

MINUTES OF COUNCIL REGULAR MEETING JULY 12, 2022

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, JULY 12, 2022, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR LANG.

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

ABSENT:

Jake Fitisemanu, Councilmember District 4

STAFF PRESENT ELECTRONICALLY:

Nicole Cottle, Acting City Manager
Nichole Camac, City Recorder
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief (*electronically*)
John Evans, Fire Chief
Jim Welch, Finance Director (*electronically*)
Jerry Thompson, Acting CED Director
Layne Morris, CPD Director (*electronically*)
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director (*electronically*)
John Flores, HR Director (*electronically*)
Sam Johnson, Strategic Communications Director
Ken Cushing, IT (*electronically*)
Jody Knapp, CED (*electronically*)

OPENING CEREMONY- MAYOR LANG

Mayor Lang asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD JULY 5, 2022

The Council considered the Minutes of the Regular Meeting held July 5, 2022. There were no changes, corrections or deletions.

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Councilmember Nordfelt moved to approve the Minutes of the Regular Meeting held July 5, 2022. Councilmember Harmon seconded the motion.

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

COMMENT PERIOD

A. PUBLIC COMMENTS

Jim Vesock expressed concern about semi's parking on streets and not being ticketed. He indicated that he also sees a lot of code enforcement violations on homes throughout the City. Mr. Vesock stated that Skate Jam was a great event but had poor attendance. He indicated that this needed to be better advertised. Mr. Vesock stated that artists need to acknowledge West Valley City during their performances and not Salt Lake City. He expressed concern about City flags not being lowered to half mast, 5 foot parking enforcement, etc.

Darrell Curtis stated that the Council will be voting on a "ninja park". He indicated that he is concerned about the area proposed for that use in regard to parking, sidewalk use, etc.

Myles Winn stated that he discussed the trash ordinance last week. He noted that he reached out to an ordinance officer who said that they could come check out the concern today but would be unable to do so Monday when it is his garbage day. Mr. Winn stated that he also spoke with ACE but was given an unhelpful answer. He indicated that he would like to see a speed study conducted on his street but doesn't want to talk to his neighbors to get a petition signed. Mr. Winn stated that he would like to see the City adjust the noise ordinance hours for fireworks when holidays fall on a weekday.

Mike Markham stated that he believes there should be an adjustment to the Code that states that on-street parking violators are not given a reduction in ticket cost if they are ticketed multiple times in a 30 day period. Mr. Markham stated that there are a lot of business and construction vehicles parking on-streets or in gravel driveways. He noted that he believes the Council needs to take a more active role in helping residents in their districts come into compliance with Code Enforcement.

B. CITY MANAGER COMMENTS

Nicole Cottle, Acting City Manager, had no comments.

C. CITY COUNCIL COMMENTS

Scott Harmon stated he got his utility bill and there was a flyer included for the month of July. He stated that this is not useful because July is half over and most of the events have passed. He requested that these flyers be sent a month in advance. Councilmember Harmon stated that residents in his district are still concerned about

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traffic at a crosswalk on 4100 S Accord Way. He indicated that he would like to see something done that can help correct this. Councilmember Harmon stated that Code Enforcement is a significant issue in the City and noted that there are many homes in his neighborhood that are in violation.

Councilmember Christensen stated that the crosswalk on 4100 South and Accord is in the process of being updated. He noted that he has a neighbor with Code Enforcement violations and they have been cited many times, abated, and are now awaiting court.

PUBLIC HEARINGS

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-4-2022, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE BY REDUCING THE MINIMUM AREA REQUIRED FOR SHOPPING CENTERS IN SECTION 7-7-124 FROM ONE ACRE TO THREE QUARTERS OF ONE ACRE

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled July 12, 2022 in order for the City Council to hear and consider public comments regarding application ZT-4-2022, Filed by West Valley City, Requesting a Zone Text Change by Reducing the Minimum Area Required for Shopping Centers in Section 7-7-124 from One Acre to Three Quarters of One Acre.

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

At the request of the City Council, City staff is proposing an ordinance amendment to reduce the minimum area required for shopping centers in Section 7-7-124 from one acre to three quarters of one acre.

The current one-acre minimum shopping center size was adopted in March of 2017. At the time the City had reviewed many L-shaped strip malls that were proposed on smaller commercial parcels in several locations. Prior to March 2017, there was no minimum area specific to shopping centers. After having several discussions on this topic, the City Council directed staff to change the ordinance to allow shopping centers on properties that are at least three quarters of one acre in area.

The proposed ordinance also amends the definition of shopping centers to be more objective and clarifies that the area of adjoining parcels that share parking and access can be combined to meet the minimum shopping center area.

Mayor Lang opened the Public Hearing. There being no one to speak in favor or

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opposition, Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 22-27, AMEND SECTIONS 7-103 AND 7-7-124 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND CERTAIN REQUIREMENTS CONCERNING SHOPPING CENTERS

The City Council previously held a public hearing regarding proposed Ordinance 22-27 that would amend Sections 7-103 and 7-7-124 of the West Valley City Municipal Code to Amend Certain Requirements Concerning Shopping Centers.

Councilmember Huynh verified that this ordinance was changed in 2017. Nicole replied yes. Councilmember Huynh verified that the Code currently requires one acre but this change would reduce that requirement to 0.75 acre. Councilmember Huynh verified that line number 687 would allow a multi-tenant building with 2 units being retail. Jody Knapp, CED, replied yes and stated that like 687 further defines multi-tenant buildings.

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

Councilmember Huynh moved to approve Ordinance 22-27.

Councilmember Whetstone seconded the motion.

Councilmember Nordfelt stated that the City Council changed the ordinance because there was a concern that the City would have too many strip malls on main corridors and the Council wanted to have a greater variety of uses of commercial properties. He indicated that he feels the ordinance has served its purpose well and that is why he will be voting against this proposal.

Councilmember Huynh stated that West Valley City is unique and there are a great amount of minorities that make up the majority of the population. He indicated that the demand for these types of retail uses is very high. Councilmember Huynh indicated that it is difficult for people to lease or purchase a single large building and much easier for them to lease out spaces in a multi-tenant space.

A roll call vote was taken:

Councilman Fitisemanu	Absent
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes

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Councilman Nordfelt	No
Mayor Lang	Yes

Majority.

ORDINANCE 22-28: AMEND SECTIONS 23-6-104(1) AND 23-6-106(1) OF THE WEST VALLEY CITY MUNICIPAL CODE TO COMPLY WITH STATE LAW REGARDING ANIMAL CONTROL

Nicole Cottle, Acting City Manager, discussed proposed Ordinance 22-28 that would amend Sections 23-6-104(1) and 23-6-106(1) of the West Valley City Municipal Code to Comply With State Law Regarding Animal Control.

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

It is proposed that Code West Valley City Code 23-6-104(1) be amended to read:

*Domesticated animals shall be impounded for a minimum of ~~three full calendar~~ **five business** days before further disposition, except as otherwise provided herein. Reasonable effort shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner. Any animal voluntarily relinquished to the Animal Control facility by the owner thereof for destruction or other disposition need not be kept for the minimum holding period before release or other disposition as herein provided.*

It is proposed that Code West Valley City Code 23-6-106(1)(a) be amended to read:

*If the animal was impounded, it must be held for a minimum of ~~three working~~ **five business** days prior to being eligible for adoption. Animals that have been signed over to the City by their owners are eligible for adoption immediately.*

Utah State Code 11-46-103 requires that unidentified or unclaimed animals be held for a minimum of five business days prior to making any final disposition of the animal.

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The changes to our ordinance are necessary to remove any discrepancy between city and state code.

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

Councilmember Harmon moved to approve Ordinance 22-28.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Absent
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 22-120: AUTHORIZE THE PROCUREMENT OF SERVICES FROM WILSON & COMPANY, INC.

Nicole Cottle, Acting City Manager, presented proposed Resolution 22-120 that would authorize the Procurement of Services from Wilson & Company, Inc.

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

West Valley City will receive federal *Surface Transportation Program* funds to assist with the design and construction of a roadway reconstruction project on Lancer Way (3650 South) from 3200 West to 2700 West. The amount of federal participation on this project is \$5,771,489, which requires a local match of \$419,103.08 from West Valley City. In addition to the local match, it is the city's responsibility to complete an environmental study for the project prior to the distribution of the federal funds.

The proposed project will reconstruct and widen Lancer Way from two-lanes to three-lanes, including a center turn-lane. The project will include the addition of bike lanes, curb and gutter, sidewalk, street lighting, streetscape, and drainage improvements.

This agreement will enable the environmental consultant, Wilson & Company, Inc.,

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to complete the tasks associated with the performance of a UDOT approved environmental study. Upon completion of the environmental study, the WVC Engineering division will coordinate with UDOT and FHWA to access the federal funds and begin the preconstruction phase of the project. It is initially anticipated that construction will begin in 2025.

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

Councilmember Christensen moved to approve Resolution 22-120.

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Absent
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 22-121: AUTHORIZE THE ACCEPTANCE OF A 2022 UTAH OUTDOOR RECREATION GRANT

Nicole Cottle, Acting City Manager, presented proposed Resolution 22-121 that would authorize the Acceptance of a 2022 Utah Outdoor Recreation Grant

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

The West Valley City West View Park has undeveloped land directly adjacent to the Utah and Salt Lake Canal trail system. This property was purchased approximately two years ago for the further development of the park and is located at approximately 4050 South 6000 West. The \$191,565.00 Utah Outdoor Recreation award will provide a challenge course for park and trail users to enjoy. The challenge/ninja course will include a two lane 40 yard dash and a full multi-generational obstacle course complete with a timing system.

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

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Councilmember Harmon stated that it would be nice to know what grants are being applied for so that the Council can provide input and guidance that may be different from staff's perspective. Councilmember Christensen stated that the Council has been discussing this particular area for years. Councilmember Nordfelt stated that there is a process and the acquisition and plan for this parcel have been ongoing for quite awhile. Mayor Lang suggested that Councilmember Harmon bring up park amenities as a Strategic Plan discussion. Councilmember Whetstone noted that there is no sidewalk along 6000 West and asked if there is a way to move that plan forward in conjunction with this park. Nicole replied that 6000 West has been an area of concern for sometime and noted that this has moved up in priority. She stated that she will ask Dan Johnson, Public Works Director, to provide the Council with an update.

Councilmember Harmon moved to approve Resolution 22-121.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Absent
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

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 REGULAR MEETING OF TUESDAY, JULY 12, 2022 WAS ADJOURNED AT 7:06 P.M. BY MAYOR LANG.

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, July 12, 2022.

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Nichole Camac

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Nichole Camac, CMC
City Recorder