

**MINUTES OF COUNCIL REGULAR MEETING – APRIL 18, 2017**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 18, 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  
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/General Counsel/ CED Director  
Eric Bunderson, City Attorney  
Jeannette Carpenter, Acting Finance Director  
Lee Russo, Police Chief  
John Evans, Fire Chief  
Russell Willardson, Public Works Director  
Layne Morris, CPD Director  
Nancy Day, Acting Parks and Recreation Director  
Craig Thomas, Acting Strategic Communications Director  
Jake Arslanian, Public Works Department  
Cathie Alberico, Public Relations Department  
Aaron Crim, Public Relations Department  
Roxeanne Vainuku, Public Relations Department

**OPENING CEREMONY**

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 APRIL 11, 2017**

The Council considered the Minutes of the Regular Meeting held April 11, 2017. There were no changes, corrections or deletions.

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Councilmember Vincent moved to approve the Minutes of the Regular Meeting held April 11, 2017. Councilmember Lang seconded the motion.

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

### **AWARDS, CEREMONIES, AND PROCLAMATIONS**

#### **A. PROCLAMATION RECOGNIZING THE EFFORTS OF WEST VALLEY CITY RESIDENTS IN NATIONAL NIGHT OUT 2016**

Councilmember Vincent read the proclamation recognizing the efforts of West Valley City residents in National Night Out 2016.

The Council presented the Public Relations Department with an award recognizing their efforts in National Night Out events.

### **COMMENT PERIOD**

#### **A. PUBLIC COMMENTS**

Yearim de Leon stated that he was recently admitted to Yale, Princeton, and Stanford. He indicated that he is excited for the opportunity to further his education but concerned about leaving his family in Utah to face immigration policy changes proposed by President Trump. Mr. Leon requested that the City implement a policy that states their Police Department will not act as ICE officials.

Idaliz Romero stated that she is concerned for neighbors who are not residents of the United States. She indicated that they fear the enforcement of immigration laws and local government acting as ICE officials.

Justin Anfinson stated that he is requesting a formal statement from West Valley City regarding immigrant and refugee policies. He stated that diversity is something that should be valued and is something that is integral to the culture of West Valley City. Mr. Anfinson stated that he believes immigration is not political but is a human rights issue and the City should ensure their citizens feel safe and respected.

John Mejia, Legal Director for the ACLU, stated that local law enforcement agencies should not be compelled to cooperate with ICE. He indicated that cities should minimize engagement with federal immigration officials and should decline to work with them upon request. Mr. Mejia stated that local law enforcement serves to protect its residents while federal agencies typically have their own agendas. He indicated that it's important that residents feel safe and that cities work to build trust in their communities. Mr. Mejia discussed fiscal and legal issues that could come with local communities supporting ICE and encouraged West Valley City to pass a formal resolution regarding immigrant policies.

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Terry Kunz stated that he is a resident of Taylorsville but has been driving in the Salt Lake area for over two years, including West Valley City. He stated that he is very concerned with the issue of littering which seems to be a growing problem across the entire state of Utah. Mr. Kunz stated that pride in community is an important value and this problem needs more attention across the State. He described areas of concern around the valley and encouraged the City and residents to take pride in where they live and help resolve this issue.

Rosi Peralta stated that she owns a small business with her husband and indicated that while they sometimes struggle financially, they contribute to their community with donations and are active members of their neighborhood. She stated that her children live in fear of immigration officers which translates to fear of local government officials. She stated that she would ask that the City help her family feel safe and work with the immigrant population in West Valley City.

**B. CITY MANAGER COMMENTS**

City Manager, Wayne Pyle, had no comments.

**C. CITY COUNCIL COMMENTS**

Mayor Bigelow stated that the Council discussed the immigration issue with many citizens of West Valley City several months ago. He indicated that the City stands strong with its residents and added that West Valley is composed of a high percentage of immigrants and minorities. Mayor Bigelow stated that residents should not be afraid and everyone will continue to go on with their lives as normal, nothing will change, and the City will continue to do what it has always done.

**ORDINANCE NO. 17-16: ENACT SECTION 22-7-121 OF THE WEST VALLEY CITY MUNICIPAL CODE TO PROHIBIT CERTAIN CONDUCT NEAR HIGH VOLUME ROADWAYS**

Mayor Bigelow presented proposed Ordinance 17-16 that would enact Section 22-7-121 of the West Valley City Municipal Code to prohibit certain conduct near high volume roadways.

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

The proposed ordinance enacts Section 22-7-121 of the West Valley City Municipal Code. The ordinance would prohibit exchanges of money or property between individuals in motor vehicles and others on or within 10 feet of a “High Volume Roadway”. For the purpose of this Section, “High Volume Roadway” means 3300/3500 South, 2700 West, 5600 West, and Redwood Road.

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Traffic accidents have increased by 33% in the City over the last two years. Based on extensive data collected by the Police Department, City staff has determined that the High Volume Roadways as defined above account for nearly half of accidents within the City, despite their relatively small share of the total roadway miles within the City.

This data is in accordance with UDOT data suggesting that major arterial streets such as the High Volume Roadways have both the highest accident rate and the most severe collisions of any street type. Extensive research indicates that a primary cause of motor vehicle accidents is an “information dense” environment that includes frequent stopping and starting of vehicles, auto-pedestrian interactions, and unpredictable traffic patterns.

These concerns are particularly pressing in relation to auto-pedestrian accident rates. There have been 213 auto-pedestrian collisions in the City in the last three years and 132 pedestrian deaths as a result of collisions in the Salt Lake City metropolitan area between 2003 and 2012. Major arterials such as the High Volume Roadways account for a disproportionate share of auto-pedestrian accidents and fatalities both in Utah and across the nation.

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 17-16.

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.

**RESOLUTION 17-53: AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT FOR APPROXIMATELY 1.94 ACRES OF PROPERTY LOCATED AT 2846 WEST LEHMAN AVENUE AND APPROVING CERTAIN SPECIFICATIONS RELATED THERETO**

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Mayor Bigelow presented proposed resolution 17-53 that would authorize the City to enter into a Development Agreement for approximately 1.94 Acres of property located at 2846 West Lehman Avenue and approving certain specifications related thereto.

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

This resolution authorizes a development agreement between the City, the RDA, and the MBA to establish standards for a parking structure and associated commercial space at 2846 West Lehman Avenue.

The proposed parking structure falls within the City Center (CC) Zone. The CC Zone includes a provision that allows the requirements within the Zone to be superseded by a development agreement. The purpose of this provision was to allow design flexibility for uses that met the purpose of the Zone. At the time the CC Zone was drafted, staff fully anticipated utilizing this development agreement provision for most projects. The proposed parking structure meets the purposes outlined in the CC Zone; therefore, staff and the Planning Commission recommend certain exceptions (outlined in Exhibit B of the agreement) be granted.

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 Resolution 17-53.

Councilmember Huynh 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 17-54: AWARD A CONTRACT TO MORGAN INDUSTRIES FOR THE CITY PARK PARKING LOT RECONSTRUCTION PROJECT**

Mayor Bigelow presented proposed resolution 17-54 that would award a contract to Morgan Industries for the City Park Parking Lot Reconstruction Project.

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

Bids were opened for the project on April 4, 2017. A total of four (4) bids were received. The lowest responsible bidder was Morgan Industries.

The pavement at the City Park parking lot has deteriorated and is in need of replacement. This project will reconstruct and regrade the parking lot to improve drainage which will help prolong the life of the new pavement to be installed as part of this project. The contractor will be required to perform the work in phases that will allow for use of half of the parking areas at a time for use by the public. The contract time given to the contractor is 75 days, which has completion occurring mid-July.

Morgan Industries was the lowest responsible bidder. It is recommended that the project be awarded to Morgan Industries

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 17-54.

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.

**RESOLUTION 17-55: APPROVE A LIMITED POLE CONTRACT AGREEMENT BETWEEN WEST VALLEY CITY AND PACIFICORP, AN OREGON CORPORATION DBA ROCKY MOUNTAIN POWER, TO ALLOW WEST VALLEY CITY TO ATTACH EQUIPMENT TO THEIR POLES LOCATED WITHIN SALT LAKE COUNTY**

Mayor Bigelow presented proposed resolution 17-55 that would approve a Limited Pole

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Contract Agreement between West Valley City and PacifiCorp, an Oregon Corporation DBA Rocky Mountain Power, to allow West Valley City to attach equipment to their poles located within Salt Lake County.

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

PACIFICORP agrees to allow West Valley City to attach surveillance cameras to power distribution poles, owned and maintained by PACIFICORP. West Valley City agrees to indemnify PACIFICORP of any liability arising from West Valley City's use of PACIFICORP property.

The West Valley City Police Department intends to utilize surveillance equipment to monitor public areas of West Valley City. Surveillance of areas open to the public can provide West Valley City Police department with the intelligence needed to identify and prosecute individuals committing serious crimes within 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 Christensen moved to approve Resolution 17-55.

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.

**CONSENT AGENDA**

- A. RESOLUTION 17-56, RATIFY THE CITY MANAGER'S APPOINTMENT OF BARBARA FIELDS TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING APRIL 18, 2017 AND ENDING JULY 1, 2019**

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Mayor Bigelow discussed proposed Resolution No. 17-56 that would ratify the City Manager's appointment of Barbara Fields to the Professional Standards Review Board for a Term Commencing April 18, 2017 and Ending July 1, 2019.

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

This resolution appoints Barbara Fields as a member of the Professional Standards Review Board for a two year term commencing on April 18, 2017 and ending on July 1, 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 Lang moved to approve Resolution 17-56 on the Consent Agenda.

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.

**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, APRIL 18, 2017, WAS ADJOURNED AT 7:07 P.M. BY MAYOR BIGELOW.

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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, April 18, 2017.

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Nichole Camac  
City Recorder