

MINUTES OF COUNCIL STUDY MEETING – DECEMBER 12, 2017

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, DECEMBER 12, 2017, AT 4:30 P.M. IN THE MULTI-PURPOSE ROOM, 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 (*arrived as noted*)
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3

ABSENT:

Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Steve Pastorik, Acting CED Director
Eric Bunderson, City Attorney
Colleen Nolan, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russ Willardson, Public Works Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
DeAnn Varney, Administration
John Rock, Administration
Steve Lehman, CED
Jody Knapp, CED
Brandon Hill, Legal
Erik Brondum, Public Works
Jerry Thompson, CED

APPROVAL OF MINUTES OF STUDY MEETING HELD DECEMBER 5, 2017

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The Council considered the Minutes of the Study Meeting held December 5, 2017. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Study Meeting held December 5, 2017. Councilmember Buhler seconded the motion.

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

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF DECEMBER 12, 2017

Councilmember Lars Nordfelt noted that he has traded opening ceremony with Steve Vincent.

Upon inquiry by Mayor Bigelow, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular City Council Meeting scheduled later this night.

AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED FOR DECEMBER 19, 2017

A. AWARD FOR THE UTAH CULTURAL CELEBRATION CENTER BASEMENT RENOVATION

Councilmember Christensen offered to read the award for the Utah Cultural Celebration Center Basement Renovation. The award reads as follows:

ENR-Mountain States 2017 Best Interior/Tenant Improvement Project Award

Engineering News Record (ENR) – Mountain States, a leading construction industry magazine, recently awarded the 2017 Best Interior/Tenant Improvement Project, to the Utah Cultural Celebration Center renovation project. Both Layton Construction and EDA architects were recognized as the General Contractor and Architect, respectively, on this successful project.

For the City, Jake Arslanian deserves praise for his vital role as Project Manager. Jake led the team, coordinating work between contractors, architects and the UCCC staff. As usual, Jake was on top of every detail and key to resolving issues quickly and efficiently. The Facilities Division staff pitched in whenever needed to keep costs down and the project moving along. The UCCC staff also did an excellent job working around the construction, as the building remained open and operating throughout the project.

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Following are excerpts from the article in the October 23, 2017 edition of ENR-Mountain States:

“The project converted an unfinished plaza into high-end conference rooms and other attractive public spaces. The design includes exposed ceilings, wood-plank accents, a floating staircase and a new elevator shaft. In addition to a glass-walled executive conference room, the meeting rooms feature high ceilings and multiple partitions to break the space into different sizes.”

“A centrally controlled audiovisual system includes a touch-screen panel for each room, which makes it easy for people renting the spaces to offer high-tech presentations. LED lighting ensures energy conservation, and a sophisticated catering kitchen allows multiple caterers to use it at the same time for different functions.”

“Originally constructed in 2003, the UCCC was designed to highlight the cultural diversity of West Valley City and bring the community closer together. The elegant new space helps the center fulfill its mission: a place to share ideas; inspire, nurture and learn from one another; and enjoy arts, culture, concerts and the performing arts—all under one roof.”

Thanks goes to Jake Arslanian and all others involved in this award-winning project.

PUBLIC HEARINGS SCHEDULED DECEMBER 19, 2017

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION SV-2-2017, FILED BY WEST VALLEY CITY, REGARDING A STREET VACATION FOR PORTIONS OF GIRARD STREET AND MONTROSE AVENUE LOCATED AT APPROXIMATELY 2325 SOUTH 2600 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled December 19, 2017, in order for the City Council to hear and consider public comments regarding application SV-2-2017, filed by West Valley City, regarding a street vacation for portions of Girard Street and Montrose Avenue located at approximately 2325 South 2600 West.

Proposed Ordinance 17-39 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ORDINANCE NO. 17-39, VACATE A PORTION OF GIRARD STREET AND MONTROSE AVENUE IN WEST VALLEY CITY

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Steve Lehman, CED Department, discussed proposed Ordinance 17-39 that would vacate a portion of Girard Street and Montrose Avenue in West Valley City.

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

West Valley City, is requesting a street vacation for portions of Girard Street and Montrose Avenue located in the Asbury Park Addition Subdivision. More specifically, the street vacation will affect the west half of Girard Street and the north half of Montrose Avenue. The purpose for the street vacation will be to clean up the County Parcel Map regarding streets and alleys that were never constructed.

The streets mentioned in this application were platted as part of the Asbury Park Addition Subdivision recorded in September 1890. The streets and alleys mentioned as part of this request have never been formally improved or used by the general public. Many streets within this subdivision have been vacated over the years.

The proposed street vacation came about as the City was acquiring land for a future storm water project. During the property search for the new storm water project, it was learned that these portions of the old rights-of-way were never vacated. The City is requesting the street vacation to clean up the parcel plat map and to place these properties on the County tax rolls.

The vacated right-of-way will not adversely affect the adjacent property. During the approval process for the Kenworth Trucking business, the east half of Girard Street was vacated. The west half of this right-of-way is occupied by a wrecking yard and a pallet company which are both utilizing the area that will be vacated. The north half of Montrose Avenue is occupied by the pallet company as well.

Councilmember Buhler asked what currently exists on these non-existent streets. Steve replied that existing businesses currently use the property. Mayor Bigelow clarified that this will simply clean up the parcel plat map. Steve replied yes and indicated that this land will never be used for a street.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Ordinance 17-39 at the Regular Council Meeting scheduled December 19, 2017, at 6:30 P.M.

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COMMUNICATIONS

A. HOME DAYCARE PRESENTATION

Steve Pastorik presented a PowerPoint presentation summarized as follows:

- Home Child Care History
 - o 1980- 12 Children
 - o 1987- 6 Children
 - o 1989 to Present- 8 Children
- 1987- Why 6?
 - o Ordinance 87-75: “Whereas, the Uniform Building Code requires significant changes in structures housing child care of greater than 6 children;”
 - o The 1985 Uniform Building Code did require a different occupancy type with for “nurseries for the full-time care of children...”
- 1989 to Present- Why 8?
 - o Ordinance 89-02: “Whereas, these changes will bring West Valley City’s requirements in line with State requirements;”
 - o State amendments to the International Building Code allow day care for “nine to sixteen clients in a home with sufficient staffing.” For nine to sixteen clients, State licensing requires 2 child care providers.
- Home Occupation Definition
 - o Home Occupation means any lawful use conducted within a dwelling *by residents of the dwelling* which is *incidental and secondary to the residential use* of the dwelling and *does not change the residential character* of the dwelling or neighborhood.
 - o Residential Character
 - Quiet
 - Low traffic
 - Little or no advertising
 - o Commercial Character
 - Noisy
 - High traffic
 - Significant advertising

Councilmember Buhler stated that a daycare or preschool may generate different types of traffic at different parts of the day. The Council discussed allowing an additional employee and whether this should be an exception granted to this type of business. They also discussed the difference between preschools and daycares.

Councilmember Buhler asked how many at home business licenses currently exist. Russ Condie replied approximately 1100. Councilmember Nordfelt asked how

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many vehicles can approach a home occupation. Steve replied 2 per hour but added that there are unique situations, including daycares and preschools, that allow for more. Mayor Bigelow asked for clarification between preschool's and daycare's. Steve replied that preschools are limited to 4 hours at 2 sessions per day and added that students can only attend 1 session per day. Mayor Bigelow stated public schools converge onto residential streets every day at 50-100 cars (or more) in the mornings and afternoons. He indicated that he doesn't see how a potential of 16 cars would impact a neighborhood too strongly. Councilmember Buhler stated that people know when they are moving next door to a school but wouldn't know about traffic concerns from a neighboring daycare. He added that several daycares could be located next to one another that would be of even greater impact.

Councilmember Huynh arrived at 4:50 pm

Councilmember Christensen stated that he feels it is necessary to allow an additional employee to come to the house. Mayor Bigelow agreed and indicated that he would be comfortable allowing this just for daycare's and added that the City would just be meeting State requirements. Councilmember Buhler stated that the City already has a concern for on street parking and allowing an off-site employee would add to this concern. Councilmember Lang stated that the ordinance would need to require that the daycare provider have a driveway or the ability to provide off-street parking for a second provider if they don't live in the home. She added that this would also need to be enforced. The Council further discussed additional employees and whether the City should require that they live in the house or allow for them to come off-site. Brandon Hill clarified that the State code doesn't specify family members in the code and also discussed the requirements for age in being a daycare provider.

Councilmember Christensen stated that he feels the City should mirror the State requirement. Councilmember Buhler, Huynh, and Lang agreed. Councilmember Lang added that she feels an off-site employee is fine as long as off-street parking is proved as part of the business license process. Mayor Bigelow, Councilmember Huynh, and Councilmember Christensen agreed. Councilmember Nordfelt and Buhler stated that employees should live in the home.

Staff indicated that a maximum of 16 clients can be brought to the home but a total of 24 children can be present, including a provider's own. It was clarified that 2 providers would be present with this ratio.

Councilmember Nordfelt asked what the timeline for this process would be. Steve Pastorik replied that the application must meet all legal requirements for noticing,

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go through the Planning Commission and City Council, and will likely take about 3 months.

B. SNOW PLOW PREPARATION

Erik Brondum presented a PowerPoint presentation summarized as follows:

- Operations
 - o 14 Plow Areas
 - Start on mains. Clear entire road one time per shift.
 - Make one pass on red roads
 - Start in subdivisions
 - o Staff is prepared to work 12-hour shifts. Noon to midnight and midnight to noon.
 - o Sidewalks/Paths
 - Begin clearing after storm
 - Using trackless is more efficient vs. snow throwers.
- Resources
 - o Operators
 - 28 Total Drivers
 - 2 Total Supervisors
 - o Equipment
 - 14 Large Plows
 - 5 One-Ton Trucks
 - 3 Brine Trucks
- Innovations
 - o Using brine for 6 years.
 - Pre-treating roads based on weather forecast.
 - Adding pre-wetting equipment to trucks as they are replaced.
 - o GPS tracking on all plows.
 - Driver and shift supervisor can verify that all roads are plowed.
- Public Information
 - o Snow Hotline 801-965-7575
 - o Newsletter to remind people not to park on the streets during storms.
 - o Citizen complaint response.
- Last Thoughts
 - o Variability of storms and seasons
 - o Appropriate resources for typical winters
 - o What would it take to increase the current level of service?

The Council discussed the use of salt and brine and the effectiveness of both methods. They also discussed the priority of roads and the efforts of the department. Mayor Bigelow asked if the City is consistent with other Cities. Erik replied yes and added that many cities use brine but it does depend on the amount of resources

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that they have. Mayor Bigelow asked if there will be signs indicating no parking during snow storms. Erik replied that they are already in existence. Mayor Bigelow stated that sometimes snow gets plowed onto the sidewalk. Erik replied that drivers are familiar with their areas and try to be aware of this and avoid it. Mayor Bigelow asked if there are allowances made in the ordinance to assist residents when this occurs. Wayne replied that concerns are dealt with on a case by case basis. Mayor Bigelow asked how cul-de-sacs are handled. Erik replied that all cul-de-sac's can be plowed but it depends on the amount of cars parked in them. Mayor Bigelow asked how snow plows operate when coming out of circle and where the snow is supposed to be pushed. Erik replied that he will speak to his supervisors and provide an answer. Mayor Bigelow asked where sidewalks are done in the City. Erik replied there are many and added that they are typically double frontage lots. He indicated that the City tries to take care of them, even though residents are meant to. Russ Willardson added that roads are the City's first priority, sidewalks are second. Councilmember Buhler asked if the Parks Department handles their own snow plowing. Erik replied yes. Mayor Bigelow asked who maintains the canal trails. Erik replied that this would likely fall to the County. Nancy Day agreed but added that she would find out.

Wayne indicated that the City tries to enforce on-street parking but added that it depends on the amount of officers available. Councilmember Buhler stated that the upcoming unsworn officers may be able to help do this as well. The Council and staff discussed ways of noticing information regarding snow removal including the Valley Journal, Utility Billing envelopes, City website, etc.

C. COUNCIL UPDATE

Mayor Bigelow referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events.

Members of the City Council had no further questions regarding the Council Update.

NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

Home Daycare Regulations

Mayor Bigelow stated that this item was discussed.

Description on Agenda: Executive Session Versus Closed Session

Councilmember Christensen stated that the State Auditor provided a training and told those in attendance that closed meetings should be called as such on the agenda and not executive session. Wayne indicated that Eric Bunderson, City Attorney, has indicated that the City operates under Robert's Rules of Order which labels these meetings as "Executive Session's" so the City is legally safe to continue labeling

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them this way. However, if the Council desires, this can be changed. Councilmember Nordfelt stated that closed session seems to be more clear to residents. Mayor Bigelow stated he would be concerned media would misinterpret that this means the City will always go into closed sessions. Councilmember Buhler suggested adding “if necessary” in parentheses. The Council agreed.

Mayor Bigelow suggested changed the term “Council Update” on the agenda to “Council Calendar”. The Council agreed.

Wayne Pyle stated January 19 and 20 seemed to be good dates for the Strategic Planning Meeting. The Council agreed. They discussed various locations but agreed on the Utah Cultural Celebration Center this year. Mayor Bigelow asked why the City Recorder doesn’t attend the meeting. Wayne replied that the assistant City Manager attends and takes the minutes.

B. COUNCIL REPORTS

COUNCILMEMBER CHRISTENSEN- ULCT LEGISLATIVE AND CONSTITUTIONAL REVISION COMMITTEE, BOB HOPE OPENING

Councilmember Christensen stated that he attended the ULCT Legislative meeting where upcoming bills were discussed. He indicated it was more of a report and the City is aware of many of the upcoming bills. Councilmember Christensen stated that he also attended the Constitutional Revision Committee where he is a member of the board. He discussed UTA briefly. The Council and Wayne discussed municipal townships, special districts, and the future of the City with ULCT. Councilmember Christensen stated that he also attended the Bob Hope Opening at the Cultural Center that was very well attended. He added that Nancy Day announced at the opening that the City will be hosting a golf tournament in April to help with the cost of the event.

MOTION FOR EXECUTIVE SESSION

Councilmember Buhler moved to adjourn and reconvene in an Executive Session for discussion of disposition of real property. Councilmember Christensen seconded the motion.

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY DECEMBER 12, 2017 WAS ADJOURNED AT 6:14 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 Study Meeting of the West Valley City Council held Tuesday, December 12, 2017.

Nichole Camac
City Recorder

THE WEST VALLEY CITY COUNCIL RECONVENED IN EXECUTIVE SESSION ON TUESDAY, DECEMBER 12, 2017, AT 6:17 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER 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

ABSENT:

Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder
Paul Isaac, Assistant City Manager/ HR Director
Eric Bunderson, City Attorney

The City Council met in Executive Session and discussed disposition of real property.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF DECEMBER 12, 2017 WAS ADJOURNED AT 6:33 P.M. BY MAYOR BIGELOW.

Nichole Camac – City Recorder