

MINUTES OF COUNCIL STUDY MEETING – JUNE 13, 2017

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JUNE 13, 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 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
Lee Russo, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russell 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
Jody Knapp, Planning and Zoning

APPROVAL OF MINUTES OF STUDY MEETING HELD JUNE 6, 2017

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

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Councilmember Nordfelt moved to approve the Minutes of the Study Meeting held June 6, 2017. Councilmember Christensen 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 JUNE 6, 2017

Upon inquiry by Mayor Pro-Tem Vincent, 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 JUNE 20, 2017

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

Jim Welch explained that this award will be presented by the Government Finance Officers Association in recognition of the City's budget presentation.

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

Jim Welch, Finance Director, discussed 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:

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.

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Councilmember Nordfelt stated that he feels this company does well for the City and is a good choice moving forward. Councilmember Buhler asked how long Keddington and Christensen have been used by the City for auditing services. Mr. Welch replied the company as a whole since 2003 but added that the company split and this branch has been used for four years. Councilmember Huynh asked if there is any value to using different companies and having a type of rotation. Mr. Welch replied that he has researched this but has found that there is importance in using an audit firm that understands the City's complex organization and functions. He added that using the same company for a period of time also has significant cost benefit.

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

The City Council will consider proposed Resolution No. 17-90 at the Regular Council Meeting scheduled June 20, 2017, at 6:30 P.M.

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

Lee Russo, Police Chief, discussed 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 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

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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 asked how frequently this type of vehicle would need to be deployed. Chief Russo replied approximately 2 dozen times per year. Councilmember Vincent asked if the City has access to others. Chief Russo replied that there are others in the community. Councilmember Huynh asked what is being used now. Chief Russo replied a reconfigured van. Councilmember Buhler expressed concern regarding the cost. Chief Russo talked about potential alternative options. Councilmember Buhler expressed concern about "militarizing" the Police Department. Chief Russo stated that the goal is to protect officers and deescalate high risk situations. He discussed benefits of the vehicle and specific technology that it offers for protection. Chief Russo discussed various scenarios where this type of vehicle could be utilized.

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

The City Council will consider proposed Resolution No. 17-91 at the Regular Council Meeting scheduled June 20, 2017, at 6:30 P.M.

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

Jody Knapp, CED Department, discussed proposed Resolution 17-92 that would authorize the City to enter into a Development Agreement with Silencerco, LLC for approximately

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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 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 Buhler inquired about setbacks. Jody Knapp explained the various proposed setback proposals. The Council and staff discussed proposed landscaping, uses on the property, master plans for the property, and City Ordinances. Councilmember Vincent stated they need the parking and he feels the landscaping overall is sufficient. Councilmember Huynh asked if Silencerco manufactures guns. Jody replied not at this time and added that they only build silencers.

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

The City Council will consider proposed Resolution No. 17-92 at the Regular Council Meeting scheduled June 20, 2017, at 6:30 P.M.

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CONSENT AGENDA SCHEDULED FOR JUNE 20, 2017

**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**

Russ Willardson, Public Works Department, discussed 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:

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.

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

**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)**

Russ Willardson, Public Works Department, discussed 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

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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.

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

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)

Russ Willardson, Public Works Department, discussed 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 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.

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

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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)

Russ Willardson, Public Works Department, discussed 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 \$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.

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

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

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FOR PROPERTY LOCATED AT 2175 SOUTH REDWOOD ROAD (15-22-202-016)

Russ Willardson, Public Works Department, discussed 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, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider proposed Resolution's No. 17-93, 17-94, 17-95, 17-96, and 17-97 at the Regular Council Meeting scheduled June 20, 2017, at 6:30 P.M.

COMMUNICATIONS

A. CITY BUILDING UPDATES

Wayne Pyle provided a timeline that presented various building dates for City projects. Jake Arslanian, Public Works, explained specific details of projects represented on the timeline. Members of the Council and staff discussed various projects, dates, and construction details.

B. DISCUSSION CONCERNING REQUEST FOR STATEMENT ON IMMIGRATION POLICY

Steve Vincent suggested that the Council review the new draft proposal and discuss it further when Mayor Bigelow is in attendance.

C. COUNCIL UPDATE

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Mayor Pro-Tem Vincent 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

Wayne Pyle asked if members of the Council were interested in holding a “Meet the Candidate” or “Debate Night” event for the upcoming elections. The Council discussed and agreed that these events are typically only attended by family members and friends of the candidates. Councilmember Buhler suggested that candidates be given a booth at an upcoming Utah Cultural Center Event. The Council discussed how the election process is changing with Vote by Mail.

B. COUNCIL REPORTS

COUNCILMEMBER BUHLER- IMMIGRATION RESOLUTION

Councilmember Buhler stated that the proposed Immigration Resolution should refer to residents of the City and not just citizens. Councilmember Lang agreed and suggested a specific change to language in the proposed resolution as well.

COUNCILMEMBER LANG- ASSOCIATION OF MUNICIPAL COUNCILS

Councilmember Lang indicated that Sam Klemm, member of the Association of Municipal Councils, will be moving onto other opportunities. She indicated that at the recent meeting, the Road Home and Volunteers of America presented enlightening information regarding their organizations and their efforts to help individuals find permanent housing. Councilmember Lang added that she would like to see them present to the Council during an upcoming meeting.

ADJOURN

Upon motion by Councilmember Lang all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY JUNE 13, 2017 WAS ADJOURNED AT 5:36 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 Study Meeting of the West Valley City Council held Tuesday, June 13, 2017.

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Nichole Camac
City Recorder