

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 17, 2017

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 17, 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
Don Christensen, Councilmember At-Large
Lars Nordfelt, 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:

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

Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Colleen Nolan, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
David Moss, Acting CPD Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

OPENING CEREMONY

Steve Vincent conducted the Opening Ceremony. He requested that members of the audience, City Staff, and the Council rise and recite the Pledge of Allegiance and added that despite controversy in the NFL regarding this, it is important that we do it as often as possible.

SPECIAL RECOGNITIONS- SCOUTS

Mayor Bigelow welcomed Scout Troop No. 1876 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 OCTOBER 10, 2017

The Council considered the Minutes of the Regular Meeting held October 10, 2017. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held October 10, 2017. Councilmember Christensen seconded the motion.

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

AWARDS, CEREMONIES AND PROCLAMATIONS

- A. **CERTIFICATE OF EXCELLENCE IN CITIZEN-CENTRIC REPORTING**
Jill Flygare presented the Certificate of Excellence in Citizen-Centric Reporting Award to members of the Finance Department.

COMMENT PERIOD

- A. **PUBLIC COMMENTS**
Upon inquiry, there were no members of the public wishing to speak.
- B. **CITY MANAGER COMMENTS**
Paul Isaac, Acting City Manager, had no comments.
- C. **CITY COUNCIL COMMENTS**
Upon inquiry, members of the City Council had no comments.

ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-1-2017, FILED BY BRAD REYNOLDS CONSTRUCTION, REQUESTING A GENERAL PLAN CHANGE FROM NON-RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL (7-12 UNITS/ACRE) AND A ZONE CHANGE FROM A (AGRICULTURE) TO RM (MULTIPLE UNIT DWELLING RESIDENTIAL) FOR PROPERTY LOCATED AT 4530 SOUTH 2700 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled October 17, 2017, in order for the City Council to hear and consider public comments regarding application GPZ-1-2017, filed by Brad Reynolds Construction, requesting a General Plan Change from Non-Retail Commercial to Medium Density Residential (7-12 Units/Acre) and a Zone Change from A (Agriculture) to RM (Multiple Unit Dwelling Residential) for property located at 4530 South 2700 West.

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

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This application was continued by the Council on 9/12/2017. In summary, the main issues discussed included parking, the number of units with main floor master bedrooms, and amenities. The latest concept plan adds 34 visitor parking stalls, adds 6 more units with main floor master bedrooms, and eliminates the pool and clubhouse.

The City Council changed the zoning on this property last year from A to RM for a senior condo project. However, the developer did not pursue the project and so the City rezoned the property back to the A zone shortly thereafter.

The current applicant is planning to develop the property into a 149-unit townhome project. The density of the project is 9.5 units/acre. The attached concept plan and letter from the applicant provide details on the proposed project. Also included are photos of the proposed townhomes that have been built in Riverton at approximately 12700 South Redwood Road.

The points below may help the Council determine whether townhomes are an appropriate use for this property.

- There are no stub streets to the two adjoining residential developments to the north and west.
- The online real estate database company Zillow shows neighboring home values ranging from the low to high \$200s. According to the applicant, the proposed townhomes would start at \$250,000.
- 2700 W is a 100' right-of-way, five lane arterial street that is serviced by UTA bus route 227.
- Average annual daily traffic (AADT) on 2700 W for 2015 was 16,670. A five lane arterial can handle a traffic volume of 26,500 at a level of service (LOS) C and 30,500 at an LOS D. According to the Institute of Transportation Engineers, townhomes generate 5.81 trips per day.
- Retail and other commercial services exist about ¼ mile to the south along 2700 W and 4700 S.

Mayor Bigelow opened the Public Hearing.

Brad Reynolds, the applicant, thanked the Council for comments that were made at the previous Public Hearing. He indicated that an additional 32 parking stalls were added and a 3.7 spaces per unit ratio is being met. Mr. Reynolds stated that there an additional four 55 and older units with a single main floor have been added. He also indicated that more green space and walkability has been incorporated into the plan and the clubhouse and pool have been removed to lessen the cost of HOA fees. Mr. Reynolds stated that the units are

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high quality and will include such features as granite, tile, two tone paint, etc. as standard features. Mayor Bigelow stated that the issue paper submitted by staff indicates that there are 28 ground floor units, which would indicate that an additional 6 have been added. Mr. Reynolds replied that this is likely correct.

Councilmember Buhler thanked Mr. Reynolds for his efforts and asked if this product is something his company is proud of and feels will be a success in this location. Mr. Reynolds replied that the product has not changed and is still the top quality it was always proposed to be. He indicated that he feels good about the revamped site plan, additional green space, walkability, and parking. Mr. Reynolds stated that he feels the product will be well received and will sell quickly.

Mayor Bigelow closed the Public Hearing.

ACTION: ORDINANCE NO. 17-31, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM NON-RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL (7-12 UNITS/ACRE) FOR PROPERTY LOCATED AT 4530 SOUTH 2700 WEST ON 15.61 ACRES

The City Council previously held a public hearing regarding proposed Ordinance 17-31 that would amend the General Plan to show a change of land use from non-retail commercial to medium density residential (7-12 Units/Acre) for property located at 4530 South 2700 West on 15.61 Acres

Councilmember Buhler stated that this is likely a difficult piece of property to develop based on the numerous applications that have been brought before the Council. He indicated that he feels that, given the surrounding area, this will be a good housing development for the vacant land.

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 17-31.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	No
Ms. Lang	No
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes

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Brad Reynolds has submitted an application (GPZ-1-2017) on 15.61 acres to change the zoning from A (agriculture, minimum lot size ½ acre) to RM (residential, multi-family) and to change the General Plan from non-retail commercial to medium density residential (7 to 12 units/acre). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

Below is a list of some of the main points from the development agreement:

1. No more than 149 townhomes will be built.
2. The minimum townhome sizes will be 1,156 sq. ft. for rambler units and 1,434 for two-story units. All townhomes will include a basement and 2 car garage.
3. All townhomes shall include 9' ceilings with vaulted ceilings, a Jacuzzi tub and double sink vanity in all master bedrooms, two-tone paint, granite countertops in the kitchens and bathrooms, and a tiled kitchen nook and bathroom floors.
4. Four different building styles and color schemes will be used.
5. Exterior materials will be brick, stone, fiber cement siding, and stucco.
6. A 6' precast concrete wall will be constructed along 2700 West and a 6' vinyl fence will be installed along all other sides.
7. Amenities will include courtyards, private garden spaces, a BBQ area, a patio or balcony for each unit, a pavilion, a sport court, walking paths, a tot lot, and an entrance feature.
8. At least 34 visitor parking spaces will be included.

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 17-146.

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

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Mayor Bigelow Yes

Unanimous.

RESOLUTION 17-161: AUTHORIZE THE CITY TO ENTER INTO PROPERTY SCHEDULE NO. 13 OF THE MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH US BANCORP GOVERNMENT LEASING AND FINANCING INC. WITH RESPECT TO A LEASE FOR THE PURCHASE OF EQUIPMENT

Mayor Bigelow presented proposed Resolution 17-161 that would authorize the City to enter into Property Schedule No. 13 of the Master Tax-Exempt Lease/Purchase Agreement with US Bancorp Government Leasing and Financing Inc. with respect to a lease for the purchase of equipment.

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

West Valley needs to add additional resources for servers and storage in order to maintain data integrity. This lease is intended to last 5 years with quarterly payments with an interest rate of 2.08%. The City will own the equipment at the end of the lease term.

US Bancorp Government Leasing and Finance Inc. has provided a highly competitive leasing proposal for the purchase of this equipment. The proposed lease payment schedule falls within the existing authorized budget 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 Christensen moved to approve Resolution 17-161.

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

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Unanimous.

RESOLUTION 17-162: AUTHORIZE THE PURCHASE OF A NEW DATA STORAGE SYSTEM, NEW STORAGE SERVERS AND STORAGE, AND ASSOCIATED SOFTWARE, HARDWARE, AND SERVICES

Mayor Bigelow presented proposed Resolution 17-162 that would authorize the purchase of a new data storage system, new storage servers and storage, and associated software, hardware, and services.

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

Support for our current Storage Area Network is up in January. New storage is needed to replace it. In addition, no servers are running at our disaster recovery site. If we were to lose all our infrastructure at City Hall. It could take months to get back online. A system that replicates our servers at City Hall to our Disaster Recovery Site at Tonaquint in St. George would allow us to get services running within 24 hours.

After considering many systems it was determined that Datrium's Storage System would best meet our needs. A Formal bidding process went into effect in September. Tivitri won the bid. If approved, this purchase would increase the storage size and storage access speeds for all of our 130 servers at City Hall. It would also allow us to replicate all of our servers and storage at Tonaquint. In the event of a disaster, we could redirect desktop computers there. Favorable terms have been negotiated with US BANCORP Government Leasing and Finance, to initiate a lease purchase transaction. The City has obtained a rate of 2.08% for 5 years.

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 17-162.

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

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Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 17-163: AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH DLS CONSULTING, INC. FOR PROFESSIONAL SERVICES FROM SEPTEMBER 30, 2017 THROUGH SEPTEMBER 30, 2018

Mayor Bigelow presented proposed Resolution 17-163 that would authorize the City to enter into an agreement with DLS Consulting, Inc. for professional services from September 30, 2017 through September 30, 2018.

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

Dave Stewart has represented West Valley City for several years at the State legislature. His representation has resulted in the receipt of significant appropriation and has provided the City with protection from regulations that may have been detrimental. Dave Stewart has exceptional knowledge of the City and its needs and is able to represent the City effectively.

DLS will provide the City with professional services by interacting with other governmental agencies, including lobbying the Utah Legislature on issues important to the City. This agreement runs from September 30, 2017 through September 30, 2018 with a 90-day termination provision.

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 17-163.

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

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Unanimous.

RESOLUTION 17-164: APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY CITY ("THE CITY") AND SALT LAKE COUNTY FOR THE FUNDING OF NALOXONE PACKS FOR WEST VALLEY CITY POLICE OFFICERS

Mayor Bigelow presented proposed Resolution 17-164 that would approve a Memorandum of Understanding between West Valley City ("The City") and Salt Lake County for the funding of Naloxone Packs for West Valley City Police Officers.

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

Salt Lake County agrees transfer five thousand two hundred and fifty dollars (\$5,250.00) to West Valley City for the purchase 70 Naloxone packs for use by West Valley City officers to prevent or mitigate the effects of opioid abuse in Salt Lake County. West Valley City agrees to use the funds to purchase Naloxone kits and to obtain appropriate training, for city personnel who will be issued a Naloxone kit, in the use of Naloxone.

Both Salt Lake County and West Valley City recognize the need to address the dangers of opiate overdose and to foster efforts to improve the ability of emergency responders to provide prompt and effective medical assistance. Naloxone is a prescription medication for the treatment and prevention of opioid overdose. Research shows that when naloxone is distributed in communities it can reduce overdose deaths by as much as 50 percent. Salt Lake County, through the Salt Lake County District Attorney's Office has funding available to finance the purchase of Naloxone kits for the treatment of opiate overdose, and to provide training for first responders in its use. West Valley City Police Department officers are frequently first responders to incidents involving opiate abuse, and as such are in a position to provide onsite emergency medications to prevent an overdose from resulting in death or serious injury.

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 17-164.

Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes

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Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 17-165: APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY CITY AND THE UTAH ATTORNEY GENERAL'S OFFICE TO FORMALIZE A WORKING RELATIONSHIP BETWEEN THE WEST VALLEY CITY POLICE DEPARTMENT AND THE ATTORNEY GENERAL'S OFFICE FOR USE OF THE GRANT FUNDS USED TO ENFORCE AND INVESTIGATE LAWS DEALING WITH INTERNET CRIMES AGAINST CHILDREN (ICAC)

Mayor Bigelow presented proposed Resolution 17-165 that would approve a Memorandum of Understanding between West Valley City and the Utah Attorney General's Office to formalize a working relationship between the West Valley City Police Department and the Attorney General's Office for use of the Grant Funds used to enforce and investigate laws dealing with Internet Crimes Against Children (ICAC).

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

The West Valley City Police Department has participated with the Utah Officer of the Attorney General, Internet Crimes Against Children (ICAC) Task Force for many years. Detectives with our department work hand in hand with the ICAC Task Force to investigate internet crimes against children occurring in West Valley City. This collaboration has been very successful for many years. The detectives assigned to the task force work this as a collateral assignment and are compensated in overtime reimbursed by this MOU/grant.

The memorandum of understanding between the Utah ICAC Task Force and West Valley City Police Department specifies that we are receiving \$18,000 to use towards vigorously and properly investigating crimes against children that occur in some relationship with the Internet or other electronic media devices. Those investigations will be conducted only by sworn detectives and in a spirit of cooperation with other ICAC task force members. The funding is available from July 1, 2017 until June 30, 2018.

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 Buhler moved to approve Resolution 17-165.

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. RESO. 17-166: AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY AGREEMENT WITH BRAD TOBLER AND TO ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT FOR PROPERTY LOCATED AT 3661 SOUTH HAWKEYE STREET (3840 WEST) (15-32-106-018)

Mayor Bigelow presented proposed Resolution 17-166 that would authorize the City to enter into a Right of Way Contract with Brad Tobler and accept a Warranty Deed and a Temporary Construction Easement for property located at 3661 South Hawkeye Street (3840 West) (15-32-106-018).

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

The Brad Tobler parcel located at 3661 S. Hawkeye Street is one of two properties which will be affected by the Hawkeye Street Connection Project. This project will include the construction of approximately 77 lineal feet of curb, gutter sidewalk on both sides of the street, together with asphalt paving to make the connection between Hawkeye Street in the Western Acres No. 2 Subdivision and Hawkeye Street in Bridlevale at Wallace Farms Phase 3. The acquisition from Brad Tobler includes 2,308 square feet of right-of-way, and a Grant of Temporary Construction Easement encompassing 770 square feet. Compensation for the purchase of the Warranty Deed, Grant of Temporary Construction Easement and improvements is \$20,400.00 based upon the appraisal report prepared by Integra Realty Resources.

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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 17-166.

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 Vincent voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, OCTOBER 17, 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, October 17, 2017.

Nichole Camac
City Recorder