

MINUTES OF COUNCIL REGULAR MEETING – JUNE 20, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 20, 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 (*Participated electronically as noted*)
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Paul Isaac, Assistant City Manager/ HR Director/Acting City Manager
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Matt Elson, Acting 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

Karen Lang conducted the Opening Ceremony. She requested that members of the Council, staff, and audience rise and recite the Pledge of Allegiance. Councilmember Lang requested that kindergartners attending American Preparatory Academy stand and recite the Gettysburg Address that they worked to learn during the school year.

APPROVAL OF MINUTES OF REGULAR MEETING HELD JUNE 13, 2017

The Council considered the Minutes of the Regular Meeting held June 13, 2017. There were no changes, corrections or deletions.

Councilmember Vincent moved to approve the Minutes of the Regular Meeting held June 13, 2017. Councilmember Lang seconded the motion.

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

AWARDS, CEREMONIES, AND PROCLAMATIONS

A. DISTINGUISHED BUDGET PRESENTATION AWARD FROM GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)

Kim Coleman presented the Distinguished Budget Presentation Award to the Council and members of the Finance Department. He briefly described the program, the process, and the accomplishment the City has earned.

COMMENT PERIOD

A. PUBLIC COMMENTS

Russell Sanderson stated that he served as the auditor in the City in 1981 for a year and a half. He indicated that he realized the City didn't have the finances to move the City forward effectively. Mr. Sanderson stated that it was determined that property taxes would need to be raised and he was part of this process. He described his experiences as the Director of Finance at the City, his positive experiences with current staff, and his excitement to be back living in the City after a 15 year hiatus.

Lynn Sanderson stated that he is a candidate for District 4 this coming year. He indicated that he is excited to be part of the City Council and introduced his wife Marilyn. Mr. Sanderson stated that he will be attending all Council meetings so he is up to date on issues when he is elected.

B. CITY MANAGER COMMENTS

Upon inquiry, Paul Isaac, Acting City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Tom Huynh thanked Russell Sanderson for his efforts over the years and his contribution to the City.

RESOLUTION NO. 17-90: AUTHORIZE THE ACCEPTANCE OF A PROPOSAL BY KEDDINGTON AND CHRISTENSEN, CERTIFIED PUBLIC ACCOUNTANTS, LLC TO PROVIDE AUDITING SERVICES TO WEST VALLEY CITY FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Mayor Bigelow presented proposed Resolution 17-90 that would authorize the acceptance of a proposal by Keddington and Christensen, Certified Public Accountants, LLC to provide auditing services to West Valley City for the fiscal year ending June 30, 2017.

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

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West Valley City is required by law to engage an independent audit firm to audit the City's financial operations. Keddington & Christensen auditors have demonstrated experience and proficiency in municipal audits and knowledge of City operations. This audit will be conducted in accordance with auditing standards generally accepted in the United States of America: the standards for financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States.

Keddington & Christensen, Certified Public Accountants, LLC. has provided audit services for the City in the past and has the technical expertise to evaluate and review all aspects of the City's complex operations.

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 17-90.

Councilmember Vincent seconded the motion.

A roll call vote was taken:

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

Unanimous.

Councilmember Christensen joined the meeting electronically via telephone at 6:56 PM.

RESOLUTION NO. 17-91: AUTHORIZE THE PURCHASE OF A BATT X ARMORED RESCUE VEHICLE FOR USE DURING ACTIVE SHOOTER INCIDENTS AND HIGH-RISK SEARCH WARRANTS

Mayor Bigelow presented proposed Resolution 17-91 that would authorize the purchase of a Batt X Armored Rescue Vehicle for use during active shooter incidents and high-risk search warrants.

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

The Police Department does not currently have a way to safely conduct the rescue

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of citizens and officers in an ongoing active shooter situation. Additionally, standards and recommended tactics have changed for the service of high-risk search warrants. These new tactics, which necessitate the use of a rescue vehicle, are geared toward preserving the lives of officers, innocent bystanders and suspects.

Events of a terroristic nature and active shooter events have increased significantly nationwide and internationally. During these types of events, it is often necessary to rescue injured citizens and officers while still under fire. The Police Department is seeking permission to purchase a Batt X armored vehicle which is designed to facilitate rescues under fire, minimizing or eliminating the risk to the rescuing officers. Additionally, the vehicle would be used by the SWAT Team on high-risk search warrants. The National Tactical Officers Association (NTOA), strongly recommends moving away from the dynamic entry model of search warrant service, which the Department currently follows, to a surround and call out model. This model of high-risk search warrant service, which requires the use of a specially equipped armored vehicle like the Batt X armored vehicle, helps preserve and protect the lives of the officers serving the warrant, and also serves to protect the lives of any innocents and suspects in the residence or business to be searched. The use of this tactic can help prevent tragedies like that which occurred in Ogden, Utah in 2012, when Officer Jared Francom was killed and other officers were injured during the service of a search warrant.

The Armored Group is the sole source vendor for the Batt X armored vehicle, which has several proprietary features that other armored vehicles do not. These proprietary features include a removable front clip giving easy access to the engine which allows for easy vehicle maintenance and a hydraulic, fully articulating arm, which is a necessary tool in the surround and call out model of serving high-risk search warrants.

The cost of the vehicle is \$224,500, with an additional \$15,500 reserved to upfit the vehicle with additional emergency equipment, for a total cost of \$240,000. This money will come from under runs in the Police Department's current budget and will not require additional monies from the City.

Councilmember Vincent stated that he spent three days at WestFest with Police Officers. He indicated that officers felt it was an important piece of equipment. Councilmember Buhler stated that this vehicle would not have saved Officer Brotherson but indicated he was surprised to have learned he was the City's first officer lost. He indicated that he feels it's important to put preventative measures in place and this type of vehicle will do that.

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 17-91.

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.

Councilmember Christensen disconnected from the meeting at 7:01 PM.

RESOLUTION NO. 17-92: AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SILENCERCO, LLC FOR APPROXIMATELY 3.37 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 5443 SOUTH 6055 WEST

Mayor Bigelow presented proposed Resolution 17-92 that would authorize the City to enter into a Development Agreement with Silencerco, LLC for approximately 3.37 acres of property located at approximately 5443 South 6055 West.

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

SilencerCo, LLC has submitted a conditional use application (C-12-2017) to expand their current operations and construct a 40,000 square foot manufacturing facility on a 3.37 acre parcel north of their current operations. Due to the multiple street frontages, the narrow depth of the property, the proximity to residential, and the parking requirements for this use, the applicant proposes to reduce the landscaping setback along 6055 West.

This property is located in the manufacturing zone (M) which requires a 20' setback adjacent to a right-of-way as well as a 20' setback adjacent to residential. The building height is also limited to 20' within that minimum setback adjacent to residential and an additional 2' setback is required for each additional foot in height requested over the minimum. The proposed building is 30' tall so a 40' setback is required. The building must also be placed so the loading dock and shipping areas align with the existing adjacent building. Therefore, there is limited space

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remaining and SilencerCo is requesting that the setback adjacent to 6055 West be reduced to 5'. Pursuant to City Code, setbacks may be reduced as negotiated in a development agreement through the City Council.

The manufacturing zone also requires that at least 5% of the site be landscaped. With the proposed reduction there would still be 25.4% landscaping on site. This includes a large 40' wide berm adjacent to the residential properties that would remain in place. Therefore, staff supports this request and has drafted the attached development agreement.

Councilmember Lang stated this is a good business that employs a lot of West Valley City citizens. Councilmember Vincent stated that there is a large landscaped buffer zone between residents and this property which he also feels is a great contribution, even though there is a reduction in landscaping elsewhere.

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 17-92.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

**A. RESO. 17-93: AUTHORIZE THE CITY TO ACCEPT A PUBLIC
SIDEWALK EASEMENT FROM TRUCKPRO, L.C. FOR PROPERTY
LOCATED AT 5396 WEST 2400 SOUTH**

Mayor Bigelow presented proposed Resolution 17-93 that would authorize the City to accept a Public Sidewalk Easement from Truckpro, L.C. for property located at 5396 West 2400 South.

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

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The Truckpro, L.C. property is the site of the proposed Sprinter Truck Facility. As a condition of approval, installation of a five foot sidewalk and a five foot park strip on the north side of 2400 South. The existing right-of-way line is five north of the existing right-of-way line, which requires an additional five feet of right-of-way or the five foot Public Sidewalk Easement. The property owner chose to convey the Public Sidewalk Easement.

B. RESO. 17-94: AUTHORIZE THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOAN S. BANNING FOR PROPERTY LOCATED AT 3710 SOUTH 3200 WEST (PARCEL 15-32-278-033)

Mayor Bigelow presented proposed Resolution 17-94 that would authorize the City to accept a Grant of Temporary Construction Easement from Joan S. Banning for property located at 3710 South 3200 West (Parcel 15-32-278-033).

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

The Joan S. Banning property is one of two properties affected this emergency pipe replacement on 3200 West. A section of existing corrugated metal pipe (CMP) storm drain piping has failed on the west side of 3200 West. Approximately 200 lineal feet of existing storm drain piping will be removed between two cleanout boxes and replaced with 30 inch reinforced concrete pipe. The existing storm drain is located under the sidewalk on the west side of 3200 West. Existing sidewalk and park strip will be removed and replaced with new sidewalk and textured colored concrete park strip. Additionally, an existing four foot wood fence abutting the sidewalk will need to be removed in order to construct the project. The Grant of Temporary Construction Easement will facilitate construction of the project. Compensation in the amount of \$1,150.00 will allow the property owner to replace her fence after completion of the project by the City.

C. RESO. 17-95: AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH DAVID M. PARKER AND TO ACCEPT A WARRANTY DEED AND A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 3148 WEST 4100 SOUTH (15-33-355-009)

Mayor Bigelow presented proposed Resolution 17-95 that would authorize the City to enter into a Right-of-Way Contract with David M. Parker and to accept a Warranty Deed and a Grant of Temporary Construction Easement for property

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located at 3148 West 4100 South (15-33-355-009).

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

The Joan S. Banning property is one of two properties affected this emergency pipe replacement on 3200 West. A section of existing corrugated metal pipe (CMP) storm drain piping has failed on the west side of 3200 West. Approximately 200 lineal feet of existing storm drain piping will be removed between two cleanout boxes and replaced with 30 inch reinforced concrete pipe. The existing storm drain is located under the sidewalk on the west side of 3200 West. Existing sidewalk and park strip will be removed and replaced with new sidewalk and textured colored concrete park strip. Additionally, an existing four foot wood fence abutting the sidewalk will need to be removed in order to construct the project. The Grant of Temporary Construction Easement will facilitate construction of the project. Compensation in the amount of \$1,150.00 will allow the property owner to replace her fence after completion of the project by the City.

D. RESO. 17-96: AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH NICHOLAS F. ADLE AND SUSAN ADLE AND TO ACCEPT A WARRANTY DEED, PERPETUAL EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 3190 WEST 4100 SOUTH (15-33-355-021)

Mayor Bigelow presented proposed Resolution 17-96 that would authorize the City to enter into a Right-of-Way Contract with Nicholas F. Adle and Susan Adle and to accept a Warranty Deed, Perpetual Easement, and a Temporary Construction Easement for property located at 3190 West 4100 South (15-33-355-021).

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

The Nicholas F. Adle and Susan Adle parcel located at 3190 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 Nicholas F. Adle and Susan Adle includes 1,057 square feet of right-of-way, Perpetual Easements and Temporary Construction Easements. Compensation for the purchase of the Warranty Deed, Perpetual Easement, Temporary Construction Easement and improvements is \$19,500.00 and was negotiated based upon the appraisal prepared by the prepared by the DH Group, LLC which indicated an appraised value of

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\$17,300.00.

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 easements for this acquisition being \$19,500.00, the West Valley City share of these costs will be \$1,320.15.

E. RESO. 17-97: AUTHORIZE THE CITY TO ACCEPT A WARRANTY DEED, PUBLIC SIDEWALK, LIGHTING AND UTILITY EASEMENT, AND A PUBLIC SIDEWALK EASEMENT FROM REDWOOD PG, LLC FOR PROPERTY LOCATED AT 2175 SOUTH REDWOOD ROAD (15-22-202-016)

Mayor Bigelow presented proposed Resolution 17-97 that would authorize the City to accept a Warranty Deed, Public Sidewalk, Lighting and Utility Easement, and a Public Sidewalk Easement from Redwood PG, LLC for property located at 2175 South Redwood Road (15-22-202-016).

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

Redwood PG, LLC has signed a Warranty Deed, Public Sidewalk, Lighting and Utility Easement, and a Public Sidewalk Easement. Redwood PG, LLC is the owner of the property for the new Maverik convenience store to be located at 2175 S. Redwood Road. As a condition of approval for issuance of a building permit, conveyance of additional right-of-way on 2200 South was required. Also a Public Sidewalk, Lighting and Utility Easement was required along the Redwood Road frontage and a Public Sidewalk Easement was required across a portion of the 2200 South street frontage, where a portion of the required sidewalk falls outside of the public right-of -way on 2200 South Street.

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's 17-93, 17-94, 17-95, 17-96, and 17-97 on the Consent Agenda.

Councilmember Vincent seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	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, JUNE 20, 2017, WAS ADJOURNED AT 7:05 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, June 20, 2017.

Nichole Camac
City Recorder