

MINUTES OF COUNCIL STUDY MEETING – NOVEMBER 9, 2021

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THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, NOVEMBER 9, 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

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
John Evans, Fire Chief
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
John Flores, HR Director
Sam Johnson, Strategic Communications Director
Ken Cushing, IT
Coby Wilson, Public Works

APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 26, 2021

The Council considered the Minutes of the Study Meeting held October 26, 2021. There were no changes, corrections or deletions.

Councilmember Lang moved to approve the Minutes of the Study Meeting held October 26, 2021. Councilmember Nordfelt seconded the motion.

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

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF NOVEMBER 9, 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.

PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 16, 2021

A. ACCEPT PUBLIC COMMENT REGARDING APPLICATION Z-6-2021, FILED BY ARCHITECTURAL COALITION, REQUESTING A ZONE CHANGE FROM A (AGRICULTURE) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 7035 WEST GATES AVENUE

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled November 16, 2021, in order for the City Council to hear and consider public comments regarding application Z-6-2021, filed by Architectural Coalition, requesting a Zone Change from A (Agriculture) to M (Manufacturing) for property located at 7035 West Gates Avenue

Proposed Ordinance 21-62 and Resolution 21-185 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 21-62, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 7035 WEST GATES AVENUE FROM A (AGRICULTURE) TO M (MANUFACTURING)

Steve Pastorik, CED Director, discussed proposed Ordinance 21-62 that would amend the Zoning Map to show a change of Zone for property located at 7035 West Gates Avenue from A (Agriculture) to M (Manufacturing).

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

The owners of the subject property also own the two parcels to the west. These two west parcels were rezoned earlier this year from A to M to allow the owners to apply for a conditional use permit for their stucco business, Southwest Exteriors, that was operating without license in a zone that did not allow the business. The zone change was accompanied by a development agreement. The original proposal was the owners would utilize the existing building as an office for their stucco business.

Assuming this zone change is approved, the owners plan to redevelop the

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subject property along with the two parcels to the west with a new office building in three phases. The first phase would involve demolishing the garage on the existing home on the west parcel that is being used as an office. A new, 2-story office building spanning all three parcels would also be constructed as part of phase 1. Renderings of the proposed office building are included with this report. Phase 2 would involve demolishing the existing home on the west parcel that is being used as an office to make room for more parking for the new, 2-story office building. Phase 3 involves demolishing the home on the subject property to add more parking.

ACTION: RESOLUTION NO. 21-185, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE EMANUEL AND LETICIA MORENO REVOCABLE LIVING TRUST FOR APPROXIMATELY 1.31 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 7035-7055 WEST GATES AVENUE

Steve Pastorik, CED Director, discussed proposed Resolution 21-185 that would authorize the City to enter into a Development Agreement with the Emanuel and Leticia Moreno Revocable Living Trust for approximately 1.31 acres of Property Located at Approximately 7035-7055 West Gates Avenue.

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

The Morenos, through their agent, have submitted a rezone application (Z-6-2021) to change a 0.43-acre property at 7035 W Gates Avenue from A (agriculture, minimum lot size ½ acre) to M (manufacturing). The Morenos also own the two parcels west of the subject property. These parcels were rezoned from A to M earlier this year subject to a development agreement to allow their stucco business to operate legally. This latest development agreement replaces the previous agreement by including the subject property and adding new standards to address the proposed project phasing and design for a new office building.

Councilmember Lang asked if there will be landscaping as depicted. Steve replied there will be 20 feet of landscaping required to buffer the residential neighbors to the south. Councilmember Lang asked if localscaping could be an option in front. Steve replied turf is not required and they could do localscaping. Councilmember Lang asked if localscaping could be recommended in the Development Agreement. Steve replied yes.

The City Council will consider Ordinance 21-62 and Resolution 21-185 at the Regular Council Meeting scheduled November 16, 2021 at 6:30 P.M.

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RESOLUTION 21-186: AUTHORIZE THE CITY TO ENTER INTO SUPPLEMENT NO. 3 TO A STAKEHOLDER AGREEMENT BY AND BETWEEN THE CITY AND THE UTAH TRANSIT AUTHORITY

Coby Wilson, Public Works, presented proposed Resolution 21-186 that would authorize the City to enter into Supplement No. 3 to a Stakeholder Agreement by and between the City and the Utah Transit Authority.

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

The City previously entered into a lease agreement with UDOT (Resolution 21-166) in which UDOT agreed to contribute \$154,369.17 to construct sidewalk improvements along 2700 West adjacent to the leased property owned by UDOT. In addition, the City previously executed an agreement with UTA to enable UTA's contractor (Granite Construction) to construct the 2700 West Improvements project between 4100 South and 4700 South.

This supplement to the UTA agreement will enable UTA's contractor to construct the UDOT funded sidewalk improvements as part of the 2700 West project.

The City Council will consider Resolution 21-186 at the Regular Council Meeting scheduled November 16, 2021 at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR NOVEMBER 16, 2021

A. RESOLUTION 21-187: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED, A PERPETUAL EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM RICHARD MARTINEZ AND ALEJANDRA MARTINEZ NARANJO FOR PROPERTY LOCATED AT 4688 SOUTH WATER WOOD DRIVE

Mayor Bigelow discussed proposed Resolution 21-187 that would authorize the City to enter into a Real Estate Purchase Agreement and accept a Warranty Deed, a Perpetual Easement, and a Temporary Construction Easement with and from Richard Martinez and Alejandra Martinez Naranjo for Property Located at 4688 South Water Wood Drive.

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

The Richard Martinez and Alejandra Martinez Naranjo parcel located at 4688 S. Water Wood 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

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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 \$17,400.00 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 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 \$17,400.00, making the West Valley City share of the acquisition \$1,177.98.

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

The City Council will consider Resolution 21-187 at the Regular Council Meeting scheduled November 16, 2021, at 6:30 P.M.

NEW BUSINESS SCHEDULED FOR NOVEMBER 16, 2021

A. CONVENE AS BOARD OF CANVASSERS FOR THE MUNICIPAL GENERAL ELECTION HELD NOVEMBER 2, 2021

CONSIDER RESOLUTION 21-188, ACCEPT AND APPROVE THE RESULTS OF THE MUNICIPAL GENERAL ELECTION HELD NOVEMBER 2, 2021 AS SHOWN ON THE CANVASS REPORT

Mayor Bigelow discussed proposed Resolution 21-188 that would accept and approve the results of the Municipal General Election held November 2, 2021 as shown on the Canvass Report.

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

The Mayor and City Council are the legislative body for West Valley City and comprise the Board of Municipal Canvassers pursuant to Utah Code §20A-4-301(2). The Code requires that the Board of Municipal Canvassers shall meet to canvass the returns of the Municipal General Election no sooner than seven days and no later than 14 days after the election.

Upon inquiry, there were no further questions or concerns expressed by members

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of the City Council.

The City Council will consider Resolution 21-188 at the Regular Council Meeting scheduled November 16, 2021, at 6:30 P.M.

COMMUNICATIONS

A. HB 411 DISCUSSION

Wayne Pyle, City Manager, stated no changes or presentations are being proposed. He noted that the deadline to join the program has been extended to May 2022. Councilmember Nordfelt asked if a representative still attends HB 411 meetings. Wayne replied yes and indicated that Nicole Cottle, Assistant City Manager, is taking over the renewable energy effort until a replacement for John Rock can be found. Mayor Bigelow stated that the City has historically been involved in looking at energy efficiency and what can be done to accomplish net zero emissions by 2030. He indicated that he is concerned by some of the solutions being proposed by HB 411 but added that he feels good about what the City is doing. Wayne stated that staff doesn't recommend joining HB 411 but that doesn't mean they don't support the goal of achieving net zero emissions by 2030. He indicated that the City began working toward this goal in 2007 or 2008 by purchasing hybrid vehicles for detectives in the fleet. Wayne stated that some efforts have been very successful while others have not but the City has learned what works and what doesn't and continues to push forward. He indicated that the City will continue to participate in conversations and are committed to achieving the net zero 2030 goal. Councilmember Fitisemanu requested that the City be more transparent in their goals and efforts by putting information on the website and social media. He indicated that he is still in favor of looking at HB 411 but doesn't feel comfortable moving forward with it at this time with so many unknowns and variables. Wayne agreed and indicated that the City is looking at ways to translate the message to the community in a clear communicable way that shows valid information and accomplishments. Councilmember Nordfelt thanked the City for their efforts and indicated that the Council passed a resolution supporting this cause unanimously and he would like to keep moving toward that goal. He stated that the City will need to work hard because 2030 is not that far away. Mayor Bigelow stated that timing is important and he feels that we are getting closer but the industry is not quite there. Councilmember Nordfelt suggested pushing legislation that will make Rocky Mountain more accessible and open. Mayor Bigelow agreed but noted that Rocky Mountain Power is highly regulated. Wayne agreed and noted that legislative efforts are important and the City will continue to examine and pursue those avenues. Councilmember Fitisemanu asked how projects that were under John Rock's supervision will progress forward. Wayne replied that Nicole Cottle, Assistant City Manager, has taken over renewable energy projects for the time being. He indicated that he is looking at options for replacement and some ideas

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have included a full-time position dedicated to sustainability. He indicated that he will be coming to the Council in the near future with a suggestion on how to move forward. Councilmember Nordfelt stated that he is pleased to hear this information and would encourage someone with experience in the field. Councilmember Lang added that if the person could also work on localscape projects, the water district can offer a grant to help pay for that position.

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 Lang stated she is getting complaints about on-street parking and enforcement on snow days. Wayne replied that he would confirm the plan for the coming season with the Chief.

Mayor Bigelow stated that there has been a lot of discussion about Bangerter Highway and the overpasses. He indicated that he would like to see a resolution that summarizes what goals the Council has put in place.

Councilmember Christensen asked if the Maverik Center traffic presentation is still coming. Wayne replied yes.

B. COUNCIL REPORTS

COUNCILMEMBER CHRISTENSEN- TRICKED AND TREATED

Councilmember Christensen stated he attended the Tricked and Treated event at the Family Fitness Center. He indicated that it was well attended and he really enjoyed seeing the different cars.

COUNCILMEMBER FITISMANU- HARMON THEATRE

Councilmember Fitisemanu stated that he attended the Gold Mountain presentation at Harmon Theatre. He indicated it was a great play and would encourage anyone to check it out.

MAYOR BIGELOW- CHAMBERWEST

Mayor Bigelow stated that Chamberwest has been working to support a change to legislature for catalytic converters. He added that he also attended the fall

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conference held at the UCCC. He indicated that he was able to share a presentation of projects that have been accomplished in the City over the last 8 years and was wonderful to see all the progress that has occurred.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY NOVEMBER 16, 2021 WAS ADJOURNED AT 5:13 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, November 16, 2021.

Nichole Camac, CMC
City Recorder