

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 26, 2023

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THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, SEPTEMBER 26, 2023 AT 4:30 P.M. AT WEST VALLEY CITY HALL, MULTIPURPOSE ROOM, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3

ABSENT:

Jake Fitisemanu, Councilmember District 4

STAFF PRESENT:

Wayne T Pyle, City Manager (*electronically*)
Nichole Camac, City Recorder
Eric Bunderson, City Attorney
Kent Stokes, Acting Police Chief (*electronically*)
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director
Jonathan Springmeyer, Acting RDA Director
John Flores, HR Director
Sam Johnson, Strategic Communications Director
Ken Cushing, IT (*electronically*)

APPROVAL OF MINUTES OF STUDY MEETING HELD SEPTEMBER 19, 2023

The Council considered the Minutes of the Study Meeting held September 19, 2023. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Study Meeting held September 19, 2023. Councilmember Christensen seconded the motion.

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

**REGULAR CITY COUNCIL MEETING SCHEDULED SEPTEMBER 26, 2023
HAS BEEN CANCELED**

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 3, 2023

**A. ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2023-2024
BUDGET**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled October 3, 2023, in order for the City Council to hear and consider public comments regarding re-opening the FY 2023-2024 Budget

Proposed Ordinance 23-34 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

**ACTION: ORDINANCE NO. 23-34, AMEND THE BUDGET OF WEST
VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND
ENDING JUNE 30, 2024 TO REFLECT CHANGES IN THE BUDGET FROM
INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF
FUNDS**

Jim Welch, Finance Department, discussed proposed Ordinance 23-34 that would amend the Budget of West Valley City for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2024 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds.

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

State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the City to amend its budget during the year. The City holds public hearings on budget amendments on a quarterly basis each fiscal year.

A Public Notice was posted September 21, 2023, in public view at City Hall, the Family Fitness Center and UCCC; also, posted on the Public Notice Website and West Valley City's Website. Notice was given that a public hearing is to be held October 3, 2023, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

The City Council will consider Ordinance 23-34 at the Regular Council Meeting scheduled October 3, 2023 at 6:30 P.M.

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B. ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-8-2023, FILED BY LIEU TRAN, REQUESTING A GENERAL PLAN CHANGE FROM PARKS AND OPEN SPACE EXISTING TO LIGHT MANUFACTURING AND A ZONE CHANGE FROM A-1 (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled October 3, 2023, in order for the City Council to hear and consider Application GPZ-8-2023, Filed by Lieu Tran, Requesting a General Plan Change from Parks and Open Space Existing to Light Manufacturing and a Zone Change from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing) for Property Located at 7007 West Apaloosa Drive

Proposed Ordinance 23-35 and Reso 23-36 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 23-35, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM PARKS AND OPEN SPACE EXISTING TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE

Steve Pastorik, CED Director, discussed proposed Ordinance 23-35 that would amend the General Plan to Show a Change of Land Use from Parks and Open Space Existing to Light Manufacturing for Property Located at 7007 West Apaloosa Drive.

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

The intended development for this property is a mix of 35,000 square feet of self-storage space, 30,000 square feet of flex space, and 4,000 square feet of office. Access would be gained primarily from Beagley Road by crossing the Riter Canal. Apaloosa Drive would provide secondary access.

The following list of current conditions may warrant consideration of M zoning on the subject property:

- The Northwest Economic Development Area (EDA), which was created in 2012, includes the subject property. The Northwest EDA covers approximately 1,000 acres in the northwest part of the City and makes available incentives for commercial development.
- The Magna Water property to the south and east includes wells and a water treatment facility. These uses will likely remain in perpetuity with no chance of having connecting roads to the

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subject parcel.

- The Western Mobile Estates mobile home park to the west has only one access, Apaloosa Drive, to 7200 West. Given that there are already 144 mobile homes with only one access, additional homes on the subject parcel would not be allowed without another access.
- There are large, distribution warehouses that are part of the ARA Industrial Park on the north side of Beagley Road.

ACTION: ORDINANCE NO. 23-36, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 7007 WEST APALOOSA DRIVE FROM A-1 (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO M (MANUFACTURING)

Steve Pastorik, CED Director, discussed proposed Ordinance 23-36 that would amend the Zoning Map to Show a Change of Zone for Property Located at 7007 West Apaloosa Drive from A-1 (Agriculture, Minimum Lot Size 1 acre) to M (Manufacturing).

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

The intended development for this property is a mix of 35,000 square feet of self-storage space, 30,000 square feet of flex space, and 4,000 square feet of office. Access would be gained primarily from Beagley Road by crossing the Riter Canal. Apaloosa Drive would provide secondary access.

The following list of current conditions may warrant consideration of M zoning on the subject property:

- The Northwest Economic Development Area (EDA), which was created in 2012, includes the subject property. The Northwest EDA covers approximately 1,000 acres in the northwest part of the City and makes available incentives for commercial development.
- The Magna Water property to the south and east includes wells and a water treatment facility. These uses will likely remain in perpetuity with no chance of having connecting roads to the subject parcel.
- The Western Mobile Estates mobile home park to the west has only one access, Apaloosa Drive, to 7200 West. Given that there are already 144 mobile homes with only one access, additional homes on the subject parcel would not be allowed without another access.

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- There are large, distribution warehouses that are part of the ARA Industrial Park on the north side of Beagley Road.

Councilmember Nordfelt clarified where the City owned property is located. Steve indicated wetland property on a map that is owned by the City as well as various other parcels in the area. Councilmember Nordfelt stated that the General Plan designates this area as open space and questioned where the location of the Crosstown Trail is. Steve replied it is on the south side of Beagley Road and added that it crosses over at 6500 West. Councilmember Harmon asked what the plan is for the small City owned piece next to the mobile park. Steve replied that there are no current plans for that property and added that it is currently being maintained as wetlands. However, he added, the majority of the wetland focus is further east. Councilmember Harmon asked what the parcel is between Beagley Road and the subject property. Steve replied it is a remnant piece owned by ARA. Councilmember Whetstone noted that the Planning Commission commented this was an unusual place for residential. He indicated that he disagreed and would like to see residential expanded at this location. Councilmember Nordfelt stated that he is nervous about changing the General Plan from open space. Mayor Lang stated that the only way to keep it open space would be for the City to purchase this property. She asked if the City would have any need for this parcel in the future. Dan Johnson, Public Works, stated that the City owns approximately 80 acres of property east of this location, and that land is used as a regional stormwater detention facility that stores about 1/3 of storm water in the City. He noted that the property owner for this piece has brought in fill on this particular property. Councilmember Nordfelt asked if there have been conversations with Magna Water to extend the trail system through their property. Dan replied that they like to keep their site secure due to wells and other potential security concerns but added this has not been discussed.

The City Council will consider Ordinance 23-35 and 23-36 at the Regular Council Meeting scheduled October 3, 2023 at 6:30 P.M.

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 10, 2023

- A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-7-2023, FILED BY CHRISTOPHER CLIFFORD, REQUESTING A GENERAL PLAN CHANGE FROM MIXED USE AND LARGE LOT RESIDENTIAL (2 TO 3 UNITS/ACRE) TO SMALL LOT RESIDENTIAL (4 TO 7 UNITES/ACRE) AND A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO RM (MULTIPLE UNIT DWELLING RESIDENTIAL) FOR PROPERTY LOCATED AT 5143 WEST 3500 SOUTH**

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Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled October 10, 2023, in order for the City Council to hear and consider public comments regarding Application GPZ-7-2023, Filed by Christopher Clifford, Requesting a General Plan Change from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 unites/acre) and a Zone Change from A (Agriculture, Minimum Lot Size 1/2 acre) to RM (Multiple Unit Dwelling Residential) for Property Located at 5143 West 3500 South

Proposed Ordinance 23-37, 23-38 and Resolution 23-142 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 23-37, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM MIXED USE AND LARGE LOT RESIDENTIAL (2 TO 3 UNITS/ACRE) TO SMALL LOT RESIDENTIAL (4 TO 7 UNITES/ACRE) FOR PROPERTY LOCATED AT 5143 WEST 3500 SOUTH
Steve Pastorik, CED Director, discussed proposed Ordinance 23-37 that would amend the General Plan to Show a Change of Land Use from Mixed Use and Large Lot Residential (2 to 3 units/acre) to Small Lot Residential (4 to 7 unites/acre) for Property Located at 5143 West 3500 South

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

Chris Clifford with Matrix Capital Advisors, LC has submitted a General Plan/zone change application (GPZ-7-2023) on 4.34 acres to change the zoning from A (Agriculture, minimum lot size ½ acre) to RM (Multiple Unit Dwelling Residential) and to change the General Plan from Mixed Use and Large Lot Residential (2 to 3 units per acre) to Small Lot Residential (4 to 7 units per acre). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

Below is a summary of the standards in the development agreement:

- The number of homes is capped at 21.
- The minimum square footage of finished, above-ground, habitable floor space for homes is at least 1,650 square feet for single story ramblers and 2,400 square feet for two story dwellings.
- At least 20% of building exteriors will be brick or stone.
- All homes will be ENERGY STAR certified.
- A list of interior features for homes is included.
- A list of amenities is included.

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ACTION: ORDINANCE NO. 23-38, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5143 WEST 3500 SOUTH FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO RM (MULTIPLE UNIT DWELLING RESIDENTIAL)

Steve Pastorik, CED Director, discussed proposed Ordinance 23-38 that would amend the Zoning Map to Show a Change of Zone For Property Located at 5143 West 3500 South from A (Agriculture, Minimum Lot Size 1/2 acre) to RM (Multiple Unit Dwelling Residential).

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

Chris Clifford with Matrix Capital Advisors, LC has submitted a General Plan/zone change application (GPZ-7-2023) on 4.34 acres to change the zoning from A (Agriculture, minimum lot size ½ acre) to RM (Multiple Unit Dwelling Residential) and to change the General Plan from Mixed Use and Large Lot Residential (2 to 3 units per acre) to Small Lot Residential (4 to 7 units per acre). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

Below is a summary of the standards in the development agreement:

- The number of homes is capped at 21.
- The minimum square footage of finished, above-ground, habitable floor space for homes is at least 1,650 square feet for single story ramblers and 2,400 square feet for two story dwellings.
- At least 20% of building exteriors will be brick or stone.
- All homes will be ENERGY STAR certified.
- A list of interior features for homes is included.
- A list of amenities is included.

ACTION: RESOLUTION NO. 23-142, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MATRIX CAPITAL ADVISORS, LC FOR APPROXIMATELY 4.34 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 5143 WEST 3500 SOUTH

Steve Pastorik, CED Director, discussed proposed Resolution 23-142 that would authorize the City to Enter Into a Development Agreement with Matrix Capital Advisors, LC for Approximately 4.34 Acres of Property Located at Approximately 5143 West 3500 South.

Written documentation previously provided to the City Council included

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information as follows:

The applicant is proposing to demolish the existing home and develop a 21-unit planned unit development (PUD) of twin homes and one single unit dwelling. The proposed density is 4.8 units/acre. The streets would be public and utilize the 44' right-of-way allowed in Section 7-13-705 for planned unit developments (PUDs) with attached units.

Last year, Mr. Clifford submitted a General Plan/zone change application on the same three parcels along with an additional parcel to the south. The General Plan request was the same (Small Lot Residential); however, the zoning requested was RS (Residential Sustainability). The Planning Commission recommended approval of the previous application on 2/9/2022; however, the City Council denied the application on 4/12/2022. One of the objections to the application was the use of private streets. A copy of the City Council meeting minutes from 4/12/2022 is included with this report. The City Council later prohibited the use of private streets by passing Ordinance 22-29 on 7/27/2022.

Councilmember Harmon asked what the parking ratio is. Steve replied that it meets the ordinance at 4.75 stalls per unit. He indicated that the applicant is aware of the standard and will comply. Councilmember Christensen asked why the applicant is not interested in applying for the RS zone at this time. Steve replied that this is likely due to cost but added that the Development Agreement would require the homes to be energy star certified. Councilmember Whetstone asked if there have been any other comments, aside from the email provided in the packet, expressing opposition. Steve replied no. Councilmember Nordfelt stated that residents on Kiowa Way didn't want the connection when the last application was submitted. He asked if that street is narrower than what is being proposed. Steve replied that it is built to the older public street standards so it's a little narrower than the standards today but not significantly. Councilmember Nordfelt stated that he would like to declare a conflict of interest and noted that he lives in this neighborhood and knows the neighbors well. He added that he will make his decision based on what is best for the City and not based on those friendships. Councilmember Huynh stated that this is a nice piece of property and indicated he would prefer it to be RS.

The City Council will consider Ordinance 23-37, 23-38 and Resolution 23-142 at the Regular Council Meeting scheduled October 10, 2023 at 6:30 P.M.

RESOLUTION 23-143: APPROVE THE PURCHASE OF A FIRE ENGINE AND RELATED EQUIPMENT FOR USE BY THE FIRE DEPARTMENT

John Evans, Fire Chief, presented proposed Resolution 23-143 that would approve the Purchase of a Fire Engine and Related Equipment for Use by the Fire Department

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

This resolution authorizes the purchase of one (1) 100-foot tower ladder to replace the current Pierce 2015 tower ladder. The current tower will be placed into a reserve status or surplus and sold.

This one (1) replacement tower ladder is the only type of unit we have in the city. This unit responds to all structure fires and with current and future structures in our city is key to our abilities in fighting fires. We have had tower ladders in our city for approximately twenty years. By going with the Pierce brand and familiarity with operations the training will be very minimal for our staff. The time frame for delivery is approximately 33 to 34 months, which with this extended time is important for the ordering of the unit.

In talking with the manufacture, the new emission standards for engines will be changing and ordering now we can save money as well as not extending delivery to 48 months.

We have used the Houston- Galveston Area Council (HGAC) bid process for the purchase of this unit.

The current unit is a 2015 with 90,415 miles and estimated to have about 11,000 miles per year on the unit. By the time we receive the new unit we estimate the mileage to be 114,000, and eleven years old. The tower ladder is a versatile piece of equipment which allows for not only firefighting but rescue operation during incidents. This unit has also allowed us to maintain our current ISO rating for insurance purposes.

Our current tower is also attached to our technical rescue team and carries various extrication and rescue equipment, which is the only unit we have which has this capability in our city.

Councilmember Whetstone asked how this compares to a tiller truck with maneuverability. Chief Evans replied that tiller trucks do maneuver a bit better but the cost is comparable and more staff is needed to operate the rear of the truck. He indicated both are useful but added West Valley has one of the only platform trucks like this in the valley. Councilmember Whetstone stated that his only concern would be accessing denser neighborhoods. Mayor Lang noted that other communities will assist if there is an issue. Chief Evans agreed and added that there are other trucks that the City owns that can be used to get into tighter neighborhoods as well.

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The City Council will consider Resolution 23-143 at the Regular Council Meeting scheduled October 3, 2023 at 6:30 P.M

RESOLUTION 23-144: 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, 2023

Jim Welch, Finance Director, presented proposed Resolution 23-144 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, 2023.

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

West Valley City is legally required to engage the services of an independent audit firm to audit its 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. Total for audit services of West Valley City is \$88,500.00.

The City Council will consider Resolution 23-144 at the Regular Council Meeting scheduled October 3, 2023 at 6:30 P.M

CONSENT AGENDA SCHEDULED FOR OCTOBER 3, 2023

A. RESOLUTION 23-145: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM APX HOLDINGS, LLC FOR PROPERTY LOCATED AT 3338 WEST PARKWAY BOULEVARD

Wayne Pyle, City Manager, discussed proposed Resolution 23-145 that would authorize the City to enter into a Right of Way Purchase Agreement and Accept a Warranty Deed and a Temporary Construction Easement With and From APX Holdings, LLC for Property Located at 3338 West Parkway Boulevard.

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

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The APX Holdings, LLC parcel located at 3338 W. Parkway Boulevard is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. In accordance with an existing Delay Agreement for Completion of improvements, APX Holdings, LLC has agreed to accept no compensation for the Warranty Deed and Temporary Construction Easement.

B. RESOLUTION 23-146: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM HRAIR BEZDJAN FOR PROPERTY LOCATED AT 2652 SOUTH CONSTITUTION BOULEVARD

Wayne Pyle, City Manager, discussed proposed Resolution 23-146 that would authorize the City to Enter into a Right of Way Purchase Agreement and Accept a Warranty Deed and a Temporary Construction Easement With and From Hrair Bezdjan for Property Located at 2652 South Constitution Boulevard.

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

The Hrair Bezdjan parcel located at 2652 S. Constitution Boulevard is one of several parcels affected by the Cross Towne Trail; 2700 West to Bangerter Highway Project. This project will provide for bike lanes on Parkway Boulevard from 2700 West to Bangerter Highway. The project will also construct sidewalks on Parkway Boulevard where they do not currently exist and add new ADA ramps at street intersections on Parkway Boulevard. Compensation for the purchase of the Warranty Deed, Temporary Construction Easement and improvements is \$4,800.00 based upon the Administrative Compensation Estimate prepared by Meridian Engineering, Inc.

The project is being funded through the Transportation Alternatives Program (TAP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition \$324.96.

C. RESOLUTION 23-147: RATIFY THE CITY MANAGER'S APPOINTMENT OF MEMBERS OF THE HEALTHY WEST VALLEY COMMITTEE

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Wayne Pyle, City Manager, discussed proposed Resolution 23-147 that would ratify the City Manager's Appointment of Members of the Healthy West Valley Committee.

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

The following list of community partners / volunteers are willing to serve as members of the Healthy West Valley City Committee.

Members of the Healthy West Valley City Committee are appointed for a four-year term by the City Manager with the advice and consent of the City Council.

D. **RESOLUTION 23-148: NOMINATE KAREN LANG AND COREY RUSHTON FOR APPOINTMENT TO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT BOARD OF TRUSTEES**

Wayne Pyle, City Manager, discussed proposed Resolution 23-148 that would nominate Karen Lang and Corey Rushton for Appointment to the Jordan Valley Water Conservancy District Board of Trustees

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

Karen Lang and Corey Rushton are currently serving on said Board and are willing to continue in that role.

Members of the Jordan Valley Water Conservancy District are appointed by the governor for four-year terms following nominations from municipalities.

The City Council will consider Resolutions 23-145 through 23-148 on the Consent Agenda at the Regular Council Meeting scheduled October 3, 2023 at 6:30 P.M

COMMUNICATIONS

A. **BINGHAM POINT DISCUSSION**

Steve Pastorik, CED, provided a PowerPoint presentation summarized as follows:

- Bingham Point Complaints
 - o Park maintenance
 - o Trail maintenance

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- Trail usage
- Three maps indicating the location of concern locations

Steve indicated that a few residents attended a Council meeting a couple weeks ago with concern regarding their senior living neighborhood and a trail system that runs through it. He noted that the City owns property to the north and south of the trail but has an easement that runs through this private community that allows public access. He noted that there are large willow trees on the City owned park that have grown over the property and are touching homes that neighbor this park. Steve indicated that the City recognizes this and has received a bid to remove those trees and plant smaller ones that will not cause this issue moving forward. Steve stated that another concern was grass blowing onto neighboring property. He stated that grass is cut weekly unless there is a holiday and if this is the case, the week will be skipped. He noted crews will then go over the grass twice the following week and they do leave the clippings. Steve stated another concern expressed was that the sidewalk is buckling and has lifted the walkway. He noted that this is largely due to the overgrown roots of the trees and added that Public Works will repair this in the Spring when they have time to squeeze the project in. Steve indicated another concern expressed was that a vehicle has driven on the trail to use as a shortcut. He indicated it is possible for the City to install removable bollards but noted that staff would not suggest this unless there becomes a significant and consistent concern due to difficulty in maintaining the trail that the installation of bollards could pose. Steve stated that residents were also concerned about inappropriate use of the trail and trespassing. He noted that the Police Department reached out to the neighborhood following the City Council meeting and encouraged them to report these incidents as they have not been reported previously. Steve indicated that one of the residents suggested deeding the trail to the community. However, staff sees the connectivity as an important amenity to the area and would suggest addressing the concerns before doing something like that.

Councilmember Whetstone asked if there is a cost difference in removing the willow trees versus maintaining them. Steve replied the larger issue is that the roots are causing damage to the railway. Nancy Day, Parks and Recreation Director, stated that these trees are quite mature, and Willow's don't have a long life expectancy. She noted that another concern is that a significant storm could uproot them so they would need to be replaced at some point in the near future anyway.

Councilmember Harmon asked if there is any fencing separating the park from the community. Steve replied no. Councilmember Whetstone noted that there is a sign that indicates the community is private and asked if additional signage would help. Steve replied that it could but likely would just be ignored by those causing the disruptions. Mayor Lang stated that she believes removable bollards would be a

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good idea for the area. She stated that she wouldn't like to see fencing because that would detract from the openness. She indicated that this development was approved partially because the developer agreed to allow the trail system though it as an added amenity. Councilmember Whetstone asked if property owners could install small decorative fences along the trail. Steve replied that the easement is 50 feet wide and added that maintenance would be a concern as well. Councilmember Christensen added that maintenance could become a problem between the fence and trail as well. Councilmember Harmon suggested a small, 4-foot rail fence in addition to removable bollards so that vehicles can't cut through, but the openness of the area remains. Mayor Lang agreed and asked if the Council would be interested in seeing cost options for this. The Council agreed. Councilmember Harmon added that it would be good to contact the neighbors as well to ensure this is what the majority of the community would want. Councilmember Whetstone stated that he could reach out.

The Mayor and Council had no further questions or concerns.

B. RDA/GRANGER CROSSING PROGRAM OVERVIEW

Jonathan Springmeyer, RDA, indicated the location of the Granger Crossings Area. He indicated that the project was created in 2010 and was triggered in 2012. He noted a finding of blight was established, the budget cap was 1.3 million, and that cap was reached in 2020 so no new increment is being received. Mr. Springmeyer stated that there were 2 incentive agreements that occurred during that time for renovations, but no other businesses applied. He indicated it is still an active project area until 2016 but there are no increments coming in at this time. Councilmember Nordfelt asked if the funds left in the bank can be used. Johnathan replied yes and noted that he intends to bring forward proposals to spend this money during this budget year. Councilmember Whetstone asked if the Harmon Theatre is in an RDA. Jonathan replied no. Mayor Lang asked if business owners can still apply for incentives if they want. Jonathan replied that an application could be submitted but the main purpose of this type of project area is to raise property value which is now lost to the RDA. He noted that there is not as much of a financial upside to incentives at this time. Councilmember Nordfelt replied that there may not be financial incentive but there is the ability to have a better developed City. Jonathan agreed. Councilmember Huynh asked if businesses on the east side of Redwood Road, who may be impacted by the new temporary overflow shelter, can apply for incentives. Jonathan replied that the RDA does not extend to the east side of Redwood Road.

The Mayor and Council had no further questions or concerns.

C. CITY MANAGER HIRING PROCESS

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John Flores, HR Director, stated that he is still working on getting things scheduled. He noted that the Council should have received an email so that they can select a time to meet individually with the recruiter later in October. Mayor Lang asked if the recruiter will have a list of questions to ask. John replied yes.

The Mayor and Council had no further questions or concerns.

D. COUNCIL CALENDAR

Mayor Lang 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

Councilmember Christensen stated that he would like to revisit the archivist discussion. Mayor and the Council agreed to schedule this as a potential future agenda item.

B. COUNCIL REPORTS

COUNCILMEMBER WHETSTONE- PD, CHILDREN'S CENTER, BIKE PARK

Councilmember Whetstone stated that he participated in a Police Department ride along and was very impressed with the professionalism of the officers. He noted that he attended the Children's Center ribbon cutting and was very impressed by what they have done and the great impact they will have on the City. Councilmember Whetstone noted that he attended the bike park ribbon cutting this afternoon and it was a great event.

C. STRATEGIC DISCUSSION LIST

Mayor Lang stated that items would continue to be discussed on the list.

D. REVIEW AGENDA FOR REGULAR MUNICIPAL BUILDING AUTHORITY MEETING SCHEDULED OCTOBER 3, 2023

ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2023-2024 BUDGET

Mayor Lang informed a public hearing had been advertised for the Regular Municipal Building Authority Meeting scheduled October 3, 2023, in order for the Authority to hear and consider public comments regarding re-opening the FY 2023-2024 Budget.

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Proposed BA Resolution 23-06 related to the proposal to be considered by the Municipal Building Authority subsequent to the public hearing, was discussed as follows:

ACTION: RESOLUTION NO. 23-07, AMEND THE BUDGET OF WEST VALLEY CITY MUNICIPAL BUILDING AUTHORITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024 TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS

Jim Welch, Finance Department, discussed proposed BA Resolution 23-07 that would amend the Budget of West Valley City Municipal Building Authority for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2024 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds.

Written documentation previously provided to the Building Authority included information as follows:

State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the Building Authority to amend its budget during the year. The Building Authority may hold public hearings on budget amendments on a quarterly basis each fiscal year.

A Public Notice was posted September 21, 2023, in public view at City Hall, the Family Fitness Center and UCCC; also, posted on the Public Notice Website and West Valley City's Website. Notice was given that a public hearing is to be held October 3, 2023, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

The Municipal Building Authority will consider BA Resolution 23-07 at the Regular Municipal Building Authority Meeting scheduled October 3, 2023 at 6:30 P.M

MOTION FOR CLOSED SESSION

Councilmember Whetstone moved to adjourn and reconvene in a Closed Session for discussion of pending litigation. Councilmember Huynh seconded the motion.

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

Councilmember Fitisemanu	Absent
Councilmember Whetstone	Yes
Councilmember Harmon	Yes
Councilmember Huynh	Yes

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Councilmember Christensen	Yes
Councilmember Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY SEPTEMBER 26, 2023 WAS ADJOURNED AT 5:35 PM BY MAYOR LANG.

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, September 26, 2023.



Nichole Camac, CMC
City Recorder

THE WEST VALLEY CITY COUNCIL RECONVENED IN CLOSED SESSION ON TUESDAY, SEPTEMBER 26, 2023, AT 5:43 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 KAREN LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
Will Whetstone, Councilmember District 3

ABSENT:

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Jake Fitisemanu, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager (*electronically*)

Nichole Camac, City Recorder

Eric Bunderson, City Attorney

Dan Johnson, Public Works Director

The City Council met in Closed Session and discussed pending litigation.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE CLOSED SESSION OF SEPTEMBER 26, 2023 WAS ADJOURNED AT 6:02 P.M. BY MAYOR LANG.



Nichole Camac – City Recorder