

B. RESOLUTION 19-154: NOMINATE KAREN LANG AND COREY RUSHTON FOR APPOINTMENT TO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT BOARD OF TRUSTEES

Mayor Bigelow discussed proposed Resolution 19-154 that would nominate Karen Lang and Corey Rushton for appointment to the Jordan Valley Water Conservancy District Board of Trustees.

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

Karen Lang and Corey Rushton are currently serving on said Board and are willing to continue in that role.

Members of the Jordan Valley Water Conservancy District are appointed by the governor for four year terms following nominations from municipalities.

C. RESOLUTION 19-155: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM RICK BEAGLEY FOR PROPERTY LOCATED AT 2573 SOUTH 7200 WEST

Mayor Bigelow discussed proposed Resolution 19-155 that would authorize the City to enter into a Right of Way Purchase Agreement and accept a Warranty Deed with and from Rick Beagley for property located at 2573 South 7200 West.

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

This portion of the Rick J. Beagley parcel located at 2573

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South 7200 West is being acquired as part of the 2540 South Extension Project, scheduled to be constructed in 2019. This project will extend Beagley Lane eastward from 7200 West, through ARA Industrial Center to 2540 South at 6755 West. 2540 South will also be extended from 6400 West to approximately 6100 West. Beagley Lane will be shifted south and realigned to create separation from existing homes on Beagley Lane. The acquisition includes a Warranty Deed for 250 square feet of additional right-of-way. Compensation in the amount of \$500.00 is based upon a minimal payment for similar acquisitions. No appraisal was prepared for this acquisition.

D. RESOLUTION 19-156: AUTHORIZE THE CITY TO ACCEPT A PUBLIC SIDEWALK, LIGHTING, AND UTILITY EASEMENT FROM SMITH'S FOOD & DRUG CENTERS, INC. FOR PROPERTY LOCATED AT APPROXIMATELY 4065 SOUTH REDWOOD ROAD

Mayor Bigelow discussed proposed Resolution 19-156 that would authorize the City to accept a Public Sidewalk, Lighting, and Utility Easement from Smith's Food & Drug Centers, Inc. for property located at approximately 4065 South Redwood Road

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

Accept a Public Sidewalk, Lighting and Utility Easement from Smith's Food & Drug Center, Inc. an Ohio corporation across property located at 4065 South Redwood Road (1700 West). This easement is required as part of the Smith's proposed remodel for the store at the above referenced address. As part of the proposed remodel, the property owner is required to construct public improvements in accordance with the Redwood Road Overlay Zone. A Public Sidewalk, Lighting and Utility Easement was required.

As portions of the required sidewalk and sidewalk lighting fall outside of the existing public right-of-way, a Public Sidewalk, Lighting and Utility Easement was required as a condition of approval for this project.

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

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Councilmember Nordfelt moved to approve Resolutions 19-153, 19-154, 19-155, and 19-156

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	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, NOVEMBER 26, 2019 WAS ADJOURNED AT 7:01 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, November 26, 2019.

Nichole Camac, CMC
City Recorder