

MINUTES OF COUNCIL REGULAR MEETING – JUNE 13, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 13, 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 PRO-TEM VINCENT.

THE FOLLOWING MEMBERS WERE PRESENT:

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/ Mayor Pro Tem

ABSENT:

Ron Bigelow, Mayor

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/ HR Director
Steve Lehman, Acting 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, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works 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 JUNE 6, 2017

The Council considered the Minutes of the Regular Meeting held June 6, 2017. There were no changes, corrections or deletions.

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Councilmember Lang moved to approve the Minutes of the Regular Meeting held June 6, 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

Paul Nichols stated that there are traffic concerns on 5600 West and 4100 South regarding speed. He indicated that something needs to be done.

Judy Weeks, American Preparatory Academy, thanked the Police Department and Fire Department for attending the “Lights Off” Event at the school. She indicated that there was a positive response from students, faculty, and parents.

B. CITY MANAGER COMMENTS

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

C. CITY COUNCIL COMMENTS

Upon inquiry, there were no comments from the City Council.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION Z-5-2017, FILED BY SAMUEL WRIGHT, REQUESTING A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 7079 AND 7091 WEST GATES AVENUE

Mayor Pro-Tem Vincent informed a public hearing had been advertised for the Regular Council Meeting scheduled June 13, 2017, in order for the City Council to hear and consider public comments regarding application Z-5-2017, filed by Samuel Wright, requesting a zone change from A (agriculture, minimum lot size ½ acre) to M (manufacturing) for property located at 7079 and 7091 West Gates Avenue.

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

Samuel Wright has requested a zone change on two parcels totaling 0.88 acres at 7091 and 7079 W Gates Avenue from A (agriculture, minimum lot size ½ acre) to M (manufacturing). Surrounding zones include A to the west, south, east and a portion of the property to the north and M for the remaining portion of the property to the north. The Planning Commission recently recommended approval to change the zoning on the property to the north from A to M. Neighboring uses include auto towing, repair, and sales to the north; a salvage yard to the west; and single family homes to the east and south. The subject property is designated as light manufacturing in the West Valley City General Plan.

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The applicant has submitted a concept plan and written description for his proposal. The intended entryways, and timber frame trussing systems. The proposed building would be steel with a single slope design.

Given concerns expressed about potential noise and other impacts from the Planning Commission and a neighbor, the Planning Commission recommended a development agreement to limit the hours of operation and limit the potential future uses of the property.

Mayor Pro-Tem Vincent opened the Public Hearing. There being no one to speak in favor or in opposition, Mayor Pro-Tem Vincent closed the Public Hearing.

ACTION: ORDINANCE NO. 17-23, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 7079 AND 7091 WEST GATES AVENUE FROM A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO M (MANUFACTURING)

The City Council previously held a public hearing regarding proposed Ordinance 17-23 that would amend the zoning map to show a change of zone for property located at 7079 and 7091 West Gates Avenue from A (Agriculture, Minimum Lot Size ½ Acre) TO M (Manufacturing).

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

Councilmember Lang moved to approve Ordinance 17-23.

Councilmember Christensen seconded the motion.

Councilmember Buhler stated that the Development Agreement will severely restrict the uses to the Light Industrial one.

A roll call vote was taken:

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

Unanimous.

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ACTION: RESOLUTION 17-83, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SAMUEL WRIGHT FOR APPROXIMATELY 0.88 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 7079-7091 WEST GATES AVENUE

Mayor Pro-Tem Vincent presented proposed resolution 17-83 that would authorize the City to enter into a Development Agreement with Samuel Wright for approximately 0.88 Acres of property located at approximately 7079-7091 West Gates Avenue.

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

Samuel Wright has submitted a rezone application (Z-5-2017) to change a 0.88 acre property at 7079 and 7091 W Gates Avenue from A (agriculture, minimum lot size ½ acre) to M (manufacturing). While the General Plan does anticipate light industrial uses along Gates Avenue, there are homes to the south and east of the subject property. To help mitigate potential impacts to neighboring homes, the Planning Commission recommended a development agreement to limit the hours of operation, make the north side of the building more inviting, and limit the uses that would be allowed on the subject property.

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

Councilmember Christensen moved to approve Resolution 17-83.

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 Pro Tem Vincent	Yes

Unanimous.

RESOLUTION NO. 17-84: APPROVE AN AGREEMENT BETWEEN WEST VALLEY CITY AND LARSEN, LARSEN, NASH & LARSEN, ATTORNEY'S AT LAW, ("LLNL") FOR INDIGENT DEFENSE SERVICES

Wayne Pyle, City Manager, presented proposed Resolution 17-84 that would approve an agreement between West Valley City and Larsen, Larsen, Nash & Larsen, Attorney's at Law, ("LLNL") for Indigent Defense Services.

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

The Sixth Amendment of the United States Constitution requires the City to provide legal representation to indigent defendants. LLNL has been providing this service to the City by contract for over 30 years. This firm is familiar with the Court requirements and procedures and provides competent and valuable service to the City. Because of this competent experience, LLNL was chosen as a professional service provider under the Procurement Code.

A robust contract has been negotiated and executed by LLNL to meet all the requirements of the Sixth Amendment and subsequent case law.

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

Councilmember Lang moved to approve resolution 17-84.

Councilmember Nordfelt 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 Pro-Tem Vincent	Yes

Unanimous.

RESOLUTION NO. 17-85: APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY CITY (THE "CITY") AND SALT LAKE CITY TO PARTICIPATE IN A COLLABORATED EFFORT TO INCREASE ARRESTS OF DOMESTIC VIOLENCE AND PROTECTIVE ORDER VIOLATION OFFENDERS FUNDED BY A \$10,000 ALLOTMENT FROM A USDOJ, OFFICE OF VIOLENCE AGAINST WOMEN GRANT

Wayne Pyle presented proposed Resolution 17-85 that would approve a Memorandum of Understanding between West Valley City (the "City") and Salt Lake City to participate in a collaborated effort to increase arrests of domestic violence and protective order violation offenders funded by a \$10,000 allotment from a USDOJ, Office of Violence Against Women Grant.

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

In May, 2017, the Salt Lake City Police Department notified our Department of an opportunity to participate in a collaborated effort to increase arrests of domestic violence and protective order violation offenders. This enforcement is to come in the form of overtime shifts where uniformed West Valley City Police Officers will work in teams of two and attempt to locate suspects of the previously-mentioned crimes that have yet to be arrested. The officers will be provided with a list of offenders by our Victim Advocate Office.

Each shift will be five hours long and compensation for the officers' work will be at their time and a half salary, with a cap of \$50 per hour. The funding for this project was provided to the Salt Lake City Police Department by way of a grant offered through the USDOJ, Office of Violence Against Women. The Salt Lake City Police Department was then authorized to extend an invitation to police agencies within the Valley Police Alliance to participate as well. The memorandum of understanding between Salt Lake PD and our own agency specifies that we will have \$10,000 to use towards this enforcement until 12/31/2017.

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

Councilmember Buhler moved to approve resolution 17-85.

Councilmember Huynh 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 Pro-Tem Vincent	Yes

Unanimous.

RESOLUTION NO. 17-86: AWARD A CONTRACT TO BROKEN ARROW CONSTRUCTION CORPORATION FOR THE REPLACEMENT OF THE ROOF AT THE FAMILY FITNESS CENTER

Mayor Pro-Tem Vincent presented proposed Resolution 17-86 that would award a contract

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to Broken Arrow Construction Corporation for the replacement of the roof at the Family Fitness Center.

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

Parks and Recreation publicly advertised for proposals for the roof replacement at the Family Fitness Center. Work has been performed consistently over the years to keep the roof functional, however, there have been ongoing issues including frequent leaks in many areas and areas of deterioration down to the scrim.

The project was posted in the newspaper and several companies were contacted by staff. The proposals were evaluated and compared against each other in a matrix format by a committee of three. Of the six proposals, three met specifications. Their proposed prices are as follows:

Broken Arrow Construction Corporation:	\$227,290.00
Conwest, Inc.:	\$255,347.00
Contract West Roofing Inc.:	\$289,800.00

Out of these proposals, Broken Arrow Construction Corporation was the lowest responsible bidder.

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

Councilmember Huynh moved to approve resolution 17-86.

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 Pro-Tem Vincent	Yes

Unanimous.

RESOLUTION NO. 17-87: AWARD A CONTRACT TO MORGAN PAVEMENT MAINTENANCE FOR THE 2017 ASPHALT POLYMER TREATMENT

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PROJECT

Mayor Pro-Tem Vincent presented proposed Resolution 17-87 that would award a contract to Morgan Pavement Maintenance for the 2017 Asphalt Polymer Treatment Project.

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

Bids were opened for the project on May 23, 2017. A total of two (2) bids were received. The lowest responsible bidder was Morgan Pavement Maintenance.

This project consists of the application of a polymer mastic seal as a high density roadway surface preservation treatment on several roads within the city. The mastic seal is a combination of a polymer modified asphalt emulsion mixed with fine aggregate and sprayed onto the pavement surface. It is designed to seal the surface on newer pavements to prevent oxidation of the asphalt oil from water infiltration and ultraviolet exposure. The roads selected for this treatment are generally lower volume roads.

This project will treat over 226,000 square yards, at a price of \$1.56/ square yard. An overview of the capital improvements plan can be found at the following link.

<https://wvc-ut.maps.arcgis.com/apps/webappviewer/index.html?id=a49389a9429a4b1a9412d627d0bc47e1>

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

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

Councilmember Christensen moved to approve resolution 17-87.

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 Pro-Tem Vincent	Yes

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Unanimous.

RESOLUTION NO. 17-88: AWARD A CONTRACT TO ADVANCED PAVING AND CONSTRUCTION FOR THE 2017 CHIP SEAL PROJECT

Mayor Pro-Tem Vincent presented proposed Resolution 17-88 that would award a contract to Advanced Paving and Construction for the 2017 Chip Seal Project.

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

Bids were opened for the project on May 23, 2017. A total of one (1) bid was received. The lowest responsible bidder was Advanced Paving and Construction.

As a means of pavement preservation, one technique being employed by the city is the use of a chip seal on certain roads. A chip seal consists of the application of a thin layer of asphalt emulsion, into which a uniform layer of small rocks or chips is placed and rolled to embed the chips. A flush coat of asphalt emulsion is applied to lock down any loose chips along with the placement of a fine sand to absorb and excess asphalt emulsion.

This treatment is being applied to newer pavements on higher volume roads. The chip seal will help protect the oil in the existing pavement from oxidation due to water and sunlight, in addition to providing necessary skid resistance.

This project will treat over 126,000 square yards, at a price of approximately \$2.44/square yard. An overview of the capital improvements plan can be found at the following link.

<https://wvc.ut.maps.arcgis.com/apps/webappviewer/index.html?id=a49389a9429a4b1a9412d627d0bc47e1>

Advanced Paving and Construction was the lowest responsible bidder. It is recommended that the project be awarded to Advanced Paving and Construction.

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

Councilmember Buhler moved to approve resolution 17-88.

Councilmember Huynh seconded the motion.

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A roll call vote was taken:

Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Pro Tem Vincent	Yes

Unanimous.

CONSENT AGENDA

A. RESO. 17-89: AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH GRANGER COMMUNITY CHRISTIAN CHURCH AND TO ACCEPT A WARRANTY DEED FOR PROPERTY LOCATED AT 3232 WEST AND 4100 SOUTH (15-32-482-027)

Mayor Pro Tem Vincent presented proposed Resolution 17-89 that would authorize the City to enter into a Right-of-Way contract with Granger Community Christian Church and to accept a Warranty Deed for property located at 3232 West and 4100 South (15-32-482-027).

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

The Granger Community Christian Church parcel located at 3232 West 4100 South is one of the properties affected by the 4100 South 3200 West Signal Upgrade Project. This project will upgrade the signal equipment and add a dedicated right-turn lane to westbound 4100 South at 3200 West. The acquisition from Granger Community Christian Church includes 260 square feet of right-of-way. Compensation for the purchase of the Warranty Deed and improvements is \$3,000.00 based upon the compensation estimate prepared by the DH Group, LLC.

The project is being funded under the Highway Safety Improvement Program (HSIP) with federal funds. Under a previously executed federal aid agreement, West Valley City is responsible for 6.77% of all project costs, including right of way. With the total value of the acquisition and easement for this acquisition being \$3,000.00, the West Valley City share of these costs will be \$203.10.

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

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Councilmember Christensen moved to approve Resolution's 17-89 on the Consent Agenda.

Councilmember Nordfelt 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 Pro Tem Vincent	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, JUNE 13, 2017, WAS ADJOURNED AT 6:44 P.M. BY MAYOR PRO-TEM VINCENT.

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, June 13, 2017.

Nichole Camac
City Recorder