

MINUTES OF COUNCIL REGULAR MEETING MARCH 7, 2023

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, MARCH 7, 2023 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 KAREN LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4 (*electronically*)

STAFF PRESENT ELECTRONICALLY:

Nicole Cottle, Acting City Manager
Nichole Camac, City Recorder
Eric Bunderson, City Attorney (*electronically*)
Kent Stokes, Acting Police Chief
John Evans, Fire Chief (*electronically*)
Jim Welch, Finance Director
Steve Pastorik, CED Director (*electronically*)
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director
John Flores, HR Director
Mark Nord, RDA Director
Sam Johnson, Strategic Communications Director (*electronically*)
Ken Cushing, IT

OPENING CEREMONY- COUNCILMEMBER WHETSTONE

Councilmember Whetstone asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 7, 2023

The Council considered the Minutes of the Regular Meeting held March 7, 2023. There were no changes, corrections or deletions.

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Councilmember Christensen moved to approve the Minutes of the Regular Meeting held March 7, 2023. Councilmember Huynh 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 attended the Adam and Eve business opening. He indicated that he is pleased to see that the outdoor Centennial pool boilers are being purchased out of the existing budget. Mr. Vesock stated that he would like to see Code Enforcement issues resolved so enforcement can continue.

B. CITY MANAGER COMMENTS

Nicole Cottle, Assistant City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Upon inquiry, members of the City Council had no comments.

RESOLUTION 23-17: AUTHORIZE WEST VALLEY CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES MARSHALS SERVICE FUGITIVE TASK FORCE

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-17 that would authorize West Valley City to Enter into a Memorandum of Understanding with the United States Marshals Service Fugitive Task Force

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

In an effort to coordinate local law enforcement resources in the apprehension of persons who have active state and federal warrants for their arrest, law enforcement agencies of the greater Salt Lake Valley, State and Federal agencies have united efforts and resources to form the United States Marshals Service Fugitive Task Force. Members of the police department are deputized through the Marshals Service and generally participate in a part-time role. The police department has worked in partnership with the US Marshals Service for many years and this partnership continuously aids in the apprehension of some of the most violent offenders in our community. This agreement clarifies the responsibilities of participating agencies to establish the groundwork for the administration and operation of the taskforce.

The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active state and federal warrants for

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their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offense. Task force personnel will be assigned federal, state, and local fugitive cases for investigation.

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

Councilmember Whetstone moved to approve Resolution 23-17

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-18: APPROVE THE INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY FOR SECURITY SERVICES AT THE WEST VALLEY COUNTY LIBRARY

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-18 that would approve the Interlocal Agreement Between West Valley City and Salt Lake County for Security Services at the West Valley County Library

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

Salt Lake County wishes to hire off-duty West Valley City Police Officers to provide security and law enforcement services on an as needed basis at the West Valley branch of the Salt Lake County library system. The county wishes to enter an interlocal agreement to govern the conditions under which they hire off-duty officers. The interlocal agreement is consistent with the Police Department's secondary employment hiring procedures.

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

Councilmember Christensen moved to approve Resolution 23-18

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-19: AUTHORIZE THE CITY TO PROVIDE A GUARANTEE LETTER TO THE INTERNATIONAL OLYMPIC COMMITTEE

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-19 that would authorize the City to Provide a Guarantee Letter to the International Olympic Committee

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

West Valley City and the Salt Lake City-Utah Committee for the Games (SLC-UTCG) have entered into an Olympic Venue Use Agreement that will allow the Committee exclusive use of the Maverik Center to host Olympic Men's and Women's Ice Hockey during the Olympic and Paralympic Winter Games of 2030 or the Olympic & Paralympic Winter Games of 2034.

SLC-UTCG is the organization working jointly with the United States Olympic and Paralympic Committee (USOPC) to bring the Olympic Winter Games to Utah in 2030 or 2034. The final bid and subsequent decision from the International Olympic Committee (IOC) are set for 2023 or later.

It is anticipated that the IOC will invite SLC-UTCG into a Targeted Dialogue regarding hosting a future Olympic and Paralympic Winter Games sometime in 2023. As part of that process, SLC-UTCG must obtain initial guarantees that confirm a range of information and obligations from public authorities and other

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organizations. In order to stay ahead of this process, SLC-UTCG hopes to complete the guarantees by March 31, 2023.

West Valley City government demonstrated unwavering support that underpinned the success of the Salt Lake 2002 Olympic Winter and Paralympic Winter Games. SLC-UTCG now looks to build on that foundation.

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

Councilmember Nordfelt moved to approve Resolution 23-19

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-20: AUTHORIZE THE PURCHASE OF FIRE SAFETY EQUIPMENT FROM STATEFIRE DC SPECIALTIES, LLC

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-20 that would authorize the Purchase of Fire Safety Equipment from Statefire DC Specialties, LLC

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

This will replace original life safety equipment at the Mave1ik Center. The funding will come from State of Utah State of Utah DGO/DFCM Legislative Pass-Through Project as well as the Repairs and Replacement funds for the Mave1ik Center. State Fire is an approved vendor as a Statewide Best-Value Cooperative Contract for Fire Sprinkler Systems company Contract #MA 3942.

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

Councilmember Huynh moved to approve Resolution 23-20

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Councilmember Whetstone seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-21: AUTHORIZE THE PURCHASE OF SECURITY EQUIPMENT FROM STONE SECURITY

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-21 that would authorize the Purchase of Security Equipment from Stone Security.

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

The funding will come from a State of Utah State of Utah DGO/DFCM Legislative Pass-

Through Project. Stone Security is an approved vendor as a Statewide Best-Value Cooperative Contract for Security/ Protection Systems company Contract #MA 3072. Stone Security installed the original system and the additions / upgrade will interface with the existing system.

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

Councilmember Whetstone moved to approve Resolution 23-21.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes

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Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

CONSENT AGENDA

A. RESOLUTION 23-22: RATIFY THE CITY MANAGER'S APPOINTMENT OF JULENE JOLLEY TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING APRIL 1, 2023 AND ENDING MARCH 30, 2025

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-22 that would ratify the City Manager's Appointment of Julene Jolley to the Professional Standards Review Board for a Term Commencing April 1, 2023 and Ending March 30, 2025.

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

This resolution appoints Julene Jolley as a member of the Professional Standards Review Board for a two-year term commencing on April 1, 2023, and ending on March 30, 2025.

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Chief of Police regarding these incidents.

B. RESOLUTION 23-23: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM HEBER AND UTAHNA POULSEN FOR PROPERTY LOCATED AT 4350 SOUTH HAWARDEN CIRCLE

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-23 that would authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed with and from Heber and Utahna Poulsen for Property Located at 4350 South Hawarden Circle.

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

The Heber E. Poulson and Utahna Poulson property located at 4350 S. Hawarden Circle is one of several properties affected by the required removal and replacement of ADA ramps for the 2023 Asphalt Overlay Project. As part of this project several residential streets will be roto-milled

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and overlaid. Any existing ADA ramps which do not comply with the current ADA standards and regulations must be removed and replaced.

The Warranty Deed will allow for construction over a portion of the property currently owned by the property owners. The portion of property being acquired is located at the northeast corner of Lot 109 of Hawarden Estates No. 5 and contains a total of 26 square feet. Compensation in the amount of \$600.00 was based upon land values for property in the neighborhood.

C. RESOLUTION 23-24: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM RICHARD AND PAMELA MILLET FOR PROPERTY LOCATED AT 4415 SOUTH 3245 WEST

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-24 that would authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed with and from Richard and Pamela Millet for Property Located at 4415 South 3245 West

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

The Richard Lamar Millet and Pamela A. Millet property located at 4415 South 3245 West is one of several properties affected by the required removal and replacement of ADA ramps for the 2023 Asphalt Overlay Project. As part of this project several residential streets will be roto-milled and overlaid. Any existing ADA ramps which do not comply with the current ADA standards and regulations must be removed and replaced.

The Warranty Deed will allow for construction over a portion of the property currently owned by the property owners. The portion of property being acquired is located at the northwest corner of Lot 10 of Hawarden Estates No. 7 and contains a total of 28 square feet. Compensation in the amount of \$700.00 was based upon land values for property in the neighborhood.

D. RESOLUTION 23-25: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM THE KENNETH AND JANET SHOSTED FAMILY TRUST FOR PROPERTY LOCATED AT 3366 WEST 4400 SOUTH

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-25 that would authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed and Temporary Construction Easement with and from the Kenneth

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and Janet Shosted Family Trust for Property Located at 3366 West 4400 South

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

The Kenneth and Janet Shosted Family Trust property located at 3366 West 4400 South is one of several properties affected by the required removal and replacement of ADA ramps for the 2023 Asphalt Overlay Project. As part of this project several residential streets will be roto-milled and overlaid. Any existing ADA ramps which do not comply with the current ADA standards and regulations must be removed and replaced.

The Warranty Deed and the Temporary Construction Easement will allow for construction over a portion of the property currently owned by the property owners. The portion of property being acquired is located at the southwest corner of Lot 34 of Hawarden Estate No. 2 and contains a total of 36 square feet, a Temporary Construction Easement encompassing 43 square feet, along with miscellaneous plants. Compensation in the amount of \$1,000.00 was based upon land values for property in the neighborhood.

E. RESOLUTION 23-26: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM THE WOODSON E. AND BARBARA E. DAVIS LIVING TRUST FOR PROPERTY LOCATED AT 3323 WEST 4400 SOUTH

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-26 that would authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed with and from the Woodson E. and Barbara E. Davis Living Trust for Property Located at 3323 West 4400 South.

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

The Woodson E. & Barbara E. Davis Living Trust property located at 3323 West 4400 South is one of several properties affected by the required removal and replacement of ADA ramps for the 2023 Asphalt Overlay Project. As part of this project several residential streets will be roto-milled and overlaid. Any existing ADA ramps which do not comply with the current ADA standards and regulations must be removed and replaced.

The Warranty Deed will allow for construction over a portion of the property currently owned by the property owners. The portion of property being acquired is located at the northwest corner of Lot 41 of Hawarden Estate No. 2 and contains a total of 26 square feet. Compensation in the

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amount of \$2,000.00 was negotiated based upon the Appraisal Report prepared by the Fortis Group, LLC.

- F. **RESOLUTION 23-27: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM RONALD AND DIANA STEPHENS FOR PROPERTY LOCATED AT 3390 WEST 4400 SOUTH**
Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-27 that would authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed with and from Ronald and Diana Stephens for Property Located at 3390 West 4400 South.

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

The Ronald L. Stephens and Diana L. Stephens property located at 3390 West 4400 South is one of several properties affected by the required removal and replacement of ADA ramps for the 2023 Asphalt Overlay Project. As part of this project several residential streets will be roto-milled and overlaid. Any existing ADA ramps which do not comply with the current ADA standards and regulations must be removed and replaced.

The Warranty Deed will allow for construction over a portion of the property currently owned by the property owners. The portion of property being acquired is located at the southeast corner of Lot 27 of Hawarden Estate No. 2 and contains a total of 32 square feet. Compensation in the amount of \$700.00 was based upon land values for property in the neighborhood.

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

Councilmember Nordfelt moved to approve the item on the consent agenda.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes

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Mayor Lang

Yes

Unanimous.

RESOLUTION 23-28: AWARD A CONTRACT TO CODY EKKER CONSTRUCTION INC. FOR A STORM DRAIN INSTALLATION ON TOULOUSE STREET

Nicole Cottle, Acting City Manager, discussed proposed Resolution 23-28 that would award a Contract to Cody Ekker Construction Inc. for a Storm Drain Installation on Toulouse Street

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

In the fall of 2022, the Public Works Department became aware of basement flooding on Toulouse Street, during a period of no rain, thus basement flooding from storm drainage seemed unlikely. The flooded basement is immediately adjacent to a corrugated metal pipe, installed in the early 1970s, draining the City's street water into the South Jordan Canal. The pipe sits below the water level of the canal keeping the pipe full of water all the time, it is suspected that canal water saturates the ground around the pipe near the home and seeps into the basement through the compromised aging corrugated metal pipe. In late 2022 and early 2023, the Public Works Department planned for the Operations Division to replace the pipe in place using in-house forces. As the design progressed, it became clear that the best long-term solution did not include replacement in-place. UDOT recently acquired property at 3766 West Toulouse Street to accommodate work on the 4700 South Bangerter Highway interchange. There is an existing storm drain installed in Toulouse Street, that dead-ends at Bangerter Highway that could be used to drain the neighborhood. The Public Works Department determined that the best long-term solution for the City would include a connection to the existing dead-end storm drain, running a new pipe through the recently purchased UDOT property, and from there connecting into the South Jordan Canal. This new storm drain location would enable the City to connect to a future Bangerter Highway storm drainage system, ultimately removing the City's water from the Canal, and improving the area drainage capacity. Additionally, the new location will take the storm drain away from the flooding basement, minimizing the possibility of future flooding if the canal water seeping through the pipe is the flood water source.

The storm drain work needs to be completed before the South Jordan Canal begins running water in early April. As design and permitting for the new storm drain design progressed, it became clear that traditional contractor procurement methods would not allow the work to be completed before the canal water returns. For these reasons, the Public Works Department is requesting authorization to award a

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contract under Section 5-3-112 (Emergencies, Public Threats and Unforeseen Conditions) of the City's procurement code.

The Engineering Division reached out to several contractors seeking interest and capacity to do the work within the necessary timeframe, which did not yield many interested companies. Cody Ekker Construction expressed interest in the work and has the expertise and ability to fit the work into their schedule to accommodate the canal deadline.

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

Councilmember Christensen moved to approve Resolution 23-28.

Councilmember Whetstone seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	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, MARCH 7, 2023 WAS ADJOURNED AT 6:46 P.M. BY MAYOR LANG.

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, March 7, 2023.



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Nichole Camac, CMC
City Recorder