

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 25, 2016, 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

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
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Layne Morris, CPD
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Tom Huynh conducted the Opening Ceremony. He requested members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 18, 2016

The Council considered the Minutes of the Regular Meeting held October 18, 2016. There were no changes, corrections or deletions.

Councilmember Vincent moved to approve the Minutes of the Regular Meeting held October 18, 2016. Councilmember Buhler seconded the motion.

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

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-2-

COMMENT PERIOD

A. PUBLIC COMMENTS

Paul Nichols stated that he is concerned about the Skate Park, traffic on 4100 South, and about who runs the City, the City Manager or the City Council. Mr. Nichols expressed concern about the lack of officers policing the City streets.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

C. CITY COUNCIL COMMENTS

Mayor Bigelow stated that there are many facets of Police work in the City, one of which is traffic regulation. He indicated that selective enforcement is conducted. He stated that the City would love to have Police Officers on every street but it isn't possible. Mayor Bigelow indicated that the City Manager directs City staff and manages the operational day to day duties. He indicated that the City Council directs the City Manager and sets guidelines.

Councilmember Huynh suggested that Mr. Nichols meet with Chief Russo to find a resolution to the problem.

Mr. Nichols stated that the Chief cannot do anything and requested that something be changed. Mayor Bigelow reminded Mr. Nichols that the public comment period has been completed and he can speak with the Council or staff following the meeting.

ORDINANCE NO. 16-49, AMEND SECTION 2-1-103 OF THE WEST VALLEY CITY MUNICIPAL CODE TO REGULATE ELECTRONIC MEETINGS

Mayor Bigelow presented proposed resolution 16-49 that would amend Section 2-1-103 of the West Valley City Municipal Code to regulate electronic meetings.

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

The Open and Public Meetings Act allows public bodies to conduct electronic meetings. This ordinance authorizes the City Council to conduct such meetings and establishes the requirement that a Council member seeking to participate in a meeting electronically notify the City Recorder prior to the meeting so that proper connection and recording arrangements can be made. Electronic meetings must still be noticed in accordance with the Open and Public Meetings Act and, as provided in the City Code, a physical anchor location must be available where the

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-3-

public can observe proceedings and participate in public hearings.

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 ordinance 16-49.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-167, AUTHORIZE THE CITY TO ENTER INTO PROPERTY SCHEDULE NO. 8 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 DESKTOP AND LAPTOP COMPUTERS FOR USE BY THE POLICE DEPARTMENT

Mayor Bigelow presented proposed Resolution No. 16-167 that would authorize the City to enter into Property Schedule No. 8 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 desktop and laptop computers for use by the Police Department.

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

The Police Department has a need for desktop and laptop computers in order to function efficiently and effectively. Excellent interest rates have been found through USbancorp, the financial institution that financed last year's computer lease. The Police Department would like to use USbancorp again to finance this year's lease.

The Police Department replaces approximately one quarter of its desktop and laptop computers each year through a leasing program. This allows the Department to

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-4-

ensure this vital equipment does not become so outdated that it can no longer meet our needs. In preparing this year's lease, the Finance Department compared the interest rates of several leasing companies, in order to procure the best rate for this lease. The company with the best interest rate was USBancorp. The cost of the computer equipment is \$81,400.04. The total cost of the equipment and finance charges over the four year period is \$84,560.92.

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

Councilmember Vincent moved to approve resolution 16-167.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-168, AUTHORIZE THE LEASE OF DESKTOP AND LAPTOP COMPUTERS FROM VALCOM COMPUTER CENTER FOR USE BY THE POLICE DEPARTMENT

Mayor Bigelow presented proposed Resolution No. 16-168 that would authorize the lease of desktop and laptop computers from Valcom Computer Center for use by the Police Department.

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

The Police Department has a need for desktop and laptop computers in order to function efficiently and effectively. The replacements will be financed through US Bank (Bankcorp), which provided the financing for last year's purchase.

The Police Department replaces approximately one quarter of its desktop and laptop computers each year through a leasing program. This allows the Department to ensure this vital equipment does not become so outdated that it can no longer meet our needs.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-5-

The desktop and laptop computers procured through this program will be covered by a support package from Hewlett Packard (HP) which will cover the costs of repairs needed during the lease agreement. Each computer will be leased for a period of four years, after which point the computer will belong to the City. The cost for the computers is \$81,400.04.

Formal bidding was not required as the vendor, V.L.C.M., holds a contract with the State of Utah.

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

Councilmember Christensen moved to approve resolution 16-168.

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
Mr. Christensen	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 16-169, APPROVE A FEDERAL AID AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE 4100 SOUTH 3200 WEST SIGNAL UPGRADE PROJECT

Mayor Bigelow proposed Resolution No. 16-169 that would approve a Federal Aid Agreement with the Utah Department of Transportation for the 4100 South 3200 West Signal Upgrade Project.

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

Federal Highway Safety Improvement Program funds have been allocated by UDOT for upgrades to traffic signal and intersection infrastructure for the intersection of 4100 South at 3200 West. Safety improvements include the addition of protected left turns on all four legs of the intersection, which is not possible with existing equipment.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-6-

This federal aid agreement will enable the project to access federal funds to begin the project. The total project cost for the project is anticipated to be \$850,000, which includes a local match of 6.77% to be paid by West Valley City in the amount of \$57,545. Total federal participation in the project is \$792,455.

This federal aid agreement authorizes the expenditure of funds throughout the entire project process, including design, right-of-way acquisition and construction. The matching funds will be paid during different phases of the project. Matching funds are available in the Class C Road funds budget.

Upon execution of the Federal Aid Agreement, UDOT and the City will contract with Civil Science, a consulting engineering firm to design the project, and will contract at a later date with a separate firm to perform construction management services. The costs for these services is covered under the umbrella of this Federal Aid Agreement. This resolution also authorizes the city to execute the design and construction management agreements at a future date.

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 No. 16-169.

Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

RESOLUTION NO. 16-170, AUTHORIZE THE CITY TO ACCEPT A STORM EASEMENT AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM RDR REAL ESTATE INVESTMENT COMPANY, L.C. FOR PROPERTY LOCATED AT 2201 SOUTH CONSTITUTION BOULEVARD (PARCEL 15-21-202-004)

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-7-

Mayor Bigelow presented proposed Resolution No. 16-170 that would authorize the City to accept a Storm Drain Easement and Grant of Temporary Construction Easement from RDR Real Estate Investment Company, L.C. for property located at 2201 South Constitution Boulevard (parcel 15-21-202-004)

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

The RDR Real Estate Investment Company, L.C. property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. The Storm Drain Easement will be 15 feet in width on the west side of the center line of the dedicated Girard Street and run south 73 feet from the northerly boundary of Grantor's property. Girard Street is an old dedicated road on the 1890 Asbury Park Addition subdivision plat. The roads shown on the plat were dedicated but never constructed. Most of the roads on the plat have been previously vacated by West Valley City, or by Salt Lake County. In exchange for the Storm Drain Easement and Grant of Temporary Construction Easement we will be proposing the vacation of the west half of Girard Street and others by a future City Council action. The Grant of Temporary Construction Easement is an additional 1,095 square feet west and south of the Storm Drain Easement. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction.

RESOLUTION NO. 16-171, AUTHORIZE THE CITY TO ACCEPT A STORM DRAIN EASEMENT AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM RDR REAL ESTATE INVESTMENT COMPANY, L.C. FOR PROPERTY LOCATED AT 2201 SOUTH CONSTITUTION BOULEVARD (PARCEL 15-21-202-009)

Mayor Bigelow discussed proposed Resolution No. 16-171 that would authorize the City to accept a Storm Drain Easement and a Grant of Temporary Construction Easement from RDR Real Estate Investment Company, L.C. for Property Located at 2201 South Constitution Boulevard (Parcel 15-21-202-009)

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

The RDR Real Estate Investment Company, L.C. property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. The Storm Drain Easement will be 15 feet in width on the west side of the center line of the dedicated Girard Street. The Grant of Temporary Construction Easement will be an additional 30.00 feet in width lying west of the Storm Drain Easement. Girard Street is an old dedicated road on the 1890 Asbury Park Addition subdivision plat.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-8-

The roads shown on the plat were dedicated but never constructed. Most of the roads on the plat have been previously vacated by West Valley City, or by Salt Lake County. In exchange for the Storm Drain Easement and Grant of Temporary Construction Easement we will be proposing the vacation of the west half of Girard Street and others by a future City Council action. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction.

RESOLUTION NO. 16-172, AUTHORIZE THE CITY TO ACCEPT AN EASEMENT PURCHASE AGREEMENT, TWO STORM DRAIN EASEMENTS, AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SHAFER INVESTMENT CO., LC FOR PROPERTY LOCATED AT 2249 SOUTH CONSTITUTION BOULEVARD (PARCEL 15-21-251-001)

Mayor Bigelow presented proposed Resolution No. 16-172 that would authorize the City to accept an Easement Purchase Agreement, Two Storm Drain Easements, and a Grant of Temporary Construction Easement from Shafer Investment Co., LC for property located at 2249 South Constitution Boulevard (parcel 15-21-251-001).

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

The Shafer Investment Co., LC property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. One of the Storm Drain Easements will be 15 feet in width along entire northerly boundary of Grantor's property adjacent to the Brighton Canal. The Grant of Temporary Construction Easement will be of varying width and run south of the aforementioned Storm Drain Easement. The other Storm Drain Easement will be 15 feet in width on the west side of the center line of the dedicated Girard Street. Girard Street is an old dedicated road on the 1890 Asbury Park Addition subdivision plat. The roads shown on the plat were dedicated but never constructed. Most of the roads on the plat have been previously vacated by West Valley City, or by Salt Lake County. We will be proposing the vacation of the west half of Girard Street and others by a future City Council action. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction. Compensation for the Storm Drain Easement and the Grant of Temporary Construction Easement is \$13,300.00 based upon the appraisal report prepared by Integra Realty Resources. No compensation was included for the Storm Drain Easement in Girard Street.

RESOLUTION NO. 16-173, AUTHORIZE THE CITY TO ACCEPT AN EASEMENT PURCHASE AGREEMENT, TWO STORM DRAIN EASEMENTS, AND TWO GRANTS OF TEMPORARY CONSTRUCTION EASEMENT FROM KENWORTH SALES COMPANY, A UTAH CORPORATION, FOR PROPERTY

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-9-

LOCATED AT 2125 SOUTH CONSTITUTION BOULEVARD (PARCEL 15-21-201-006)

Mayor Bigelow presented proposed Resolution No. 16-173 that would authorize the City to accept an Easement Purchase Agreement, Two Storm Drain Easements, and a Grant of Temporary Construction Easement from Kenworth Sales Company, a Utah Corporation, for property located at 2125 South Constitution Boulevard (parcel 15-21-201-006).

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

The Kenworth Sales Company property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. One of the Storm Drain Easements will be 10 feet in width and run parallel with an existing Storm Drain Easement crossing Kenworth's existing driveway at the north end of Grantor's property along with 30 foot wide Grants of Temporary Construction Easement running parallel with the storm Drain Easement on either easement. The other Storm Drain Easement will be along the westerly 15 feet of Grantor's property south of the existing storm drain piping on Grantor's property. A 30 foot wide Grant of Temporary Construction Easement will run adjacent to and east of the Storm Drain Easement. The Grants of Temporary Construction Easement will run for a period of six months from the commencement of construction. Compensation for the Storm Drain Easements and the Grants of Temporary Construction Easement is \$19,300.00 based upon the appraisal report prepared by Integra Realty Resources. The Storm Drain Easements and Grants of Temporary Construction Easement will be signed by the property owner upon receipt of payment from West Valley City.

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 resolutions 16-170, 16-171, 16-172, and 16-173 on the consent agenda.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Nordfelt	Yes
Mr. Christensen	Yes

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 25, 2016

-10-

Mayor Bigelow Yes

Unanimous.

SPECIAL RECOGNITIONS

Mayor Bigelow indicated that a scout group arrived late. He welcomed Scout Troop No. 1972 in attendance at the meeting to complete requirements for the Citizenship in the Community merit badge.

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, OCTOBER 25, 2016, WAS ADJOURNED AT 6:48 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 25, 2016.

Nichole Camac
City Recorder