



WEST HAVEN CITY COUNCIL MEETING MINUTES

November 06, 2024 6:00 PM
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

PRESENT

Mayor - Rob Vanderwood
Councilmember - Carrie Call
Councilmember - Ryan Saunders
Councilmember - Nina Morse
Councilmember - Kim Dixon
Councilmember - Ryan Swapp
City Manager – Shawn Warnke
City Attorney – Amy Hugie
City Recorder – Emily Green

EXCUSED

6:00 PM REGULAR CITY COUNCIL MEETING

1. MEETING CALLED TO ORDER-MAYOR VANDERWOOD

*City Council met for their regularly scheduled meeting held in the council chambers.
Mayor Vanderwood brought the meeting to order at 6:00 pm. and welcomed those in attendance.*

2. OPENING CEREMONIES

A. PLEDGE OF ALLEGIANCE-COUNCILMEMBER DIXON

B. PRAYER/MOMENT OF SILENCE-COUNCILMEMBER CALL

3. PUBLIC PRESENTATION: Resident(s) attending this meeting will be allotted 2 minutes to express a concern or ask a question about any issue that **IS NOT ON THE AGENDA** No action can or will be taken on any issue(s) presented.

No one came up at this time.

4. UPCOMING EVENTS

Weber County Housing & Infrastructure Forum-November 20, 2024-9:00 AM-Commission Chambers 2380 Washington Blvd Ogden, UT. 84401

Heart of the Holidays-December 2, 2024-6:00 PM
Senior Lunch Bunch Cancelled-November 27, 2024
Senior Lunch Bunch-December 11, 2024-11:30 AM

5. COUNCIL UPDATES

Councilmember Dixon said the Pumpkin Walk was a well attended event and lots of fun. She wanted to thank the volunteers, staff, and residents who came out to attend.

Mayor Vanderwood highlighted that we are a Healthy Utah Community at number 8 in the state. They offer free student support. He said that Cyann Hollenbaugh from West Haven won the Junior Teen Miss Utah contest this year.

AGENDA ACTION ITEMS

6. ACTION ON CONSENT AGENDA

A. CITY COUNCIL MINUTES-MEETING HELD-OCTOBER 16, 2024

- B. YOUNG IN MORGAN-\$63,598.00-INV#11S2521
- C. BOWEN CONSTRUCTION-\$75,000-INV#2024-30
- D. ADVANCED PAVING AND CONSTRUCTION-\$186,439.40-INV#5158
- E. ADVANCED PAVING AND CONSTRUCTION-\$218,269.62-INV#5083
- F. C & B ASPHALT-\$132,617.20-INV#2699

Kim Dixon made a motion to approve. Ryan Saunders seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

- 7. PUBLIC HEARING-FOR THE PURPOSE OF SOLICITING PUBLIC INPUT ON AN ORDINANCE APPROVING THE APPROPRIATION OF A PUBLIC INFRASTRUCTURE REIMBURSEMENT FOR A CITY ROAD RECONSTRUCTION AT HUNTER DRIVE

Rob Sant gave a presentation on the payback agreement and the reason for the public hearing.

PUBLIC INFRASTRUCTURE REIMBURSEMENT HUNTER DRIVE



HUNTER DRIVE RECONSTRUCTION

- Current Hunter Drive was constructed in 2007. Due to market constraints and other events, Hunter Drive has been unused and deteriorated to the point of failure.
- In 2023, Walmart submitted applications for site plan permit, subdivision plat amendment, and vacation of Hunter Drive to accommodate a development scenario of realigning Hunter Drive to accommodate a larger store.
- The realignment and construction of Hunter Drive has an estimated cost in excess of **\$4.00M**.
- Given current market conditions and the various public infrastructure costs, the development doesn't currently pencil "but-for" some sort of public assistance.
- The Developers have requested **\$2.00M** to help offset a portion of the Hunter Drive realignment cost.
- At build out the area will produce between **\$1.00M - \$1.90M** in annual City sales tax revenue.



URBAN & MAIN



PUBLIC REIMBURSEMENT TERMS

Walmart and Company Joint Commitments

- Construct Hunter Drive in the new alignment and submit documentation summarizing all costs and expenses

Walmart Specific Commitments

- Walmart shall receive a Certificate of Occupancy ("CO") for a Walmart Supercenter building of at least 170,000 square feet by December 31, 2027

Company Specific Commitments

- The Company shall construct at least 20,000 square feet of additional commercial space by December 31, 2032
- The Company shall redevelop Parcels 0805100401 and 080510163 within 10 years after Walmart receives CO.

City Commitments

Once Walmart and Company satisfy Joint Commitment and Walmart Specific Commitment, City shall:

- Reimburse Walmart for the Hunter Drive costs, not to exceed **\$2.00M**. The reimbursement shall be paid by the City from 50% of the City's local option sales tax generated from the project until the **\$2.00M** is reached or for a period of 8 years, whichever comes first.

URBAN & MAIN



COST/BENEFIT ANALYSIS OF PUBLIC INFRASTRUCTURE APPROPRIATION

Based on the \$2.00 Public Infrastructure Reimbursement, the Development will produce a net benefit of **\$10.92M** to the City over a 10-year period. This is an average annual benefit of **\$1.09M**. The actual economic benefit of the Development is much higher due to additional direct, indirect, and induced benefits. Positive economic impacts will be felt through business, construction, and leisure supplies purchased by the Developers, businesses, and residents. It is also likely that new demand for goods and services will be attracted to the area.

Revenue	Year 1	Year 2	Year 3	Year 4	Year 5
Sales Tax	\$900,000	\$922,500	\$945,563	\$1,104,202	\$1,131,807
Expense					
Public Infrastructure Reimbursement	(\$450,000)	(\$461,250)	(\$472,781)	(\$552,101)	(\$63,868)
Net Benefit/(Cost)	\$450,000	\$461,250	\$472,781	\$552,101	\$1,067,939

Year 6	Year 7	Year 8	Year 9	Year 10	Total
\$1,301,936	\$1,479,865	\$1,516,861	\$1,707,523	\$1,906,770	\$12,917,026
-	-	-	-	-	(\$2,000,000)
\$1,301,936	\$1,479,865	\$1,516,861	\$1,707,523	\$1,906,770	\$10,917,026

URBAN & MAIN



Ryan Saunders made a motion Enter into Public Hearing. **Nina Morse** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

Mayor Vanderwood invited the public up for comment.

No one came up at this time.

Kim Dixon made a motion Leave Public Hearing. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

8. **ACTION ON ORDINANCE 33-2024-AN ORDINANCE APPROVING THE APPROPRIATION OF A PUBLIC INFRASTRUCTURE REIMBURSEMENT FOR A CITY ROAD RECONSTRUCTION AT HUNTER DRIVE**

Councilmember Swapp asked if the road is city owned.

Amy Hugie confirmed it is recorded on the plat as a public road.

Carrie Call made a motion to adopt ordinance 33-2024. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
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NAYS:
RECUSED:

9. **ACTION ON RESOLUTION 44-2024-PUBLIC INFRASTRUCTURE PARTICIPATION AGREEMENT WITH WALMART INC, AND 4100 INVESTMENTS LLC**

Shawn Warnke said that he coordinated with the State of Utah to formalize this agreement.

Mayor Vanderwood noted the addition of two commas in the enacting document.

Councilmember Call noted a mistake on section 4 of the agreements second paragraph first line needs to say "While the Parties believe and have consulted with GOEO that this Agreement does not qualify as a "Retail Facility Incentive Payment," and thus allowed by Utah law, Walmart and the Company accept and understand that if Utah Law is amended or superseded by new law that revises the definition of a "Retail Facility Incentive Payment" which prohibits the Public Infrastructure Reimbursement Payment as contemplated herin, the City's obligation to pay the Public Infrastructure Reimbursement Payment to the Company and Walmart shall end as of such date."

Ryan Swapp made a motion to adopt resolution 44-2024 with the changes as noted. **Kim Dixon** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

10. **PUBLIC HEARING-FOR THE PURPOSE OF SOLICITING PUBLIC INPUT ON AN ORDINANCE AMENDING SECTIONS IN THE CITY CODE REGARDING ADDING AN APPOINTED POSITION OF FINANCE DIRECTOR**

Shawn Warnke went over the changes made in the ordinance draft to meet state code.

Ryan Swapp made a motion Enter into Public Hearing. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

Mayor Vanderwood invited the public up for comment.

No one came up at this time.

Ryan Swapp made a motion Leave Public Hearing. **Carrie Call** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

11. **ACTION ON ORDINANCE 34-2024-AN ORDINANCE AMENDING SECTIONS IN THE CITY CODE REGARDING ADDING AN APPOINTED POSITION OF FINANCE DIRECTOR**

Ryan Swapp made a motion to adopt ordinance 34-2024. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

12. **ACTION ON RESOLUTION 45-2024-AGREEMENT BETWEEN WEST HAVEN CITY AND CHILD RICHARDS CPAS & ADVISORS AND APPOINTMENT OF FINANCE DIRECTOR SUBMITTED BY MAYOR VANDERWOOD**

Kim Dixon made a motion to adopt resolution 45-2024 and appoint Amy Davies as Finance Director. **Nina Morse** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

13. **ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)**

A. **ACTION ON ORDINANCE 36-2024-ROAD VACATION OF HUNTER DRIVE-APPROX. 4275 S MIDLAND DRIVE (PARCEL #084750025, 084750010, AND 084750011)-WALMART INC./GALLOWAY & COMPANY**

Carrie Call made a motion to adopt ordinance 36-2024. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

B. **PRELIMINARY SITE PLAN APPROVAL-4275 S MIDLAND DRIVE (PARCEL# 084750025, 084750010, AND 084750011)-RETAIL STORE AND FUEL CENTER-WALMART INC./GALLOWAY & COMPANY**

Councilmember Swapp asked what the use is for the future 27,000 square feet.

Sid Biddle said it is part of a future plan to build out for online grocery pick up and delivery.

Brandon Alley said it will not be used for future retail space.

Kim Dixon made a motion to approve. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

14. **ACTION ON RESOLUTION- 46-2024-AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF HOOPER AND THE CITY OF WEST HAVEN REGARDING 5100 WEST**

Shawn Warnke said the amendment will address safety enhancements.

Ryan Swapp made a motion to adopt resolution 46-2024. **Nina Morse** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

15. **ACTION ON RESOLUTION 47-2024-AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE WEST HAVEN SPECIAL SERVICE DISTRICT AND WEST HAVEN CITY FOR REIMBURSEMENT TO THE CITY FOR CERTAIN OPERATING COSTS OF THE DISTRICT**

Shawn Warnke went over the changes on the interlocal agreement.

Ryan Saunders made a motion to adopt resolution 47-2024. **Kim Dixon** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

15. **ADJOURNMENT**

Carrie Call made a motion to adjourn at 7:05 PM. **Ryan Swapp** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

Emily Green

City Recorder

Date Approve: 11-20-24