

MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 25, 2020

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, FEBRUARY 25, 2020 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 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

ABSENT:

Jake Fitisemanu, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager
Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief
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
Jake Arslanian, Public Works Department
John Rock, Administration
Steve Lehman, CED
Steve Pastorik, CED
Erik Brondum, Public Works
Daniel Johnson, Public Works
Mark Nord, CED
Jeff Jackson, CED

APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 18, 2020

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The Council considered the Minutes of the Study Meeting held February 18, 2020. There were no changes, corrections or deletions.

Councilmember Buhler moved to approve the Minutes of the Study Meeting held February 18, 2020. Councilmember Christensen seconded the motion.

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

REVIEW AGENDAS FOR REGULAR CITY COUNCIL, SPECIAL REDEVELOPMENT AGENCY, AND SPECIAL HOUSING AUTHORITY MEETINGS OF FEBRUARY 25, 2020

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, Special Redevelopment Agency, and Special Housing Authority Meetings scheduled later this night.

PUBLIC HEARINGS SCHEDULED FOR MARCH 10, 2020

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-17-2019, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO AMEND THE CRITERIA USED TO DETERMINE WHETHER A PROPERTY IS ELIGIBLE TO BE REZONED TO THE RM ZONE, PARKING LOT LIGHTING STANDARDS, AND THE MULTI-UNIT RESIDENTIAL DESIGN STANDARDS

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled March 10, 2020, in order for the City Council to hear and consider public comments regarding application ZT-17-2019, filed by West Valley City, requesting a Zone Text Change to amend the criteria used to determine whether a property is eligible to be rezoned to the RM Zone, parking lot lighting standards, and the Multi-Unit Residential Design Standard.

Proposed Ordinance 20-13 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 20-13, AMEND SECTIONS 7-5-101, 7-9-113, 7-11-404, 7-11-405, AND 7-11-412 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND CERTAIN REQUIREMENTS APPLICABLE TO MULTI-UNIT RESIDENTIAL DEVELOPMENTS

Steve Pastorik, CED, discussed proposed Ordinance 20-13 that would amend Sections 7-5-101, 7-9-113, 7-11-404, 7-11-405, and 7-11-412 of the West Valley City Municipal Code to amend certain requirements applicable to Multi-Unit Residential Developments.

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

On 9/17/2019, the City Council adopted a 6-month temporary land use regulation or moratorium (Ordinance # 19-38) that prohibited rezone applications to the RM (multiple unit dwelling residential) zone as well as ordinance revisions pertaining to multi-family housing. Prior to the moratorium adoption the City had received several applications to change the criteria used to determine whether a property is eligible to be rezoned to the RM zone as well as several rezone requests to the RM zone. The moratorium was passed to allow time for the City to consider where additional multi-family housing should be allowed as well as the standards under which it should be allowed.

Following the adoption of the moratorium, the Council held two discussions during their study meetings on 11/12/2019 and 12/17/2019. During the later meeting a draft of several ordinance revisions was presented for discussion to the Council. The revisions incorporated standards used in recent development agreements for multi-family housing and changes to the RM zone eligibility criteria. The Council then directed staff to start the formal ordinance revision process.

After reviewing the ordinance revisions, the Planning Commission recommended some changes described below:

- Zone change requests to the RM zone should be allowed on properties with access and frontage on a street with a planned right-of-way width of at least 80 feet. The density of such properties should be limited to 7 units/acre.
- The three light rail stations that were added to the proposed ordinance should be removed.

Since the initial direction for this ordinance came from the Council, the proposed ordinance does not incorporate the Planning Commission's recommendations.

Councilmember Buhler clarified the changes suggested by the Planning Commission. He asked if the Council decided to adopt the increased standards whether they would impact any potential or pending developments. Steve replied that there are interested parties in properties around TRAX stations as provided for in the proposed ordinance. He added that there is one developer who has expressed interest in a property that would only qualify if the ordinance were modified with the Planning Commission's suggestion of incorporating properties within an 80-

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foot right of way. Councilmember Lang stated that she is concerned about not placing a cap on the allowable density. Mayor Bigelow indicated that there are conversations at the Legislature regarding density but noted that this likely wouldn't impact this Ordinance. Steve noted that Development Agreements would be able to address density when applications come forward. Councilmember Lang stated that she isn't comfortable keeping the ordinance open-ended for developers.

Steve stated that this Ordinance would end the Moratorium but added that if the Council does not take action by March 17th, the Moratorium will end and the current ordinance will resume as it is currently written.

Steve detailed proposed changes to design standards. Councilmember Lang clarified proposed stairway façade requirements and garage standards. She expressed concern about on-street parking and suggested prohibiting it for apartment complexes. Councilmember Buhler stated that he wouldn't be comfortable with this because on-street parking is allowed for all other residential types. Mayor Bigelow stated there are more people living in apartment complexes and there is an increased likelihood of residents and visitors parking on the street. Steve and the Council discussed parking trends. Mayor Bigelow stated that he would like to revisit parking standards in parking complexes. Mayor Bigelow asked why on-site management is required at 50 or more units. Steve replied that research indicates 50 is a sufficient number of units that would warrant on-site management. Mayor Bigelow asked why elevators are required at 4 levels and not 3. Steve replied that research indicates that this appears to be a general standard. Mayor Bigelow suggested that an elevator be required for 3 story apartment complexes with over 50 units. Councilmember Lang agreed. Councilmember Lang asked if all metal buildings are allowed in commercial zones. Steve replied no and indicated masonry is required. Councilmember Lang stated that she feels there needs to be a 60% masonry requirement for multi-family zones. Councilmember Buhler disagreed and stated that he feels there needs to be flexibility in the RM zone to allow for a more open design. Councilmember Lang stated that she doesn't like the idea of having two separate standards for single family homes and multi-family units. Councilmember Nordfelt stated that he doesn't feel the standards need to be exact and agreed with Councilmember Buhler that being more open might have a design benefit. Mayor Bigelow agreed and indicated that maintaining variety for RM dwellings is important. He indicated that he does feel that the City needs to be more specific about amenities and what they mean. Councilmember Lang agreed. The Council discussed the size of "sport courts". Mayor Bigelow requested that staff look at options to better define amenities in the ordinance. Councilmember Buhler stated that this ordinance is a baseline and when developers come to the Council with proposals, the Council can be stricter or more open in proposed Development Agreements. He added that proposals can also be denied.

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Councilmember Huynh expressed frustration that all TRAX stations are proposed as potential RM zones in the ordinance. He indicated that the Planning Commission suggested only City Center and questioned why staff did not include that proposal to the Council. Wayne stated that the City Council as a majority wanted all four TRAX stations so that is how staff proceeded in drafting the ordinance. Councilmember Huynh stated that this is not how he recalled previous conversations. Mayor Bigelow disagreed and indicated that the Council, as a majority, wanted to include all TRAX stations as potential RM zones. Councilmember Buhler agreed and added that this ordinance does not change any zoning or obligate property owners or the City to property modifications. He stated that the ordinance only allows for potential zone changes to RM to occur in these areas. Councilmember Christensen noted that the Council reviews zone changes and has the ability to approve, deny, or modify Development Agreements. Councilmember Huynh stated he doesn't like the idea of adding density to the Chesterfield area and indicated that it doesn't make sense. Councilmember Lang agreed and indicated that she feels the TRAX stations should be modified in some way.

The City Council will consider Ordinance 20-13 at the Regular Council Meeting scheduled March 10, 2020 at 6:30 P.M.

RESOLUTION 20-24: AWARD A CONTRACT TO KGB CONSTRUCTION, LLC FOR THE CONSTRUCTION OF A BRIDGE ON ANNA CAROLINE DRIVE

Dan Johnson, Public Works, presented proposed Resolution 20-24 that would award a contract to KGB Construction, LLC for the construction of a bridge on Anna Caroline Drive.

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

Bids were opened for the project on February 18, 2020. A total of three (3) bids were received. The lowest responsible bidder was KGB Construction, LLC.

Anna Caroline Drive connects 2400 South to Parkway Blvd at approximately 5700 West. The road has been built in segments and is currently constructed from Parkway Blvd to the Riter Canal, UDOT recently built a segment of the road as part of the construction of the new maintenance facility at 5600 West and 2400 South. This project will build the Anna Caroline Drive bridge and roadway improvements through the Riter Canal. The remaining segment of the roadway between the UDOT maintenance facility and the Riter Canal is the frontage of the Cabco Subdivision, and construction for these roadway improvements was postponed by a delay agreement. Upon completion of the bridge, the city will call the delay agreement to construct the improvements along the Cabco subdivision.

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The bridge is partially funded by \$250,000 in funds from a development agreement on the Sage Gate apartments. The remaining funds will be paid from Class C Road funds, and from the Transportation Sales Tax.

Councilmember Buhler stated that the bid is 25% over the engineers estimate but half than the top bid that came in and questioned why there is such a variance. Dan explained some of the cost differentials, including the cost of pumping water. Councilmember Lang asked if 2400 South will connect to this road. Dan replied yes.

The City Council will consider Resolution 20-24 at the Regular Council Meeting scheduled February 25, 2020 at 6:30 P.M.

RESOLUTION 20-25: AWARD A CONTRACT TO BLACK & MCDONALD LIMITED FOR CERTAIN LED STREETLIGHT IMPROVEMENTS

Erik Brondum, Public Works, presented proposed Resolution 20-25 that would award a contract to Black & McDonald Limited for certain LED streetlight improvements.

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

The project will change out 5,775 existing non-LED street light cobrahead fixtures, tear drop lamps and post top lamps to LED fixtures and lamps.

The Public Works Department retrofits street lights to LED while performing maintenance on the street light system. This has resulted in slow progress in reducing the energy usage and costs of the system. Energy studies indicate that changing to LED street lights is one of the shortest returns on investment for energy savings.

The project will result in significant energy savings to the City, which will pay for the bond over a ten (10) year period.

Councilmember Lang asked if the City will be working with Rocky Mountain Power. Erik replied yes and noted that the City will be receiving a \$100,000 automatic rebate from this project. Mayor Bigelow asked what the approximate return in savings timeframe will be. Erik replied approximately 10 years. Councilmember Buhler asked how long it will take to install the lights. Erik replied that he would estimate completion in August of this year. Mayor Bigelow asked how much the City gets back from Rocky Mountain Power annually. Wayne replied that he would ask staff to provide a report.

The City Council will consider Resolution 20-25 at the Regular Council Meeting scheduled

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March 10, 2020 at 6:30 P.M.

CONSIDER APPLICATION S-3-2019, FILED BY DANIEL HERZOG, REPRESENTING DAI, REQUESTING FINAL PLAT APPROVAL FOR THE SUNSET HILLS SUBDIVISION- PHASES 3-5, LOCATED AT 6600 SOUTH AFTERGLOW LANE

Steve Lehman, CED, presented proposed application S-3-2019, filed by Daniel Herzog, representing DAI, requesting Final Plat Approval for the Sunset Hills Subdivision- Phases 3-5, located at 6600 South Afterglow Lane.

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

Daniel Herzog, representing DAI, is requesting final plat approval for the last phases of the Sunset Hills Subdivision. The subject property was rezoned in May 2006 from the A-1 zone to the R-1-10 zone. The overall project received preliminary approval in August 2006.

The final plat consists of 94 lots on 35 acres. This equates to an overall density of 2.6 units per acre. Lots range in size from 8,000 square feet to 18,000 square feet. The average lot size is approximately 9,800 square feet.

Access to the subdivision will be gained from 6600 South and from other stub streets platted as part of phase 2 to the east. An additional sub street will be platted within this phase to provide access to the west. All streets within these phases will be dedicated to a 54-foot width to include curb, gutter, sidewalk and asphalt.

As with previous phases in Sunset Hills, staff will recommend that the developer coordinate grading and drainage with the City Engineering Division. The grading and drainage plan will need to reflect methods of lot grading and retaining if necessary.

As part of the preliminary plat, a soils report was submitted. The report stated that no ground water was encountered to a depth of 15 feet. To staff's knowledge, no ground water has been encountered for any of the existing homes constructed to date.

The developer will be responsible to coordinate the availability of all utilities for the subdivision. With regards to water and sewer, the developer and KID are coordinating the construction of two new water tanks to service this subdivision. Sewer availability is not a problem for the new subdivision.

There are a few parcels within the boundary of the subdivision. Parcels A&B will

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be used for storm water purposes and maintained by the City. Parcel C will be used for water distribution and will be maintained by Kearns Improvement District. Parcel D will be deeded to the City. The expectation for this parcel is that it would be used to accommodate a natural trail leading to the top of the hillside. The future trail will be used in conjunction with improvements proposed for the Wood Hollow project to the north.

The City Council will consider application S-3-2019 at the Regular Council Meeting scheduled March 10, 2020 at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR MARCH 10, 2020

- A. **RESOLUTION 20-27: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM EVAN AND KIM-ANH ROBERTS FOR PROPERTY LOCATED AT 2730 WEST 3800 SOUTH**
Mayor Bigelow discussed proposed Resolution 20-27 that would authorize the City to enter into an Easement Purchase Agreement and accept a Temporary Construction Easement with and from Evan and Kim-Anh Roberts for property located at 2730 West 3800 South.

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

A Grant of Temporary Construction Easement was required over a portion of the Evan Horace Roberts and Kim-Anh Roberts parcel located at 2730 West 3800 South to allow for construction of the 2700 West Improvement Project, which is currently under construction. This project will include construction of sidewalk, textured colored concrete parkstrip, landscaping, and decorative street lighting along the west side of Constitution Boulevard (2700 West) from 4100 South to 3671 South. The project will also include an eight-foot tall decorative concrete post and panel wall along those properties with backyards facing Constitution Boulevard. The acquisition from Evan Horace Roberts and Kim-Anh Roberts includes a Grant of Temporary Construction Easement. Compensation in the amount of \$650.00 is based upon Compensation Estimates of neighboring properties 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 Resolution 20-27 at the Regular Council Meeting scheduled March 10, 2020, at 6:30 P.M.

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COMMUNICATIONS

A. WEST VALLEY CITY'S 40th ANNIVERSARY UPDATE

Sam Johnson, Public Relations Director, stated that West Valley City will be celebrating its 40th anniversary as an incorporated City this July. He displayed the proposed logo for the celebration and detailed planned events. These include a photo contest including historical and current pictures and swag handouts. Sam stated that the City is planning on having a "birthday" party at WestFest with cakes/cupcakes, singing, etc. He also detailed an 80's celebration with various contests on July 1st. Sam discussed an event on July 7th that would include previous Councilmembers and Mayors.

Councilmember Lang stated that residents were not a fan of the "4" in the "40" logo. Mayor Bigelow indicated he was confused by the "0" with the West Valley City logo. Sam replied he would work on improving this. Mayor Bigelow suggested detailing events the City has done, historical displays, etc. as part of the celebration. The Mayor and Council discussed permanent displays throughout the year for City Hall commemorating the City's 40th anniversary. Councilmember Lang suggested spending \$25,000 for a 24th of July float. The Mayor and Council agreed.

B. FOOD TRUCKS AT FAIRBOURNE STATION

Nancy Day, Parks and Recreation, stated that the Food Trucks will be returning to Fairbourne Station this summer. She indicated that the theme will be "Hump Day Buffet". Nancy indicated that the Food Trucks will be present every Wednesday and will be open from 5 PM to dusk. She indicated the event will kick off in April and there will be fun family-oriented activities. Nancy stated that there will be a variety of trucks and the event will be well marketed. Councilmember Buhler asked if there will be a summer concert series. Nancy replied not every week but there will be a variety of events occurring throughout the summer.

C. LEGISLATIVE UPDATE

Nicole Cottle provided a brief update on events occurring at the State Legislative Session. She discussed bills regarding opportunity zones, inland port, TOD, land use laws, and building inspections.

D. 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

A. POTENTIAL FUTURE AGENDA ITEMS

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Council Suggestions

None

B. COUNCIL REPORTS

None

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 FEBRUARY 25, 2020 WAS ADJOURNED AT 6:21 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, February 25, 2020.

Nichole Camac

Nichole Camac, CMC
City Recorder