

MINUTES OF COUNCIL REGULAR MEETING – APRIL 28, 2020

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, APRIL 28, 2020, AT 6:30 P.M. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE MEETING WAS HELD ELECTRONICALLY.

THE FOLLOWING MEMBERS WERE PRESENT ELECTRONICALLY:

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 ELECTRONICALLY:

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

OPENING CEREMONY

Councilmember Jake Fitisemanu conducted the Opening Ceremony. He indicated that today is National Superhero day and he would like to acknowledge and thank the first responders who are everyday heroes. He thanked healthcare workers, Police officers, and Fire Department workers for keeping us safe and flattening the curve.

APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 21, 2020

The Council considered the Minutes of the Regular Meeting held April 21, 2020. There were no changes, corrections or deletions.

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Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held April 21, 2020. Councilmember Christensen seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Jim Vesock thanked the Nichole Camac for clarifying discrepancies in ALJ GRAMA requests. Mr. Vesock stated the he is concerned about behind the scenes conversations and would like to part of budget discussions that are held with the City Manager.

Mayor Bigelow stated that he often speaks with the City Manager to clarify certain information and staff is constantly meeting together to discuss budget. He indicated that draft information is not released to the public but once documents become final, those are. Mayor Bigelow noted that the Council is continually sharing or expressing concern and ideas to the City Manager but added that there are never conversations held amongst the Council or staff where a quorum is present.

B. CITY MANAGER COMMENTS

Wayne Pyle, City Manager, agreed that any draft document is not released to the public. He noted that once the finished product is complete and provided to the Council, the public is available to view that as well. Wayne stated that the City is well aware of all laws and carefully follows open meeting requirements, along with any other restrictions and requirements.

C. CITY COUNCIL COMMENTS

Mayor Bigelow stated that he would like to potentially add a budget summary to the agenda next week. Wayne stated that this is a tentative budget and a more detailed budget message will be produced at a later date that provides more information.

RESOLUTION 20-44: APPROVE AN AMENDMENT TO A SUBGRANT AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY GOVERNING THE DISBURSEMENT AND USE OF HOME INVESTMENT PARTNERSHIP FUNDING

Mayor Bigelow discussed proposed Resolution 20-44 that would approve an amendment to a Subgrant Agreement between West Valley City and Salt Lake County governing the disbursement and use of Home Investment Partnership Funding.

Written documentation previously provided to the City Council included information as

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follows:

Salt Lake County has notified West Valley City of an addition to their FY 2019-2020 HOME funds, in the amount of \$100,000, to be used solely for the restoration of mobile homes knocked off their foundations by the earthquake, in the Kopper View and Western Estates Mobile Home Parks. West Valley City will administer an Emergency Critical Assistance Program using these funds.

I. Housing Rehabilitation Programs (HCD19115) Total Budget	
a. Single-Family Housing Rehabilitation:	\$ 174,800.00
b. Rehabilitation Project delivery costs:	\$ 20,200.00
c. Mobile Home Restorations:	\$ 100,000.00
Total	\$ 295,000.00

The County has entered into a grant agreement with the U.S. Department of Housing and Urban Development (HUD) for financial assistance to conduct a HOME Investment Partnership Program (HOME Program) pursuant to the HOME Investment Partnerships Act, Title II of the Cranston-Gonzales National Affordable Housing Act, 42 U.S.C. 12701-12839, as amended, and subject to the Rules and Regulations, promulgated by HUD governing the conduct of HOME Investment Partnership Programs including, but not limited to , Title 24, Part 92 of the Code of Federal Regulations (CFR) (the Rules and Regulations); and the applicable Circulars published by the U.S. Office of Management and Budget (OMB Circulars).

Salt Lake County has entered into a sub-grant agreement with West Valley City, as member of the Salt Lake County HOME Consortium, to operate housing rehabilitation programs for the FY 2019-2020. Due to the destruction in the Kopper View and Western Estates Mobile Home Parks, Salt Lake County Mayor Jenny Wilson approved March 18, 2020 earthquake, Salt Lake County approved an additional \$100,000 in HOME funds for West Valley City, to assist in providing critical restoration of the mobile homes knocked off of their foundations and closed to occupancy. The funding is restrictive allowing only certain repairs or remediation activities to occur.

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 20-44.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes

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Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 20-45: AUTHORIZE THE CITY TO PROCURE CERTAIN REPAIR SERVICES FROM BOSNA CONSTRUCTION, INC

Mayor Bigelow discussed proposed Resolution 20-45 that would authorize the City to procure certain repair services from Bosna Construction, Inc.

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

On March 18th, Reaveley Engineers sent Dorian Adams to the Maverik Center to prepare a Post-earthquake Structural Observation Report. Mr. Adams was on site less than 5 hours after the earthquake. No structural damage noted however aesthetic or superficial concrete and drywall damage was noted throughout the venue. This comprises a majority of the damage incurred as most of the other items noted could be repaired by venue staff or our usual vendors based upon the scope of work needed. Bosna Construction, Inc. submitted the most competitive responsive and responsible proposal to perform the work.

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 20-45.

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.

RESOLUTION 20-46: AUTHORIZE CHANGE ORDER NO. 2 TO THE

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CONTRACT WITH ACME CONSTRUCTION FOR THE 2700 WEST IMPROVEMENTS PROJECT

Mayor Bigelow discussed proposed Resolution 20-46 that would authorize change order No. 2 to the Contract with Acme Construction for the 2700 West Improvements Project.

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

Acme Construction is currently improving 2700 West, between 3500 South and 4100 South. This section of road is the primary access for the Valley Fair Mall, Fairbourne Station and City Hall, and is a very important transportation facility to the city.

The existing pavement condition is very poor, and as part of the work on the project, Acme is contracted to rotomill 4-inches of existing asphalt and repave with 4-inches of new asphalt.

Due to the high-profile nature of this arterial, the Public Works Department is proposing to change the pavement design and include fiber reinforced asphalt pavement in the top two inches of asphalt.

The addition of aramid fiber reinforced asphalt will help to reduce reflective cracking through the asphalt surface by increasing the tensile strength in the upper pavement layer. This change will add pavement life to this important segment of roadway.

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 20-46.

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

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Unanimous.

CONSENT AGENDA

A. RESOLUTION 20-47: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT WITH AND FROM THE KENNETH LEE ALLEN AND ARLENE F ALLEN LIVING TRUST FOR PROPERTY LOCATED AT 3857 SOUTH LEE MAUR STREET

Mayor Bigelow discussed proposed Resolution 20-47 that would authorize the City to enter into an Easement Purchase Agreement and accept a Perpetual Easement with and from the Kenneth Lee Allen and Arlene F Allen Living Trust for property located at 3857 South Lee Maur Street.

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

A Perpetual Easement over a portion of the Kenneth Lee Allen and Arlene F. Allen Living Trust, dated the 9th day of February, 2015 parcel located at 3857 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. The City had previously acquired a Perpetual Easement for the wall from Kenneth Lee Allen and Arlene F. Allen Living Trust. Unfortunately, the contractor built a portion of the wall outside of the existing Perpetual Easement creating the need for an additional Perpetual Easement. Compensation for the additional is \$200.00. Costs for the additional easement will be deducted from future payments to the contractor.

B. RESOLUTION 20-48: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT WITH AND FROM JOSEPH BIGELOW AND JACOB COLEMAN FOR PROPERTY LOCATED AT 3867 SOUTH LEE MAUR STREET

Mayor Bigelow discussed proposed Resolution 20-48 that would authorize the City to enter into an Easement Purchase Agreement and accept a Perpetual Easement with and from Joseph Bigelow and Jacob Coleman for property located at 3867 South Lee Maur Street.

Written documentation previously provided to the City Council included

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information as follows:

A Perpetual Easement over a portion of the Joseph Bigelow and Jacob Coleman parcel located at 3867 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. The City had previously acquired a Perpetual Easement for the wall from Joseph Bigelow and Jacob Coleman. Unfortunately, the contractor built a portion of the wall outside of the existing Perpetual Easement creating the need for an additional Perpetual Easement. Compensation for the additional is \$350.00. Costs for the additional easement will be deducted from future payments to the contractor.

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 20-46.

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.

MOTION TO ADJOURN

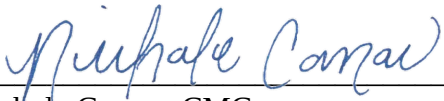
Upon motion by Councilmember Huynh, all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, APRIL 28, 2020 WAS ADJOURNED AT 6:49 P.M. 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 Regular Meeting of the West Valley City Council held Tuesday, April 28, 2020.



Nichole Camac, CMC
City Recorder