

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 3, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 3, 2017, 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
Steve Vincent, Councilmember District 4

ABSENT:

Karen Lang, Councilmember District 3

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/ CED Director
Eric Bunderson, City Attorney
Jeanette Carpenter, Acting Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Layne Morris, CPD
Nancy Day, Acting Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Kevin Conde, Administration

OPENING CEREMONY

Councilmember Steve Buhler 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 DECEMBER 20, 2016

The Council considered the Minutes of the Regular Meeting held December 20, 2016. There were no changes, corrections or deletions.

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Councilmember Vincent moved to approve the Minutes of the Regular Meeting held December 20, 2016. Councilmember Huynh seconded the motion.

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

ESSENTIAL PIECE AWARDS PRESENTATION TO BONNIE HARRIS

Don Christensen read the nomination of Bonnie Harris for the Essential Piece Award.

The nomination reads as follows:

In 1997 the West Valley City Arts Council invited local singer-songwriter Bonnie Harris to perform a Christmas Concert at City Hall. The West Valley City resident agreed, and a new Christmas tradition was born.

This year marks the 20th Anniversary of Bonnie's annual Christmas concert in West Valley City, and for that she deserves special recognition from the city. But first some accolades:

- Bonnie has been performing for decades, and has sung in theatrical productions; city and county celebrations; concerts; state and national conventions; weddings; funerals; business parties, and other engagements.
- Bonnie has performed across the United States, and in the Caribbean and Mexico.
- Bonnie is also a motivational speaker at both church and civic functions.
- Bonnie served as a docent for the Utah Symphony for over a decade.
- Bonnie has release 5 albums in her career.
- Bonnie was a finalist for the 1998 Pearl Awards "Female Vocalist of the Year"
- Bonnie was a finalist for the 2000 Pearl Awards "Album of the Year"
- Bonnie is well versed in a variety of genres, and sings everything from Christian music to holiday favorites to big band jazz classics.

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The Utah Cultural Celebration Center hosted Bonnie's first annual concert in the winter of 2004. It was so successful, Cultural Center staff decided to begin hosting an annual Winter Concert Series, which it has every year since. Bonnie has been a part of the series since its inception, and we're proud to call her one of our greatest partners.

COMMENT PERIOD

A. PUBLIC COMMENTS

Donald Caps asked for a variance from an ordinance that he was not aware of. He indicated that his neighbor has a very large tree from which a limb came free and damaged his trailer several years ago. Mr. Caps added that another limb from the same tree damaged his truck several months ago and the neighbor, home insurance, and car insurance rejected his requests for payment. He stated that he built a carport to protect his vehicle but was unaware of City ordinances and later found that he was in violation. The City requested that this be removed within 30 days but he would like a variance to allow him to keep it.

Bo Pagett stated that he has been a resident for many years and is an employee of the City as well. He indicated that he has been cited for 2 awnings on his property, one of which has been there for over 20 years, and has had no complaints or concerns from his neighbors. Mr. Pagett indicated that he has a beautiful, maintained yard, and would like to keep the awnings since he has no covered parking. He added that there is no way he can remove the awnings within 30 days due to the significant snowfall.

Mike Markham thanked the City's snowplow workers for their efforts in keeping the streets clear and safe. He stated that there are several cars in many neighborhoods throughout the City that continue to park on the street which prevents snowplows from doing their job. Mr. Markham added that this is a concern for emergency vehicles responding to events as well. He suggested that the City needs to step up and enforce their own Codes.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

B. CITY COUNCIL COMMENTS

Don Christensen stated that there is a method for residents to apply for variances in the Planning and Zoning Department. He indicated that the Council is unable to issue variances.

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Mayor Bigelow indicated that limbs can be cut down if they cross property lines. He indicated several Council members would like to drive by and view the properties that have been cited.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2016-2017 BUDGET

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled January 3, 2017, in order for the City Council to hear and consider public comments regarding accepting public input regarding re-opening the FY 2016-2017 Budget.

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

State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the City of West Valley to amend its budget during the year. The West Valley City holds public hearings on budget amendments on a quarterly basis each fiscal year.

A Public Notice was posted December 15, 2016 in (the Salt Lake Tribune and the Deseret Morning News) general circulation to the general public. Notice was given that a public hearing is to be held January 3, 2017 at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

Mayor Bigelow opened the Public Hearing. There being no one to speak either in favor or in opposition, Mayor Bigelow closed the Public Hearing.

ACTION: ORDINANCE NO. 16-56, AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017 TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS

The City Council previously held a public hearing regarding amending the budget of West Valley City for the fiscal year beginning July 1, 2016 and ending June 30, 2017 to reflect changes in the budget from increased revenues and authorize the disbursement of funds.

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 Ordinance No. 16-56.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 16-194, APPROVE A FEDERAL AID AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE 6400 WEST UT&SL CANAL BRIDGE REPLACEMENT PROJECT

Mayor Bigelow presented proposed Resolution No. 16-194 that would approve a Federal Aid Agreement with the Utah Department of Transportation for the 6400 West UT&SL Canal Bridge Replacement Project.

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

Federal Off-System Bridge Program funds have been allocated by UDOT to replace the deteriorating bridge over the Utah and Salt Lake Canal on 6400 West.

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 \$986,000, which includes a local match of 6.77% to be paid by West Valley City in the amount of \$66,752. Total federal participation in the project is \$919,248.

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 consulting engineering firms to design and manage the construction of the project. 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, the Council had no further questions or concerns.

Councilmember Buhler moved to approve Resolution No. 16-194.

Councilmember Huynh seconded the motion.

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

Unanimous.

RESOLUTION NO. 16-195, APPROVE AN EXTENSION TO AN AGREEMENT BETWEEN WEST VALLEY CITY, THE UTAH DEPARTMENT OF TRANSPORTATION, AND STANLEY CONSULTANTS TO PROVIDE ENGINEERING SERVICES FOR THE 6200 SOUTH EXTENSION PROJECT

Mayor Bigelow presented proposed Resolution No. 16-195 that would approve an extension to an agreement between West Valley City, the Utah Department of Transportation, and Stanley Consultants to provide engineering services for the 6200 South Extension Project.

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

A time extension on an agreement between West Valley City, UDOT and Stanley Consultants to perform construction engineering management services on the 6200 South extension project

The extension of 6200 South from Mountain View Corridor to SR-111 complete and open to the public. However, there remain a few items of work that cannot be completed until spring time. The construction contract has been placed on time suspension, thus creating the need to extend the contract time for Stanley Consultants to finish construction engineering and inspection.

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

Councilmember Vincent moved to approve Resolution No. 16-195.

Councilmember Buhler seconded the motion.

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

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Unanimous.

RESOLUTION NO. 16-196, AUTHORIZE THE CITY TO ACQUIRE, BY NEGOTIATION OR CONDEMNATION, ALL PROPERTY INTERESTS FROM THE TOYS "R" US LOCATED AT APPROXIMATELY 3550 SOUTH CONSTITUTION BOULEVARD IN WEST VALLEY CITY, UTAH

Mayor Bigelow presented proposed Resolution No. 16-196 that would authorize the City to acquire, by negotiation or condemnation, all property interests from the Toys "R" Us located at approximately 3550 South Constitution Boulevard in West Valley City, Utah.

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

The City has attempted to negotiate the purchase of the property interests of Toys R Us because the Property currently occupied by Toys R Us is needed for the construction of a public safety building. As discussed below, negotiations thus far have failed and, therefore, condemnation may be necessary to complete the acquisition.

The City has spent several months attempting to negotiate the purchase of all property interests from Toys R Us. As the deadline for construction on March 31, 2017 nears, it appears the City and Toys R Us may reach an impasse. The City will continue to negotiate until the last possible day, but this resolution will be necessary if there is no agreement.

Councilmember Buhler stated that the City has attempted to contact Toys R Us and have not received a response. He indicated that this leaves the City with no option but to proceed with this course of action. Councilmember Vincent stated that this resolutions supports the best interests of the City and its citizens.

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

Councilmember Nordfelt moved to approve Resolution No. 16-196.

Councilmember Christensen seconded the motion.

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

Unanimous.

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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, JANUARY 3, 2017, WAS ADJOURNED AT 7:08 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, January 3, 2017.

Nichole Camac
City Recorder