

MINUTES OF COUNCIL REGULAR MEETING – MAY 2, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 2, 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
Jim Welch, 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
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Steve Vincent conducted the Opening Ceremony. He stated that the Utah Jazz will be playing the first game in Round 2 of the NBA Playoffs tonight against the Golden State Nuggets. He displayed a YouTube video depicting the Jazz victory over the Los Angeles Clippers in game 7 of Round 1 that occurred Sunday evening.

SPECIAL RECOGNITIONS- SCOUTS

Mayor Bigelow welcomed Scout Troop No. 808 in attendance at the meeting to complete requirements for the Citizenship in the Community merit badge.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 25, 2017

The Council considered the Minutes of the Regular Meeting held April 25, 2017. There were no changes, corrections or deletions.

Councilmember Lang moved to approve the Minutes of the Regular Meeting held April 25, 2017. Councilmember Christensen seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Natasha Deininger stated that she is an educator that teaches in West Valley City. She encouraged further public discussion for a resolution to be approved by the City Council regarding immigration and affirming the City's policy on not acting as ICE officials. She indicated that she feels it's important that the City send a strong message to different ethnic communities to allow them to feel safe and to communicate to children that they should not have fear of attending school.

Mike Markham stated that a Councilmember congratulated someone on calling him a bigot. He stated that he paid \$2,000 to pay to have his curb and gutter replaced, is very involved in his community, and encourages his neighbors to maintain their yards and take pride in their neighborhoods. Mr. Markham stated that he didn't mean to offend anyone during last week's Council meeting but simply wanted the Council and City to enforce existing Code regardless of race.

Julie Erikson stated that she lives in Chesterfield and is concerned that the issue of roosters hasn't been discussed in some time. She stated that this is an ongoing problem and she feels it's necessary to instate a point system for the number of roosters permitted on a property. Ms. Erikson added that roosters are used primarily for fighting which is a crime and should be closely monitored.

B. CITY MANAGER COMMENTS

Upon inquiry, Wayne Pyle, City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Councilmember Vincent stated that there is a resolution regarding the City's stance on immigration that has been drafted by staff. He indicated that ongoing discussions are being had and will continue until a resolution to the issue is adequately found.

Mayor Bigelow stated that people get upset during conversations that are meaningful to them. He indicated that it is important to allow everyone the opportunity to speak their minds but it is also important to be respectful of one

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another. He stated that the Council appreciates the residents who attend meetings and provide feedback.

RESOLUTION NO. 17-59: AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH MOBILITIE INVESTMENTS III, INC. AND THE CENTENNIAL MANAGEMENT GROUP, INC. FOR THE DESIGN, INSTALLATION, AND OPERATION OF A DISTRIBUTED NETWORK AT THE MAVERIK CENTER

Mayor Bigelow presented proposed Resolution 17-59 that would authorize the City to enter into an agreement with Mobilitie Investments III, Inc. and the Centennial Management Group, Inc. for the design, installation, and operation of a distributed network at the Maverik Center.

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

Mobilitie Investments desires to install a wireless network within the Maverik Center. This network will be utilized by various wireless providers to enhance wireless service within the Maverik Center. Mobilitie will provide lump sum payments for every provider they sign up.

Mobilitie designs, constructs and operates outdoor and indoor distributed antenna networks, which provide for the distribution and propagation of wireless telecommunications frequencies. Mobilitie wishes to install an antenna system within the Maverik Center building. In consideration for access, Mobilitie will pay the City and Centennial a one-time fee of \$25,000. In addition, Mobilitie will pay Centennial and the City an additional \$125,000 for the first provider of wireless services, an additional \$100,000 for the second carrier, \$125,000 for the third carrier and \$150,000 for the fourth carrier of wireless services.

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 17-59.

Councilmember Lang seconded the motion.

A roll call vote was taken:

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

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Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 17-60: AWARD A CONTRACT TO VANCON, INC. FOR THE 4100 SOUTH STORM DRAIN PROJECT- 4275 WEST TO 4400 WEST

Mayor Bigelow presented proposed resolution 17-60 that would award a contract to Vancon, Inc. for the 4100 South Storm Drain Project- 4275 West to 4400 West.

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

Bids were opened for the project on April 18, 2017. A total of six (6) bids were received. The lowest responsible bidder was Vancon Inc.

The existing storm drain on 4100 South at 4400 West connects into the shared irrigation/storm drain system on 4400 West. The existing system does not have capacity for the storm flows, and frequently overflows. This project will extend the storm drain in 4100 South from 4275 West to 4400 West with a 42-inch pipe. It is planned that this storm drain will ultimately extend to 5600 West.

Vancon Inc. was the lowest responsible bidder. It is recommended that the project be awarded to Vancon Inc.

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 17-60.

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

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Unanimous.

RESOLUTION 17-61: AWARD A CONTRACT TO MILLER PAVING FOR THE TESS AVENUE SIDEWALK PROJECT

Mayor Bigelow presented proposed resolution 17-61 that would award a contract to Miller Paving for the Tess Avenue Sidewalk Project.

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

Bids were opened for the project on April 18, 2017. A total of four (4) bids were received. The lowest responsible bidder was Miller Paving.

In 2012, Granite School District built a school drop off zone on the back side of Hillsdale Elementary, from the dead end extension of LeAnn Avenue. This created a large number of pedestrians on LeAnn Ave and Tess Ave., where currently there is no sidewalk. The state legislature appropriated \$200,000 through 2016-HB 3, for the installation of sidewalk improvements on Tess Avenue, the remainder will be paid from Class C Road Funds.

This project will add sidewalk to LeAnn and Tess Avenue, connecting Hillsdale Elementary to existing sidewalks and the crosswalk on 3200 West. It is anticipated that construction will take place during the school summer break.

Miller Paving was the lowest responsible bidder. It is recommended that the project be awarded to Miller Paving.

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 17-61.

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

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Unanimous.

RESOLUTION 17-62: AWARD A CONTRACT TO MILLER PAVING FOR THE 6800 WEST IMPROVEMENT PROJECT

Mayor Bigelow presented proposed resolution 17-62 that would award a contract to Miller Paving for the 6800 West Improvement Project.

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

Bids were opened for the project on April 18, 2017. A total of three (3) bids were received. The lowest responsible bidder was Miller Paving.

Granite School District is making improvements to the parking lot of Orchard Elementary at 6800 West 3800 South, to reconfigure access to improve safety on icy days. This project will improve the east side of 6800 West to allow for a new driveway from the school property. The city and the school district have worked together to have the city and school improvements constructed concurrently during the school break.

Miller Paving was the lowest responsible bidder. It is recommended that the project be awarded to Miller Paving.

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 17-62.

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.

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RESOLUTION 17-63: AUTHORIZE THE CITY TO ENTER INTO THE FIRST AMENDMENT TO GROUND LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE UTAH TRANSIT AUTHORITY

Mayor Bigelow presented proposed resolution 17-63 that would authorize the City to enter into the First Amendment to Ground Lease Agreement by and between the City and the Utah Transit Authority.

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

The City and UTA have entered into a ground lease agreement for the site of the future parking structure in Fairbourne Station. The original ground lease agreement contemplated a parking structure between 4-5 stories. The City, as reflected by the development agreement that was recently approved, desires to construct a larger parking structure. The proposed amendment updates the original agreement to reflect the new design.

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 17-63.

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 17-64: APPROVE AN AMPHITHEATER EVENT MANAGEMENT AGREEMENT BETWEEN WEST VALLEY CITY AND PRISTINE ALPINE ENTERTAINMENT, LLC FOR THE USANA AMPHITHEATER

Mayor Bigelow presented proposed resolution 17-64 that would approve an Amphitheater Event Management Agreement between West Valley City and Pristine Alpine Entertainment, LLC for the USANA Amphitheater.

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

When the Amphitheater was constructed, PAE contracted with the City to provide certain management services to the Amphitheater. The City has subcontracted those services to Centennial Management Group. This Amphitheater Event Management Agreement replaces that original agreement, with substantially similar terms.

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 17-64.

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 17-65: APPROVE A SECOND AMENDMENT TO THE PARKING EASEMENT AGREEMENT BETWEEN WEST VALLEY CITY AND PRISTINE ALPINE ENTERTAINMENT, LLC RELEASING A PORTION OF THE EASEMENT AND ADDING NEW EASEMENT AREAS FOR THE USANA AMPHITHEATER

Mayor Bigelow presented proposed resolution 17-65 that would approve a Second Amendment to the Parking Easement Agreement between West Valley City and Pristine Alpine Entertainment, LLC releasing a portion of the easement and adding new easement areas for the USANA Amphitheater.

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

This second amendment releases an area of property from the parking easement at

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the USANA amphitheater so that a new City fire station can be constructed on it. The amendment also adds new areas of property to the Parking Easement Agreement, and specifies the improvements that the City will construct to provide access to the new easement areas for parking.

The release of this area from the Parking Easement Agreement will allow a new West Valley City fire station to be built in the southwest part of the City.

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 Resolution 17-65.

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.

RESOLUTION 17-66: ADOPT A TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018; AND SETTING AUGUST 8, 2017 AS THE DATE FOR PUBLIC HEARING

Mayor Bigelow presented proposed resolution 17-66 that would adopt a tentative budget for the fiscal year commencing July 1, 2017 and ending June 30, 2018; and setting August 8, 2017 as the date for public hearing.

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

West Valley City will adopt a tentative budget that will be made available for public inspection during regular office hours in the City's Recorder's office and gave notice of a hearing to receive public comment, before the final adoption of this tentative budget for FY 2017-2018.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City

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Council, and he called for a motion.

Councilmember Christensen moved to approve Resolution 17-66.

Councilmember Nordfelt seconded the motion.

Mayor Bigelow stated that he is concerned about the 1 million dollars requested for vehicles. He indicated that he feels it's wise to keep a balanced budget but doesn't feel needs are being covered. Mayor Bigelow indicated the City still seems to be dealing with issues from the latest recession which he feels it should no longer be experiencing. He expressed concern for future recessions.

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, MAY 2, 2017, WAS ADJOURNED AT 6:59 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, May 2, 2017.

Nichole Camac
City Recorder