

MINUTES OF COUNCIL REGULAR MEETING – MARCH 28, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MARCH 28, 2017, AT 7:53 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

Paul Isaac, Assistant City Manager/ HR Director
Nicole Cottle, Assistant City Manager/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Anita Schwemmer, Acting 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
Kevin Conde, Administration
Nancy Day, Parks and Recreation
Jason Erikson, Parks and Recreation

OPENING CEREMONY

Councilmember Don Christensen 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 STRATEGIC PLANNING MEETING HELD FEBRUARY 24 & 25, 2017 AND REGULAR MEETING HELD MARCH 21, 2017

The Council considered the Minutes of the Strategic Planning Meeting held February 24 & 25, 2017 and the Regular Meeting held March 21, 2017. There were no changes, corrections or deletions.

Councilmember Vincent moved to approve the Minutes of the Strategic Planning Meeting held February 24 & 25, 2017 and the Regular Meeting held March 21, 2017. Councilmember Christensen seconded the motion.

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

UTAH RECREATION AND PARKS ASSOCIATION AWARDS PRESENTATION- OUTSTANDING FACILITY RECOGNITION FOR THE WEST VALLEY CITY SKATE PARK

Kim Olson (URPA Executive Director), Derric Rykert (URPA President), and Kristen Riker (URPA Past President) presented an award for Outstanding Facility Recognition for the West Valley City Skate Park.

PROCLAMATION DECLARING APRIL 2017 AS AFFORDABLE HOUSING MONTH

Councilmember Christensen read the proclamation declaring April 2017 as Affordable Housing Month.

COMMENT PERIOD

A. PUBLIC COMMENTS

Upon inquiry, there were no members of the public wishing to speak.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, had no comments.

C. CITY COUNCIL COMMENTS

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

ORDINANCE NO. 17-12, AMEND SECTIONS 23-3-103 AND 23-5-109 OF THE WEST VALLEY CITY MUNICIPAL CODE PERTAINING TO LICENSING EXEMPTIONS FOR SERVICE ANIMALS

Mayor Bigelow proposed ordinance 17-12 that would amend sections 23-3-103 and 23-5-109 of the West Valley City Municipal Code pertaining to licensing exemptions for service animals.

Written documentation previously provided to the City Council included Information as

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follows:

The Americans with Disabilities Act (ADA) does not require Service Animals to complete any specific training programs or certification processes to qualify an animal as a Service Animal. The ADA also requires Service Animals be exempt from certain provisions of local law to ensure an unnecessary burden is not placed on disabled individuals that require a Service Animal. Accordingly, West Valley City exempts Service Animals from the fees associated with licensing the animal with the City and from prohibitions on animals in specific areas within the City. However, in outlining those special exemptions for Service Animals, the City code describes Service Animals in a confusing manner. We seek to eliminate that confusion by simplifying Title 23, Chapter 3, Section 103(2) and Title 23, Chapter 5, Section 109(4).

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 Ordinance 17-12.

Councilmember Lang seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION NO. 17-43, AUTHORIZE THE EXECUTION OF A LEGISLATIVE PASS-THROUGH FUNDING AGREEMENT FOR CONSTRUCTION OF SIDEWALKS ON TESS AVENUE IN WEST VALLEY CITY

Mayor Bigelow discussed proposed resolution 17-43 that would authorize the execution of a legislative pass-through funding agreement for construction of sidewalks on Tess Avenue in West Valley City.

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

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With this agreement, the DFCM will pay West Valley City \$200,000 to be used for construction of sidewalks on Tess Avenue, which will benefit children walking to Hillsdale Elementary School and other residents of the neighborhood.

In 2016, the Utah State Legislature passed HB003, which appropriated \$200,000 for this project, through DFCM. Upon returning the signed agreement to DFCM, the funds will be disbursed to West Valley City. The City must use the funds for the purpose intended, and report back to DFCM on the use of the funds.

The estimated cost of this project is \$235,000. The additional funds needed for this project will come from Class C Road Funds. The project is scheduled to be advertised in April, 2017, and construction is scheduled to begin after the school year ends in June, 2017.

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. 17-43.

Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION 17-49, A RESOLUTION SETTING FORTH THE REASONS WEST VALLEY CITY WILL NOT ACCEPT THE PROPOSED HOMELESS SHELTER

Mayor Bigelow presented proposed Resolution No. 17-49 that would set forth the reasons West Valley City will not accept the proposed homeless shelter.

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

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The proposed resolution sets forth the reasons why the City Council cannot accept a homeless shelter in West Valley City and directs City staff to resist the placement of such a shelter using all available legal means.

The City has long been a leader in the provision of affordable housing and support services to Utahns in need. West Valley City's commitment to affordable housing, sustainable communities, and long term solutions to homelessness is unparalleled. As set forth in the resolution, the process to locate a new homeless shelter in Salt Lake County is haphazard, rushed, and lacks transparency. This course of action is based on unproven and unsupported speculation and will have generational consequences for our City and our residents. This decision is too important and too damaging to rush through in so little time.

Councilmember Buhler stated that he feels it is unfortunate that the efforts of the City over the years have been overlooked and that these efforts must be pointed out. He indicated that he would encourage other communities to examine the proclamation read earlier and this resolution to see the valuable contributions West Valley City has made to the Salt Lake Valley.

Wayne Pyle, City Manager, stated that he has a lot of deep personal and professional feelings regarding this issue. He indicated that West Valley City staff has worked to ensure that the City is a good one for all to live in and the West Valley City Council has worked hard over the years to support staff efforts in every way. Mr. Pyle stated that he believes the citizens and residents of the City expect its representatives to defend these hard earned efforts in whatever way possible moving forward and that is what he and the Council intend to do.

Mayor Bigelow stated that West Valley City is a relatively quiet community, especially for being the second largest City in the State of Utah. He thanked the many citizens who have attended the open houses and public hearings regarding this issue and those who have spoken out and made their voices heard. Mayor Bigelow indicated that the City has not changed its position and will remain vigilant and will continue to work for what is right for the residents in the community. He stated that that the City will continue to provide solutions for people to move from homeless to affordable housing. Mayor Bigelow stated that West Valley City does care and does a lot already to contribute to this issue and will stand shoulder to shoulder with any other community in the State. He indicated that the Council, the City, the residents, and the businesses of this community stand united and are proud of what has been done and what will be done in the future.

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

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Councilmember Huynh moved to approve Resolution No. 17-49.

Councilmember Buhler seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

A. RESOLUTION 17-44, AUTHORIZE THE RELEASE OF A TEMPORARY RETENTION POND EASEMENT ON LOT 1 OF THE ORCHARD PARK SUBDIVISION LOCATED AT 6814 WEST MERRILIE CIRCLE IN FAVOR OF WEST VALLEY CITY

Mayor Bigelow discussed proposed Resolution No. 17-44 that would authorize the release of a Temporary Retention Pond Easement on Lot 1 of the Orchard Park Subdivision located at 6814 West Merrilie Circle in favor of West Valley City.

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

On April 26, 1999, the Orchard Park Subdivision was recorded in the office of the Salt Lake County Recorder. As there was not an existing West Valley City storm drain to take storm water from the subdivision, a retention pond was required to be constructed on Lot 1, and a Temporary Retention Pond Easement in favor of the City was required as a condition of final plat approval. Storm water from this subdivision is now connected to the 6800 West storm drain. As a result, the retention pond, and the Temporary Retention Pond Easement are no longer needed. The owner of Lot 1 desires to construct a home on the lot and is requesting the Temporary Retention Pond Easement to be released by the City.

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

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Councilmember Vincent moved to approve Resolution's 17-44 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. 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, MARCH 28, 2017, WAS ADJOURNED AT 8:16 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, March 28, 2017.

Nichole Camac
City Recorder