

MINUTES OF COUNCIL REGULAR MEETING NOVEMBER 14, 2023

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, NOVEMBER 14, 2023 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 KAREN LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
Jake Fitisemanu, Councilmember District 4

ABSENT:

William Whetstone, Councilmember District 3

STAFF PRESENT ELECTRONICALLY:

John Flores, HR Director
Nichole Camac, City Recorder
Eric Bunderson, City Attorney
John Evans, Fire Chief
Jim Welch, Finance Director (*electronically*)
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Jason Erekson, Acting Parks and Recreation Director
Mark Nord, RDA Director
Sam Johnson, Strategic Communications Director
Ken Cushing, IT (*electronically*)

OPENING CEREMONY- MAYOR KAREN LANG

Mayor Karen Lang stated that the Parks and Recreation Department put on a beautiful Veteran's Day event on Saturday November 11, 2023. She asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF SPECIAL MEETING HELD NOVEMBER 7, 2023

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The Council considered the Minutes of the Special Meeting held November 7, 2023. There were no changes, corrections or deletions.

Councilmember Fitisemanu moved to approve the Minutes of the Regular Meeting held November 7, 2023. Councilmember Christensen seconded the motion.

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

AWARDS, CEREMONIES, AND PROCLAMATIONS

A. PROCLAMATION RECOGNIZING NOVEMBER 18, 2023 AS “WORLD SUICIDE PREVENTION DAY” IN WEST VALLEY CITY

Councilmember Nordfelt read a Proclamation Recognizing November 18, 2023 as “World Suicide Prevention Day”.

B. PROCLAMATION RECOGNIZING NOVEMBER 25, 2023 AS SMALL BUSINESS SATURDAY

Councilmember Christensen read a Proclamation Recognizing November 25, 2023 as Small Business Saturday.

COMMENT PERIOD

A. PUBLIC COMMENTS

Cory Bantock stated that he is concerned about proposed application GPZ-6-2023 on tonight’s agenda. He noted that there is already significant traffic in the area and expressed concern about a wall next to his property.

Karina McClellan stated that she represents the Work Activity Center which supports community inclusion, activities, classes, and programs for adults with disabilities. She detailed the mission of the organization and some of the programs offered.

B. CITY MANAGER COMMENTS

John Flores, Human Resources Director, had no comments.

C. CITY COUNCIL COMMENTS

Upon inquiry, members of the City Council had no comments.

PUBLIC HEARINGS

A. ACCEPT PUBLIC COMMENT REGARDING APPLICATION GPZ-6-2023, FILED BY MOUNTAIN HIGH REAL ESTATE ADVISORS, INC, REQUESTING A GENERAL PLAN CHANGE FROM COMMUNITY USE TO GENERAL COMMERCIAL AND A ZONE CHANGE FROM R-1-8 (SINGLE UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 8,000

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SQUARE FEET) TO C-2 (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT 3831 SOUTH CONSTITUTION BLVD

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled November 14, 2023, in order for the City Council to hear and consider public comments regarding Application GPZ-6-2023, Filed by Mountain High Real Estate Advisors, Inc, Requesting a General Plan Change from Community Use to General Commercial and a Zone Change from R-1-8 (Single Unit Dwelling Residential, Minimum Lot Size 8,000 Square Feet) to C-2 (General Commercial) for Property Located at 3831 South Constitution Blvd.

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

If this application is approved, the applicant plans to demolish the existing church and build a new fast-food restaurant with a drive-thru and a retail building.

If the C-2 zoning is approved, the requirements in Section 7-7-111 of the Zoning Ordinance would apply to the neighboring residential property lines. These requirements include the following:

“Where Fast Food Establishments with drive-up windows are located adjacent to a Residential Zone or Use, the order board, speakers, and pick-up window shall be located at least 50' from the nearest residential property line and any sound emitting from the order board, speakers, and pickup window shall not be audible from the nearest residential property line between 10 PM and 7 AM.”

Steve Pastorik, CED Director, provided an updated concept plan with adjusted drive through lanes and access points.

Councilmember Harmon asked if an entrance access on 2700 West that aligned with the road across the street was explored. Steve replied yes and noted that this option, as well as the proposed southern access point, would eliminate left turn conflicts. He indicated that the applicant chose to shift the access south.

Councilmember Christensen asked if stacking into the parking lot is anticipated to be a concern. Steve replied that the amount of proposed stacking far exceeds what is required in the ordinance. He displayed two potential traffic flow options that could occur under the new proposed concept. Councilmember Christensen asked where the order board would be located. Steve replied that this level of detail has not yet been determined but the ordinance requires it to be a specific distance from residential. He noted that the location of the building would suggest that the order

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board would likely be on the west side of the property.

Councilmember Harmon expressed concern regarding the parking spaces on the north end of the concept plan and indicated that he could see vehicles getting stuck if the drive through gets back up.

Mayor Lang asked if a wall is required between 2700 West and the drive through. Steve replied that this is required on 5600 West but not at this location. He noted that there will be 20 feet of landscaping.

Mayor Lang opened the Public Hearing.

Carl Young indicated that he is the Pastor of the existing church. He indicated that the congregation has had lengthy conversation regarding the sale and development of this property and is in firm agreement of redevelopment. Pastor Young noted that there has been a decline to this property over the years and he, as well as his congregation, believe the proposed developed is best for the community and for the City.

Corey Bantock stated that he would like to know if parking will be constructed directly next to the wall bordering his home. He expressed concern regarding losing his view of the Oquirrh Mountains.

Jim Vesock stated that he is concerned about traffic problems this type of development could generate in an already congested area. He noted that he believes this could be better designed.

Rob Galanis, the applicant, noted that he owns other property to the north of this parcel and he has been working with the City to improve and redevelop this area. He noted that he has worked with Pastor Young and the sale of the property is contingent upon finding a new location for the congregation in the neighborhood. Mr. Galanis stated that there will be a landscaping buffer against residential and added that the order board speakers will be located close to the street so as not to impact neighbors. He noted that medians and landscaping will be placed throughout the property to deter cross through access in the parking lot and noted that his team worked to ensure good circulation is provided for traffic.

Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 23-42, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM COMMUNITY USE TO GENERAL COMMERCIAL FOR PROPERTY LOCATED AT 3831 S CONSTITUTION BLVD

The City Council previously held a public hearing regarding proposed Ordinance

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23-42 that would amend the General Plan to Show a Change of Land Use from Community Use to General Commercial for Property Located at 3831 S Constitution Blvd.

Mayor Lang asked how tall the proposed wall will be next to residential. Steve replied that the Development Agreement requires 8 feet, measured from the parking lot grade, and a 10-foot landscaping buffer.

Councilmember Huynh verified that there is one entrance/exit from 2700 West. Steve replied yes. He noted that Public Works didn't want to see left turn conflicts on 2700 West and didn't want an access point too close to the intersection on 3800 South. Councilmember Huynh expressed concern regarding traffic and safety with the proposed concept.

Councilmember Harmon stated that he is concerned that traffic will have to wind through the property with the access point to the south on 2700 West. He added that he would prefer to see that access align with 3835 South. He noted that his other concern is traffic on 3800 South. Councilmember Huynh agreed.

Councilmember Nordfelt asked if the Council would be approving the concept plan at tonight's meeting. Steve replied no. Councilmember Nordfelt asked if the concept could be altered after this application were passed. Steve replied that the concept plan submitted is just a concept and grading/drainage and other details have not been investigated at this time. Councilmember Harmon stated that this is the only stage that the Council could really review the application. Steve stated the application will proceed to either a permitted or conditional use moving forward which is reviewed by staff or the Planning Commission. Councilmember Harmon asked if the Council could required that the street align as part of the Development Agreement. Steve replied that this is something that the Council could do but noted that the applicant was not open to this idea because it limited them in layout and ability for the south parcel.

Mayor Lang stated that she appreciated the adjustments made by the applicant in the updated concept. She indicated that moving the building further west will help the residents.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Nordfelt moved to approve Ordinance 23-42.

Councilmember Christensen seconded the motion.

Councilmember Harmon suggested a continuance.

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Councilmember Fitisemanu stated that he doesn't believe a big, successful fast-food chain will make a bad business move/layout that would create a problem. He indicated he is not opposed to a continuance but asked what the Council would like to see the applicant bring back that would help them decide. Councilmember Harmon replied that a continuance could allow the developer time to consider different configurations. He noted that he agrees, it's in the best interest of the business to create a profitable and successful site layout, but added that he is just concerned about people traveling through the parking lot. Councilmember Huynh agreed and stated that backing in out of stalls could be an issue. Mayor Lang indicated that she believes people will quickly learn how to maneuver the location. She stated that she prefers to see the access on 2700 West to the South and noted that she has confidence that the developer and business owner to know what works best for their business and the location.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Absent
Councilman Harmon	Yes
Councilman Huynh	No
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Majority.

ACTION: ORDINANCE NO. 23-43, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3831 S CONSTITUTION BLVD FROM R-1-8 (SINGLE UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) TO C-2 (GENERAL COMMERCIAL)

The City Council previously held a public hearing regarding proposed Ordinance 23-43 that would amend the Zoning Map to Show a Change of Zone for Property Located at 3831 S Constitution Blvd from R-1-8 (Single Unit Dwelling Residential, Minimum Lot Size 8,000 Square Feet) to C-2 (General Commercial).

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to approve Ordinance 23-43.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

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Councilman Fitisemanu	Yes
Councilman Whetstone	Absent
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

ACTION: RESOLUTION NO. 23-161, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MOUNTAIN HIGH REAL ESTATE ADVISORS, INC. FOR APPROXIMATELY 2.92 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3831 SOUTH 2700 WEST

John Flores, HR Director, discussed proposed Resolution 23-161 that would authorize the City to Enter into a Development Agreement with Mountain High Real Estate Advisors, Inc. for Approximately 2.92 Acres of Property Located at Approximately 3831 South 2700 West.

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

Mountain High Real Estate Advisors, Inc. has submitted a General Plan/zone change application (GPZ-6-2023) on 2.92 acres to change the General Plan from Community Use to General Commercial and to change the zoning from R-1-8 (Single Unit Dwelling Residential, minimum lot size 8,000 square feet) to C-2 (General Commercial). The Planning Commission recommended approval of the zone change subject to a development agreement.

The proposed development agreement addresses the following items:

- requiring street trees in the parkstrip,
- increasing the height of the masonry wall along the south and east sides of the property from 6' to 8',
- addressing pedestrian safety with the drive-thru traffic, and
- limiting the height of buildings to a single story.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and he called for a motion.

Councilmember Fitisemanu moved to approve Resolution 23-43 subject to the updated concept plan and Development Agreement.

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Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Absent
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-170: APPROVE A BETTERMENT AGREEMENT BETWEEN THE CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT)

John Flores, HR Director, proposed Resolution 23-170 that would approve a Betterment Agreement Between the City and the Utah Department of Transportation (UDOT).

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

UDOT is in the process of finalizing the design for their I-215 SB; Frontage Road (4100 to 4700 South) project. This project will include a new two-lane frontage road adjacent to southbound I-215 from 4100 South to 4700 South in Taylorsville. The project will also include a new east-west road connecting the new frontage road to 2700 West at Bedford Road (4390 South).

In coordination with Taylorsville, West Valley City had previously designed a storm water project to reconstruct the existing storm drain system at approximately 4400 South between 2700 West and I-215. This system is used to drain the majority of the Roxborough neighborhood between 3200 West and 2700 West. Upon learning that UDOT had funding for a project within the vicinity, it was decided to postpone the construction of the storm drain project to ensure the storm drain design would correlate with the design of UDOT's roadway project. As design and coordination efforts progressed, it was decided to have UDOT construct the storm drain as a city betterment to their project. This agreement solidifies the terms of that betterment and outlines the estimated reimbursement amount for the work.

UDOT plans to begin their project during the 2024 construction season.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

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Councilmember Christensen moved to approve Resolution 23-170

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Absent
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-171: APPROVE A LOCAL AGENCY AGREEMENT BETWEEN THE CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT)

John Flores, HR Director, presented proposed Resolution 23-171 that would approve a Local Agency Agreement Between the City and the Utah Department of Transportation (UDOT).

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

UDOT is in the process of finalizing the design for their 3500 South Sidewalk Improvement project. This project will construct sidewalk and associated roadway improvements in West Valley City (WVC) on the south side of 3500 South at the following locations:

- 7105 West
- Highlander Street (6885 West) to 6800 West
- 5303 West

During the scoping efforts on this project, WVC proposed to contribute \$100,000 towards the acquisition costs of the old Hunsaker Meats building at 5303 West, if UDOT would commit to removing the building and constructing sidewalk at that location. UDOT has agreed to include that acquisition in their project.

In addition, WVC applied for “Safe Sidewalk” funding in July of 2022 to construct a sidewalk on the south side of 3500 South between Highlander Street and 6800 West. When applying for Safe Sidewalk funding, the City must agree to acquire all

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necessary right-of-way and provide a 25% match. We were notified in the fall of 2022 that our application was successful. At that point we coordinated with UDOT and proposed to have them construct the sidewalk with their 3500 South Sidewalk project. UDOT agreed to include it if WVC would contribute up to \$200,000 towards right-of-way costs for this section of sidewalk.

UDOT plans to advertise their project this winter and construct the sidewalk during the 2024 construction season.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Nordfelt moved to approve Resolution 23-171.

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Absent
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 23-172: APPROVE A LOCAL AGENCY COST ESTIMATE BETTERMENT AGREEMENT BETWEEN THE CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION

John Flores, HR Director, presented proposed Resolution 23-172 that would approve a Local Agency Cost Estimate Betterment Agreement Between the City and the Utah Department of Transportation.

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

UDOT is in the process of finalizing the design for their 3500 South Sidewalk Improvement project. This project will construct sidewalk and associated roadway improvements in West Valley City (WVC) on the south side of 3500 South at the following locations:

- 7105 West

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- Highlander Street (6885 West) to 6800 West
- 5303 West

WVC has requested that UDOT construct stamped colored concrete per City standards in areas where a park strip is being introduced. UDOT is willing to do the work as a betterment but will require WVC to pay the difference in cost between regular concrete flatwork and stamped, colored concrete.

UDOT plans to advertise their project this winter and construct the sidewalk during the 2024 construction season.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Harmon moved to approve Resolution 23-172.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Absent
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

CONSENT AGENDA

A. RESOLUTION 23-173: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM 2700 SOUTH LLC FOR PROPERTY LOCATED AT 2720-2736 WEST PARKWAY BOULEVARD

Mayor Lang discussed proposed Resolution 23-173 that would authorize the City to Enter Into a Real Estate Purchase Contract and Accept a Warranty Deed and a Temporary Construction Easement With and From 2700 South LLC for Property Located at 2720-2736 West Parkway Boulevard.

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

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The 2700 South LLC parcel located at 2620-36 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 \$950.00 which was negotiated 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 \$64.32.

B. RESOLUTION 23-174: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM JACOB AND ELIZABETH BASTIAN FOR PROPERTY LOCATED AT 3117 WEST 3650 SOUTH

Mayor Lang discussed proposed Resolution 23-174 that would authorize the City to Enter Into a Real Estate Purchase Contract and Accept a Warranty Deed and a Temporary Construction Easement With and From Jacob and Elizabeth Bastian for Property Located at 3117 West 3650 South.

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

The Jacob N. Bastian and Elizabeth A. Bastian parcel located at 3117 West 3650 South is one of several parcels affected by the Lancer Way Reconstruction Project; 2700 West to 3200 West. This project will widen 3650 South and provide for curb, gutter and sidewalk on Lancer Way from 2700 West to 3200 West where it does not currently exist. The project will also install textured, colored concrete park strip, street trees, streetlights and new ramps at street intersections on Lancer Way. Compensation for the purchase of the temporary construction easement and improvements is \$15,100.00 and was based upon an appraisal report estimate prepared by Integra Realty Resources.

The project is being funded through the Surface Transportation Program (STP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition \$1,022.27.

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C. RESOLUTION 23-175: ACCEPT A WARRANTY FROM MARIA DUBON FOR PROPERTY LOCATED AT 4354 WEST 3500 SOUTH

Mayor Lang discussed proposed Resolution 23-175 that would accept a Warranty from Maria Dubon for Property Located at 4354 West 3500 South

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

The Maria Dubon property is located on the north side of 3500 South at 4354 West. As a condition of approval for a building permit for the Catrachos Food site, conveyance of additional 3500 South right of way was required to comply with the Major Street Plan.

D. RESOLUTION 23-176: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED WITH AND FROM RHONDA, JANEAL, AND TROY FORD FOR PROPERTY LOCATED AT 6776 WEST PARKWAY BOULEVARD

Mayor Lang discussed proposed Resolution 23-176 that would authorize the City to Enter Into a Real Estate Purchase Agreement and Accept a Warranty Deed With and From Rhonda, Janeal, and Troy Ford for Property Located at 6776 West Parkway Boulevard

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

The Rhonda Ford, Janeal Ford and Troy Ford parcel located at 6776 W. Parkway Boulevard is one of three parcels affected by the 6800 West Pond Overflow Project. West Valley City is working with Eloy Santana Perez and the owners of two other properties to improve the City's 6800 West Pond Overflow facility. The 6800 West Pond facility serves as a flood storage area for a large portion of the city before it enters the Riter Canal. Improvements will include upsizing the existing overflow pipe under 6750 West, relocation of Magna Water fence/gate and construction of a new access to the area north of the West Valley Parks maintenance building. This project will improve access, facilitate maintenance, and resolve flooding issues in the area. Compensation for the purchase of the Warranty Deed and improvements is \$12,900.00 based upon the Appraisal Report prepared by Integra Realty Resources.

E. RESOLUTION 23-177: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH

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AND FROM DAVID PACK FOR PROPERTY LOCATED AT 4068 SOUTH DUBLIN CIRCLE

Mayor Lang discussed proposed Resolution 23-177 that would authorize the City to Enter Into an Easement Purchase Agreement and Accept a Perpetual Easement and a Temporary Construction Easement With and From David Pack for Property Located at 4068 South Dublin Circle.

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

The David Pack parcel located at 4068 S. Dublin Circle is one of eight parcels affected by the UTA Midvalley Bus Rapid Transit (2700 West Wall) Project, scheduled to be constructed in 2024. This project will include construction of textured colored concrete park strip, landscaping, and decorative street lighting along the east side of Constitution Boulevard (2700 West) from 4100 South to Westshire Drive (4030 South). The project will also include an eight-foot-tall decorative concrete post and panel wall along those properties with backyards facing Constitution Boulevard to match the wall on the west side of Constitution Boulevard. The acquisition includes a Perpetual Easement, Temporary Construction Easement and improvements. Compensation in the amount of \$3,100.00 is based upon the appraisal report prepared by the Fortis Group.

F. RESOLUTION 23-178: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM JEFFREY AND JENNY AMACK FOR PROPERTY LOCATED AT 4072 SOUTH DUBLIN CIRCLE

Mayor Lang discussed proposed Resolution 23-178 that would authorize the City to Enter Into an Easement Purchase Agreement and Accept a Perpetual Easement and a Temporary Construction Easement With and From Jeffrey and Jenny Amack for Property Located at 4072 South Dublin Circle

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

The Jeffrey S. Amack and Jenny L. Amack parcel located at 4072 S. Dublin Circle is one of eight parcels affected by the UTA Midvalley Bus Rapid Transit (2700 West Wall) Project, scheduled to be constructed in 2024. This project will include construction of textured colored concrete park strip, landscaping, and decorative street lighting along the east side of Constitution Boulevard (2700 West) from 4100 South to Westshire Drive (4030 South). The project will also include an eight-foot-tall decorative concrete post and panel wall along those properties with backyards facing

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Constitution Boulevard to match the wall on the west side of Constitution Boulevard. The acquisition includes a Perpetual Easement, Temporary Construction Easement and improvements. Compensation in the amount of \$3,100.00 is based upon the appraisal report prepared by the Fortis Group.

G. RESOLUTION 23-179: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM SIERRA MARIE ALEXANDER AND DUSTIN JOSEPH GARDNER FOR PROPERTY LOCATED AT 4058 SOUTH 2665 WEST

Mayor Lang discussed proposed Resolution 23-179 that would authorize the City to Enter Into an Easement Purchase Agreement and Accept a Perpetual Easement and a Temporary Construction Easement With and From Sierra Marie Alexander and Dustin Joseph Gardner for Property Located at 4058 South 2665 West

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

The Sierra Marie Alexander and Dustin Joseph Gardner parcel located at 4058 South 2665 West is one of eight parcels affected by the UTA Midvalley Bus Rapid Transit (2700 West Wall) Project, scheduled to be constructed in 2024. This project will include construction of textured colored concrete park strip, landscaping, and decorative street lighting along the east side of Constitution Boulevard (2700 West) from 4100 South to Westshire Drive (4030 South). The project will also include an eight-foot-tall decorative concrete post and panel wall along those properties with backyards facing Constitution Boulevard to match the wall on the west side of Constitution Boulevard. The acquisition includes a Perpetual Easement, Temporary Construction Easement and improvements. Compensation in the amount of \$5,450.00 was based upon the appraisal report prepared by the Fortis Group which indicated compensation in the amount of \$4,300.00. Additional compensation is being paid for the removal of a large coniferous tree and additional Temporary Construction Easement area.

H. RESOLUTION 23-180: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A WARRANTY DEED AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM DAVID B. KENNEY FOR PROPERTY LOCATED AT 3658 SOUTH GRANGER DRIVE

Mayor Lang discussed proposed Resolution 23-180 that would authorize the City to Enter Into a Real Estate Purchase Contract and Accept a Warranty Deed and a Temporary Construction Easement With and From David B. Kenney for Property Located at 3658 South Granger Drive

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

The David B. Kenney parcel located at 3658 S. Granger Drive is one of several parcels affected by the Lancer Way Reconstruction Project; 2700 West to 3200 West. This project will widen 3650 South and provide for curb, gutter and sidewalk on Lancer Way from 2700 West to 3200 West where it does not currently exist. The project will also install textured, colored concrete park strip, street trees, streetlights and new ramps at street intersections on Lancer Way. Compensation for the purchase of the Warranty Deed, Temporary Construction Easement and improvements is \$17,600.00 and was based upon an administrative compensation estimate prepared by Integra Realty Resources.

The project is being funded through the Surface Transportation Program (STP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition \$1,191.52.

I. **RESOLUTION 23-181: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM KELSEY K. RAYMOND FOR PROPERTY LOCATED AT 3660 SOUTH LEE MAUR STREET**

Mayor Lang discussed proposed Resolution 23-181 that would authorize the City to Enter Into a Real Estate Purchase Contract and Accept a Temporary Construction Easement With and From Kelsey K. Raymond for Property Located at 3660 South Lee Maur Street.

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

The Kelsey K. Raymond parcel located at 3660 S. Lee Maur Street is one of several parcels affected by the Lancer Way Reconstruction Project; 2700 West to 3200 West. This project will widen 3650 South and provide for curb, gutter and sidewalk on Lancer Way from 2700 West to 3200 West where it does not currently exist. The project will also install textured, colored concrete park strip, street trees, streetlights and new ramps at street intersections on Lancer Way. Compensation for the purchase of the temporary construction easement is \$2,250.00 and was based upon an administrative compensation estimate prepared by HDR Engineering, Inc.

The project is being funded through the Surface Transportation Program (STP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition \$152.33.

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J. RESOLUTION 23-182: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A PUBLIC UTILITY EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM ARLEN E. HALE FOR PROPERTY LOCATED AT 3660 SOUTH MARKET STREET

Mayor Lang discussed proposed Resolution 23-181 that would authorize the City to Enter Into a Real Estate Purchase Contract and Accept a Temporary Construction Easement With and From Kelsey K. Raymond for Property Located at 3660 South Lee Maur Street.

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

The Arlen E. Hale parcel located at 3660 S. Market Street is one of several parcels affected by the Lancer Way Reconstruction Project; 2700 West to 3200 West. This project will widen 3650 South and provide for curb, gutter and sidewalk on Lancer Way from 2700 West to 3200 West where it does not currently exist. The project will also install textured, colored concrete park strip, street trees, streetlights and new ramps at street intersections on Lancer Way. Compensation for the purchase of the Public Utility Easement, Temporary Construction Easement and improvements is \$4,150.00 and was based upon an administrative compensation estimate prepared by HDR Engineering, Inc.

The project is being funded through the Surface Transportation Program (STP). The city is responsible for 6.77% of all project costs, including right of way, making the West Valley City share of the acquisition \$280.96.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Christensen moved to approve items on the Consent Agenda.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Absent
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes

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Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, NOVEMBER 14, 2023 WAS ADJOURNED AT 7:28 P.M. BY MAYOR LANG.

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, November 14, 2023.



Nichole Camac, CMC
City Recorder