

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-1-

THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, AUGUST 20, 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 PRO TEM CHRISTENSEN.

THE FOLLOWING MEMBERS WERE PRESENT:

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
Jake Fitisemanu, Councilmember District 4 (*electronically*)

ABSENT:

Karen Lang, Mayor

STAFF PRESENT:

Ifo Pili, City Manager
Nichole Camac, City Recorder
John Flores, Assistant City Manager
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CD Director
Peggy Daniels, Acting CPD Director
Dan Johnson, Public Works Director
Jamie Young, Parks and Recreation Director
Jonathan Springmeyer, ED Director
Sam Johnson, Strategic Communications Director
Ken Cushing, IT (*electronically*)
Travis Crosby, IT

APPROVAL OF MINUTES OF STUDY MEETING HELD AUGUST 13, 2024

The Council considered the Minutes of the Study Meeting held August 13, 2024. There were no changes, corrections or deletions.

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-2-

Councilmember Whetstone moved to approve the Minutes of the Study Meeting held August 13, 2024. Councilmember Harmon seconded the motion.

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

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING AND SPECIAL REDEVELOPMENT MEETING OF AUGUST 20, 2024

Mayor Pro Tem Christensen noted that one item had been added to the Regular City Council Meeting agenda and that would be discussed later on this study meeting agenda.

Upon inquiry by Mayor Pro Tem Christensen, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular City Council and Special Redevelopment Agency meetings scheduled later this night.

PUBLIC HEARINGS SCHEDULED FOR AUGUST 27, 2024

- A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-1-2024, FILED BY PAUL AND KAREEN SWENSON, REQUESTING A GENERAL PLAN CHANGE FROM LARGE LOT RESIDENTIAL TO LIGHT MANUFACTURING AND A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 4053 SOUTH 7200 WEST**

Mayor Pro Tem Christensen informed a public hearing had been advertised for the Regular Council Meeting scheduled August 27, 2024, in order for the City Council to hear and consider public comments regarding Application GPZ-1-2024, Filed By Paul and Karen Swenson, Requesting a General Plan Change from Large Lot Residential to Light Manufacturing and a Zone Change from A (Agriculture, Minimum Lot Size ½ acre) to M (Manufacturing) for Property Located at 4053 South 7200 West.

Proposed Ordinance 24-20, Ordinance 24-21, and Reso 24-81 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 24-20, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LARGE LOT RESIDENTIAL TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 4053 SOUTH 7200 WEST

Steve Pastorik, CED, discussed proposed Ordinance 24-20 that would amend the General Plan to Show a Change of Land Use from Large Lot Residential to Light Manufacturing for Property Located at 4053 South 7200 West

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

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-3-

If this application is approved, the applicants intend to develop a self-storage facility on the subject property. Included with this report is a letter from the applicants that describe how they arrived at the proposed use. In summary, the applicants indicated that self-storage was the preferred use because residential isn't viable primarily due to Overpressure Zone A, commercial uses like retail, office, or a restaurant are unlikely in that there are no other similar businesses nearby, and most industrial uses would be problematic given the adjoining residential. In the applicants' letter they also mention that they will not pursue other uses allowed in the M zone.

The M zone requires a 20' building setback from a residential zone, agricultural zone, or residential use. The applicant is requesting that, through a development agreement, this 20' setback be reduced to 0' to eliminate a 20' space that is not visible to the public and could create a security concern for the neighboring residents. There are several self-storage facilities in the City that adjoin residential where the City's Board of Adjustment has approved variances to waive the setback requirement due to security concerns or the self-storage facility was constructed before the residential. A development agreement can be used to accomplish the same outcome.

The City has also submitted a General Plan/zone change application on the City-owned parcel to the south for a General Plan designation of Light Manufacturing and M zoning. If the City's application is approved, the 20' setback would not apply along the south property line.

ACTION: ORDINANCE NO. 24-21, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4053 SOUTH 7200 WEST FROM A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO M (MANUFACTURING)

Steve Pastorik, CED, discussed proposed Ordinance 24-21 that would amend the Zoning Map to Show a Change of Zone for Property Located at 4053 South 7200 West from A (Agriculture, Minimum Lot Size ½ acre) to M (Manufacturing)

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

If this application is approved, the applicants intend to develop a self-storage facility on the subject property. Included with this report is a letter from the applicants that describe how they arrived at the proposed use. In summary, the applicants indicated that self-storage was the preferred use because residential isn't viable primarily due to Overpressure Zone A, commercial uses like retail, office, or a restaurant are unlikely in that there

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-4-

are no other similar businesses nearby, and most industrial uses would be problematic given the adjoining residential. In the applicants' letter they also mention that they will not pursue other uses allowed in the M zone.

The M zone requires a 20' building setback from a residential zone, agricultural zone, or residential use. The applicant is requesting that, through a development agreement, this 20' setback be reduced to 0' to eliminate a 20' space that is not visible to the public and could create a security concern for the neighboring residents. There are several self-storage facilities in the City that adjoin residential where the City's Board of Adjustment has approved variances to waive the setback requirement due to security concerns or the self-storage facility was constructed before the residential. A development agreement can be used to accomplish the same outcome.

The City has also submitted a General Plan/zone change application on the City-owned parcel to the south for a General Plan designation of Light Manufacturing and M zoning. If the City's application is approved, the 20' setback would not apply along the south property line.

ACTION: RESOLUTION NO. 24-81, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH PAUL SWENSON FOR APPROXIMATELY 2.96 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4053 SOUTH 7200 WEST

Steve Pastorik, CED, discussed proposed Resolution 24-11 that would authorize the City to Enter into a Development Agreement with Paul Swenson for Approximately 2.96 Acres of Property Located at Approximately 4053 South 7200 West.

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

Paul and Kareen Swenson have submitted a General Plan/zone change application (GPZ-1-2024) on 2.96 acres to change the General Plan from Large Lot Residential to Light Manufacturing and a zone change from A (Agriculture, minimum lot size ½ acre) to M (Manufacturing). The proposed use for the property is a self-storage facility.

The proposed development agreement:

1. limits the use of the property to a self-storage facility,
2. allows buildings to be built at the property line along the north and east sides of the property,
3. requires 7 feet of right-of-way dedication along 7200 West,

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-5-

4. requires a cash payment to the City in lieu of off-site improvements due to the upcoming road project planned along 7200 West,
5. delays the installation of live-plant material and irrigation to avoid the City replacing these items with the 7200 West project, and
6. requires a temporary construction easement to the City to facilitate the 7200 West project.

Steve Pastorik indicated that this item was previously denied by the City Council on June 2, 2024. However, Councilmember Huynh and three others agreed to bring the item back for consideration.

Councilmember Fitisemanu stated that he will be voting against this at the regular City Council meeting next week for the same reasons he voted against it previously.

The City Council will consider Ordinance 24-20, Ordinance 24-21, and Resolution 24-81 at the Regular Council Meeting scheduled August 27, 2024 at 6:30 P.M.

RESOLUTION 24-130: APPROVE AN EXECUTIVE ORDER TO AMEND THE PERSONNEL POLICIES AND PROCEDURES MANUAL

John Flores, Assistant City Manager, presented proposed Resolution 24-130 that would approve an Executive Order to Amend the Personnel Policies and Procedures Manual.

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

Our last amendment to the Personnel Policies and Procedures Manual was in November 2022. Since then, changes in employment law and City practices have rendered parts of the manual outdated. Consent of the City Council is required to finalize and implement the revised manual as outlined in City Code 3-2-102 (1) “The City Manager is the Chief Executive Officer of the City and has the following powers and duties:” (2) d. “Prescribe such rules and regulations by executive order, with the advice and consent of the City Council, as the City Manager shall deem necessary or expedient for the conduct of all departments, divisions, and offices; and revoke, suspend, or amend any rule or regulation by whoever prescribed.”

Councilmember Whetstone stated that the nepotism policy is more restrictive than State Law and would like to see that align more. John replied that this is being looked at further and will likely be adjusted in a future update. Councilmember Fitisemanu asked if the City pays for the cost of an initial drug screening for an applicant. John replied yes.

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-6-

The City Council will consider Resolution 24-130 at the Regular Council Meeting scheduled August 27, 2024 at 6:30 P.M

RESOLUTION 24-131: AUTHORIZE THE CITY TO ENTER INTO PROPERTY SCHEDULE NO. 25 OF THE MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH US BANCORP GOVERNMENT LEASING AND FINANCING, INC. WITH RESPECT TO A LEASE FOR THE PURCHASE OF EQUIPMENT

Jim Welch, Finance Director, presented proposed Resolution 24-131 that would authorize the City to Enter Into Property Schedule No. 25 of the Master Tax-Exempt Lease/Purchase Agreement With US Bancorp Government Leasing and Financing, Inc. with Respect to a Lease for the Purchase of Equipment.

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

Purchase of (1) Fire Truck. This lease is intended to last 7 years with semi-annual payments with an interest rate of 4.76%. The amount to be financed is \$400,000. The City will own the ambulance at the end of the lease term.

US Bancorp Government Leasing and Finance, Inc. has provided a highly competitive leasing proposal for the purchase of this equipment.

Councilmember Christensen stated that the City has tried to evaluate the timeline and this seems like it's outside of the normal schedule. Jim replied that this isn't a typical type of truck and Chief Evans will describe that in more detail during the next resolution. Councilmember Huynh asked if the City has looked at financing with a credit union. Jim replied that US bank has been the lowest rate for years past but other institutions can be looked at in the future.

The City Council will consider Resolution 24-131 at the Regular Council Meeting scheduled August 27, 2024 at 6:30 P.M

RESOLUTION 24-132: AUTHORIZE THE PURCHASE OF A FIRE ENGINE FROM SIDDONS-MARTIN EMERGENCY GROUP

John Evans, Fire Chief, presented proposed Resolution 24-132 that would authorize the Purchase of a Fire Engine from Siddons-Martin Emergency Group.

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

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-7-

West Valley City Department seeks to purchase a Type 3 wildland fire engine by utilizing the seasonal fire deployment revenue stream to make payments on this apparatus resulting in no cost to the taxpayers of West Valley City.

A type 3 fire engine specializes in wildland firefighting carrying 500 gallons of water with the ability to pump and roll along with having four-wheel drive capability. This type of apparatus would be extremely beneficial to the west side of the City in rolling grass hills by U-111. This apparatus would also be an asset during the wintertime due to the four-wheel drive.

This unit would also be in rotation for wildland deployments outside of the city/county/state. Requesting agencies or states pay a rate fee for apparatus and personnel set by Utah Forest Fire and State Lands.

Siddons-Martin Emergency Group is a participant in the Houston-Galveston Area Council, an interlocal entity offering purchasing and procurement services to municipalities around the nation. West Valley City is a member of HGAC and is entitled to purchase services at HGAC prices and from HGAC affiliates and members. Since this purchase is in accordance with HGAC procedures, procurement requirements have been satisfied pursuant to Section 5-3-108 of the West Valley City Municipal Code. The price indicated below is a competitive price and the product meets the City's needs.

Number of Apparatus	Type of Apparatus	Cost Per Apparatus
1	Type 3 BME Fire Engine	\$500,023.00

Councilmember Whetstone asked if there will be any upfitting required. Chief Evans replied there will be some minimal upfitting. Councilmember Huynh asked if the apparatus will hold 2 firefighters in front and 2 in the back. Chief Evans replied yes. He detailed the potential use of the unit.

The City Council will consider Resolution 24-132 at the Regular Council Meeting scheduled August 27, 2024 at 6:30 P.M

CONSENT AGENDA AUTHORIZATION FOR REGULAR MEETING OF AUGUST 27, 2024

The Council requested that no items be added to the Consent Agenda for the August 27, 2024 Regular City Council Meeting at 6:30 PM.

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-8-

NEW BUSINESS SCHEDULED FOR AUGUST 20, 2024

A. RESOLUTION 24-133: REMOVE DAVID MCEWEN FROM THE PLANNING COMMISSION

Ifo Pili, City Manager, discussed proposed Resolution 24-133 that would remove David McEwen from the Planning Commission.

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

Section 7-3-106 provides that the City Manager may remove any Planning Commission member from the Planning Commission with the advice and consent of the City Council. The City Manager has determined that Mr. McEwen should be removed from the Planning Commission and now seeks the advice and consent of the City Council for said removal.

Councilmember Harmon asked how a new person is appointed. Ifo replied that the recommendation would come from him and be brought to the council for advice and consent. Nichole added that there is a link on the website where residents can apply as well.

The City Council will consider Resolution 24-133 at the Regular Council Meeting scheduled August 20, 2024 at 6:30 P.M.

COMMUNICATIONS

A. SIDEWALK REPAIR UPDATE

Dan Johnson, Public Works Director, provided an update on sidewalk maintenance. He displayed a map and explained that the sidewalks are categorized by the severity of displacement, with smaller dots representing minor displacements and larger dots indicating significant issues, up to 4 inches. He also discussed the impact of trees on sidewalks, noting that tree roots have caused major displacements.

Dan reported that the City has inventoried problematic trees and proposed strategies for dealing with them, emphasizing that trees causing sidewalk damage must be removed to prevent recurring issues. The City has approximately 110,000 linear feet of sidewalk in need of repair, which is being addressed by a dedicated crew of four workers. Staff focuses on repairing entire neighborhoods at a time for efficiency, though this approach sometimes left severe displacements unaddressed. Dan highlighted that most of the severe sidewalk displacements were caused by trees, particularly older varieties not suitable for planting near sidewalks. The City has adopted a code prohibiting certain tree species near sidewalks and has seen positive results from planting appropriate trees in recent years.

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-9-

Ifo Pili, City Manager, has directed Public Works to contract out the repair of the worst sidewalk areas, marked by red dots on the map. Dan also stated that the City plans to notify residents about tree removals, especially those with trees on private property, seeking their consent for removal to facilitate sidewalk repairs.

Councilmember Huynh asked about sidewalk repairs on Crystal Avenue and Dan indicated that sidewalks are needed in this area but the cost is extensive.

Councilmember Fitisemanu stated that he loves this approach and is thankful for the work to be done on fixing some of these more extensive issues.

The Mayor Pro Tem and Council had no further questions or concerns.

B. SPEED STUDY DISCUSSION

Dan Johnson, Public Works Director, presented a PowerPoint presentation summarized as follows:

- Current Policy (since Fall 2023)
 - o **10 Signature Petition**
 - o **SPEED STUDY SCORING CRITERIA**
 - Speed Points (85th %-ile) 10 points/mph over limit
 - Traffic Volume 1/2 point per 100 vehicles
 - Other Points Limited to 10 points max
 - Sidewalks 5 points if no sidewalk
 - Elementary Schools 5 points for each Elem. School
 - Pedestrian Generators 5 points for each park, Jr. High, High School, etc.
 - o **ACTION THRESHOLDS**
 - < 70 points: No Action
 - 70–79 points: Driver Feedback Signs
 - 80+ points: Physical Constructed Calming Device (Normally speed humps)
 - o **Poll Residents** – 2/3 affirmative – City will build speed humps
- Recent Application of New Policy
 - o **4400 South – 3200 West to 3600 West**
 - o 85th Percentile Speed - 32 mph (7 mph over speed limit)
 - o 10 points per mph over speed limit 70 points
 - o Volume - 650 vehicles per day
 - o ½ point per 100 vehicles 3 points
 - o Other Points

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-10-

- o School, Park, Etc... 10 points
 - o Total Index 83 points
 - o **Qualifies For Speed Humps (80 points minimum)**
 - o **Speed Humps will be included in 2025 Overlay Project**
- Past Study Result Summary
 - o 336 Speed Studies
 - o 85th Percentile Speed Distribution
- Potential Policy Change
 - o Ten Signature Petition to Initiate Process
 - o Potential New Criteria
 - o 85th Percentile Speed of 27-29 mph qualifies for driver feedback signs
 - o 85th Percentile Speed of 30 mph or greater qualifies for speed humps
 - o Public Works could use the maximum value of all traffic studies that have ever been performed or will do a new study if previous studies did not qualify.
 - o Poll residents on roads qualifying for Speed Humps 2/3 of responses in the affirmative – Build Humps
- Limiting Factors with Potential Change
 - o This change will qualify many more roads for speed humps
 - o Public Works will budget a certain amount each year and contract the construction of humps in the annual overlay project or other project
 - o If requests exceed available funding, roads with higher speed and volume will be prioritized.

Councilmember Harmon asked if 2/3 of the neighborhood is okay with installing speed humps, and meet the 85th percentile speed of 30 MPH or greater, they would automatically qualify under the proposed policy. Dan replied yes. Councilmember Harmon stated that he likes the point system because some streets will have more children than others. Dan replied that almost every street in the City would likely get points for proximity to schools or parks. Councilmember Harmon asked if any speed studies have qualified in 2024. Dan replied 1. Mayor Pro Tem Christensen stated that he likes having a point system and would be okay lowering the criteria so that more streets qualify. Councilmember Whetstone stated that he likes the proposal but wouldn't want to use past traffic data and would like residents to still come and request a new study. Councilmember Nordfelt agreed that he likes the new approach. Councilmember Harmon stated that he is not in favor of driver feedback signs. Councilmember Whetstone asked if this new policy be tested and changed if it isn't working. Dan replied yes and indicated that it's a policy that the

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-11-

Council can adjust as they see fit. After brief discussion, the Council agreed to proceed with the new criteria proposed.

The Mayor and Council had no further questions or concerns.

C. COUNCIL CALENDAR

Mayor Pro Tem Christensen 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 Huynh expressed concern about homeless issues in his district. He requested that the Police Department put pressure on these individuals and noted that the issue is impacting businesses. Ifo Pili, City Manager, indicated that the City has an active and engaged Homeless Task Force and a presentation can be made to the Council.

Councilmember Whetstone stated that he attended a COG meeting last Thursday and a presentation regarding airsoft rifles and the dangers of how realistic they can appear. He noted that the presenters offered to come to Council to present as well.

Councilmember Harmon stated that he experienced a speeding motorbike on Mountain View Corridor. Nichole Camac, City Recorder, replied that Jamie Young, Parks and Recreation Director, is working on putting up signs to try to deter this activity on trails.

Councilmember Whetstone stated that he would like to see a Veteran's Committee put in place to see help organize and plan for events.

B. COUNCIL REPORTS

COUNCILMEMBER WHETSTONE- COG AND PEAK RIBBON CUTTING

Councilmember Whetstone stated that he attended COG and the County spoke of a bond being added to the ballot about potentially selling the Oxbow Jail and expanding on the County jail along with a mental health facility. He noted that he attended a ribbon cutting for Peak which was a great event.

MINUTES OF COUNCIL STUDY MEETING – AUGUST 20, 2024

-12-

COUNCILMEMBER CHRISTENSEN- NATIONAL NIGHTS OUT

Councilmember Christensen stated national night out events are still going on.

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 AUGUST 20, 2024 WAS ADJOURNED AT 5:58 PM BY MAYOR PRO TEM CHRISTENSEN.

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, August 20, 2024.



Nichole Camac, MMC
City Recorder