

**MINUTES OF COUNCIL STUDY MEETING – APRIL 9, 2024**

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THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, APRIL 9, 2024 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  
Tom Huynh, Councilmember District 1  
Scott Harmon, Councilmember District 2  
William Whetstone, Councilmember District 3  
Jake Fitisemanu, Councilmember District 4 (*arrived as noted*)

ABSENT:

Don Christensen, Councilmember At-Large

STAFF PRESENT:

Ifo Pilo, City Manager  
Nichole Camac, City Recorder  
John Flores, Interim Assistant City Manager / HR Director  
Eric Bunderson, City Attorney  
Colleen Jacobs, Police Chief (*electronically*)  
John Evans, Interim City Manager/ Fire Chief  
Steve Hyde, Acting 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  
Sam Johnson, Strategic Communications Director  
Shaun Trujillo, IT (*electronically*)  
Travis Crosby, IT

**APPROVAL OF MINUTES OF STUDY MEETING HELD APRIL 2, 2024**

The Council considered the Minutes of the Study Meeting held April 2, 2024. There were no changes, corrections or deletions.

Councilmember Huynh moved to approve the Minutes of the Study Meeting held April 2, 2024. Councilmember Harmon seconded the motion.

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

**REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF APRIL 2, 2024**

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

**RESOLUTION 24-57: AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH DLS CONSULTING, INC.**

Brandon Hill, Legal, presented proposed Resolution 24-57 that would authorize the Execution of a Professional Services Agreement with DLS Consulting, Inc.

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

During the general and interim sessions of the Utah Legislature, the City often requires assistance in achieving the legislative priorities established by the City Council and City Manager. Since 2005, the City has contracted with DLS Consulting, Inc. to provide governmental relations services. DLS has proven to be an effective and reliable partner in assisting the City at the Capitol and in navigating other challenges. DLS proved to be a particularly valuable partner in managing the unique issues that arose during the 2024 legislative session and helped the City achieve significant results in both appropriations and substantive policy.

The compensation remains unchanged from the prior agreement, which was executed in 2020.

*Councilmember Fitisemanu arrived at 4:33 PM.*

The City Council will consider Resolution 24-57 at the Regular Council Meeting scheduled April 16, 2024 at 6:30 P.M

**CONSENT AGENDA SCHEDULED FOR APRIL 16, 2024**

**A. RESOLUTION 24-58: ACCEPT A STORM DRAINAGE EASEMENT FROM CAPITOL PROPERTIES SIX LLC FOR PROPERTY LOCATED AT 2105 WEST PRINTERS ROW**

Mayor Lang discussed proposed Resolution 24-58 that would accept a Storm Drainage Easement from Capitol Properties Six LLC for Property Located at 2105 West Printers Row.

Written documentation previously provided to the City Council included

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information as follows:

The Capitol Properties Six LLC parcel located at 2329 – 2329 W. Orton Circle is one of several properties 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 portions of the former Brighton Canal and eliminate any open storm water ditches through the project area.

Decker Lake Business Park was developed prior to the incorporation of West Valley City. Storm water was historically allowed to drain into two ditches on either side of the Brighton Canal. This existing system does not function very well and has caused ongoing maintenance and flooding problems. The Brighton Canal no longer operates in this area and has largely been abandoned, which now provides the opportunity to consolidate and pipe the storm water into one system.

**B. RESOLUTION 24-59: ACCEPT A STORM DRAIN EASEMENT FROM AMBER VIEW RENTAL SPE, LLC AND MISSION 1160, LLC FOR PROPERTY LOCATED AT 2064 WEST ALEXANDER STREET**

Mayor Lang discussed proposed Resolution 24-59 that would accept a Storm Drain Easement from Amber View Rental SPE, LLC and Mission 1160, LLC for Property Located at 2064 West Alexander Street

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

The Amber View Rental SPE, LLC and Mission 1160, LLC parcel located at 2064 W. Alexander Street is one of several properties 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 portions of the former Brighton Canal and eliminate any open storm water ditches through the project area.

Decker Lake Business Park was developed prior to the incorporation of West Valley City. Storm water was historically allowed to drain into two ditches on either side of the Brighton Canal. This existing system does not function very well and has caused ongoing maintenance and flooding problems. The Brighton Canal no longer operates in this area and has largely been abandoned, which now provides the opportunity to consolidate and pipe the storm water into one system.

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**C. RESOLUTION 24-60: ABANDON A STORM DRAIN EASEMENT AND ACCEPT A STORM DRAINAGE EASEMENT FROM HUNT 1920 LLC FOR PROPERTY LOCATED AT 1920 WEST ALEXANDER STREET**

Mayor Lang discussed proposed Resolution 24-59 that would abandon a Storm Drain Easement and Accept a Storm Drainage Easement from Hunt 1920 LLC for Property Located at 1920 West Alexander Street,

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

The Hunt 1920 LLC parcel located at 1920 W. Alexander Street is one of several properties 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 portions of the former Brighton Canal and eliminate any open storm water ditches through the project area. Upon completion of this project, the existing Storm Drain Easement across the parcel located at 1940 W. Alexander Street will no longer be needed.

Decker Lake Business Park was developed prior to the incorporation of West Valley City. Storm water was historically allowed to drain into two ditches on either side of the Brighton Canal. This existing system does not function very well and has caused ongoing maintenance and flooding problems. The Brighton Canal no longer operates in this area and has largely been abandoned, which now provides the opportunity to consolidate and pipe the storm water into one system.

**D. RESOLUTION 24-61: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT A WARRANTY DEED, A PERPETUAL EASEMENT, AND TWO TEMPORARY CONSTRUCTION EASEMENTS WITH AND FROM THE UTAH TRANSIT AUTHORITY FOR PROPERTY LOCATED AT 3616 SOUTH MARKET STREET**

Mayor Lang discussed proposed Resolution 24-61 that would authorize the City to Enter Into a Real Estate Purchase Contract and Accept a Warranty Deed, a Perpetual Easement, and Two Temporary Construction Easements With and From the Utah Transit Authority for Property Located at 3616 South Market Street

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

The Utah Transit Authority parcels located at 3616 S. Market Maur Street is one of several parcels affected by the Lancer Way Reconstruction Project;

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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, a Perpetual Easement and two Temporary Construction Easements is \$68,100.00 and was based upon the appraisal report 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 \$4,610.37.

The City Council will consider Resolution 24- 58 through 24-61 on the Consent Agenda at the Regular Council Meeting scheduled April 16, 2024 at 6:30 P.M

### COMMUNICATIONS

#### A. GRANITE SCHOOL DISTRICT BOUNDARY STUDY

Ben Horsley, Granite School District, presented a PowerPoint presentation summarized as follows:

- 3500 S Corridor Study (2024)
  - o The process
  - o Area map
- Why?
  - o Optimizing elementary school size creates better outcomes and opportunities for students
- Benefits of Consolidation
  - o Include but are not limited to:
    - Having a minimum average of 500-550 students allows an elementary school to staff at a minimum of three teachers per grade level
    - No split grade-level classrooms
    - Provides more parental choice to match learning style and decrease personality conflicts
    - Professional Learning Communities and overall collaboration are much more effective
    - Team-teaching is more effective
    - Balances out classroom size
    - The economy of scale provides more funds for extra staffing and program supports

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- Easier to maintain larger and more effective SCC's, PTA's and other parent volunteer efforts because there are simply more parents to draw from
  - Teacher workload and burnout is decreased – more teachers and staff to fulfill committee assignments required for all schools
  - One effective classroom has less impact on school wide or grade level data
  - More efficient use of administrator-to-student-and-teacher ratios(e.g., one principal for a school of 275 students or one principal for a school of 600 students?)
  - More fiscally responsible use of building and district resources
  - Schools are appropriately sized to host programs like Dual-Language-Immersion
  - More inclusion opportunities for SPED students
- School info
  - Why 3500 S Corridor
    - *Low enrollment in multiple schools*
    - Many schools along this corridor are struggling to maintain effective traditional classes in conjunction with DLI because their total enrollment is too small.
    - New charter school opening
    - Reconfiguration in 2025 – 6<sup>th</sup> grade to Jr High
  - Prominent Factors Included
    - Including, but not limited to:
      - Current and Future Enrollment
      - Facility Condition (FCI)
      - Transportation
      - Safest Walking Routes
      - Fiscal Considerations
      - School/District Programs and their Impacts
      - Benefits of Consolidation

Mayor Lang asked where the location of the new family shelter would be located. Mr. Horsley replied east of 1-15. Mr. Horsley discussed dual immersion schools located in West Valley City. Councilmember Whetstone asked if charter schools are impacting enrollment rates. Mr. Horsley replied yes. Steve Hogan stated that many factors are being looked at and noted that the district is not closing schools to save money but to ensure the best education is being provided. He indicated that there is a balance between schools that are too large and too small. Councilmember Nordfelt indicated that changes to Bangerter Highway are occurring and UDOT has

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proposed potential pedestrian tunnels at 4100 South which is not desirable by the community or the Council. He encouraged the district to evaluate those boundaries if possible. Mr. Horsley stated that the district is looking at all options to ensure there are safe walking paths to schools. Councilmember Huynh asked if Redwood Elementary would possibly be moved or rebuilt. Mr. Horsley replied that nothing has been determined at this time but noted that there are challenges with Redwood Elementary including transient and unwanted activity on the property. He indicated that these boundary discussions are just beginning and neighborhood meetings would be occurring throughout the next year. Mayor Lang requested that the Council have information regarding the neighborhood meetings occurring within the City.

The Mayor and Council had no further questions or concerns.

### **B. TEMPORARY LAND USE ORDINANCE**

Steve Pastorik, CED Director, stated that the Council previously discussed the potential of a moratorium in the southwest portion of the City. He stated that in light of new information received, staff does not feel that a moratorium would be needed. He explained that property that was traded with Kennecott north of 5400 West has a deed restriction that prohibits single family housing. He briefly discussed other parcels in the area and noted that due to existing zoning, businesses, and restrictions, a moratorium would likely be unnecessary. Councilmember Huynh asked what the large property to the west is. Steve replied this is owned by Northrup Grumman and noted that they have long term contracts so there will be no changes in the near future. Councilmember Harmon asked if the overpressure zone would cause any concern for commercial or industrial uses. Steve briefly described the overpressure zone and the impact and restrictions it has. Mayor Lang noted that she spoke with Kennecott recently and they indicated that they plan to abandon the railroad and were amenable to potential housing west of the existing rail and industrial to the east.

The Mayor and Council had no further questions or concerns.

### **C. GENERAL PLAN UPDATE- OTHER AREAS**

Steve Pastorik, CED Director, stated that the Council has discussed various areas throughout the City and potential General Plan amendments. He indicated that Mayor Lang has requested conversation regarding 5600 West to the north and asked if there were any other areas that the Council had questions or concerns. Councilmember Harmon questioned who owned a particular property displayed on the map. Steve replied that this was owned by Granite School district and noted that it is zoned agriculture. Councilmember Whetstone stated that he likes the canal as a natural divider between industrial and other uses. The Council agreed.

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Councilmember Fitisemanu asked if there would be any impact to this area as related to Inland Port. Steve replied no. Mayor Lang asked if the City has the ability to be removed from Inland Port. Steve replied that he would check with Legal on this. Councilmember Nordfelt asked if there are any members of staff on the Inland Port board. Steve replied no.

Steve provided a map indicating residential properties vacant in the City and a summary of current and potential housing numbers based on type (single family, multi-family, etc.)

The Mayor and Council had no further questions or concerns.

### **D. HOME BUSINESS DISCUSSION**

Mayor Lang stated that a resident in the City would like to conduct a woodworking business in his garage. She stated that she has received numerous complaints related to this type of use, particularly auto body repairs. Mayor Lang indicated that the gentleman with the woodworking business seems to be responsible but if the code were changed, it would apply citywide and could create other consequences. Councilmember Fitisemanu agreed and noted that there is a fine line. After brief discussion, the Mayor and Council agreed to no changes to this ordinance.

Mayor Lang stated that she has had multiple complaints regarding landscaping businesses operating outside of a home. She indicated that the concern is related to vehicles of other employees coming to the home in the morning, loading equipment, and leaving for the day with their vehicles parked on the street. Steve replied that this would be an enforcement issue because the Code currently requires employees of a home business to live at the home and prohibits outside employees. Councilmember Harmon stated that he would like to see an improvement of enforcement of heavy vehicles on City streets. Councilmember Fitisemanu suggested overlapping shifts to help catch these types of issues.

The Mayor and Council had no further questions or concerns.

### **E. COUNCIL REQUESTED FOLLOW-UP**

#### Non-Commercial Signs

Nichole Camac, City Recorder, stated that the following information was emailed to the Mayor and Council:

The owner of several properties in the City has posted banner signs that state “Congress Act Now! Support Ukraine”. These signs are on private property and are in no way sponsored by the City. Not only are these signs



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not sponsored by the City, they are also not regulated by the City for the reasons explained below.

With signage, there are commercial signs and non-commercial signs. Commercial signs are used for advertising products, services, or businesses. They aim to promote economic activities and generate revenue for the advertiser. These signs often include information such as brand names, logos, product descriptions, prices, and contact details. Non-commercial signs convey messages related to non-commercial activities, such as political, ideological, religious, or personal expression. Non-commercial signs are protected under the First Amendment of the United States Constitution, which guarantees freedom of speech. Examples of non-commercial signs include:

- political campaign signs endorsing a particular candidate or issue,
- religious signs outside places of worship displaying inspirational messages, and
- signs at protests or rallies expressing a particular viewpoint.

The signs stating “Congress Act Now! Support Ukraine” are non-commercial signs. Municipalities cannot regulate non-commercial signs based on content, such as restricting certain viewpoints, as such regulations would be unconstitutional. Accordingly, West Valley City’s own code specifically exempts non-commercial banner signs from the regulations in the sign ordinance (see Section 11-2-109).

Mayor Lang indicated that this item would be discussed in closed session.

The Mayor and Council had no further questions or concerns.

### Fence in Bingham Point

Nichole Camac, City Recorder, stated that the following information was provided to the Council from Steve Pastorik, CED Director:

During the Council’s study meeting this week, Council members that attended a Bingham Point HOA meeting mentioned that there was opposition to the proposed fence along the south side of the community abutting the City’s park property. Jamie Young and I contacted our HOA contact, Thomas McLelland, to understand the extent of the opposition. According to Mr. McLelland, who is the HOA secretary, the HOA board

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unanimously supported the fence. Only one person in the community opposed the fence and that person is one of the two owners adjacent to the City park. The nature of the opposition is that the fence will make it less convenient to access the City's park.

Given that the park will still be accessible to Bingham Point residents once the fence is installed and only one person in the community opposed the fence, City staff still plans on installing the fence by this summer unless Council directs otherwise.

After brief conversation, the Mayor and Council agreed to move forward with installing a fence and bollards this summer.

The Mayor and Council had no further questions or concerns.

**F. 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 Fitisemanu requested a communication item regarding graffiti efforts including hotspots, types of tagging, graffiti kits, and employee status. Mayor Lang agreed and suggested that employees report graffiti that they see as they go about their jobs.

**B. COUNCIL REPORTS**

**COUNCILMEMBER WHETSTONE- HAMLET HOMES RIBBON CUTTING**

Councilmember Whetstone stated that he attended the Hamlet Homes ribbon cutting. He indicated that the builder mentioned unrealistic building standards required in the City.

**MAYOR LANG- WOMEN IN BUSINESS**

Mayor Lang indicated that she attended the Women in Business conference at the Utah Cultural Celebration Center. She indicated that over 200 people attended and were impressed with the Cultural Center.

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**MOTION FOR CLOSED SESSION**

Councilmember Fitisemanu moved to adjourn and reconvene in a Closed Session for discussion of pending litigation, reasonably imminent litigation, and professional competency. Councilmember Harmon seconded the motion.

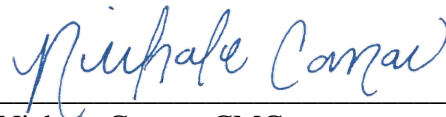
A voice vote was taken and all members voted in favor of the motion.

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

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY APRIL 9, 2024 WAS ADJOURNED AT 5:34 PM BY MAYOR LANG.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Special Study Meeting of the West Valley City Council held Tuesday, April 9, 2024.



Nichole Camac, CMC  
City Recorder

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THE WEST VALLEY CITY COUNCIL RECONVENED IN CLOSED SESSION ON TUESDAY, APRIL 9, 2024, AT 5:39 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:

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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  
Jake Fitisemanu, Councilmember District 4

**STAFF PRESENT:**

Ifo Pili, City Manager  
Nichole Camac, City Recorder  
Eric Bunderson, City Attorney  
John Flores, Interim Assistant City Manager/ HR Director  
Steve Pastorik, CED Director  
John Evans, Interim City Manager/ Fire Chief

The City Council met in Closed Session and discussed pending litigation, reasonably imminent litigation, and professional competency.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE CLOSED SESSION OF APRIL 9, 2024 WAS ADJOURNED AT 6:17 P.M. BY MAYOR LANG.



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Nichole Camac – City Recorder