

**MINUTES OF COUNCIL REGULAR MEETING – JUNE 10, 2014**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 10, 2014, AT 6:32 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor  
Lars Nordfelt, Councilmember At-Large  
Tom Huynh, Councilmember District 1  
Steve Buhler, Councilmember District 2  
Karen Lang, Councilmember District 3  
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT: Corey Rushton, Councilmember At-Large

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director  
Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Russell Willardson, Public Works Department  
Kevin Astill, Parks and Recreation Director  
Layne Morris, CPD Director  
John Evans, Fire Chief  
Lee Russo, Police Chief  
Sam Johnson, Strategic Communications Director  
Jeannette Carpenter, Acting Finance Director  
Steve Lehman, CED Department  
Jake Arslanian, Public Works Department

16637 **OPENING CEREMONY**

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

16638 **APPROVAL OF MINUTES OF REGULAR MEETINGS HELD MAY 20, 2014 AND MAY 27, 2014**

The Council read and considered Minutes of the Regular Meetings held May 20, 2014, and May 27, 2014. There were no changes, corrections or deletions.

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After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meetings held May 20, 2014, and May 27, 2014, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16639      **EMPLOYEE OF THE MONTH, JUNE 2014 – DETECTIVE MIKE FOSSMO, POLICE DEPARTMENT**

Councilmember Huynh read the nomination of Detective Mike Fossmo, Police Department, to receive the Employee of the Month award for June 2014. Detective Fossmo had been nominated for his diligent work on a case of a child abuse homicide of an eight-month old girl.

Councilmember Huynh presented the award to Detective Fossmo and members of the City Council expressed appreciation and congratulated the award recipient for his outstanding efforts on behalf of West Valley City.

16640      **COMMENT PERIOD**

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

A.      **PUBLIC COMMENT**

Mayor Bigelow advised that Lloyd Barker had been in attendance at the Council Study Meeting held prior to this meeting and had thought he would be able to address the City Council at that time. Mayor Bigelow advised that Mr. Barker had been unable to stay for the Regular Meeting, but desired to let the Council know of his concerns regarding changing street signs to black from green as he felt they were difficult to see at night.

Mathew Laker addressed the City Council and advised he resided in District 4. He discussed the previous Employee of the Month presentation and stated he had never had a negative experience with the West Valley City Police Department or Fire Department. He also discussed the Council's decision to proceed to Milestone Two of the Macquarie

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proposal. He discussed matters previously considered by the Council and, in his opinion, the lack of study of the issue. He advised of his preference to have seen a more informed Council and/or a delay of the action. He suggested proceeding in a more timely fashion to use resources wisely. He stated there should be more discussions with and input from the public. He requested an update regarding plans to inform the public rather than the one-sided information on the City's website. He indicated the City should present to the public a dissenting opinion regarding the proposal. He stated the public should be more informed and he looked forward to updates as to the status of a public awareness campaign and further discussions of the City Council.

### **B. CITY MANAGER COMMENTS**

City Manager, Wayne Pyle, discussed plans for a public outreach process regarding issues discussed by Mr. Mathew Laker. He also discussed the proposed timeline for a series of open house type meetings to begin in July, and including one in August and September. He advised information would be disseminated through social media and the City's website; and would include public hearings and actions being considered by the City Council. He advised that across the summer and into the fall, there would be many opportunities to reach out and hear from residents. He further discussed the position of West Valley City as compared to other cities and reasons for West Valley City being "ahead of the game" by having senior staff members working on this issue on a daily basis for some time. He advised that the City Council was moving forward with understanding the proposal including all informational points.

### **C. CITY COUNCIL COMMENTS**

Councilmember Buhler stated some people voicing opposition might not represent all of the public. He advised he had been contacted by individuals who had expressed a more favorable response to the Macquarie proposal.

Mayor Bigelow advised he had received comments from both opponents and proponents of the Macquarie proposal. He requested clarification from the City Manager regarding the format for the public open houses.

City Manager, Wayne Pyle, discussed how similar open house meetings had been conducted in the past and the same format would be used for gathering citizen input on the Macquarie proposal.

Mayor Bigelow indicated it would be helpful if a written summary of the Macquarie proposal could be sent to residents with the utility billing, as there presently seemed to be a lot of misinformation.

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16641

**ORDINANCE NO. 14-31, ENACT PART 3-10-1400P OF THE WEST VALLEY CITY MUNICIPAL CODE TO CREATE THE UTAH CULTURAL CELEBRATION CENTER FOUNDATION COMMITTEE**

Mayor Bigelow presented proposed Ordinance No. 14-31 that would enact Part 3-10-1400P of the West Valley City Municipal Code to create the Utah Cultural Celebration Center (UCCC) Foundation Committee.

He stated the proposed creation of the UCCC Foundation Committee would provide for that Committee to ultimately serve as the Board of Directors of the Foundation. He informed that the Foundation would be a 501(c)(3) nonprofit corporation licensed and permitted to engage in fundraising activities in the State of Utah. The proposed ordinance would create a citizen board that would ultimately be the Board of Directors. He advised citizens would be appointed to the Committee by the City Manager, with advice and consent of the City Council. Once there were three members appointed to the Committee, the City Council would meet their current role as the Board of Directors, amend the Articles of Incorporation and adopt Bylaws to install the Committee as the Board of Directors.

After discussion, Councilmember Vincent moved to approve Ordinance No. 14-31, an Ordinance Enacting Part 3-10-1400P of the West Valley City Municipal Code to Create the Utah Cultural Celebration Center Foundation Committee. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16642

**RESOLUTION NO. 14-91, AUTHORIZE THE CITY TO PURCHASE PERFORMANCE APPRAISAL SOFTWARE FROM HALOGEN SOFTWARE**

Mayor Bigelow presented proposed Resolution No. 14-91 that would authorize the City to purchase performance appraisal software from Halogen Software, in an amount not to exceed \$50,285.00.

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He stated the proposed purchase of Halogen Software and subsequent maintenance costs for 700 employees would provide performance appraisals and job descriptions be properly performed and recorded by all supervisors.

He reported that several years prior the City made a decision to utilize performance appraisals for all employees to establish performance goals, identify performance issues, recognize good performance and identify areas of future development and/or employee training required to meet the pre-established goals. Prior to that decision, performance appraisals had been used as a tool for merit increases as well. He indicated that for a period of time the City had not budgeted merit increase pay and so the performance appraisal process during those leaner years had only been used as a tool to document poor performance. He stated even though the policy for conducting annual reviews did not change, it became more difficult to ensure all supervisors were conducting the appraisal using this tool. He indicated letters of commendation and/or reprimands had served as a substitute for the annual appraisal.

He reported recent employment issues had reaffirmed the need to conduct annual performance reviews with all employees, and Halogen Software would provide an online system maintained and located by and on Halogen servers. He advised that each City department would be able to customize their appraisal forms by developing competencies, performance based development planning, goal alignment and management as well as providing supervisors with daily tracking and journal writing tools. He also reported, administratively, the Human Resource Division would be able to access reports, clearly see who needed help in conducting appraisals and provide an electronic notification of when performance appraisals were due with reminders being sent periodically. In addition, job descriptions would have an automated approval process with mass updating/editing capabilities and seamless integration and automated transfer of employee information.

After discussion, Councilmember Huynh moved to approve Resolution No. 14-91, a Resolution Authorizing the City to Purchase Performance Appraisal Software from Halogen Software. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

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Unanimous.

16643

**APPLICATION NO. ZT-10-2013, FILED BY WEST VALLEY CITY, CONSIDER ORDINANCE NO. 14-28, AMENDING SECTION 7-14-105 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE, LAND USE DEVELOPMENT AND MANAGEMENT ACT, REGARDING DEVELOPMENT PLAN REQUIREMENTS FOR SINGLE-FAMILY AND TWO-FAMILY DWELLINGS (PUBLIC HEARING HELD AND CLOSED; AND ACTION CONTINUED AT REGULAR MEETING HELD JUNE 3, 2014)**

Mayor Bigelow presented Application No. ZT-10-2013, filed by West Valley City, and proposed Ordinance No. 14-28 that would amend Section 7-14-105 of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, regarding development plan requirements for single-family and two-family dwellings. He advised a public hearing had been held and closed; and action continued at the Regular Council Meeting held June 3, 2014.

He stated the proposal had been continued to allow staff time to revisit the exterior materials section of the proposed ordinance. He advised the Council had directed staff to emphasize the use of brick, rock, stone and fiber cement as the primary materials to be used for all new single-family construction. He indicated primary changes were to the point system of architectural features that had first been adopted in 2005. He informed that the Council requested an update to the point system to raise the bar on the standards and to adjust the point values of different features so that more prominent features were better emphasized.

Mayor Bigelow advised that an updated draft of the proposed ordinance, dated June 10, 2014, had been distributed previously in the Council's Study Meeting and all members had received copies. He informed the updated ordinance included language stating stucco be allowed for accent, variety and architectural relief at a maximum of 15%.

After discussion, Councilmember Buhler moved to approve Ordinance No. 14-28, an Ordinance Amending Section 7-14-105 of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, Regarding Development Plan Requirements for Single-Family and Two-Family Dwellings; dated June 10, 2014 and distributed in Study Session. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes

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Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16644

**CONSENT AGENDA:**

**A. RESOLUTION NO. 14-92, RATIFY THE CITY MANAGER’S APPOINTMENT OF MISTY SMITH AS CHAIRPERSON OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2014 – JUNE 30, 2015**

Mayor Bigelow presented proposed Resolution No. 14-92 that would ratify the City Manager’s appointment of Misty Smith as Chairperson of the Clean and Beautiful Committee for the term July 1, 2014 through June 30, 2015.

He stated the Chair of the Clean and Beautiful Committee served a term of one year. He advised the Committee members had nominated Ms. Smith to serve in that capacity.

**B. RESOLUTION NO. 14-93, RATIFY THE CITY MANAGER’S REAPPOINTMENT OF CATHIE ALBERICO AS MEMBER OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2014 – JUNE 30, 2018**

Mayor Bigelow presented proposed Resolution No. 14-93 that would ratify the City Manager’s reappointment of Cathie Alberico as a member of the Clean and Beautiful Committee for the term July 1, 2014 through June 30, 2018.

He stated Ms. Alberico had expressed willingness to continue serving as a member of the Clean and Beautiful Committee.

**C. RESOLUTION NO. 14-94, RATIFY THE CITY MANAGER’S REAPPOINTMENT OF LISA RENE JONES AS MEMBER OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2014 – JUNE 30, 2018**

Mayor Bigelow presented proposed Resolution No. 14-94 that would ratify the City Manager’s reappointment of Lisa Rene Jones as a member of the Clean and Beautiful Committee for the term July 1, 2014 through June 30, 2018.

He stated Ms. Jones was willing to serve another term on the West Valley City Clean and Beautiful Committee.

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D. **RESOLUTION NO. 14-95, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CRAIG THOMAS AS MEMBER OF THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2014 – JUNE 30, 2018**

Mayor Bigelow presented proposed Resolution No. 14-95 that would ratify the City Manager's reappointment of Craig Thomas as a member of the Clean and Beautiful Committee for the term July 1, 2014 through June 30, 2018.

He stated Mr. Thomas was willing to serve as a member of the Clean and Beautiful Committee for another four-year term.

E. **RESOLUTION NO. 14-96, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CLOVER MEADERS AS MEMBER OF THE PLANNING COMMISSION, TERM: JULY 1, 2014 – JULY 1, 2018**

Mayor Bigelow presented proposed Resolution No. 14-96 that would ratify the City Manager's reappointment of Clover Meaders as a member of the Planning Commission for the term July 1, 2014 through July 1, 2018.

He stated Ms. Meaders was a current member of the Planning Commission with her term expiring on July 1, 2014. He indicated she received a Juris Doctor degree from the S.J. Quinney College of Law at the University of Utah and was a member of the Utah State Bar. He advised she had experience as a practicing attorney for the Utah Education Association, a Law Clerk for the Salt Lake City Office of the Attorney General, and Assistant for the City Planner of Herriman. He also informed Ms. Meaders had expressed willingness to serve on the Commission for the above-stated term.

F. **RESOLUTION NO. 14-97, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF HAROLD WOODRUFF AS MEMBER OF THE PLANNING COMMISSION, TERM: JULY 1, 2014 – JULY 1, 2018**

Mayor Bigelow presented proposed Resolution No. 14-97 that would ratify the City Manager's reappointment of Harold Woodruff as a member of the Planning Commission for the term July 1, 2014 through July 1, 2018.

He stated Mr. Woodruff was a current member of the Planning Commission with his term expiring on July 1, 2014. He indicated Mr. Woodruff's experience as a Commissioner since 1988 made him a

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valuable member of that Commission with his viewpoints as an architect adding much insight into issues that were addressed.

G. **RESOLUTION NO. 14-98, RATIFY THE CITY MANAGER'S APPOINTMENT OF STEVE LEHMAN AS CHAIRPERSON OF THE LICENSE HEARING BOARD, TERM: JULY 1, 2014 – JUNE 30, 2015**

Mayor Bigelow presented proposed Resolution No. 14-98 that would ratify the City Manager's appointment of Steve Lehman as Chairperson of the License Hearing Board for the term July 1, 2014 through June 30, 2015.

He stated Mr. Lehman was an employee of the City and had expressed willingness to serve as Chairperson of the License Hearing Board for the above-specified term. He advised the chair of that Board was appointed for a one-year term.

H. **RESOLUTION NO. 14-99, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF MARK BALL AS MEMBER OF THE LICENSE HEARING BOARD, TERM: JULY 1, 2014 – JUNE 30, 2017**

Mayor Bigelow presented proposed Resolution No. 14-99 that would ratify the City Manager's reappointment of Mark Ball as a member of the License Hearing Board for the term July 1, 2014 through June 30, 2017.

He stated Mr. Ball had expressed willingness to be reappointed for a three-year term.

I. **RESOLUTION NO. 14-100, RATIFY THE CITY MANAGER'S APPOINTMENT OF COREY RUSHTON AS CHAIRPERSON OF THE AUDIT REVIEW COMMITTEE, TERM: JULY 1, 2014 – JUNE 30, 2015**

Mayor Bigelow presented proposed Resolution No. 14-100 that would ratify the City Manager's appointment of Corey Rushton as Chairperson of the Audit Review Committee for the term July 1, 2014 through June 30, 2015.

He stated Councilmember Rushton had expressed willingness to serve a one-year term as Chair of the Audit Review Committee.

After discussion, Councilmember Buhler moved to approve Resolution Nos. 14-92, 14-93, 14-94, 14-95, 14-96, 14-97, 14-98, 14-99, and 14-100 as listed on the Consent Agenda. Councilmember Vincent seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16645

**MOTION FOR EXECUTIVE SESSION**

After discussion, Councilmember Buhler moved to adjourn and reconvene in an Executive Session for discussion of potential litigation and potential disposition of real property. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JUNE 10, 2014, WAS ADJOURNED AT 7:12 P.M., BY MAYOR BIGELOW.

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THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, JUNE 10, 2014, AT 7:17 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor  
Lars Nordfelt, Councilmember At-Large  
Tom Huynh, Councilmember District 1  
Steve Buhler, Councilmember District 2  
Karen Lang, Councilmember District 3  
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT:

Corey Rushton, Councilmember At-Large

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director  
Nicole Cottle, Assistant City Manager/CED Director  
Eric Bunderson, City Attorney  
Jake Arslanian, Public Works Department

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF JUNE 10, 2014, WAS ADJOURNED AT 7:43 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 and Executive Session of the West Valley City Council held Tuesday, June 10, 2014.

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Sheri McKendrick, MMC  
City Recorder