

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 15, 2019

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, OCTOBER 15, 2019, AT 5:32 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Steve Pastorik, Acting CED Director
Eric Bunderson, City Attorney
John Evans, Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russ Willardson, Public Works Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director

APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 8, 2019

The Council considered the Minutes of the Study Meeting held October 8, 2019. There were no changes, corrections or deletions.

Councilmember Buhler moved to approve the Minutes of the Study Meeting held October 8, 2019. Councilmember Christensen seconded the motion.

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

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF OCTOBER 15, 2019

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Upon inquiry by Mayor Bigelow, 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.

AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED FOR OCTOBER 22, 2019

A. PROCLAMATION DECLARING NOVEMBER 1, 2019 AS “EXTRA MILE DAY” IN WEST VALLEY CITY

Councilmember Christensen offered to modify the proclamation to include more detailed information related to West Valley City. This proclamation would declare November 1, 2019 as Extra Mile Day in West Valley City at the October 22, 2019 City Council Regular Meeting scheduled at 6:30 PM.

RESOLUTION 19-117: AUTHORIZE THE EXECUTION OF AN AMENDMENT TO A DEVELOPMENT AGREEMENT WITH STAY WVC, LLC FOR PROPERTY LOCATED AT APPROXIMATELY 1776 WEST 4100 SOUTH

Steve Pastorik, CED, presented proposed Resolution 19-117 that would authorize the execution of an amendment to a Development Agreement with Stay WVC, LLC for property located at approximately 1776 West 4100 South.

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

In April of 2018, the City Council approved a zone change and development agreement for a commercial and residential project on the northwest corner of 4100 South and Redwood Road (formerly Kmart). Rich Day, representing Stay WVC, LLC is requesting an amendment to this agreement for the residential portion of the project. The provisions relating to the commercial portion of the property would remain unchanged.

A previous version of the proposed development agreement amendment was considered by the Council on 9/10 and continued. The applicant is now proposing an amendment with fewer changes as option 1. As an alternative to option 1, option 2 includes all of the same commitments as option 1 for the apartments but replaces the townhomes with open space. Included with this report is a table that compares the standards in the original agreement with those proposed in options 1 and 2. Below is a summary of the proposed changes to the development agreement that apply to option 1:

- Reducing the height of the apartment building from 7 to 6 floors
- Changing the architecture of the apartment building to include ground level units

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- Reducing the number of townhome units by 3
- Changing the architecture of the townhomes to compliment the apartment building
- Increasing the area of the townhomes by going from 2 to 3 stories
- Changing the unit mix and unit sizes in the apartment building to increase the variety of unit types and to include more 2 and 3 bedroom units
- Changing the 5 upper floors from concrete to wood construction with extra sound attenuation and fire rating on the wood

Councilmember Buhler asked if the additional park space is a function of removing the townhomes in one of the options. Steve replied yes. Councilmember Buhler asked if the developer has a preference. Steve replied that he would guess that the developer would prefer option 1. Mayor Bigelow invited the applicant to the podium. The applicant stated that he would prefer option 1 to make a better transition into the existing neighborhood and for marketing purposes. He indicated that the option that allows more green space is also a viable opportunity so either selection would be acceptable. Mayor Bigelow noted that the maximum number of one-bedroom units have decreased. Steve replied yes. Councilmember Huynh stated that he is concerned about the property declining in the future. He indicated that rental properties often worsen after they change management over time. Councilmember Lang stated that she would like to know the number of parking stalls available with both options. Mayor Bigelow noted that there it would be inconvenient for people to park in the neighborhoods surrounding the project. Mayor Bigelow stated that much of the material is durable and asked what “EFIS” is. Steve replied commercial grade stucco. Mayor Bigelow stated that these apartments seem to be high quality and targeted toward a higher market. Steve indicated that the market is comparable to ICO. Councilmember Huynh stated that the apartment sizes are small and the one-bedroom units are more like studios. Mayor Bigelow stated he doesn’t know how to define what is “too small” and stated that many people are living in “mini homes”. Councilmember Christensen asked if the sizes of the units are comparable to ICO. Steve replied yes. Mayor Bigelow noted that the 3 level townhome units in one option are mostly garage on the main level. Councilmember Lang asked about the layout of the two-level townhomes. Steve stated that these have an alley loaded garage and indicated that another difference between the two was a patio/ balcony versus a landscaped backyard. Mayor Bigelow asked why the basement space was removed from 3 story townhome concept. Steve replied that there wouldn’t be good room for a basement below the garage. Councilmember Huynh verified that a traffic study was conducted. Steve replied yes and noted that a successful commercial business would generate more traffic than this development. Councilmember Lang stated that she wouldn’t be comfortable with three-story units overlooking two-story ones. Councilmember Nordfelt replied that there would be a road that separates these two. Councilmember Lang expressed concern about noise from the roads in option 1 for the townhomes. Mayor Bigelow stated that there is an existing development agreement in place but the applicant has indicated that this needs to be modified for this project to be

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successful. He indicated that he doesn't see lot of concern with the proposed changes. Councilmember Fitisemanu asked if the configuration for the rear loaded townhomes would allow for parking elsewhere. Steve replied that under this design, there wouldn't be space in the alleys but noted that there are other areas on the site where parking could be located. Mayor Bigelow asked if drive aisles would be parked on. Steve replied no because emergency vehicles need to access the site. Mayor Bigelow asked who would be responsible. Steve replied that the management or City could enforce this but management would want to enforce to allow access. Councilmember Huynh asked if there is security on site. Steve replied there is on-site maintenance required as well as inspections. Upon inquiry, Steve discussed fencing and balcony configurations.

The City Council will consider Resolution 19-117 at the Regular Council Meeting scheduled October 22, 2019 at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR OCTOBER 22, 2019

A. **RESOLUTION 19-133: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY CONTRACT AND ACCEPT AN UNDERGROUND RIGHT OF WAY EASEMENT WITH AND FROM BRIAN AND LORI CREIGHTON FOR PROPERTY LOCATED AT APPROXIMATELY 5954 WEST 3500 SOUTH**

Mayor Bigelow discussed proposed Resolution 19-133 that would authorize the City to enter into a Right of Way Contract and accept an Underground Right of Way Easement with and from Brian and Lori Creighton for property located at approximately 5954 West 3500 South

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

The Brian D. Creighton and Lori T. Creighton parcel located at 5954 West 3500 South is one of several parcels affected by this project and which require acquisitions Underground Right of Way Easements in favor of Rocky Mountain Power for the 3500 South Power Burial Project; approximately 5400 West to 6000 West. This project will be constructed in conjunction with the current phase of the Mountain View Corridor Project. As a Betterment to the Mountain View Corridor Project, West Valley City is paying for the burial of overhead power lines between approximately 5400 West and 6000 West. Compensation for the purchase of the Underground Right of Way Easement and improvements is \$14,800.00 based upon the compensation estimate prepared by the DH Group, LLC.

B. **RESOLUTION 19-134: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY CONTRACT AND ACCEPT AN UNDERGROUND RIGHT OF WAY EASEMENT WITH AND FROM CAROL**

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WINKEMPLECK AND YOLANDA TAYLOR FOR PROPERTY LOCATED AT APPROXIMATELY 5966 WEST 3500 SOUTH

Mayor Bigelow discussed proposed Resolution 19-134 that would authorize the City to enter into a Right of Way Contract and Accept an Underground Right of Way Easement with and from Carol Winkempleck and Yolanda Taylor for property located at approximately 5966 West 3500 South.

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

The Carol A. Winkempleck and Yolanda L. Taylor parcel located at 5966 West 3500 South is one of several parcels affected by this project and which require acquisitions Underground Right of Way Easements in favor of Rocky Mountain Power for the 3500 South Power Burial Project; approximately 5400 West to 6000 West. This project will be constructed in conjunction with the current phase of the Mountain View Corridor Project. As a Betterment to the Mountain View Corridor Project, West Valley City is paying for the burial of overhead power lines between approximately 5400 West and 6000 West. Compensation for the purchase of the Underground Right of Way Easement and improvements is \$5,800.00 based upon the compensation estimate prepared by the DH Group, LLC.

C. RESOLUTION 19-135: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY CONTRACT AND ACCEPT AN UNDERGROUND RIGHT OF WAY EASEMENT WITH AND FROM OIL SLICK HOLDINGS LLC FOR PROPERTY LOCATED AT APPROXIMATELY 5534 WEST 3500 SOUTH

Mayor Bigelow discussed proposed Resolution 19-135 that would authorize the City to enter into a Right of Way Contract and Accept an Underground Right of Way Easement with and from Oil Slick Holdings LLC for Property Located at Approximately 5534 West 3500 South.

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

The Oil Slick Holdings LLC parcel located at 5534 West 3500 South is one of several parcels affected by this project and which require acquisitions Underground Right of Way Easements in favor of Rocky Mountain Power for the 3500 South Power Burial Project; approximately 5400 West to 6000 West. This project will be constructed in conjunction with the current phase of the Mountain View Corridor Project. As a Betterment to the Mountain View Corridor Project, is paying for the burial of overhead power lines between approximately 5400 West and 6000 West. Compensation for the

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purchase of the Underground Right of Way Easement and improvements is \$1,700.00 based upon the compensation estimate prepared by the DH Group, LLC.

- D. **RESOLUTION 19-136: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY CONTRACT AND ACCEPT AN UNDERGROUND RIGHT OF WAY EASEMENT WITH AND FROM RUECO LLC FOR PROPERTY LOCATED AT APPROXIMATELY 3567 SOUTH 5600 WEST**
Mayor Bigelow discussed proposed Resolution 19-136 that would authorize the City to enter into a Right of Way Contract and Accept an Underground Right of Way Easement with and from RueCo LLC for Property Located at Approximately 3567 South 5600 West.

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

The RueCo L.L.C. parcel located at 3567 South 5600 West is one of several parcels affected by this project and which require acquisitions Underground Right of Way Easements in favor of Rocky Mountain Power for the 3500 South Power Burial Project; approximately 5400 West to 6000 West. This project will be constructed in conjunction with the current phase of the Mountain View Corridor Project. As a Betterment to the Mountain View Corridor Project, is paying for the burial of overhead power lines between approximately 5400 West and 6000 West. Compensation for the purchase of the Underground Right of Way Easement and improvements is \$3,000.00 was negotiated based upon the compensation estimate prepared by the DH Group, LLC.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

The City Council will consider Resolutions 19-133, 19-134, 19-135, and 19-136 at the Regular Council Meeting scheduled October 22, 2019, at 6:30 P.M.

COMMUNICATIONS

A. COUNCIL CALENDAR

Mayor Bigelow 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

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A. **POTENTIAL FUTURE AGENDA ITEMS**

Council Suggestions

Councilmember Lang stated there is an issue near 6400 W 3700 S. She stated that a neighbor lights fires every night and smokes out the neighborhood. She indicated that the County, Police Department, Code Enforcement, and Fire Department has been contacted and there is nothing more that can be done. Councilmember Lang stated that she would like to look at a potential ordinance change to prevent this. Councilmember Christensen stated he thought there was an ordinance in place. Councilmember Fitisemanu agreed. Councilmember Buhler requested a report on what regulations exists and what the City can do.

B. **COUNCIL REPORTS**

MAYOR BIGELOW- TRCC

Mayor Bigelow discussed TRCC. He indicated that 2.5 million distributed over 2 years was approved and the board has passed this recommendation on to the County Council. Mayor Bigelow indicated that if approved, the West Valley City Veterans Hall would be awarded those funds. Mayor Bigelow indicated that the Veteran's Hall would like to raise about 7 million in funds.

COUNCILMEMBER BUHLER- PD BUILDING

Councilmember Buhler stated the he is impressed by the new Police Headquarter Building. He indicated that the department seemed pleased as well.

COUNCILMEMBER CHRISTENSEN- SPRINGHILL SUITES

Councilmember Christensen stated that he attended the Springhill Suites foundation raising. He indicated that this will add to West Valley's downtown and will be a great amenity.

MOTION TO ADJOURN

Upon motion by Councilmember Buhler, all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY OCTOBER 15, 2019 WAS ADJOURNED AT 6:17 PM BY MAYOR BIGELOW.

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, October 15, 2019.

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Nichole Camac, CMC
City Recorder