

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 13, 2020

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, OCTOBER 13, 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
Steve Pastorik, CED
Jody Knapp, CED

INSIDE THE POLICE DEPARTMENT VIDEO SERIES

A video providing information about the Police Department was displayed.

APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 6, 2020

The Council considered the Minutes of the Regular Meeting held October 6, 2020. There were no changes, corrections or deletions.

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Councilmember Lang moved to approve the Minutes of the Regular Meeting held October 6, 2020. Councilmember Fitisemanu seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Jim Vesock stated that he just wanted to say hello.

B. CITY MANAGER COMMENTS

Wayne Pyle, City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Councilmember Huynh stated that there was an incident where someone stole some items from his construction site. He indicated that the Police Officers responded quickly and were able to recover the items.

PUBLIC HEARINGS

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION GP-2-2020, FILED BY WEST VALLEY CITY, REQUESTING AN AMENDMENT TO THE WEST VALLEY CITY GENERAL PLAN TO ADOPT THE CITY'S ACTIVE TRANSPORTATION PLAN

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled October 13, 2020, in order for the City Council to hear and consider public comments regarding application GP-2-2020, Filed by West Valley City, Requesting an amendment to the West Valley City General Plan to adopt the City's Active Transportation Plan

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

The Active Transportation Plan (ATP) will serve as a guide for the implementation of an improved bicycle and pedestrian network throughout the City. The goal of this project was to improve the existing infrastructure and facilitate how to strategically add new infrastructure as time and budget allows. As it currently stands, the City has a basic bicycle and pedestrian network in place, but lacks connectivity combined with a high level of access and ease of use.

The TLC program is a partnership between WFRC, Salt Lake County (SLCo), Utah Department of Transportation (UDOT) and Utah Transit Authority (UTA). Staff members from these organizations, along with City staff, were the foundation of a steering committee that was established to accomplish this goal and create the process involved in

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creating this plan.

The steering committee established three legacy goals for the plan which were the guiding principles throughout the process:

- Enhance the safety of active transportation users
- Foster increased active transportation usage throughout the City for all user groups
- Increase total lane miles of bike lanes and sidewalks.

The next phase was data collection. This included reviewing the following:

- Existing plans, policies and programs for West Valley City along with the WFRC Regional Transportation Plan and the SLCo Active Transportation Implementation Plan.
- The presence of existing infrastructure and use, transit routes and important destinations like schools and parks along with usage of those facilities.
- Smartphone data on cycling and walking activity from Strava
- A three-year history of collisions within West Valley City, including all modes but focusing on bicycle and pedestrian collisions (especially those resulting in fatalities or serious injuries)
- Public outreach which included three pop-up events (at Dia De Los Muertos, at the WVC Family Recreation Center, and at the Gearld Wright School Literacy Month Event), and a period of online engagement. The map of potential projects went out through six different newsletters and list serves and received over 100 comments.

This information was then all compiled together and evaluated based on the steering committee's guiding principles. It was then classified into three different project tiers to determine the recommended improvements and projects for the ATP. Design guidelines were also included to help establish standards for the various types of recommended facilities as well as a robust implementation and funding source plan.

As outlined above staff recommends that the attached ATP be adopted as part of the West Valley City General Plan to help guide our efforts and prioritize improvements as funding sources become available and projects are implemented.

Mayor Bigelow opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Bigelow closed the Public Hearing.

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ACTION: ORDINANCE NO. 20-43, ADOPT THE WEST VALLEY CITY ACTIVE TRANSPORTATION PLAN AS PART OF THE WEST VALLEY CITY GENERAL PLAN

The City Council previously held a public hearing regarding proposed Ordinance 20-43 that would adopt the West Valley City Active Transportation Plan as part of the West Valley City General Plan.

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

Councilmember Nordfelt moved to approve Ordinance 20-43.

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

Unanimous.

B. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-6-2020, FILED BY WEST VALLEY CITY, REQUESTING AN ORDINANCE CHANGE TO SECTIONS 7-1-103 AND 7-6-301 TO DEFINE AND ESTABLISH REGULATIONS FOR OUTDOOR WASTE MANAGEMENT FACILITIES

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled October 13, 2020, in order for the City Council to hear and consider public comments regarding Application ZT-6-2020, filed by West Valley City, requesting an Ordinance Change to Sections 7-1-103 and 7-6-301 to define and establish regulations for Outdoor Waste Management Facilities.

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

There are two options for this ordinance amendment. Option 1 was the original proposal made by staff to the Planning Commission. This option defines and prohibits outdoor waste management facilities. The term “outdoor waste management facility” is defined as “any outdoor facility that

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stores, treats or processes liquid waste, sludge or solid waste”. Option 1 prohibits outdoor waste management facilities in all commercial and manufacturing zones.

At the request of the Planning Commission, staff also prepared option 2. This option also defines outdoor waste management facilities; however, instead of prohibiting the use, it allows the use as a conditional use in the M (manufacturing) zone subject to a number of use specific regulations. These use specific regulations include separation requirements from residential and high-image arterial streets, screening requirements, a requirement that such uses only be permitted in areas designated for heavy manufacturing in the General Plan and a prohibition on human or animal waste and household garbage.

Mayor Bigelow opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Bigelow closed the Public Hearing.

ACTION: ORDINANCE NO. 20-44, AMEND SECTIONS 7-1-103 AND 7-6-301 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND CERTAIN REQUIREMENTS APPLICABLE TO OUTDOOR WASTE MANAGEMENT FACILITIES

The City Council previously held a public hearing regarding proposed Ordinance 20-44 that would amend Sections 7-1-103 and 7-6-301 of the West Valley City Municipal Code to amend certain requirements applicable to Outdoor Waste Management Facilities.

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 Ordinance 20-44.

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

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Unanimous.

RESOLUTION 20-156: APPROVE A GRANT AGREEMENT WITH THE STATE OF UTAH DEPARTMENT OF HERITAGE AND ARTS

Mayor Bigelow discussed proposed Resolution 20-156 that would approve a Grant Agreement with the State of Utah Department of Heritage and Art.

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

This grant is awarded for the purpose of funding live music events to celebrate the return to live music featuring local technical vendors, local promoters and artist with local regional ties. Grant total funding is \$250,000 and must be fully expended by December 30,2020. The funds can be used for salaries, rent, utilities and other general operating expenses with at least 50% of the grant award to benefit Utahns through encouraging travel, tourism, and community engagement as outlined in the application.

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 20-156.

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.

RESOLUTION 20-157: AUTHORIZE WEST VALLEY CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE UTAH ATTORNEY GENERALS OFFICE INTERNET CRIMES AGAINST CHILDREN TASKFORCE

Mayor Bigelow discussed proposed Resolution 20-157 that would authorize West Valley City to enter into a Memorandum of Understanding with the Utah Attorney Generals Office

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Internet Crimes Against Children Taskforce.

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

The West Valley City Police Department has participated with the Utah Officer of the Attorney General, Internet Crimes Against Children (ICAC) Task Force for many years. Detectives with our department work hand in hand with the ICAC Task Force to investigate internet crimes against children occurring in West Valley City. This collaboration has been very successful for many years. The detectives assigned to the task force work this as a collateral assignment and are compensated in overtime reimbursed by this MOU/grant.

The memorandum of understanding between the Utah ICAC Task Force and West Valley City Police Department specifies that we are receiving \$5,000 to use towards vigorously and properly investigating crimes against children that occur in some relationship with the Internet or other electronic media devices. Those investigations will be conducted only by sworn detectives and in a spirit of cooperation with other ICAC task force members. The funding is available from July 1, 2020 until June 30, 2021.

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 Resolution 20-157.

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 20-158: AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH THE HAMM CONSULTING GROUP, LLC FOR REPRESENTATION IN WASHINGTON, DC

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Mayor Bigelow discussed proposed Resolution 20-158 that would authorize the City to enter into an Agreement with the Hamm Consulting Group, LLC for representation in Washington, DC.

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

Ron Hamm of The Hamm Consulting Group has represented the City in Washington, D.C., for the past three years, and prior to that, was the City's representative with the Ferguson group. He is well versed regarding the City's needs and able to provide consulting and lobby services. The Hamm Consulting Group will help the City attain numerous goals and objectives and maintain an aggressive federal agenda. This Agreement is for the three-year period commencing July 1, 2019 and ending June 30, 2022, with a 30-day termination clause.

The three year term helps the City stay on track with the cycles of legislative activity in Washington DC. Issues being discussed at the federal level typically take a long cycle to come to fruition.

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 Resolution 20-158.

Councilmember Fitisemanu 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 20-159: AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH DLS CONSULTING, INC. FOR PROFESSIONAL SERVICES FOR LEGISLATIVE ISSUES AND PROJECTS

Mayor Bigelow discussed proposed Resolution 20-159 that would authorize the City to enter into an Agreement with DLS Consulting, Inc. for professional services for Legislative issues and projects.

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

Dave Stewart has represented West Valley City for many years at the state legislature. He has an extremely impressive understanding of the city, its unique needs and concerns and its important issues. His representation has resulted in the receipt of significant appropriations and has provided the City with protection from regulations that may have been detrimental. Dave Stewart has exceptional knowledge of the City and its needs and is able to represent the City effectively.

DLS will provide the City with professional services by interacting with other governmental agencies, including lobbying the Utah Legislature on issues important to the City. This agreement runs through the 2022 fiscal year with a 30-day termination provision.

The DLS contract has been restructured to take into account the need for continuity which is acutely important because of the City's recent exit from the Utah League of Cities and towns.

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

Councilmember Nordfelt moved to approve Resolution 20-159.

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.

RESOLUTION 20-160: APPROVE THE PURCHASE OF AUDIOVISUAL EQUIPMENT FROM TECHNOLOGY PROVIDERS, INC. FOR USE AT THE EMERGENCY OPERATIONS CENTER

Mayor Bigelow discussed proposed Resolution 20-160 that would approve the purchase of

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audiovisual equipment from Technology Providers, Inc. for use at the Emergency Operations Center.

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

The Emergency Operations Center in City Hall is designed for emergency staff to be able to exert command and control of City resources for emergencies. The current technology in the room is usable, but dated. This contract would upgrade the room to be able to use current teleconferencing capabilities, include more video screens, and install a user-friendly electronic interface in the room.

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 20-160.

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

Unanimous.

RESOLUTION 20-161: AWARD A CONTRACT TO TECA AQUATICS INNOVATIONS, INC. FOR REPLASTERING OF THE LEISURE POOL AT THE WEST VALLEY CITY FAMILY FITNESS CENTER

Mayor Bigelow discussed proposed Resolution 20-161 that would award a contract to Teca Aquatics Innovations, Inc. for replastering of the Leisure Pool at the West Valley City Family Fitness Center.

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

Parks and Recreation publicly advertised for proposals for the replastering of the Leisure Pool at the Family Fitness Center.

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The RFP was posted in the newspaper, on bid sites and several companies were contacted by staff. The proposals were evaluated and compared against each other in a matrix format by a committee of three. Evaluation criteria included price, warranty, timeline and references. Of the four proposals, three met specifications. These are as follows:

TECA:	\$90,100
Mid-American Pool Renovation:	\$97,225
Precision Pool & Spa	\$100,460

Out of these proposals, TECA was the lowest responsible bidder.

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 20-161.

Councilmember Nordfelt 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 20-162: APPROVE AN ADDENDUM TO A COOPERATIVE AGREEMENT BETWEEN THE CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF 2550 SOUTH

Mayor Bigelow discussed proposed Resolution 20-162 that would approve an addendum to a Cooperative Agreement between the City and the Utah Department of Transportation for the construction of 2550 South.

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

On September 8th, 2020, West Valley City's Council approved a \$500,000 Cooperative Agreement with UDOT(#218261) for the 2550 South project. Once executed and returned, project coordinators for UDOT were informed by their legal

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department that a law had gone into effect August 13th, 2020 requiring an addendum to all contract agreements.

The addendum, referring to Public Law 115-232, § 889 and 2 CFR § 200.216, refers to telecommunications equipment and security surveillance. Though the particulars do not pertain to this contract, it is required, by law, that UDOT add it to this agreement.

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 20-162.

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 20-163: APPROVE THE PURCHASE OF A CRACK SEALER FROM WHEELER MACHINERY COMPANY

Mayor Bigelow discussed proposed Resolution 20-163 that would approve the purchase of a Crack Sealer from Wheeler Machinery Company.

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

The City will use the Utah State Contract with Wheeler Machinery Company to replace the 2011 crack seal machine (EZ1500) with a new CRAFCO Crack Sealer. Public Works Operations has done business with Wheeler Machinery Company multiple times, adding confidence the trade-in for the 2011 machine was valued fairly based on high mileage usage.

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Machine	Type of Machine	Cost Per Vehicle
1	CRAFCO 2020 EZ1500 Crack Seal Machine	\$95,754.00
1	Trade in – 2011 EZ1500 Crack Seal Machine	-\$9,500.00
	TOTAL	\$86,254.00

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

Councilmember Nordfelt moved to approve Resolution 20-163.

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.

CONSENT AGENDA

- A. **RESOLUTION 20-164: AUTHORIZE THE CITY TO ENTER INTO TWO RIGHT OF WAY CONTRACTS AND ACCEPT TWO UNDERGROUND EASEMENTS FROM SALT LAKE COUNTY**

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Mayor Bigelow discussed proposed Resolution 20-164 that would authorize the City to enter into two Right of Way Contracts and accept two Underground Easements from Salt Lake County.

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

The Salt Lake County parcel located at 5905 West 3500 South (Hunter Park) is one of several parcels affected by this project and which require acquisitions of 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 is currently being constructed in conjunction with the current phase of the Mountain View Corridor Project. As a Betterment to the Mountain View Corridor Project, West Valley City is paying for the burial of overhead power lines between approximately 5400 West and 6000 West. Compensation for the purchase of the two Underground Right of Way Easement and improvements is \$5,000.00 for one of the Underground Right-of-way Easements and \$700.00 for the other Underground Right-of-way Easement for a total cost of \$5,700.00. Compensation was based upon the compensation estimates prepared by the DH Group, LLC.

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 items on the Consent Agenda

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

Unanimous.

MOTION TO ADJOURN

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

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, OCTOBER 13, 2020 WAS ADJOURNED AT 6:59 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, October 13, 2020.



Nichole Camac, CMC
City Recorder