

MINUTES OF COUNCIL REGULAR MEETING – DECEMBER 3, 2019

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, DECEMBER 3, 2019, AT 6:43 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
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Jake Fitisemanu, Councilmember District 4

ABSENT:

Ron Bigelow, Mayor
Karen Lang, Councilmember District 3

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

Mayor Pro-Tem Buhler conducted the Opening Ceremony. He invited Seini Maafu, representing the National Tongan American Society, to the podium. She discussed a Christmas event being held at the Utah Cultural Celebration Center on December 8, 2019.

SPECIAL RECOGNITIONS

Mayor Pro-Tem Buhler welcomed Representative Elizabeth Weight to the meeting.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 26, 2019

The Council considered the Minutes of the Regular Meeting held November 26, 2019. There were no changes, corrections or deletions.

Councilmember Fitisemanu moved to approve the Minutes of the Regular Meeting held November 26, 2019. Councilmember Huynh seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Daven Krommenoek stated that residents are grateful for the construction project on 4100 South but significant traffic issues throughout his neighborhood have been a result of the project. He indicated that people cut through the neighborhoods and these vehicles typically travel very fast which is a safety hazard to children and other residents of the community. Mr. Krommenoek also expressed concern about heavy semis causing road damage due to the weight limit exceeding residential road capacities. He indicated that parking issues are also concern on his street. Mr. Krommenoek thanked the City for plowing the streets on Thanksgiving.

Joe Bustillos stated that he is concerned about speeding in his neighborhood due to increased traffic from the 4100 South construction project as well. He indicated that construction companies, including Geneva Rock, have done this as well and since there are no sidewalks in parts of the neighborhood this is a significant safety concern. Mr. Bustillos requested stop signs or speed limit signs.

Richard Draper stated that West Valley City has one of the best websites in the State. He stated that residents don't know about it and they need to be made aware because it's a great resource of information. Mr. Draper stated that a significant portion of the website is the City Code and he feels the most important sections, that residents should know and be made aware of, are those that deal with the Criminal Code, Traffic Code, Animal Control, and Health Code. He indicated that educating residents on these laws would help significantly.

David Clemence expressed frustration with the Animal Services Code. He stated that his dog was accidentally let out of his home and was captured by West Valley Animal Control. He was then told that due to his dog's breed, a husky, his dog would need to be neutered. Mr. Clemence stated that the more he spoke with Animal Control, the more the story became convoluted. He indicated that he looked into State Code and found that there is a waiver available but West Valley City doesn't have a provision in their Code to request a waiver. He stated he feels this

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Code may be outdated and requested that it be updated so that others don't have to experience the same frustration he has had.

Representative Elizabeth Weight stated that she is here to speak to HB 411. She thanked the Council for their consideration and discussion and is looking forward to further conversations and explorations. Representative Weight stated that she has learned the value of websites and will encourage residents to seek information that way as well.

Jim Vesock stated that he would encourage the Council to look at the Animal Code. He stated that the State makes it clear there should be no discrimination on breed.

Mike Markham thanked Layne Morris for his presentation during Study Meeting. He indicated that he is a big supporter of Code Enforcement and indicated that West Valley City is not the only one with issues and other communities experience them as well. He stated that he feels the City is doing a great job in their efforts in getting neighborhoods cleaned up. Mr. Markham also thanked Public Works for the efforts in plowing the snow during the latest storm. He encouraged plows and streets sweepers to be equipped with cameras so that vehicles parked on the street can be cited when in violation.

Scott Bell stated that he is support of HB 411. He stated its difficult to come to definite conclusions at this time but adopting a resolution will allow the City to have a seat at the table. He indicated that many other municipalities have adopted a resolution and West Valley City has an opportunity to share in this project. Mr. Bell indicated that net zero 2030 is a powerful way to make a significant dent in air quality. He indicated that the first phase of HB411 is non-binding, it simply leaves the door open for West Valley City.

Chris Bell thanked staff for a good presentation during the Study Meeting on HB411. He indicated that this bill provides an opportunity for West Valley City to be a leader in renewable energy. He stated that its important for West Valley City, as Utah's second largest City, to take an active role in clean energy for the future.

B. CITY MANAGER COMMENTS

Wayne Pyle, City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Councilmember Nordfelt thanked resident for their input and for attending the meeting.

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Councilmember Buhler stated that safety concerns and enforcement are always important priorities to the Council. Upon inquiry, Wayne Pyle indicated that the City is in compliance with State Code regarding the pet ordinance.

RESOLUTION 19-157: AUTHORIZE THE CITY TO PURCHASE A LEICA ACCIDENT AND CRIME SCENE RECONSTRUCTION LASER SCANNER

Mayor Pro-Tem Buhler presented proposed Resolution 19-157 that would authorize the City to purchase a Leica Accident and Crime Scene Reconstruction Laser Scanner.

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

The equipment and software currently used by WVCPD to investigate and reconstruct crime scenes and automobile accidents is outdated, and no longer meets the reliability test to be admitted as evidence in all courts.

The Leica Scanner System is a highly specialized piece of equipment that utilizes unique equipment and programming that is not available elsewhere and is the only scanner that has met the standard for admission as evidence by the federal courts at the time of this writing.

The benefits of the Leica are: current technology, cost effective to use, safer for officers, moveable, easily transported, does much more on scene of crash, weather is not a factor, local support, free training due to it being a local company, Utah Highway Patrol is transitioning to the Leica system as well.

A cost breakdown is attached.

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 19-157.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

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

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Unanimous.

RESOLUTION 19-158: APPROVE THE PURCHASE OF FURNITURE AND FIXTURES FROM MIDWEST COMMERCIAL INTERIOR

Mayor Pro-Tem Buhler discussed proposed Resolution 19-158 that would approve the purchase of furniture and fixtures from Midwest Commercial Interior.

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

Midwest Commercial Interior holds the state contract, which is a competitive price and will meet the facility's needs. The total quote of \$116,741.54 includes furniture for Parks and Public Works, as well as full delivery and installation.

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 19-158.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA SCHEDULED FOR DECEMBER 3, 2019

A. RESOLUTION 19-159: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY CONTRACT AND ACCEPT AN UNDERGROUND RIGHT OF WAY EASEMENT WITH AND FROM KIDS OF CAMELOT, INC. FOR PROPERTY LOCATED AT APPROXIMATELY 3514 SOUTH 6000 WEST

Mayor Pro-Tem Buhler discussed proposed Resolution 19-159 that would authorize the City to enter into a Right of Way Contract and accept an Underground Right of Way Easement with and from Kids of Camelot, Inc. for property located at approximately 3514 South 6000 West.

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

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The Kids of Camelot, Inc. parcel located at 3514 South 6000 West is one of several parcels affected by this project and which require acquisitions Underground Right of Way Easements in favor of Rocky Mountain Power for the 3500 South Power Burial Project; approximately 5400 West to 6000 West. This project will be constructed in conjunction with the current phase of the Mountain View Corridor Project. As a Betterment to the Mountain View Corridor Project, is paying for the burial of overhead power lines between approximately 5400 West and 6000 West. Kids of Camelot, Inc. has previously signed an Underground Right-of-way Easement, however an additional Underground Right-of-way Easement to cover the one-foot wide gap between the existing back of sidewalk (statutory right-of-way line) and the previously signed easement. As part of the project will include replacement of the existing sidewalk along the 3500 South Street frontage, a Temporary Construction Easement is required. Compensation for the purchase of the additional Underground Right of Way Easement and Temporary Construction Easement is \$500.00 was based upon previously appraised values.

B. RESOLUTION 19-160: RATIFY THE CITY MANAGER'S REAPPOINTMENT OF STEVE BUHLER TO THE WEST VALLEY CITY HOUSING AUTHORITY COMMISSION FOR A TERM COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2021

Mayor Pro-Tem Buhler discussed proposed Resolution 19-160 that would ratify the City Manager's reappointment of Steve Buhler to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending December 31, 2021.

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

The West Valley City Housing Authority Commission is composed of seven members, each appointed by the City Manager with the advice and consent of the City Council. Pursuant to Section 9-4-606, Utah Code Annotated 1953, as amended, the City Manager wishes to reappoint Steve Buhler to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending on December 31, 2021.

C. RESOLUTION 19-161: RATIFY THE CITY MANAGER'S REAPPOINTMENT OF DON CHRISTENSEN TO THE WEST VALLEY CITY HOUSING AUTHORITY COMMISSION FOR A TERM COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2023

Mayor Pro-Tem Buhler discussed proposed Resolution 19-161 that would ratify the City Manager's reappointment of Don Christensen to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending

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December 31, 2023.

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

The West Valley City Housing Authority Commission is composed of seven members, each appointed by the City Manager with the advice and consent of the City Council. Pursuant to Section 9-4-606, Utah Code Annotated 1953, as amended, the City Manager wishes to reappoint Don Christensen to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending on December 31, 2023.

D. RESOLUTION 19-162: RATIFY THE CITY MANAGER'S REAPPOINTMENT OF TOM HUYNH TO THE WEST VALLEY CITY HOUSING AUTHORITY COMMISSION FOR A TERM COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2023

Mayor Pro-Tem Buhler discussed proposed Resolution 19-162 that would ratify the City Manager's reappointment of Tom Huynh to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending December 31, 2023.

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

The West Valley City Housing Authority Commission is composed of seven members, each appointed by the City Manager with the advice and consent of the City Council. Pursuant to Section 9-4-606, Utah Code Annotated 1953, as amended, the City Manager wishes to reappoint Tom Huynh to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending on December 31, 2023.

E. RESOLUTION 19-163: RATIFY THE CITY MANAGER'S REAPPOINTMENT OF TOM HUYNH TO THE WEST VALLEY CITY HOUSING AUTHORITY COMMISSION FOR A TERM COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2023

Mayor Pro-Tem Buhler discussed proposed Resolution 19-163 that would ratify the City Manager's reappointment of Karen Lang to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending December 31, 2023.

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

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The West Valley City Housing Authority Commission is composed of seven members, each appointed by the City Manager with the advice and consent of the City Council. Pursuant to Section 9-4-606, Utah Code Annotated 1953, as amended, the City Manager wishes to reappoint Karen Lang to the West Valley City Housing Authority Commission for a term commencing January 1, 2020 and ending on December 31, 2023.

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 Resolutions 19-159, 19-160, 19-161, 19-162, and 19-163

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	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, DECEMBER 3, 2019 WAS ADJOURNED AT 7:22 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, December 3, 2019.

Nichole Camac, CMC
City Recorder