

MINUTES OF COUNCIL REGULAR MEETING APRIL 2, 2024

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, APRIL 2, 2024 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
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4 (*electronically*)

STAFF PRESENT:

John Flores, Interim Assistant City Manager
Nichole Camac, City Recorder
Eric Bunderson, City Attorney
Brandon Christiansen, Acting Police Chief
John Evans, Interim City Manager/ Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Jamie Young, Parks and Recreation Director
Jonathan Springmeyer, RDA Director
Roxeanne Vainuku, Acting Strategic Communications Director (*electronically*)
Ken Cushing, IT (*electronically*)

OPENING CEREMONY- COUNCILMEMBER TOM HUYNH

Councilmember Huynh asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 26, 2024

The Council considered the Minutes of the Regular Meeting held March 26, 2024. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held March 26, 2024. Councilmember Christensen seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

N/A

B. CITY MANAGER COMMENTS

John Flores, Interim Assistant City Manager, had no comments.

C. CITY COUNCIL COMMENTS

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

PUBLIC HEARINGS

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION Z-1-2024, FILED BY GUY WILLIAMS, REQUESTING A ZONE CHANGE FROM LI (LIGHT INDUSTRIAL) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 2272 AND 2296 SOUTH 5600 WEST

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled April 2, 2024, in order for the City Council to hear and consider public comments regarding Application Z-1-2024, Filed by Guy Williams, requesting a Zone Change from LI (Light Industrial) to M (Manufacturing) for Property Located at 2272 and 2296 South 5600 West.

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

The applicant is proposing the zone change for three reasons. The first is to allow outside storage of new equipment/truck beds and upfitting parts. The LI zone prohibits outside storage while the M zone allows it. The second reason for the zone change is to allow additional auto service use which in this case is vehicle upfitting. The LI Zone includes the following provision: "Automobile Service shall only be allowed as a Use that is incidental to a Permitted or Conditional Use". In addition to adding outside storage, the applicant is proposing to expand and remodel the larger building on the south parcel to do more vehicle upfitting. The third reason for the zone change is the LI Zone prohibits overhead doors from facing 5600 West. The plans for the building on the south parcel include overhead doors on the east side of the building.

If this rezone is approved, a conditional use permit will be required for the outside storage and because the property is located within 5600 West Overlay Zone. The ordinance requires outside storage uses to be screened

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from public view through fencing, landscaping, building placement, topography, berming, or other methods as determined by the Planning Commission. For high-image arterial streets like 5600 West, the ordinance was recently amended to require screening of outside storage by means of a building or a 6' tall, precast concrete wall meeting certain specifications.

Mayor Lang opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 24-10, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2272 AND 2296 SOUTH 5600 WEST FROM LI (LIGHT INDUSTRIAL) TO M (MANUFACTURING)

The City Council previously held a public hearing regarding proposed Ordinance 24-10 that would amend the Zoning Map to Show a Change of Zone for Property Located at 2272 and 2296 South 5600 West from LI (Light Industrial) to M (Manufacturing).

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 Ordinance 24-10.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

ACTION: RESOLUTION NO. 24-49, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SIX BUGS HOLDINGS, LLC AND DCG GOAT CORRAL, LLC FOR APPROXIMATELY 3.65 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2272 AND 2296 SOUTH 5600 WEST

Mayor Lang discussed proposed Resolution 24-49 that would authorize the City to Enter Into a Development Agreement with Six Bugs Holdings, LLC and DCG Goat

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Corral, LLC for Approximately 3.65 Acres of Property Located at Approximately 2272 and 2296 South 5600 West

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

Guy Williams, the civil engineer, development consultant, and authorized agent for the property owners has submitted a zone change on 3.65 acres of property at parcel at 2272 and 2296 South 5600 West from LI (Light Industrial) to M (Manufacturing). The Planning Commission recommended approval of the zone change subject to a development agreement.

The proposed development agreement addresses the following topics: use limitations, buildings to be removed, remodeling and expansion of an existing building, required conditional use approval, screening of outside storage areas, required improvements, and fencing.

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

Councilmember Huynh moved to approve Resolution 24-49.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

- B. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-2-2024, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO AMEND SECTIONS 7-9-104 AND 7-9-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD OR AMEND PARKING REQUIREMENTS FOR SEVERAL LAND USES**

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Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled April 2, 2024, in order for the City Council to hear and consider public comments regarding Application ZT-2-2024, Filed by West Valley City, requesting a Zone Text Change to Amend Sections 7-9-104 and 7-9-105 of the West Valley City Municipal Code to Add or Amend Parking Requirements for Several Land Uses

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

The City has had minimum parking requirements since incorporation in 1980. These requirements are intended to offer residents, employees, and business patrons sufficient parking opportunities. Providing too little parking can reduce convenience, affect lifestyle, and impact adjoining uses and streets. Providing too much parking can be expensive, limit the economic potential of land, and simply be unnecessary.

The ordinance changes proposed in this application are based on two books. The first is the 6th edition of *Parking Generation* from ITE that was published in 2023. This latest edition provides newer survey data and additional land uses. The second book is the 3rd edition of *Shared Parking* that was published in 2020 by the International Council of Shopping Centers (ICSC), the National Parking Association, and Urban Land Institute (ULI). This book provides empirical data on parking demand by time of day.

In summary, the proposed changes:

- reduce the required parking ratios for medical and dental offices, veterinarians and veterinary hospitals, day care/preschool centers and nursery schools, bowling alleys, movie theaters, automobile parts and supply stores, fast food establishments, financial institutions, professional offices, retail – intensive, and retail – less intensive;
- add a required parking ratio for private schools (K-12);
- increase the required parking ratio for restaurants;
- expand the list of uses in the shared parking table;
- update the parking demand percentages in the shared parking table for existing uses and add them for new uses; and
- divide the weekday and weekend time period in the shared parking table from 6 AM to 6 PM into two time periods – 6 AM to 12 PM (noon) and 12 PM (noon) to 6 PM.

Mayor Lang opened the Public Hearing. There being no one to speak in favor or

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opposition, Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 24-13, AMEND SECTIONS 7-9-104 AND 7-9-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD OR CHANGE PARKING REQUIREMENTS FOR SEVERAL LAND USES

The City Council previously held a public hearing regarding proposed Ordinance 24-13 that would amend Sections 7-9-104 and 7-9-105 of the West Valley City Municipal Code to Add or Change Parking Requirements for Several Land Uses

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 Ordinance 24-13.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

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

Unanimous.

C. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-1-2024, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO AMEND SECTIONS 7-1-109, 7-2-117, 7-10-103, 7-13-517, 7-14-102, AND 18-4-104 OF THE WEST VALLEY CITY MUNICIPAL CODE TO INCREASE THE CONSTRUCTION THRESHOLD THAT TRIGGERS CERTAIN IMPROVEMENTS AND TO ALLOW THE OPTION OF PAYMENT IN LIEU OF INSTALLATION OF OFF-SITE IMPROVEMENTS

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled April 2, 2024, in order for the City Council to hear and consider public comments regarding ZT-1-2024, Filed by West Valley City, Requesting a Zone Text Change to Amend Sections 7-1-109, 7-2-117, 7-10-103, 7-13-517, 7-14-102, and 18-4-104 of the West Valley City Municipal Code to Increase the Construction Threshold that Triggers Certain Improvements and to Allow the Option of Payment in Lieu of Installation of Off-Site Improvements.

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

In September of 1984, the City adopted an ordinance (Ordinance 84-38) that required 20 feet of landscaping along high-image arterials with “any substantial modification to an existing site or structure in which the estimated construction cost exceeds \$50,000”. Later, in March of 1988, the City adopted an ordinance (Ordinance 88-08) that required curb, gutter, and sidewalk improvements when “estimated construction costs exceed \$50,000 for substantial modifications to an existing site or structure”. While other improvements like streetlights and street paving have since been added to the ordinance, the \$50,000 construction threshold has remained in place since the adoption of these ordinances.

Using the CPI (Consumer Price Index) Inflation Calculator from the Bureau of Labor Statistics, \$50,000 in September of 1984 would be worth \$146,070 today. Using the same calculator, \$50,000 in March of 1988 would be worth \$131,651 today. Hence, staff is recommending an increase in this threshold from \$50,000 to \$150,000 to account for inflation.

Staff is also recommending adding the option of payment in lieu of installation of off-site improvements. Currently, whenever off-site improvements like streetlights, street paving, curb, gutter, and sidewalk are required, the ordinance allows: 1) the installation of the improvements, 2) a bond guaranteeing the completion of the improvements, or 3) at the discretion of the City, a delay agreement. The City Council has generally chosen not to approval delay agreements over the last few years. In addition, Public Works has found that exercising delay agreements has proven to be difficult. As such, staff is proposing the addition of a payment in lieu of the installation of off-site improvements as another alternative to installation, particularly where there are no improvements on adjoining properties to connect to. The use of this new option would be at the City Engineer’s sole discretion.

Mayor Lang opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 24-14, AMEND SECTIONS 7-9-104 AND 7-9-105 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD OR CHANGE PARKING REQUIREMENTS FOR SEVERAL LAND USES

The City Council previously held a public hearing regarding proposed Ordinance 24-14 that would amend Sections 7-1-109, 7-2-117, 7-10-103, 7-13-517, 7-14-102, and 18-4-104 of the West Valley City Municipal Code to Increase the Construction Threshold that Triggers Certain Improvements and to Allow the Option of Payment in

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Lieu of Installation of Off-Site Improvements.

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

Councilmember Whetstone moved to approve Ordinance 24-14.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

D. 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 April 2, 2024, in order for the City Council to hear and consider public comments regarding Re-Opening the FY 2023-2024 Budget

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 of West Valley to amend its budget during the year. The West Valley City holds public hearings on budget amendments on a quarterly basis each fiscal year.

A Public Notice was posted March 21, 2024, 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 April 2, 2024, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah

Mayor Lang opened the Public Hearing

Jim Vesock thanked Jim Welch and his team for the presentation of the budget.

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Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 24-15, 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

The City Council previously held a public hearing regarding proposed Ordinance 24-15 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.

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 24-15.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

RESOLUTION 24-51: APPROVE THE PURCHASE OF STREETLIGHTS FROM MOUNTAIN STATES LIGHTING

Mayor Lang presented proposed Resolution 24-51 that would approve the Purchase of Streetlights from Mountain States Lighting

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

The Street Light Utility needs to order street light assemblies for miscellaneous upcoming projects as well as stocked materials for routine maintenance of the street light system.

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Mountain States Lighting has supplied street lights to the City since 2006. The City normally purchases lights directly from the Mountain States and supplies them to City contractors for installation because of a significant discount given to the City.

The budget opening is requested to order these materials now as there is a long lead time to procure these items.

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

Councilmember Huynh moved to approve Resolution 24-51.

Councilmember Whetstone seconded the motion.

A roll call vote was taken:

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

Unanimous.

CONSENT AGENDA

A. RESOLUTION 24-52: ACCEPT TWO CONVEYANCE AND QUIT CLAIM OF EASEMENT DOCUMENTS FROM BRIGHTON CANAL COMPANY, LLC

Mayor Lang discussed proposed Resolution 24-52 that would accept two Conveyance and Quit Claim of Easement Documents from Brighton Canal Company, LLC

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

The Brighton Canal Company, LLC owns a parcel of land located at 2383 S. Decker Lake Boulevard (15-22-151-021), along with an easement crossing multiple parcels in the Decker Lake Business Park between Redwood Road and Interstate 215 affected by the Brighton Canal Storm Drain Project; 2600 West to Redwood Road, scheduled to be constructed in 2024. This project will include construction of storm drain piping through

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portions of the former Brighton Canal and eliminate any open storm water ditches through the project area.

The Brighton Canal Storm Drain Project crosses portions of the Brighton Canal Company Property and also crosses portions of the Brighton Canal Easement. This project will pipe and fill the existing ditch on the north side of the JFRG CCI LLC. Although the city has existing easements across most of the area, there are two areas where construction extends outside the existing easements. Storm Drainage Easements are required across the two small areas.

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 the items on the Consent Agenda.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

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

Unanimous.

UNFINISHED BUSINESS

ORDINANCE 24-11: AMEND SECTION 1-2-107 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE CERTAIN PARKS AND RECREATION FEES

Mayor Lang presented proposed Ordinance 24-11 that would amend Section 1-2-107 of the West Valley City Municipal Code to Update Certain Parks and Recreation Fees.

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

The cost of providing services has increased significantly over the past four years. While the Parks and Recreation Department provides community services, it must also align with current market and budgetary goals. Department staff work to efficiently monitor fees and determine when changes need to be made. The Parks and Recreation

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Department would like to modify and increase several fees within this section. These include:

- Family Fitness Center:
 - Annual Membership Passes
 - Drop-In Passes
 - Kidz Kamp Program Fees
 - Afterschool Kamp Fees
 - Remove Kindergarten Kamp Fees (no longer offered)

- Golf Courses:
 - Green Fees
 - Cart Fees
 - Club Rental Fees
 - Driving Range Ball Bucket Fees
 - Tournament Fees
 - Player Pass Fees
 - Remove Power Cart Twilight Rate

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 Ordinance 24-11 with staff recommended changes.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

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

Unanimous.

MOTION TO ADJOURN

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

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, APRIL 2, 2024 WAS ADJOURNED AT 6:45 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, April 2, 2024.

A handwritten signature in blue ink that reads "Nichole Camac". The signature is written in a cursive style and is positioned above a horizontal line.

Nichole Camac, CMC
City Recorder