

MINUTES OF COUNCIL REGULAR MEETING – JULY 23, 2013

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JULY 23, 2013, AT 6:33 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 WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Eric Bunderson, City Attorney
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
John Evans, Fire Chief
Anita Schwemmer, Acting Police Chief
Steve Lehman, Acting CED Director
Chris Curtis, Acting CPD Director
Jake Arslanian, Public Works Department

16243

OPENING CEREMONY

The Opening Ceremony was conducted by Tom Huynh who led the Pledge of Allegiance to the Flag.

16244

SCOUTS

Mayor Winder welcomed Scout Troop Nos. 758, 947 and 97 in attendance to complete the Citizenship in the Community and Communications merit badges.

16245

RECOGNITIONS

Mayor Winder recognized At-Large Candidates Lars Nordfelt and Phil Conder in attendance at the meeting.

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16246 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JULY 9, 2013**

The Council read and considered Minutes of the Regular Meeting held July 9, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held July 9, 2013, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16247 **PROCLAMATION DECLARING AUGUST AS "NEIGHBORHOOD NIGHTS MONTH" AND AUGUST 6, 2013, AS "NATIONAL NIGHT OUT 2013" IN WEST VALLEY CITY**

Councilmember Vincent read a Proclamation declaring August as "Neighborhood Nights Month" and August 6, 2013, as "National Night Out 2013" in West Valley City.

16248 **COMMENT PERIOD**

A. **PUBLIC COMMENTS**

Upon inquiry by Mayor Winder the following individuals addressed the City Council during the comment period:

Dallas Roberts addressed the City Council and stated he had been under the impression the Council would consider an ordinance regarding chickens at this meeting.

Mayor Winder clarified and explained the process had begun for the City Manager to direct staff to prepare a draft ordinance for consideration by the City Council.

Mr. Roberts expressed his favor with allowing residents to have chickens in neighborhoods and discussed his reasons indicating he raised chickens

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and his kids enjoyed the experience. He also stated ordinances he had reviewed from other cities alleviated problems. He suggested residents who had received notice of violations in this regard should have the ability to keep chickens until the Council acted on a proposed ordinance.

Scott Berg addressed the City Council and stated he had lived in the Solomon Farms subdivision since 1992, which bordered on Country Meadows Park. He indicated neighbors kept watch on the park and have tried to make sure it was safe and clean. He stated the park was a valuable asset to the neighborhood. He discussed a UTOPIA hut presently being built in the park; however, neighbors had not been consulted on the location, size, or acceptability. He explained the hut was being installed on a portion of the property used by children playing soccer and where residents held July 4th barbecues. He indicated he had been told by City staff there would be no significant changes to the park without talking to the neighbors, but the hut was currently under construction without previous knowledge. He stated if he had his way the City would stop construction and consult with neighbors as they were not happy having been completely ignored in the process.

Renee Berg addressed the City Council and stated she had dealt with a parks department staff member, Jason Erekson, for 12 years regarding park issues and he had disappointed her many times. She stated she thought City staff knew about the UTOPIA hut and chose not to let the neighbors know. She asked this issue be addressed by the parks staff. She also inquired if construction would be completed prior to National Night Out in August or would they have to reschedule their neighborhood event. She advised she had looked at the City Council agendas and not found where this particular hut had been discussed. She concluded that the hut had ruined the park.

Brian Schiele addressed the City Council and discussed the issue of chickens. He advised he had written and spoken with many of the Council members about this matter expressing the desire for a change to the ordinance to allow chickens in neighborhoods. He stated he did not own chickens, but wanted his neighbors to have opportunity to do so as he believed it was about sustainability, property rights and food safety.

Merinda Schiele addressed the City Council and stated she had health problems and having the ability to raise healthier chicken eggs would be a solution. She explained she knew educated professionals who had backyard chickens and cared about the environment and sustainability and were willing to take on the expense and time commitment to take care of them. She indicated the city had some image and reputation problems and

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allowing chickens would "catch up" with other communities. She stated having a few chickens in a backyard was different than farming them, and she was hopeful the City Council would consider her comments.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, stated he had talked with Ms. Berg earlier this date regarding her concerns about the UTOPIA hut. He indicated he would go to the site and look at this and other issues at the park. He indicated the City would be willing to look at other viable locations for the hut provided they would be workable. He discussed the internal process for constructing the hut and notification would not have gone out to neighbors such as for a conditional use or zone change. He explained not all of the huts would have come before the City Council and discussed various reasons. He stated there had been nothing underhanded about the process and he advised no complaints had been received from neighbors at any of the other locations where huts had been installed.

C. CITY COUNCIL COMMENTS

Councilmember Christensen stated the City had recently made a "giant leap forward" as West Valley City, the Police Department and the Latino community recently signed a mediation agreement that would provide guidance in community relations with the Police Department and these groups.

Councilmember Rushton expressed appreciation to those who chose to come to the meeting and share their comments and concerns. He stated this had been a constructive comment period and it helped the City Council when citizens discussed broad policy issues. He indicated he looked forward to further productive discussions with City Council on these and other topics.

Mayor Winder requested the City Manager advise the City Council after investigation regarding the UTOPIA hut at Country Meadows Park.

16249

RESOLUTION NO. 13-106, DESIGNATING AND APPOINTING POLL WORKERS TO SERVE IN THE MUNICIPAL PRIMARY ELECTION AUGUST 13, 2013, AND THE MUNICIPAL GENERAL ELECTION NOVEMBER 5, 2013; SETTING THE COMPENSATION FOR THEIR SERVICES AND PROVIDING FOR OTHER RELATED MATTERS

City Manager, Wayne Pyle, presented proposed Resolution No. 13-106 which would designate and appoint poll workers to serve in the Municipal Primary Election August 13, 2013, and the Municipal General Election November 5, 2013; setting the compensation for their services and providing for other related matters.

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Mr. Pyle stated Section 20A-5-602 of the Utah State Code set forth the procedure for appointing poll workers, designating their compensation, and setting forth their duties. He advised the Council had been provided with a list containing the name, address, and telephone number of persons to be named as poll workers for the 2013 Municipal Primary Election to be held August 13, 2013, and the Municipal General Election to be held on November 5, 2013. He reported the poll manager would receive \$250.00, the technician would receive \$220.00, and the provisional judge would receive \$175.00, for attendance required for training and actually serving on Election Day. He advised costs of poll worker services had been included in the total amount of the City's contract with Salt Lake County Elections.

After discussion, Councilmember Rushton moved to approve Resolution No. 13-106, a Resolution Designating and Appointing Poll Workers to Serve in the Municipal Primary Election, August 13, 2013, and the Municipal General Election, November 5, 2013; Setting the Compensation for Their Services and Providing for Other Related Matters. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16250

CONSENT AGENDA:

A. RESOLUTION NO. 13-107, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CLOYD BELL TO THE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2013 – JULY 1, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 13-107 which would ratify his reappointment of Cloyd Bell to the Professional Standards Review Board for the term July 1, 2013, through July 1, 2015.

Mr. Pyle stated Mr. Bell was a City resident and had served on the Professional Standards Review Board since September of 2005. He further stated Mr. Bell was very dedicated to maintaining a safe

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community for the residents as well as holding officers and the Police Department to high standards and professionalism.

The City Manager advised the Professional Standards Review Board reviewed all allegations of police misconduct from a citizen's perspective and made various recommendations to the Police Chief regarding incidents.

B. RESOLUTION NO. 13-108, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF JOAN MCCREEDY-BURREL TO THE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2013 – JULY 1, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 13-108 which would ratify his reappointment of Joan McCreedy-Burrel to the Professional Standards Review Board for the term July 1, 2013, through July 1, 2015.

Mr. Pyle stated Ms. McCreedy-Burrel was a City resident and had served on the Professional Standards Review Board since August of 2005. He further stated Ms. McCreedy-Burrel was very dedicated to maintaining a safe community for the residents as well as holding officers and the Police Department to high standards and professionalism.

The City Manager advised the Professional Standards Review Board reviewed all allegations of police misconduct from a citizen's perspective and made various recommendations to the Police Chief regarding incidents.

C. RESOLUTION NO. 13-109, RATIFY THE CITY MANAGER'S APPOINTMENT OF FIA FAFAI TO THE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 23, 2013 – JULY 1, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 13-109 which would ratify his appointment of Fia Fafai to the Professional Standards Review Board for the term July 23, 2013, through July 1, 2015.

Mr. Pyle stated Ms. Fafai was a court interpreter in the Samoan language and a West Valley City resident. He explained Ms. Fafai was very dedicated to maintaining a safe community for residents of the City as well as holding officers and the Police Department to high standards and professionalism.

The City Manager advised the Professional Standards Review Board reviewed all allegations of police misconduct from a citizen's perspective

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and made various recommendations to the Police Chief regarding incidents.

D. RESOLUTION NO. 13-110, RATIFY THE CITY MANAGER'S APPOINTMENT OF ABIGAIL M. DIZON-MAUGHAN TO THE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 23, 2013 – JULY 1, 2015

City Manager, Wayne Pyle, presented proposed Resolution No. 13-110 which would ratify his appointment of Abigail M. Dizon-Maughan to the Professional Standards Review Board for the term July 23, 2013, through July 1, 2015.

Mr. Pyle stated Ms. Dizon-Maughan was an attorney currently serving as chair of the Salt Lake Branch of the NAACP Criminal Justice Committee, and interested in serving the community as a resident of West Valley City. He indicated she was very dedicated to maintaining a safe community for the residents as well as holding officers and the Police Department to high standards and professionalism.

The City Manager advised the Professional Standards Review Board reviewed all allegations of police misconduct from a citizen's perspective and made various recommendations to the Police Chief regarding incidents.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 13-107, 13-108, 13-109 and 13-110 as presented on the Consent Agenda. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JULY 23, 2013, WAS ADJOURNED AT 7:03 P.M., BY MAYOR WINDER.

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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, July 23, 2013.

Sheri McKendrick, MMC
City Recorder