

MINUTES OF COUNCIL STUDY MEETING – JULY 19, 2016

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, July 19, 2016, AT 4:30 P.M. IN THE MULTI-PURPOSE ROOM, 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
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

ABSENT:

Lars Nordfelt, Councilmember At-Large

STAFF PRESENT:

Paul Isaac, Acting City Manager/ HR Director
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Lee Russo, Police Chief
John Evans, Fire Chief
Steve Hyde, Acting Finance Director
Chris Curtis, Acting CPD Director
Russell Willardson, Public Works Director
Nancy Day, Acting Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Andrew Wallentine, Administration
DeAnn Varney, Administration
Dan Johnson, Public Works Department
Steve Pastorik, CED Department
Rick Westphal, Administration
Mark Nord, CED Department
Freya Johnson, CED Department

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1. **APPROVAL OF MINUTES OF STUDY MEETING HELD JULY 12, 2016**

The Council considered the Minutes of the Study Meeting held July 12, 2016. There were no changes, corrections or deletions.

Councilmember Vincent moved to approve the Minutes of the Study Meeting held July 12, 2016. Councilmember Christensen seconded the motion.

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

2. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED JULY 19, 2016**

Item 8.A- Accept Public Input Regarding Application No. ZT-9-2016, Filed by West Valley City, Requesting a Zone Text Amendment to Add Section 7-34 to Allow for Accessory Dwelling Units Under Certain Conditions and Consider Ordinance 16-33, Enact Chapter 7-34 of the West Valley City Municipal Code to Establish Regulations Concerning Accessory Dwelling Units

Mayor Bigelow stated that he is concerned about the proposed ordinance and has a lot of questions that he would like the time to discuss. Paul Isaac indicated that this item can be continued after the Public Hearing is held until the Council feels comfortable moving forward. Councilmember Vincent stated that the proposed ordinance, as written, would not affect many properties and wouldn't make a significant impact. Members of the Council discussed various options including a 'Tiny House' or a prefab home that could be moved onto the property and potential implications this could cause. Councilmember Buhler asked if an RV can be parked on a property and used as living space. Steve Pastorik, CED Department, replied no. He indicated that an RV can be parked on a property but cannot be used as living space. Members of the City Council discussed multiple families living in a single family home and whether this will improve that situation or create other concerns. Councilmember Buhler stated that he doesn't see how this will improve homelessness or help with that issue. Mayor Bigelow stated that the ordinance would be unenforceable for many reasons.

Upon inquiry by Mayor Bigelow, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular Meeting scheduled later this night.

3. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED JULY 26, 2016**

A. PROCLAMATION DECLARING AUGUST 2016 AS "NEIGHBORHOOD NIGHTS" MONTH AND AUGUST 2, 2016 AS "NATIONAL NIGHT OUT 2016" IN WEST VALLEY CITY

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Councilmember Huynh offered to read the proclamation declaring August 2016 as "Neighborhood Nights" Month and August 2, 2016 as "National Night Out 2016" in West Valley City at the Regular Council Meeting scheduled July 26, 2016 at 6:30 P.M.

4. RESOLUTION NO. 16-107, APPROVE THE PURCHASE OF EMC DATA BACKUP SYSTEM (CONTINUED FROM THE JULY 5, 2016 CITY COUNCIL REGULAR MEETING)

Mayor Bigelow discussed proposed Resolution No. 16-107 that would approve the purchase of EMC Data Backup System (continued from the July 5, 2016 City Council Regular Meeting)

Written information previously provided the City Council included the following:

We currently use Evault to back up our data. Their encryption modules are not FIPS 140-2 certified as required to send criminal justice information off site. We worked with them to get certified but they made a business decision not to become FIPS compliant. We are currently only licensed for 10TB of backup space and we are about to exceed that limit.

Formal bidding will not be required for this purchase because EMC holds a contract with the State of Utah. If approved, this purchase would increase the disk storage for the City's backup systems both onsite and at our disaster recovery site to 49TB each. Encryption and other features will meet Criminal Justice and other standards. Backups will be much easier to manage and restoration from backup will be quicker and more reliable. This system cannot be affected by ransomware or other malware and allows us to retrieve any file from any point in time.

* This amount will be financed through US Bank

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

The City Council will consider proposed Resolution No. 16-107 at the Regular Council Meeting scheduled July 26, 2016, at 6:30 P.M.

5. RESOLUTION NO. 16-112, AUTHORIZE THE CITY TO ENTER INTO PROPERTY SCHEDULE NO. 6 OF THE MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH US BANCORP GOVERNMENT LEASING AND FINANCING, INC. WITH RESPECT TO A LEASE FOR THE PURCHASE AND REPLACEMENT OF DATA PROCESSING EQUIPMENT

Mayor Bigelow discussed proposed Resolution No. 16-112 that would authorize the City to enter into Property Schedule No. 6 of the Master Tax-Exempt Lease/Purchase Agreement with US Bancorp Government Leasing and Financing, Inc. with respect to a lease for the purchase and replacement of Data Processing Equipment.

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Written information previously provided to the City Council included the following:

West Valley City is required by federal law to be in compliance by mandate to secure and upgrade our data system. Our current data does not abide by this obligation, therefore we need to upgrade the system in order to maintain data integrity and security. This lease is intended to last 5 years with quarterly payments with an interest rate of 1.92%. The City will own the equipment at the end of the lease term.

US Bancorp Government Leasing and Finance Inc. has provided a highly competitive leasing proposal for the purchase of this equipment. The proposed lease payment schedule falls within the existing authorized budget of the city.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

The City Council will consider proposed Resolution No. 16-112 at the Regular Council Meeting scheduled July 26, 2016, at 6:30 P.M.

6. **RESOLUTION NO. 16-113, AUTHORIZE THE EXECUTION OF A SALES CONTRACT BETWEEN WEST VALLEY CITY AND CLOUD SHERPAS FOR HOSTED GOOGLE APPS, E-MAIL, AND GOOGLE DRIVE STORAGE**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 16-113 that would authorize the execution of a sales contract between West Valley City and Cloud Sherpas for hosted Google Apps, E-Mail, and Google Drive storage.

Written information previously provided to the City Council included the following:

Cloud Sherpas is providing West Valley City with Email services.

The original contract was with Omnetic and now our Google Apps are supplied through Cloud Sherpas.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

The City Council will consider proposed Resolution No. 16-113 at the Regular Council Meeting scheduled July 26, 2016, at 6:30 P.M.

7. **RESOLUTION NO. 16-114, AUTHORIZE WEST VALLEY CITY TO PURCHASE A TYMCO 600 SWEEPER FROM INTERMOUNTAIN SWEEPER FOR USE BY THE PUBLIC WORKS DEPARTMENT**

Public Works Director, Russ Willardson, discussed proposed Resolution No. 16-114 that would authorize West Valley City to purchase a Tymco 600 Sweeper from Intermountain Sweeper for use by the Public Works Department.

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Written information previously provided to the City Council included the following:

Intermountain Sweeper submitted a proposal to the Public Works Department. The proposal qualifies under the provisions of the West Valley City Procurement Code 5-3-110, Procurement to Meet Existing Needs. The code allows the procurement of matching equipment when it is beneficial to operations and maintenance. The Fleet Manager and Operations Managers have negotiated the best price available.

Street sweepers are high maintenance vehicles. The current policy of replacing sweepers every four years has proven economical by avoiding high repair costs and recouping high trade-in values for the old sweepers. The street sweeper being replaced is a 2011 Tymco 600.

The Public Works Department has used Tymco sweepers for many years, and has been pleased with the equipment performance, and the customer service received from Intermountain Sweeper, the local Tymco vendor.

Approve the purchase of the Tymco 600 Sweeper, with a 2011 Tymco 600 Sweeper as a trade-in. Cost of the new sweeper is \$245,100 minus the trade-in value of \$81,000, with the net purchase cost at \$164,100.

Mayor Bigelow asked how the value and trade in value compare to previous years. Russ replied they have both increased. Mayor Bigelow indicated he is concerned about the increased cost over time. Russ stated that the 4 year rotation helps eliminate expensive maintenance costs. Councilmember Buhler asked how many of these units the City owns. Russ replied 4. Councilmember Lang asked how many miles the units acquire before they are traded in. Russ replied typically around 25 miles a day over the span of 4 years. He indicated that they don't move fast or cover a lot of ground but the sweepers wear out quickly.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

The City Council will consider proposed Resolution No. 16-114 at the Regular Council Meeting scheduled July 26, 2016, at 6:30 P.M.

8. **RESOLUTION NO. 16-115, AWARD A CONTRACT TO STAKER PARSON COMPANIES FOR THE 2016 ASPHALT OVERLAY PROJECT**

Public Works Director, Russ Willardson, discussed proposed Resolution No. 16-115 that would award a contract to Staker Parson Companies for the 2016 Asphalt Overlay Project.

Written information previously provided to the City Council included the following:

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The lowest responsible bid was received by Staker Parson Companies in the amount of \$1,741,286.81.

Bids were opened for the project on July 6, 2016. A total of three (3) bids were received. The project includes the construction of asphalt pavement rotomill and overlay, and other miscellaneous road and infrastructure repairs.

Work will be performed on the following streets within the city:

3000 W -- 3835 South to End of Cul-de-sac
3100 South -- 2700 West to Decker Lake Drive
3425 West -- 4400 South to Meadow Brook Drive
Hopi Dr -- Meadow Brook Drive to 4100 South
3740 West -- 4700 South to End of Cul-de-sac
3800 South -- 2700 West to Redwood Road
4400 South -- 3600 West to 3200 West
4565 West -- Manhattan Drive to 3650 South
4525 West -- 4565 West to 3650 South
6400 West -- 3100 South to Parkway Blvd
Brians Way (3420 W) -- Crestfield Drive to 4400 South
Dartmouth Drive (4520 W) -- 4700 South to Utah & Salt Lake Canal
West Point Drive -- 4800 West to Dartmouth Drive
Frontage Road -- 3600 West to 3200 West
Sunnyvale Drive -- Volta Ave to 4400 West
Thayn Drive (3935 S) -- 4800 West to 4400 West
Westshire Drive -- 2700 West to 3800 South

An overview of the capital improvements plan can be found at <https://wvc-ut.maps.arcgis.com/apps/webappviewer/index.html?id=a49389a9429a4b1a9412d627d0bc47e1>

Mayor Bigelow clarified that current funding will be efficient to cover this cost. Russ replied yes and indicated that unit costs are similar to previous years but there is more work being conducted this year.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

The City Council will consider proposed Resolution No. 16-115 at the Regular Council Meeting scheduled July 26, 2016, at 6:30 P.M.

9. **CONSENT AGENDA SCHEDULED JULY 26, 2016**

A. **RESOLUTION NO. 16-116, AUTHORIZE THE CITY TO ACCEPT A NON-EXCLUSIVE SEWER EASEMENT WITH KEARNS IMPROVEMENT DISTRICT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT TO RALPH L. WADSWORTH CONSTRUCTION FOR PROPERTY LOCATED AT APPROXIMATELY 6342 WEST 5400 SOUTH**

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Mayor Bigelow discussed proposed Resolution No. 16-116 that would authorize the City to accept a Non-Exclusive Sewer Easement with Kearns Improvement District and a Grant of Temporary Construction Easement to Ralph L. Wadsworth Construction for property located at approximately 6342 West 5400 South.

Written information previously provided to the City Council included the following:

UDOT's Mountain View Corridor construction necessitates the relocation of an existing sewer line, in conflict with the new roadway. Due to the depth of the sewer, the original alignment proposed by UDOT would conflict with existing traffic signal equipment on the corner of 5400 South and Mountain View Corridor. UDOT's contractor proposed realigning the sewer through the southwest corner of property owned by West Valley City and used for parking at the USANA Amphitheater. The Grant of Temporary Construction Easement will give UDOT's contractor authority to construct the sewer through the corner of the city property. The Non-Exclusive Sewer Easement will allow Kearns Improvement District to maintain their sewer through the city property. UDOT's contractor has coordinated with Pristine Alpine Entertainment (United Concerts) for the safety and security of the site during parked events. Pristine Alpine Entertainment, LLC will also sign as a grantor on the Grant of Temporary Construction Easement.

B. RESOLUTION NO. 16-117, RATIFY THE CITY MANAGER'S APPOINTMENT OF MATT MCPHERSON TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING JULY 26, 2016 AND ENDING JULY 1, 2018

Mayor Bigelow discussed proposed Resolution No. 16-117 that would ratify the City Manager's appointment of Matt McPherson to the Professional Standards Review Board for a term commencing July 26, 2016 and ending July 1, 2018.

Written information previously provided to the City Council included the following:

This resolution appoints Matt MacPherson as a member of the Professional Standards Review Board for a two year term commencing on July 26, 2016 and ending on July 1, 2018.

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

C. RESOLUTION NO. 16-118, RATIFY THE CITY MANAGER'S APPOINTMENT OF JOHN O'DONNELL TO THE PROFESSIONAL

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STANDARDS REVIEW BOARD FOR A TERM COMMENCING JULY 26, 2016 AND ENDING JULY 1, 2018

Mayor Bigelow discussed proposed Resolution No. 16-118 that would ratify the City Manager's appointment of John O'Donnell to the Professional Standards Review Board for a term commencing July 26, 2016 and ending July 1, 2018.

Written information previously provided to the City Council included the following:

This resolution appoints John O'Donnell as a member of the Professional Standards Review Board for a two year term commencing on July 26, 2016 and ending on July 1, 2018.

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

The City Council will consider proposed Resolution Nos. 16-116, 16-117, and 16-118 at the Regular Council Meeting scheduled July 26, 2016, at 6:30 P.M.

10. COMMUNICATIONS

A. BUDGET UPDATE

Acting City Manager, Paul Isaac, indicated that there were no additional budget updates. He stated that a document was provided in the Council packet (see attached) that was discussed during last week's meeting.

B. TRANSPORTATION LEGISLATION

Nicole Cottle, Assistant City Manager/CED Director, stated that the City has met with multiple parties and formal action was taken to ensure expectations of the Counties and Cities are met. She indicated that the City is hoping to maintain a 17.5-18% gas tax. Nicole stated that UDOT has been asked not to disburse gas tax until issues are figured out and added that there will likely be a special session to resolve the issue in the near future. Councilmember Buhler asked how many disbursements the City receives each year. Nicole replied 6. Members of the City Council thanked staff for being aware of the problem and preparing for it and discussed the potential problems that could have occurred.

C. COUNCIL UPDATE

Mayor Bigelow referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events.

Councilmember Buhler asked when the Neighborhood Night Out list will be distributed. Sam Johnson, PR Director, replied within the next week and explained that the block parties begin August 2. Mayor Bigelow asked if there is only one

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night for the parties to occur. Sam replied that there is a designated night (August 2) but indicated that the City is happy to accommodate the needs of various neighborhoods.

11. NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

City Recorder, Nichole Camac, discussed the Lights On Proclamation that promotes after school programs. She stated the request came from American Preparatory Academy. The Council agreed to read the Proclamation and Mayor Bigelow requested that more information with specific West Valley City statistics be provided.

Councilmember Christensen suggested that a long time member of the Sister City Committee receive an Essential Piece Award for her dedication and work for the City. Members of the City Council agreed and Councilmember Christensen indicated he would write a nomination.

Paul Isaac stated that there was an arson fire that occurred in the City and the store owner lost many valuable dragon costumes. He suggested the Sister City Committee reach out and see if any help can be provided.

B. COUNCIL REPORTS

COUNCILMEMBER STEVE VINCENT- ARTS COUNCIL PLAY

Councilmember Steve Vincent stated that the Arts Council play, Chitty Chitty Bang Bang, will be presented in a few weeks. He encouraged the Council to get the word out and indicated tickets will be available soon.

COUNCILMEMBER DON CHRISTENSEN- SUMMER CONCERT SERIES

Councilmember Don Christensen stated that he attended the opening summer concert series. Mayor Bigelow stated he also attended and indicated there was a good amount of people in attendance.

MAYOR RON BIGELOW- STOP LIGHTS AND COMCAST LINE

Mayor Bigelow stated that there are multiple issues he has heard of relating to stoplights. He indicated he will give the complete list to Russ Willardson to have them looked at. Mayor Bigelow also stated that residents have complained about a temporary Comcast line that has been in a gutter for two years and is causing safety hazards. Russ stated that he will look into this as well.

TOM HUYNH- NOISE CONCERNS IN CHESTERFIELD

Councilmember Tom Huynh stated that he receives multiple complaints about live music and loud parties occurring in the Chesterfield neighborhood. He indicated

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that he contacted the Chief but he feels the noise ordinance needs to be enforced by the County as well. Chief Russo stated that this is an ongoing issue and is becoming a greater priority for the department.

12. MOTION FOR EXECUTIVE SESSION

Councilmember Christensen moved to adjourn and reconvene in an Executive Session for discussion of disposition of real property. Councilmember Vincent seconded the motion.

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY JULY 19, 2016 WAS ADJOURNED AT 5:48 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, July 19, 2016.

Nichole Camac
City Recorder

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THE WEST VALLEY CITY COUNCIL RECONVENED IN EXECUTIVE SESSION ON TUESDAY, JULY 19, 2016, AT 5:52 P.M., IN THE MULTI-PURPOSE ROOM, 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
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

ABSENT:

Lars Nordfelt, Councilmember At-Large

STAFF PRESENT:

Paul Isaac, Acting City Manager/ HR Director
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Mark Nord, CED Department
Freya Johnson, CED Department
Steve Pastorik, CED Department
Jake Arslanian, Public Works Department

The City Council discussed disposition of real property.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF JULY 19, 2016, WAS ADJOURNED AT 6:09 P.M. BY MAYOR BIGELOW.

Nichole Camac,
City Recorder