

MINUTES OF COUNCIL STUDY MEETING – OCTOBER 12, 2021

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THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, OCTOBER 12, 2021 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 MEETING WAS ALSO HELD ELECTRONICALLY VIA ZOOM.

THE FOLLOWING MEMBERS WERE PRESENT:

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

STAFF PRESENT:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder
Nicole Cottle, Assistant City Manager/General Counsel
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief (*electronically*)
John Evans, Fire Chief (*electronically*)
Jim Welch, Finance Director (*electronically*)
Steve Pastorik, CED Director
Layne Morris, CPD Director (*electronically*)
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director (*electronically*)
John Flores, HR Director
Sam Johnson, Strategic Communications Director
Ken Cushing, IT

APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 5, 2021

The Council considered the Minutes of the Study Meeting held October 5, 2021. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Study Meeting held October 5, 2021. Councilmember Nordfelt seconded the motion.

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

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REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF OCTOBER 12, 2021

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 19, 2021

A. UTAH RECREATION AND PARKS ASSOCIATION CITY AWARD PRESENTATION

Nancy Day stated that the Utah Recreation and Parks Association will grant the department an award at the October 19, 2021 Regular City Council Meeting.

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 19, 2021

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION SV-2-2021, FILED BY WEST VALLEY CITY, REQUESTING A VACATION OF A PUBLIC ALLEY BETWEEN WARNOCK AVENUE AND STRATFORD AVENUE AT 1685 WEST

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled October 19, 2021, in order for the City Council to hear and consider public comments regarding application SV-2-2021, Filed by West Valley City, Requesting a Vacation of a Public Alley Between Warnock Avenue and Stratford Avenue at 1685 West.

Proposed Ordinances 21-59 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 21-59, APPROVE THE VACATION OF THE ALLEY BETWEEN WARNOCK AVENUE AND STRATFORD AVENUE LOCATED AT 1685 WEST BETWEEN 2525 AND 2565 SOUTH

Steve Lehman, CED, discussed proposed Ordinance 21-59 that would approve the Vacation of the Alley Between Warnock Avenue and Stratford Avenue Located at 1685 West Between 2525 and 2565 South.

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

The West Valley City Engineering Division is requesting consideration to vacate the 16-foot alley located between Warnock Avenue and Stratford Avenue. The location of the alley is approximately 1685 West between 2525 and 2565 South.

The alley is located within the Chesterfield Plat. This plat was recorded

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with the County Recorder's Office in July 1914. The plat identifies a 16-foot alley along the east property line of those properties fronting Redwood Road. It is presumed that this alley was to provide service capabilities for properties that would be used for commercial purposes.

While the idea behind this was well intended, these alleys have not been utilized for that purpose. To staffs knowledge, these alleys have never been formally improved. As a common practice, many residents living adjacent to these alleys have fenced this area off. In some instances, residents have used the alley as part of their yard and for parking. The vacation of these alleys generally allows for property owners to take better care of these areas than has previously been done.

Per State Law, when a street or alley is vacated, each abutting owner will end up with half of the vacated property. In this case, 8 feet of additional property would then belong to the property owners on the east as well as the west side of the alley. If a property owner did not want their portion, they could negotiate transferring their portion to the adjacent landowner.

In the case of this particular alley, there is an existing storm drain line. The City will request that an easement be recorded that will accommodate the storm drain line. This will be done with the vacating ordinance that ends up being recorded with the Salt Lake County Recorder's Office.

According to City Ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

Councilmember Huynh stated that he heard from one of the property owners, Bob Hicks, who expressed concern about an issue between himself and the Salazar family (the other property owner). Steve replied that the City is aware of this dispute as well but noted that it is between them and does not impact this proposal.

The City Council will consider Ordinance 21-59 at the Regular Council Meeting scheduled October 19, 2021 at 6:30 P.M.

B. ACCEPT PUBLIC INPUT REGARDING APPLICATION SV-3-2021, FILED BY WEST VALLEY CITY, REQUESTING A VACATION OF A PUBLIC ALLEY BETWEEN CLAYBOURNE AVENUE AND RUSSET AVENUE AT 1685 WEST BETWEEN 2785 AND 2830 SOUTH

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled October 19, 2021, in order for the City Council to hear and consider public comments regarding application SV-3-2021, Filed by West

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Valley City, Requesting a Vacation of a Public Alley Between Claybourne Avenue and Russet Avenue at 1685 West Between 2785 and 2830 South.

Proposed Ordinances 21-60 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 21-60, APPROVE THE VACATION OF THE ALLEY BETWEEN CLAYBOURNE AVENUE AND RUSSET AVENUE LOCATED AT 1685 WEST BETWEEN 2785 AND 2830 SOUTH

Steve Lehman, CED, discussed proposed Ordinance 21-60 that would approve the Vacation of the Alley Between Claybourne Avenue and Russet Avenue Located at 1685 West Between 2785 and 2830 South.

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

The West Valley City Engineering Division is requesting consideration to vacate the 16-foot alley located between Clayborne Avenue and Russet Avenue. The location of the alley is approximately 1685 West between 2785 and 2830 South.

The alley is located within the Chesterfield Plat. This plat was recorded with the County Recorder's Office in July 1914. The plat identifies a 16-foot alley along the east property line of those properties fronting Redwood Road. It is presumed that this alley was to provide service capabilities for properties that would be used for commercial purposes.

While the idea behind this was well intended, these alleys have not been utilized for that purpose. To staffs knowledge, these alleys have never been formally improved. As a common practice, many residents living adjacent to these alleys have fenced this area off. In some instances, residents have used the alley as part of their yard and for parking. The vacation of these alleys generally allows for property owners to take better care of these areas than has previously been done.

Per State Law, when a street or alley is vacated, each abutting owner will end up with half of the vacated property. In this case, 8 feet of additional property would then belong to the property owners on the east as well as the west side of the alley. If a property owner did not want their portion, they could negotiate transferring their portion to the adjacent landowner.

According to City Ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

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Councilmember Buhler verified that the property owners received notice before the Planning Commission meeting. Steve replied yes and noted that residents within 300 feet also receive notice for Planning Commission and City Council. Councilmember Buhler asked if the property owners who gain the additional feet will have two separate parcels. Steve replied yes but noted that property owners can consolidate the two deeds so they have one property tax description if they choose to. Councilmember Buhler stated that many alleys in the City are vacated. Steve replied that these are unique in that they are 16 feet wide. He noted that these were dedicated to the City for use of the public but the City has never had any use for them and they have never been maintained or utilized. Councilmember Buhler asked if these are the last two in the area. Steve replied yes.

The City Council will consider Ordinance 21-60 at the Regular Council Meeting scheduled October 19, 2021 at 6:30 P.M.

RESOLUTION 21-179: ADOPT THE 2021 ANNUAL REPORT ON THE MODERATE INCOME HOUSING PLAN

Steve Pastorik, CED Director, presented proposed Resolution 21-179 that would adopt the 2021 Annual Report on the Moderate Income Housing Plan.

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

Utah Code Section 10-9a-408 requires the legislative body of municipalities to annually prepare a report outlining a review of their Moderate Income Housing Plan. The report must address the following:

- “a revised estimate of the need for moderate income housing in the municipality for the next five years;
- a description of progress made within the municipality to provide moderate income housing, demonstrated by analyzing and publishing data on the number of housing units in the municipality that are at or below:
 - o 80% of the adjusted median family income;
 - o 50% of the adjusted median family income; and
 - o 30% of the adjusted median family income;
- a description of any efforts made by the municipality to utilize a moderate income housing set-aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency; and
- a description of how the municipality has implemented any of the recommendations related to moderate income housing described in Subsection 10-9a-403(2)(b)(iii).”

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The City Council will consider Resolution 21-179 at the Regular Council Meeting scheduled October 19, 2021 at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR OCTOBER 19, 2021

- A. **RESOLUTION 21-180: AUTHORIZE THE CITY TO ACCEPT A PUBLIC SIDEWALK EASEMENT FROM FREIGHTLINER OF UTAH FOR PROPERTY LOCATED AT APPROXIMATELY 2377 SOUTH 5370 WEST**
Mayor Bigelow discussed proposed Resolution 21-180 that would authorize the City to Accept a Public Sidewalk Easement from Freightliner of Utah for Property Located at Approximately 2377 South 5370 West

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

The Freightliner of Utah property is the site of the proposed Premier Truck Group site on Lot 9 of the West Valley Truck Center. As a condition of approval, installation of a five foot sidewalk and a five foot park strip. The existing right-of-way lines in the West Valley Truck Center Subdivision are located five feet behind the existing top back of curb and gutter. As sidewalk is now required in this subdivision, a Public Sidewalk Easement was required as a condition of approval.

- B. **RESOLUTION 21-181: AUTHORIZE THE CITY TO ACCEPT A STORM DRAIN EASEMENT FROM AFFLECK PROPERTIES II LLC FOR PROPERTY LOCATED AT APPROXIMATELY 2054 SOUTH 3400 WEST**
Mayor Bigelow discussed proposed Resolution 21-181 that would authorize the City to Accept a Storm Drain Easement from Affleck Properties II LLC for Property Located at Approximately 2054 South 3400 West

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

There is existing 48” RCP storm piping and boxes located on the property which is part of the West Valley City storm drain system. Although the City has a prescriptive easement for the existing storm drain piping, the property owner has agreed to formally convey a Storm Drain Easement in favor of West Valley City.

- C. **RESOLUTION 21-182: AUTHORIZE THE CITY TO ENTER INTO AN EASEMENT PURCHASE AGREEMENT AND ACCEPT A PERPETUAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM OSCAR AND REFUGIO PEREZ FOR PROPERTY LOCATED**

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AT 4245 SOUTH 2735 WEST

Mayor Bigelow discussed proposed Resolution 21-28 that would authorize the City to enter into an Easement Purchase Agreement and accept a Perpetual Easement and a Temporary Construction Easement with and from Oscar and Refugio Perez for property located at 4245 South 2735 West.

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

The Kim Yoeun Yong and Sumala Yong parcel located at 4691 S. Woodgrove Drive is one of several parcels affected by the 4700 South Reconstruction Project (4000 West to 5600 West). This project is being constructed in cooperation with Kearns Metro Township. This project will reconstruct the pavement, curb, gutter, sidewalk and decorative street lighting on both sides of 4700 South and 4715 South to improve safety and ride quality of 4700 South and 4715 South. Compensation for the purchase of the Warranty Deed, Perpetual Easement and a Temporary Construction Easement and improvements is \$11,700.00 based upon the Appraisal Report prepared by Van Drimmelen Associates, Inc.

The project is being funded under the Surface Transportation Program (STP) with federal funds. Kearns Metro Township executed the Federal Aid Agreement with UDOT. West Valley City has signed an Interlocal Agreement with Kearns Metro Township. The city is responsible for 6.77% of all project costs, including right of way, within West Valley City jurisdictional limits. The total value for the Warranty Deed, Perpetual Easement and a Temporary Construction Easement is \$11,700.00, making the West Valley City share of the acquisition \$792.09.

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

The City Council will consider Resolutions 21-180 through 21-182 at the Regular Council Meeting scheduled October 19, 2021, at 6:30 P.M.

COMMUNICATIONS

A. 4100 SOUTH WRAP-UP REPORT

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

- Scope of work
 - o 34,000 vehicles per day
 - o Major pavement reconstruction
 - o Widen to restore third westbound through-lane at 4000 West

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- o New storm drain trunk line
 - o Granger Hunter water line betterment
 - o Traffic signals
 - o Sidewalk
- Federal funding history
 - o **2014**
 - \$4.3 Million Awarded
 - o **2015**
 - \$3.0 Million Awarded
 - o **2016**
 - \$4.7 Million Awarded
 - o Total Project value= 26,100,000.00
- Utilities
 - o December 2018 - Dominion Energy replaced a 50-year-old gas line prior to the road reconstruction project.
 - o Granger Hunter installed over 3-1/2 Miles of new waterlines as a project betterment
 - o Burial of certain overhead crossings
- Storm drain
 - o New storm drain from Bangerter Highway to 5600 West
 - o Separated irrigation and drainage systems
 - o The Project moves water from over-capacity Riter Canal to Decker Lake System
- Holder Drive detention basin landscaping
- Traffic Signals
 - o New traffic signals and traffic cameras on UDOT Network:
 - 4000 W (Previous Project)
 - 4400 W
 - 4800 W
- Overhead school pedestrian assemble
 - o Functions as a normal reduced speed school zone during school hours.
 - o Outside of school hours, pedestrians can activate “Yield to Pedestrians” blank-out sign for added driver awareness of pedestrians
- Emergency vehicle hybrid beacon
- Sidewalk
 - o Park strip added everywhere
 - o Street trees
 - o Streetlights
- Concrete walls
- Ornamental fences

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Councilmember Buhler asked what the next project is. Dan replied that 4700 South is the next big project. Councilmember Nordfelt stated that Public Works did a great job. Councilmember Fitisemanu stated that he was appreciative of the public outreach for the 4100 South project and the ability of the community to be involved. Wayne agreed that the street looks great and travels well. He noted that this is a great improvement for the City.

The Mayor and Council had no further questions or concerns.

B. 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

Councilmember Fitisemanu stated that several residents have expressed concern regarding safety at 7200 West near the new Magna Regional Park. He indicated that he has let staff know and they are working on a solution.

B. COUNCIL REPORTS

COUNCILMEMBER CHRISTENSEN- HEXCEL GROUNDBREAKING, ASSOCIATION OF MUNICIPAL COUNCILS

Councilmember Christensen stated that he attended the Hexcel Groundbreaking with Mayor Bigelow. He indicated that he also attended the Association of Municipal Councils and there was a legislative preview from the League of Cities and Towns.

COUNCILMEMBER LANG- 7-11 GROUNDBREAKING

Councilmember Lang stated that she attended the groundbreaking of the 7-11 on 5600 West and 4700 South. She noted that it's a nice big store that will likely do very well.

MOTION TO ADJOURN

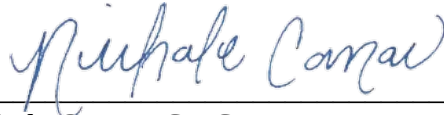
Upon motion by Councilmember Buhler all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY OCTOBER 12, 2021 WAS ADJOURNED AT 5:07 PM BY MAYOR BIGELOW.

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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 12, 2021.

A handwritten signature in blue ink, reading "Nichole Camac", is positioned above a horizontal line.

Nichole Camac, CMC
City Recorder