

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 28, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 28, 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
Karen Lang, Councilmember District 3

ABSENT:

Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/ HR Director
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 Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Steve Lehman, CED Department
Mark Nord, CED Department

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.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 21, 2017

The Council considered the Minutes of the Regular Meeting held February 21, 2017. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Regular Meeting held February 21, 2017. Councilmember Nordfelt seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Ernie Hilborn stated that he is a resident from District 4 in West Valley City. He indicated that he was an EMT from a small town in Iowa, worked for Gold Cross, and is now a computer networker. Mr. Hilborn stated that Pulse Point is an app that can be downloaded to smartphones and integrates with local dispatch systems. If a person is suffering from a cardiac arrest in a public location, citizens near the area will be notified and can often get to the patient before professional paramedics arrive and begin performing life-saving CPR. Mr. Hilborn stated that this program is available in over 1300 communities in the US and Canada and is currently being tested in Lehi, Utah. He indicated that he would like to see this technology brought to the West Valley City community as well. The app is free to residents and often medical centers in the community will sponsor the program and contribute to maintenance fees, etc.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, stated that the City is always looking at new technology to improve emergency services to residents. He encouraged Mr. Hilborn to make contact with Fire Chief Evans after the meeting.

C. CITY COUNCIL COMMENTS

Upon inquiry, there were no comments by members of the City Council.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-1-2017, FILED BY LESLIE MORTON, REQUESTING FINAL PLAT APPROVAL FOR THE CVS WEST VALLEY PLAZA SUBDIVISION- LOTS 1 & 2 AMENDED

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled February 28, 2017, in order for the City Council to hear and consider

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public comments regarding application No. S-1-2017, filed by Leslie Morton, requesting Final Plat Approval for the CVS West Valley Plaza Subdivision- Lots 1 & 2 Amended.

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

Utah CVS Pharmacy LLC, is requesting an amendment to lots 1 and 2 of the CVS West Valley Plaza Subdivision. This plat was recorded with the Salt Lake County Recorder's Office in March 2015. The subdivision plat was recorded to create two lots for retail uses. The CVS Pharmacy is located on lot 1 and a future Auto Zone will be located on lot 2.

During the construction of the CVS Pharmacy building, the water line extending from 3200 West was positioned just south of the property on which the building was being constructed. Due to both lots being in the ownership of Utah CVS Pharmacy LLC, this was not a problem. However, with the pending development of lot 2, Granger Hunter Improvement District is requesting that the water line serving the CVS pharmacy be located on the property where the CVS building is located.

According to the amended plat, the north property line separating lots 1 and 2 will be moved approximately 18 feet to the south. This location will allow the water line to be fully located within the CVS pharmacy lot. All other property lines and conditions of approval related to the original subdivision plat will remain in place.

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. 17-09, APPROVE THE AMENDMENT TO LOTS 1 AND 2 OF THE CVS WEST VALLEY PLAZA SUBDIVISION

The City Council previously held a public hearing regarding proposed ordinance 17-09 that would approve the amendment to Lots 1 and 2 of the CVS West Valley Plaza Subdivision.

Councilmember Huynh thanked CVS administration. He indicated that a resident in his district was having difficulty with the lights from the parking lot at CVS and administration fixed this problem quickly and efficiently.

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

Councilmember Huynh moved to approve Ordinance 17-09.

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Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 17-26, APPROVE AN INTERLOCAL AGREEMENT BETWEEN WEST VALLEY CITY AND THE SALT LAKE COUNTY CLERK'S OFFICE, ELECTIONS DIVISION, FOR THE PROVISION OF ELECTION SERVICES FOR THE 2017 PRIMARY AND GENERAL MUNICIPAL ELECTIONS

Mayor Bigelow presented proposed Resolution No. 17-26 that would approve an Interlocal Agreement between West Valley City and the Salt Lake County Clerk's Office, Elections Division, for the provision of election services for the 2017 Primary and General Municipal Elections.

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

This agreement authorizes the Salt Lake County Clerk's Office, Elections Division, to provide election services to the City Recorder's Office. These services include:

- Ballot layout and design
- Ballot ordering and printing
- Machine programming and testing
- Delivery of supplies and equipment
- Provision of all supplies
- Four Election Vote locations
- Election vote center/early vote locations
- Vote by mail administration
- Updating state and county websites
- Tabulating, reporting, auditing and preparing canvassing election results
- Conducting recounts as needed
- All notices and mailings required by law (except those required by Utah Code Ann. § 20A-9-203)

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- Direct payment of all costs associated with the election to include vote center workers, training, polling places, rovers.

The provision of these services will assist in conducting the elections in an efficient manner. The fee for these services is not to exceed \$180,198.75 and will be based on the City's pro-rata share of actual costs of the elections which will not exceed the County Clerk's estimate provided to the City for budgeting purposes.

West Valley City is one of many cities that contract with the Salt Lake County Clerk's Office, Elections Division, for their municipal elections. This has been a good partnership that has benefited the City, County and the voters by providing consolidated municipal elections, economies of scale and no-worry elections.

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. 17-26.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 17-27, AUTHORIZE AND APPROVE THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO MASTER LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE MUNICIPAL BUILDING AUTHORITY OF WEST VALLEY CITY, UTAH (THE "AUTHORITY"), AND THE GROUND LEASE(S) AGREEMENT; AUTHORIZE THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE BONDS, SERIES 2017, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$52,500,000; AND RELATED MATTERS

Mayor Bigelow presented proposed Resolution No. 17-27 that would Authorize and Approve the Execution and Delivery of a First Amendment to Master Lease Agreement By and Between the City and the Municipal Building Authority of West Valley City, Utah

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(The "Authority"), and the Ground Lease(s) Agreement; Authorize the Issuance and Sale by the Authority of Its Lease Revenue Bonds, Series 2017, in the Aggregate Principal Amount of Not More Than \$52,500,000; And Related Matters.

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

The purpose of this bond issue is to provide funds to finance the acquisition, construction, equipping and furnishing of a new public safety building, a new court's building, parking facilities, HVAC and roof replacement for the Family Fitness Center and related improvements, fund capitalized interest with respect to the Series 2017 Bonds, fund any required deposits to a reserve fund, and pay costs associated with the issuance of the Series 2017 Bonds and for such other purposes as may be authorized under the General Indenture.

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 No. 17-27.

Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	No

Majority.

RESOLUTION NO. 17-28, APPROVE THE PURCHASE OF A BULLET RECOVERY SYSTEM FOR USE BY THE POLICE DEPARTMENT

Mayor Bigelow presented proposed Resolution No. 17-28 that would approve the purchase of a Bullet Recovery System for use by the Police Department.

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

The Police Department requests authorization to purchase a bullet recovery system which would aid our agency's certified forensic firearm examiner (one of four in

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the entire State of Utah) in side-by-side comparison of bullets recovered from crime scenes.

The U.S. Department of Justice has awarded the Police Department the Paul Coverdell Forensic Science Improvement Grant. The funds may be used to purchase forensic equipment and related training. This is a non-matching grant and the Department is not required to match funds. The Police Department would like to purchase a bullet recovery system from a sole source vendor.

The Police Department does not currently have a bullet recovery system and is unable to conduct comparisons in-house.

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. 17-28.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 17-29, APPROVE THE PURCHASE OF A BULLET RECOVERY SYSTEM FOR USE BY THE POLICE DEPARTMENT

Mayor Bigelow presented proposed Resolution No. 17-29 that would approve the purchase of a Bullet Recovery System for use by the Police Department.

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

The Police Department requests authorization to purchase a Leica FSC Forensic Comparison Microscope which allows our agency's certified firearms examiner (one of four in the entire State of Utah) to conduct side-by-side comparisons of bullets, bullet casings, and tool mark evidence.

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The U.S. Department of Justice has awarded the Police Department the Paul Coverdell Forensic Science Improvement Grant. The funds may be used to purchase forensic equipment related training. This is a non-matching grant and the Department is not required to match funds. The Police Department would like to purchase a Leica FSC Forensic Comparison Microscope from a sole source vendor.

The Police Department does not currently have a comparison microscope and is unable to conduct comparisons in-house.

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

Councilmember Buhler moved to approve Resolution No. 17-29.

Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSIDER APPLICATIONS S-18-2016 AND S-19-2016, FILED BY DAI UTAH, REQUESTING FINAL PLAT APPROVAL FOR JUNIPER ACRES SUBDIVISION LOCATED AT 4650 SOUTH 6000 WEST

Mayor Bigelow presented applications S-18-2016 and S-19-2016, filed by DAI Utah, requesting Final Plat Approval for Juniper Acres Subdivision located at 4650 South 6000 West.

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

Mindy Dansie, representing DAI Utah, is requesting final plat approval for the Juniper Acres Subdivision. The subject property was rezoned in 2006 from the M zone to the R-1-8 zone, and received preliminary plat approval in January 2016. A development agreement was reviewed and approved as part of the rezone process. As a reminder, recorded development agreements run with the land and will be applicable to this proposed development.

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The proposed subdivision consists of 27 lots on 8.4 acres. The overall density equates to 3.2 units per acre. Lot sizes range from 8,030 square feet to 14,600 square feet with an average lot size of 9,000 square feet.

Access to the subdivision will be gained from 3 points along 6000 West and from a stub street in the Vistas Phase 2 Subdivision to the north. Staff believes that the number of access points along 6000 West will evenly distribute traffic with each cul-de-sac comprising 7-8 lots.

Based on the preliminary plat, a soils report was submitted for the new subdivision. The report indicated that 5 test pits were studied to determine subsurface water elevations. Four of the five test pits revealed no ground water to a depth of 11-13 feet. One test pit contained ground water to a depth of 5 feet. The subdivision plat will contain notes regarding lowest floor slab depth based on the soils investigation.

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 applications S-18-2016 and S-19-2016.

Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

A. RESOLUTION 17-30, AUTHORIZE THE CITY TO ACCEPT A QUIT CLAIM DEED FROM LE NGOC HA, AN INDIVIDUAL, AND CHUA KHAI TUONG, A UTAH NON-PROFIT CORPORATION FOR A PORTION OF PROPERTY LOCATED AT 1472 WEST 3300 SOUTH

Mayor Bigelow presented proposed Resolution No. 17-30 that would authorize the City to accept a Quit Claim Deed from Le Ngoc Ha, an individual, and Chua Khai

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Tuong, a Utah Non-Profit Corporation, for a portion of property located at 1472 West 3300 South.

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

Le Ngoc Ha, an individual and Chua Khai Tuong, a Utah non-profit corporation currently own a 1.23 acre foot parcel of land located at 1472 West 3300 South (parcel 15-27-426-008). This parcel is the site of the Chua Khai Tuong Buddhist Temple. As a condition of approval for a proposed building expansion, conveyance of a portion of 3300 South right-of-way was required. 3300 South is an existing public street. However some portions have not been formally dedicated or otherwise conveyed to West Valley City. The attached Quit Claim Deed conveys the south 33 feet of parcel 15-27-426-008 to West Valley City.

B. RESOLUTION 17-31, RATIFY THE CITY MANAGER'S APPOINTMENT OF MELISSA LAMBOURNE TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING FEBRUARY 28, 2017 AND ENDING FEBRUARY 28, 2019

Mayor Bigelow presented proposed Resolution No. 17-31 that would ratify the City Manager's appointment of Melissa Lambourne to the Professional Standards Review Board for a term commencing February 28, 2017 and ending February 28, 2019.

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

This resolution appoints Melissa Lambourne as a member of the Professional Standards Review Board for a two year term commencing on February 28, 2017 and ending on February 28, 2019.

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.

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

Councilmember Buhler moved to approve Resolution's 17-30 and 17-31 on the Consent Agenda.

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Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

MOTION TO ADJOURN

Upon motion by Councilmember Huynh voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, FEBRUARY 28, 2017, WAS ADJOURNED AT 6:55 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, February 28, 2017.

Nichole Camac
City Recorder