

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-1-

THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, MARCH 8, 2022 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 LANG. THE MEETING WAS ALSO HELD ELECTRONICALLY VIA ZOOM.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4 (*arrived as noted*)

STAFF PRESENT:

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

APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 22, 2022

The Council considered the Minutes of the Study Meeting held February 22, 2022. There were no changes, corrections or deletions.

Councilmember Nordfelt moved to approve the Minutes of the Study Meeting held February 22, 2022. Councilmember Whetstone seconded the motion.

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-2-

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

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF MARCH 8, 2022

Mayor Lang noted that the Regular Meeting of March 8, 2022 has been canceled.

ORDINANCE 22-10: AMEND TITLE 2, CHAPTER 3 OF THE WEST VALLEY CITY MUNICIPAL CODE, MAKING ADJUSTMENTS IN THE WEST VALLEY CITY COUNCIL DISTRICT BOUNDARIES

Steve Pastorik, CED, presented proposed Ordinance 22-10 that would amend Title 2, Chapter 3 of the West Valley City Municipal Code, making adjustments in the West Valley City Council District Boundaries.

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

Section 10-3-205.5, Utah Code Annotated, requires all municipalities, with some or all council members being elected from districts, to “make any adjustments in the boundaries of the districts as may be required to maintain districts of substantially equal population.” In accordance with State law, City staff has evaluated existing council districts and has determined that adjustments are necessary.

2020 Census data was utilized by staff to create two options for proposed council boundaries. The population of each proposed district varies by no more than 1% from the ideal population, which is one fourth of the total City population. In addition to balancing population between districts, staff also kept district boundaries to major streets. The table below lists the population of each proposed district for the two options and the percentage by which each district varies from the ideal population.

District	Option 1	% Change from Ideal Population	Option 2	% Change from Ideal Population
1	35,018	-0.11%	34,907	-0.43%
2	34,761	-0.84%	35,209	0.43%
3	35,279	0.63%	34,942	-0.33%
4	35,172	0.33%	35,172	0.33%

The attached ordinances define each proposed district by major streets and City boundaries and the attached maps illustrate the proposed district boundaries.

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-3-

Councilmember Huynh stated that he would prefer Option 1. Councilmember Harmon agreed. Councilmember Whetstone stated that he prefers Option 2 but doesn't have a strong preference either way. Councilmember Nordfelt stated that Option 1 keeps the districts closer to what they are now.

The City Council will consider Ordinance 22-10 at the Regular Council Meeting scheduled March 15, 2022 at 6:30 P.M.

CONSENT AGENDA SCHEDULED FOR MARCH 15, 2022

A. **RESOLUTION 22-50: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE CONTRACT AND ACCEPT TWO PERPETUAL EASEMENTS, A PUBLIC UTILITY EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS FOR PROPERTY LOCATED AT 5180 WEST 4700 SOUTH**

Wayne Pyle discussed proposed Resolution 22-50 that would authorize the City to Enter into a Real Estate Purchase Contract and Accept Two Perpetual Easements, a Public Utility Easement, and a Temporary Construction Easement with and from the Church of Jesus Christ of Latter-Day Saints for Property Located at 5180 West 4700 South.

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

The Church of Jesus Christ of Latter-Day Saints parcel located at 4693 S. Lemonwood Circle 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 two Perpetual Easements, Public Utility Easement and a Temporary Construction Easement and improvements is \$11,500.00 based upon the appraisal report prepared by Van Drimmellen 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 two Perpetual Easements, a

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-4-

Public Utility Easement and a Temporary Construction Easement is \$11,500.00, making the West Valley City share of the acquisition \$778.55.

B. RESOLUTION 22-51: RATIFY THE CITY MANAGER'S APPOINTMENT OF MICHAEL FINCH TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING APRIL 1, 2022 AND ENDING MARCH 30, 2024

Wayne Pyle discussed proposed Resolution 22-51 that would ratify the City Manager's Appointment of Michael Finch to the Professional Standards Review Board for a Term Commencing April 1, 2022 and Ending March 30, 2024.

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

This resolution appoints Michael Finch as a member of the Professional Standards Review Board for a two-year term commencing on April 1, 2022 and ending on March 30, 2024.

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

C. RESOLUTION 22-52: RATIFY THE CITY MANAGER'S APPOINTMENT OF MARIAH WESTHOFF TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING APRIL 1, 2022 AND ENDING MARCH 30, 2024

Wayne Pyle discussed proposed Resolution 22-51 that would ratify the City Manager's Appointment of Mariah Westhoff to the Professional Standards Review Board for a Term Commencing April 1, 2022 and Ending March 30, 2024.

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

This resolution appoints Mariah Westhoff as a member of the Professional Standards Review Board for a two-year term commencing on April 1, 2022 and ending on March 30, 2024.

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

D. RESOLUTION 22-53: RATIFY THE CITY MANAGER'S APPOINTMENT OF RALPH VERNOR TO THE PROFESSIONAL STANDARDS REVIEW

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-5-

BOARD FOR A TERM COMMENCING APRIL 1, 2022 AND ENDING MARCH 30, 2024

Wayne Pyle discussed proposed Resolution 22-51 that would ratify the City Manager's Appointment of Ralph Vernor to the Professional Standards Review Board for a Term Commencing April 1, 2022 and Ending March 30, 2024.

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

This resolution appoints Ralph Vernor as a member of the Professional Standards Review Board for a two-year term commencing on April 1, 2022 and ending on March 30, 2024.

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

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

The City Council will consider Resolutions 21-26 through 21-29 at the Regular Council Meeting scheduled February 9, 2021, at 6:30 P.M.

COMMUNICATIONS

A. BUDGET/PROGRAM MOD UPDATE

Wayne Pyle, City Manager, presented a PowerPoint presentation summarized as follows:

		Revenue and Expense Variables							
			Planned Tax	Planned Tax	Planned Tax	Comments			
			+ Sales Tax Jump	+ Sales Tax Jump	+ Sales Tax Jump				
			- Ops cuts	-Ops cuts	-Ops cuts				
				+Pub Sfty Tax	+Pub Sfty Tax				
Baseline Expenditure	91.8				+1-time Revenue				
Baseline Revenue		93.3							
		96.6	3.3	3.3	3.3	For last summer's increase (9%)			
		97.6	1	1	1	37.6 v. 39ish			
		98.6	(1)	(1)	(1)	110-130 cuts, 401, other			
Added Expenditure	12.3	101.6		3	3	7%, 8.5%, 500k insurance			
	104.1	104.1			2.5	Tville, SLC			

- Baseline expenditure represents expenses FY 2022 budget
- Baseline revenue depicts current projections for FY 2023
- Added personnel costs could vary between \$5 and \$12 million
- No additional one-time projects or operational increases considered yet

Budget Scenarios by cost breakdown and effect

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-6-

- **Full Raises to match municipal competition** - \$11M keeps us staffed at current levels and competitive with other cities; in inflationary environment will still be significantly behind private sector, but probably maintain stability. Negative impact would be size of property tax increase, roughly 17%, \$120 per year, or \$10 per month on average value home.
- **Don't compete with TvilleSL scenario, but fund market conditions** - \$8M keeps us staffed at current levels as above. Property tax increase reduced to that committed last summer, about 9%. Become vulnerable to lose police officers, and staffing shortage problems reemerge. Probably no sooner than July, NLT December.
- **Fund Market Conditions, but no tax increases** - \$8M Fund with a combination of operations cuts, hiring freezes and fund balance contributions. Real impact seen almost immediately depending on mix of fund balance contribution versus hiring freezes as some or all of unfilled positions cut into services.
- **No tax increases, merit increases only** - \$5M scenario funds already committed PD and all city sector commitments. Fire and public sectors would be 10% minimum behind market, police somewhere between 4% and 19% behind. In this scenario we would likely find the money to pay unfunded police increases and merit increases as employee departures and hiring freeze savings accelerate.

Next Steps

- Focus on the \$3M recommended for extra property tax. Second cut at operations and revenue may yield further positive effect
- Program modification requests are in, taking first look at them

Councilmember Harmon stated that everything points to a recession. Wayne indicated that there are many signs that point to a recession but many others that point toward continued economic growth. He stated it is a very volatile situation and could go any direction which make budgets difficult to predict. Wayne clarified revenue and expense variables per Councilmember Whetstone's inquiry.

Councilmember Fitisemanu arrived at 5:03 PM.

The Mayor and Council had no further questions or concerns.

B. PRIVATE ROAD STANDARDS IN NEW DEVELOPMENTS

Steve Pastorik, CED, presented a PowerPoint presentation summarized as follows:

- Private streets exist in

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-7-

- o Commercial Development
 - o Industrial Development
 - o Residential Development
 - o Apartments (Single Owner)
 - o Condos (Association)
 - o Mobile Home Parks (Single Owner)
 - o Single Unit Dwelling Subdivisions (Association)
 - o Townhomes (Association)
- Map of private streets in the City
- Example images including: Sunset Hills, Bingham Pointe, Villages at Westridge
- Images of different width public streets
- Images of width private streets
- Private Street Benefits
 - o Allow for design flexibility, especially on infill lots
 - o Reduce the City's pavement maintenance
 - o Reduce the City's burden on snow removal and garbage collection on streets that usually aren't designed for large snowplows and garbage trucks
 - o Allow townhome projects to comply with curb cut spacing requirements
 - o Allow private control and enforcement of parking
- Private Street Negatives
 - o Require property owners to pay fees for maintenance
 - o Usually prohibit on-street parking
 - o Are not required to build to certain specifications other than fire code
 - o Usually are narrower and have tighter curves than public streets, making snow removal and garbage pickup more difficult
- Scenario: City ownership of Private Streets owned by an association
 - o \$34 million to reconstruct the streets
 - o \$1.7 million every 6 years for maintenance
 - o \$250K one-time and \$40K ongoing for snowplowing
- Potential Actions
 - o Require private streets to be constructed to public street specifications for things like pavement depth, road base depth, and compaction but not width
 - o Create a new residential public street cross-section for use in infill and townhome type developments
 - For example: 41' of right-of-way
 - 26' of pavement
 - 2.5' of curb and gutter on both sides

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-8-

- 5' park strip on one side
- 5' sidewalk on one side
- o Change the ordinance to allow tighter driveway spacing on public streets

Councilmember Harmon stated that he would like to see at least 29 feet of pavement in any type of street that is approved. Councilmember Huynh stated that he does not want to see the City take over existing private streets. He indicated, however, that he would like to see private streets be better constructed in the future. Councilmember Nordfelt stated that private streets with an association can be troubling and he would like to limit that in future developments. Mayor Lang stated that many associations don't have wide enough streets so parking flows out into the neighborhoods. She indicated that she would prefer all development to have public streets except for rear loaded alleys. Councilmember Nordfelt stated that residents who live in HOA's are paying the same amount of taxes as those who don't and they don't get their roads maintained by the City. He added that he is worried about pavement falling into disrepair and the HOA not having funding to fix them. Mayor Lang suggested allowing rear load alleys with a long private driveway and limiting that by length. Councilmember Harmon stated that the Council is mostly concerned about association type situations over flag lot type scenarios. Councilmember Harmon stated that design flexibility doesn't benefit the residents or the City and only benefits developers. Councilmember Whetstone stated that he has seen private HOA's push snow from private streets to public streets and asked if this is permitted. Coby Wilson, City Engineer, stated that he isn't aware of any restriction in code but noted that some smaller streets would be nearly impossible to get snow removed based on their size and the orientation of the stub streets. Councilmember Harmon stated that many people park on Daybury Drive because the nearby streets are private. Mayor Lang stated that she would like to ask staff for an alternative to require public roads in new developments and to change standards to allow driveway spacing to be closer. Councilmember Fitisemanu clarified this would be for future development. Mayor Lang replied yes. Councilmember Nordfelt asked if this would work for City snowplows. Coby replied yes, as long as the design of the streets were in a circular pattern and there are no small dead-end streets or stubs. The Mayor and Council discussed the option of limiting the length and percentage of private streets in a development. After discussion, the Mayor and Council requested that staff draft an ordinance that requires streets in new developments to be public, at least 29 feet of asphalt, and allow driveways to be closer together. Steve reminded the Council that the parking requirements for townhome developments were recently increased. Councilmember Fitisemanu asked if there has ever been a scenario where there was a single owner that transferred into an HOA. Steve replied yes.

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-9-

The Mayor and Council had no further questions or concerns.

C. PUBLIC WORKS UPCOMING PROJECTS

Coby Wilson, Public Works, provided a link to the website that displays upcoming Public Works projects- <https://wvc-ut.maps.arcgis.com/apps/MapJournal/index.html?appid=20f9436d61c94007b7076dc387ae6da3>. He discussed 2540 West (Beagley Road)- Phase 3, 2700 West (from 4700 South- 4100 South), Stanton Drive, 4700 South Reconstruction, 3500 South Sidewalk project, CDBG Pedestrian Ramp, 2022 Pedestrian Ramp Project, 3100 South Bike Lanes, Asphalt Overlay project, Roxborough Storm Drain project, Crystal Avenue Sidewalk, Cross Towne Trail, Parkway Blvd, and Lancer Way.

Mayor Lang stated that Taylorsville will be commencing a project in the area of the Roxborough Storm Drain project and asked if it is related. Coby replied yes and noted that the storm drain will empty in Taylorsville. Councilmember Whetstone stated that the storm drain for Stanton Drive is deteriorating and asked if this is a common issue. Coby replied that it is unfortunately common in pipes that were installed as part of the original infrastructure of the City due to the corrugated metal. Mayor Lang asked if the new pipe material was installed in 3100 South when a portion of that was reconstructed. Coby replied most likely but noted that more will need to be replaced with the upcoming 3100 South project as well. Councilmember Huynh asked how much the City will spend this coming year on these projects. Coby replied it will depend on many different factors but likely around 15 million dollars.

The Mayor and Council had no further questions or concerns.

D. LEGISLATIVE WRAP-UP

Nicole Cottle, Assistant City Manager, provided a recap of bills passed at the recent Legislative Session. Some of these bills include bills related to homelessness, affordable housing, land use bills, and sustainability.

Councilmember Huynh stated that homeless camps should be brought out to areas like Bluffdale. He stated that there are areas in Salt Lake City that people are scared to visit because of the homeless situation. Nicole Cottle described how conversations related to homeless solutions have improved and how conversations with other Cities have gone. Councilmember Huynh stated that Herriman, Riverton, and other City's further away need to provide additional assistance.

E. COUNCIL CALENDAR

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-10-

Mayor Lang 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

Wayne Pyle, City Manager, presented the Court Construction options as follows:

Court Construction Options

Parameters

\$5.2M available funds, Total Current Project Cost \$10.3M
Occupancy takes effect Beginning March

Options

1. Bond for the \$5M (bond counsel consulted, doable)
2. Take from fund balance
3. negotiate \$3.9M payment schedule for purchase (+\$1.2M FB)
4. Delay Project, continue operations in current location

Wayne stated that the State has extended their contract to April 15th and discussed options of stretching out payments. He indicated that the same basic question is left, the cost to renovate the building is twice what was predicted and there are 4 options the Council can direct moving forward. Mayor Lang stated that the Council will consider this over the next week and provide guidance at the next meeting.

Wayne indicated that Operation My Hometown has expanded into additional neighborhoods. He stated that the City cannot continue with the current budget and staffing as it is and additional personnel and resources need to be added to continue the program. He indicated that he cut the requested budget to \$150,000 and has found funding in the RDA as well as sanitation budgets but will still need an additional \$75,000. He indicated that possible sources of funding could be from CDBG or the General Fund. Councilmember Huynh asked how much the City financially supports the My Hometown program. Wayne replied that one-time monies have been spent on events and projects and there is a lot of support from the community and groups like the Church of Jesus Christ of Latter Day Saints. Councilmember Whetstone stated that he would like to better understand what organizations would be impacted if the City used CDBG funds. Wayne stated that staff would make a recommendation as to which programs would not be funded. Councilmember Nordfelt stated that he believes the City needs to commit and invest in the My Hometown program and would like to see the additional staff hired and funding can be determined at a later date. Councilmember Huynh suggested

MINUTES OF COUNCIL STUDY MEETING – MARCH 8, 2022

-11-

using money from the Idea House program. Wayne replied that there are no funds available there. Councilmember Harmon stated that he thinks the program is great but he is concerned about the budget.

Wayne indicated that the sustainability page on the website is now live. He encouraged the Council to view it and share with residents.

B. COUNCIL REPORTS

MAYOR LANG

Mayor Lang indicated that she attended the opening of Krispy Crème. She indicated it was a great ribbon cutting event.

COUNCILMEMBER HARMON

Councilmember Harmon stated that he attended a Neighborhood Watch event with Mayor Lang. He stated it was well done and he'd like to get his neighborhood involved in something like that as well. Councilmember Harmon stated that he emailed Steve Pastorik on 3D printing homes. He thanked Steve for his response.

COUNCILMEMBER WHETSTONE

Councilmember Whetstone stated that he attended a ChamberWest meeting. He asked if the City participates in the banquet. Mayor Lang replied yes and stated that any Councilmember who wants to attend should contact Angel.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY MARCH 8, 2022 WAS ADJOURNED AT 6:31 PM BY MAYOR LANG.

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, March 8, 2022.



Nichole Camac, CMC
City Recorder