

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, MAY 5, 2020, AT 6:30 P.M. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE MEETING WAS HELD ELECTRONICALLY.

THE FOLLOWING MEMBERS WERE PRESENT ELECTRONICALLY:

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 ELECTRONICALLY:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/ HR Director
Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Russell Willardson, Public Works Director
Layne Morris, CPD Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director

OPENING CEREMONY

Councilmember Lars Nordfelt conducted the Opening Ceremony. He thanked West Valley City staff for all their efforts during the COVID-19 pandemic. He noted that many employees put their lives at risk to continue to protect the citizens of the City. Councilmember Nordfelt stated that the City continues to serve its citizens efficiently and he is thankful for the hard work and dedication.

APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 28, 2020

The Council considered the Minutes of the Regular Meeting held April 28, 2020. There were no changes, corrections or deletions.

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-2-

Councilmember Fitisemanu moved to approve the Minutes of the Regular Meeting held April 28, 2020. Councilmember Christensen seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Jim Vesock stated that his comments last week were simply to ensure that the Council wasn't meeting in groups without public notice. He indicated that he provided an email to the Council that displayed Code Enforcement Violations at the Animal Shelter and stated that the City needs to be held accountable. Mr. Vesock stated that there are issues with the West Valley City app that need to be resolved.

B. CITY MANAGER COMMENTS

Wayne Pyle, City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Upon inquiry, members of the City Council had no comments.

PUBLIC HEARINGS

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION PUD-1-2019, FILED BY RUSSELL PLATT, REQUESTING FINAL PLAT APPROVAL FOR THE COBALT LANDING PUD PHASE 2 SUBDIVISION LOCATED AT 3579 SOUTH REDWOOD ROAD

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled May 5, 2020, in order for the City Council to hear and consider public comments regarding application PUD-1-2019, filed by Russell Platt, requesting Final Plat Approval for the Cobalt Landing PUD Phase 2 Subdivision located at 3579 South Redwood Road.

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

Mr. Russ Platt, is requesting final plat approval for the second phase of the Cobalt Landing PUD. The subject property was rezoned in the fall of 2016 from the M Zone to the RM Zone. A portion of this phase was rezoned in June 2018 from the C-2 zone to the RM zone. Property adjacent to Redwood Road retained the C-2 designation.

This application will amend Parcels A, B, and C of the Cobalt Landing PUD

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-3-

and will provide an additional 27 residential units to be constructed to the west of first phase of Cobalt Landing PUD. The second phase of this project also reduces the originally planned commercial spaces. The overall density of this project will be 11.78 units per acre.

Proposed townhomes will be a combination of 2 and 3 story units. Based on the development agreement approved by the City Council, the square footage of town homes in this phase will increase from 1800 square feet to 1900 square feet, with basements being proposed for all units.

The project has been laid out so that all units will have parking in front of the unit. This totals 108 spaces for the 27 units. As a reminder, the Cobalt Landing PUD has a parking ratio of 3.9 parking spaces per unit. As with the first phase, units will be accessed from a private drive court, with fronts of the units facing a common courtyard.

The architecture for this project is very urban and will follow the same design as those built in the first phase. The materials will be stone, cement board and stucco. Interior features include 9-foot ceilings and solid surface countertops. All townhome units will include a ground level patio, balcony and roof top deck.

Access to the subdivision will be gained from a private road extending east off Redwood Road. Since the project is less than 100 units in size, a single point of access is allowed without a secondary access.

The overall open space requirement is 50%. The proposed project sits at approximately 43%. However, in the previous phase, staff did allow the roof top deck to count towards meeting the open space requirements. As mentioned previously, these units have a ground level patio, a balcony, and a roof top deck for outside use. The percentage used in this phase is roughly proportional to the same consideration that was offered in the first phase.

During the review of the first phase, the developer agreed to install fencing along the north and south sides of the project. Now that the residential portion of this development is extending to the west, staff believes that fencing should continue along the north and south boundaries to meet up with the recently installed fence separating the residential and commercial properties. Fencing materials would match the existing fence type.

Mayor Bigelow opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Bigelow closed the Public Hearing.

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-4-

ACTION: ORDINANCE NO. 20-19, APPROVE THE AMENDMENT OF PARCELS A, B, AND C COBALT LANDING PUD

The City Council previously held a public hearing regarding proposed Ordinance 20-19 that would approve the amendment of parcels A, B, and C Cobalt Landing PUD.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve Ordinance 20-19.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION 20-49: ADOPT A TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2020 AND ENDING JUNE 30, 2021; SET AUGUST 11, 2020 AS THE DATE FOR A PUBLIC BUDGET HEARING

Mayor Bigelow discussed proposed Resolution 20-49 that would adopt a tentative budget for the fiscal year commencing July 1, 2020 and ending June 30, 2021; set August 11, 2020 as the date for a public budget hearing.

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

This resolution adopts the tentative budget for West Valley City for the 2020-2021 fiscal year and sets a date for public comment at a hearing to be held on August 11, 2020.

West Valley City will adopt a tentative budget that will be made available for public inspection during regular office hours in the City's Recorder's office and gave notice of a hearing to receive public comment, before the final adoption of this tentative budget for FY 2020-2021.

Councilmember Buhler stated that there is a healthy fund balance and the City is fortunate

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-5-

or that. He indicated that he doesn't know what the future holds but the tentative budget will allow the City Manager flexibility.

Mayor Bigelow stated that he feels there are many good things about the proposed tentative budget but there are several items that he would do differently. He noted that he would prefer not to dip so significantly into the fund balance so quickly.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Christensen moved to approve Resolution 20-49.

Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	No

Majority.

Councilmember Huynh stated that he feels the general fund is there for a purpose and accessing those funds during this financial crisis is a better option than increasing taxes on residents. Mayor Bigelow stated that he has a different perspective and share his views from his days at the Legislature.

CONSIDER APPLICATION PUD-2-2019, FILED BY MARK GARZA, REQUESTING FINAL PLAT APPROVAL FOR THE ERIN HILLS PUD LOCATED AT 3625 SOUTH 5600 WEST

Mayor Bigelow discussed application PUD-2-2019, filed by Mark Garza, requesting Final Plat Approval for the Erin Hills PUD located at 3625 South 5600 West.

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

Mark Garza is requesting final plat approval for the Erin Hills PUD. The project consists of 130 townhome units, 2 single family lots, and 2 commercial pad sites on approximately 14.4 acres. The proposed development is located at 3625 South 5600 West. The subject property was rezoned in January 2019 from the A zone to

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-6-

the RM and C-2 zones. The two single family lots were already zoned R-1-8. A development agreement was approved by the City Council as part of that process.

Access to the development will be gained from a public road with connecting points on both 5600 West and 3500 South. The public right-of-way will provide two points of access into the townhome community. All streets within the project itself will be private

The dedicated right-of-way providing access to the subdivision will meet City standards for width and other improvements. The cross section calls for a parkstrip and street trees on both sides of the road. The development agreement stipulates that maintenance of the landscaped parkstrips will be the responsibility of the Home Owner's Association.

Access within the project itself will be provided by a series of private streets and drive courts. Main roads in and through the project will require a minimum asphalt width of 26 feet. Drive courts that are less than 150 feet in length can have 20-feet of asphalt per the Fire Code.

The project will consist of at least two different building styles of townhomes. The mixture of buildings will be two and three story. The two story units will be located along the east and south property lines. All townhomes will include rear load garages. There will be a minimum of two exterior colors schemes used per building to help provide variety between buildings.

Buildings will consist of 100% masonry products. Brick, stone and fiber cement siding along stucco will be used here. Townhome units will have varying square footages. Unit sizes range from 1,598 square feet for the two-story units to 2,067 square feet for the three-story units. All townhomes will include 9-foot ceilings, two-tone paint and solid surface countertops in the kitchens and bathrooms.

The parking requirement for all residential development in the City is 2 spaces per unit. However, in multiple family projects where many units do not have driveways, this number is generally deficient. In the Erin Hills PUD, all units will have a two-car garage and 60 of those units will have driveways in front of the garage for additional parking. In addition to the garage and driveway parking, 30 guest spaces are provided as well. All total, the project will provide 410 parking spaces which was a requirement of the development agreement. This number equates to a parking ratio of 3.15 spaces per unit.

The project amenities include courtyards between the alley loaded units, a BBQ area, a patio and balcony for each of the 3 story units, a rooftop patio for each of the 3 story units and a front porch for each of the 2 story units. The project will

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-7-

have a pavilion, tot lot and sports court. The site has an extensive sidewalk system that will allow residents to walk around the entire perimeter of the development. Interior sidewalks will also provide good pedestrian connections from residential units to the open space and recreational amenities mentioned above.

The developer will create a Home Owner's Association for the entire project. The association will be responsible to hire a property management company for the site itself as well as the parkstrip landscaping along the "L" shaped street. As per previous PUD applications, and as addressed in the development agreement, prior to the HOA taking over the project, an independent engineering firm will certify that the project was completed per the City's approvals. This will provide an opportunity to ensure that all development standards and improvements have been completed in accordance with the Planning Commission's approval of this project.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Fitisemanu moved to approve application PUD-2-2019.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

CONSENT AGENDA

- A. **RESOLUTION 20-50: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM ROBERT AND EVELYN PARTNER FOR PROPERTY LOCATED AT 3935 SOUTH MARKET STREET**

Mayor Bigelow discussed proposed Resolution 20-50 that would authorize the City to enter into a Right of Way Purchase Agreement and accept a Warranty Deed and Temporary Construction Easement with and from Robert and Evelyn Partner for

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-8-

property located at 3935 South Market Street.

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

The Robert W. Partner and Evelyn S. Partner property is one of several properties affected by the required removal and replacement of pedestrian ramps to meet current ADA standards as part of the 2020 Asphalt Overlay Project. As part of this project several City streets will be overlaid full width. Any existing ADA ramps which do not comply with the current standards and regulations must be removed and replaced.

The Warranty Deed and the Grant of Temporary Construction Easement will facilitate construction of the project. Compensation in the amount of \$400.00 was based upon an appraisal report prepared by Integra Realty Resources.

B. RESOLUTION 20-51: AUTHORIZE THE CITY TO ENTER INTO A RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM THE TERRY LORING NIELSON TRUST AND THE MELISSA JOLEAN NIELSON TRUST FOR PROPERTY LOCATED AT 4020 SOUTH MARKET STREET

Mayor Bigelow discussed proposed Resolution 20-51 that would authorize the City to enter into a Right of Way Purchase Agreement and accept a Warranty Deed and Temporary Construction Easement with and from The Terry Loring Nielson Trust and The Melissa Jolean Nielson Trust for property located at 4020 South Market Street.

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

The Terry Loring Nielson Trust and Melissa Jolean Nielson Trust property is one of several properties affected by the required removal and replacement of pedestrian ramps to meet current ADA standards as part of the 2020 Asphalt Overlay Project. As part of this project several City streets will be overlaid full width. Any existing ADA ramps which do not comply with the current standards and regulations must be removed and replaced.

The Warranty Deed and the Grant of Temporary Construction Easement will facilitate construction of the project. Compensation in the amount of \$700.00 was based upon an appraisal report prepared by Integra Realty Resources.

C. RESOLUTION 20-52: AUTHORIZE THE CITY TO ENTER INTO A

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-9-

RIGHT OF WAY PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM THE BERSTEIN FAMILY TRUST FOR PROPERTY LOCATED AT 2721 WEST 3835 SOUTH

Mayor Bigelow discussed proposed Resolution 20-52 that would authorize the City to enter into a Right of Way Purchase Agreement and accept a Warranty Deed and Temporary Construction Easement with and from The Bernstein Family Trust for property located at 2721 West 3835 South.

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

The Bernstein Family Trust property is one of several properties affected by the required removal and replacement of pedestrian ramps to meet current ADA standards as part of the 2020 Asphalt Overlay Project. As part of this project several City streets will be overlaid full width. Any existing ADA ramps which do not comply with the current standards and regulations must be removed and replaced.

The Warranty Deed and the Grant of Temporary Construction Easement will facilitate construction of the project. Compensation in the amount of \$500.00 was based upon an appraisal report prepared by Integra Realty Resources.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve the items on the consent agenda.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

MOTION TO ADJOURN

MINUTES OF COUNCIL REGULAR MEETING – MAY 5, 2020

-10-

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, MAY 5, 2020 WAS ADJOURNED AT 7:00 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, May 5, 2020.



Nichole Camac, CMC
City Recorder