

MINUTES OF COUNCIL STUDY MEETING – SEPTEMBER 13, 2022

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THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, SEPTEMBER 13, 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 PRO TEM HUYNH.

THE FOLLOWING MEMBERS WERE PRESENT:

Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2 (*electronically*)
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

ABSENT:

Karen Lang, Mayor

STAFF PRESENT:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder (*electronically*)
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 (*electronically*)
John Flores, HR Director (*electronically*)
Sam Johnson, Strategic Communications Director (*electronically*)
Mark Nord (*electronically*)
Ken Cushing, IT (*electronically*)
Scott Hall, Fire Department
Kevin Nudd, Courts

APPROVAL OF MINUTES OF STUDY MEETING HELD SEPTEMBER 6, 2022

The Council considered the Minutes of the Study Meeting held September 6, 2022. There were no changes, corrections or deletions.

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Councilmember Whetstone moved to approve the Minutes of the Study Meeting held September 6, 2022. Councilmember Christensen seconded the motion.

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

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF SEPTEMBER 13, 2022

Upon inquiry by Mayor Pro Tem Huynh, 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 SEPTEMBER 20, 2022

- A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-6-2022, FILED BY MOUNTAIN AMERICA CREDIT UNION, REQUESTING A GENERAL PLAN CHANGE FROM RESIDENTIAL OFFICE TO GENERAL COMMERCIAL AND A ZONE CHANGE FROM R-1-6 (SINGLE UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 6,000 SQUARE FEET) TO C-2 (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT 2531 SOUTH REDWOOD ROAD**

Mayor Pro Tem Huynh informed a public hearing had been advertised for the Regular Council Meeting scheduled September 20, 2022, in order for the City Council to hear and consider public comments regarding application GPZ-6-2022, Filed by Mountain America Credit Union, Requesting a General Plan Change from Residential Office to General Commercial and a Zone Change from R-1-6 (Single Unit Dwelling Residential, Minimum Lot Size 6,000 Square Feet) to C-2 (General Commercial) for Property Located at 2531 South Redwood Road.

Proposed Ordinances 22-34 and 22-35 and Resolution 22-139 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 22-34, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM RESIDENTIAL OFFICE TO GENERAL COMMERCIAL FOR PROPERTY LOCATED AT 2531 SOUTH REDWOOD ROAD

Steve Pastorik, CED Director, discussed proposed Ordinance 22-34 that would amend the General Plan to show a change of land use from Residential Office to General Commercial for Property Located at 2531 South Redwood Road.

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

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Surrounding zones include C-2 to the north, R-1-6 to the south and east, and RM (Multiple Unit Dwelling Residential) to the west. The property is surrounded by an accounting office to the north, a home and a church to the east, a duplex to the south, and fourplexes to the west on the west side of Redwood Road. The property includes a home on the south end of the property that was built in 1942.

If this application is approved, the applicant plans to build a Mountain America Credit Union branch on the subject property. The existing home on the property would be demolished. Included with this issue paper is a concept plan for the property along with a letter from the applicant that supports this application.

Given the neighboring residential uses, the Planning Commission was concerned about some of the more intense uses allowed in the C-2 zone. The Commission recommended a development agreement be used to limit the allowed uses on the property to those allowed in the C-1 zone. A copy of the commercial and manufacturing zones use table is included for reference. Since the C-2 zone requires 15% landscaping and the C-1 zone requires 20% landscaping, the Planning Commission preferred to go with C-2 zoning to allow more site plan flexibility.

ACTION: ORDINANCE NO. 22-35, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2531 SOUTH REDWOOD ROAD FROM R-1-6 (SINGLE UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 6,000 SQUARE FEET) TO C-2 (GENERAL COMMERCIAL)

Steve Pastorik, CED Director, discussed proposed Ordinance 22-35 that would amend the Zoning Map to show a change of Zone for property located at 2531 South Redwood Road from R-1-6 (Single Unit Dwelling Residential, Minimum Lot Size 6,000 Square Feet) to C-2 (General Commercial).

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

Surrounding zones include C-2 to the north, R-1-6 to the south and east, and RM (Multiple Unit Dwelling Residential) to the west. The property is surrounded by an accounting office to the north, a home and a church to the east, a duplex to the south, and fourplexes to the west on the west side of Redwood Road. The property includes a home on the south end of the property that was built in 1942.

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If this application is approved, the applicant plans to build a Mountain America Credit Union branch on the subject property. The existing home on the property would be demolished. Included with this issue paper is a concept plan for the property along with a letter from the applicant that supports this application.

Given the neighboring residential uses, the Planning Commission was concerned about some of the more intense uses allowed in the C-2 zone. The Commission recommended a development agreement be used to limit the allowed uses on the property to those allowed in the C-1 zone. A copy of the commercial and manufacturing zones use table is included for reference. Since the C-2 zone requires 15% landscaping and the C-1 zone requires 20% landscaping, the Planning Commission preferred to go with C-2 zoning to allow more site plan flexibility.

ACTION: RESOLUTION NO. 22-139, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MOUNTAIN AMERICA FEDERAL CREDIT UNION FOR APPROXIMATELY 0.85 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2531 SOUTH REDWOOD ROAD

Steve Pastorik, CED Director, discussed proposed Resolution 22-139 that would authorize the City to Enter into a Development Agreement with Mountain America Federal Credit Union for Approximately 0.85 Acres of Property Located at Approximately 2531 South Redwood Road.

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

Kristine Johanos with Mountain America Credit Union has submitted a General Plan/zone change application (GPZ-6-2022) on 0.85 acres to change the General Plan designation from Residential Office to General Commercial and the zoning from R-1-6 (Single Unit Dwelling Residential, minimum lot size 6,000 square feet) to C-2 (General Commercial). The Planning Commission recommended approval of the zone change subject to a development agreement.

Given the neighboring residential uses, the Planning Commission was concerned about some of the more intense uses allowed in the C-2 zone. The Commission recommended a development agreement be used to limit the allowed uses on the property to those allowed in the C-1 zone.

Mayor Pro Tem Huynh stated that he fought hard to allow multiple units in a single building along Redwood Road but noted that this is not what is being proposed at

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this location. He asked if UDOT will allow access onto Redwood Road. Steve replied he is not sure at this time.

The City Council will consider Ordinances 22-34 and 22-35 and Resolution 22-139 at the Regular Council Meeting scheduled September 20 at 6:30 P.M.

B. ACCEPT PUBLIC INPUT REGARDING APPLICATION GP-1-2022, FILED BY WEST VALLEY CITY, REQUESTING AN AMENDMENT TO THE WEST VALLEY CITY GENERAL PLAN TO UPDATE THE CITY'S MODERATE INCOME HOUSING PLAN

Mayor Pro Tem Huynh informed a public hearing had been advertised for the Regular Council Meeting scheduled September 20, 2022, in order for the City Council to hear and consider public comments regarding application GP-1-2022, Filed by West Valley City, Requesting an Amendment to the West Valley City General Plan to Update the City's Moderate Income Housing Plan.

Proposed Ordinance 22-36 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 22-36, ADOPT THE 2022 MODERATE INCOME HOUSING PLAN AS PART OF THE WEST VALLEY CITY GENERAL PLAN

Steve Pastorik, CED Director, discussed proposed Ordinance 22-36 that would adopt the 2022 Moderate Income Housing Plan as Part of the West Valley City General Plan.

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

During the 2022 general session, the Utah legislature passed HB 462 that modified requirements for municipalities' moderate income housing plans as well as reporting. The purpose of this General Plan amendment is to update the City's Moderate Income Housing Plan to bring it into compliance with State code. Compliance is required by State code by October 1, 2022.

The most significant State code changes include:

- requiring municipalities with a fixed guideway public transit station to implement five or more of the 24 updated moderate income housing strategies listed in State code,
- requiring an implementation plan,

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- requiring municipalities with a fixed guideway public transit station to adopt station area plans for each station, and
- modifying the reporting requirements to include more detail on municipalities' efforts to encourage moderate income housing.

Councilmember Nordfelt asked what specifically has changed in the plan. Steve replied that all the tables and figures have been updated to include more recent data. He stated that strategies were also changed beginning on page 12 to reflect State requirements. Councilmember Fitisemanu asked how transit relates to the plan. Steve replied that any community that has a commuter or light rail station must have a plan within a half mile radius of the station. He indicated that the requirements for this plan are very specific, so the State has given City's until the end of 2025 to come into compliance. He noted that if someone were to make an application within a specific transit area, the City would need to adopt a plan for that area within 12 months. Steve stated that Fairbourne Station already meets requirements.

The City Council will consider Ordinances 22-36 at the Regular Council Meeting scheduled September 20 at 6:30 P.M.

PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 27, 2022

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION Z-9-2022, FILED BY SHANE KEYVANI, REQUESTING A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO RE (RESIDENTIAL ESTATE) FOR PROPERTY LOCATED AT 3940 SOUTH 5200 WEST

Mayor Pro Tem Huynh informed a public hearing had been advertised for the Regular Council Meeting scheduled September 27, 2022, in order for the City Council to hear and consider public comments regarding application Z-9-2022, Filed by Shane Keyvani, Requesting a Zone Change from A (Agriculture, Minimum Lot Size 1/2 Acre) to RE (Residential Estate) for Property Located at 3940 South 5200 West.

Proposed Ordinance 22-37 and Resolution 22-143 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 22-37, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3940 SOUTH 5200 WEST FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO RE (RESIDENTIAL ESTATE)

Steve Pastorik, CED Director, discussed proposed Ordinance 22-37 that would amend the Zoning Map to Show a Change of Zone for Property Located at 3940 South 5200 West from A (Agriculture, Minimum Lot Size 1/2 Acre) to RE (Residential

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Estate).

Steve Pastorik indicated that the applicant has asked to postpone this discussion until October or November. He noted that the City Recorder will provide an updated notice to residents who were already notified of the meeting.

ACTION: RESOLUTION NO. 22-143, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT

Steve Pastorik, CED Director, discussed proposed Resolution 22-143 that would authorize the City to Enter into a Development Agreement

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

Steve Pastorik indicated that the applicant has asked to postpone this discussion until October or November. He noted that the City Recorder will provide an updated notice to residents who were already notified of the meeting.

The City Council will consider Ordinance 22-37 and Resolution 22-143 at a future City Council meeting that is to be determined.

COMMUNICATIONS

A. AGING SERVICES PROGRAM

Scott Hall, Fire Department, presented a PowerPoint presentation summarized as follows:

- Explore
 - o How can we provide needed service without increased cost and time?
 - o Are needed resources already available?
 - o Who can we and who should we partner with?
 - o How do we build this into existing operations?
 - o How can we provide close loop communication to gain buy in?
- Services
 - o Meals on wheels
 - o Ombudsman
 - o Caregiver support
 - o Home Health
 - o Housing
 - o Medicare Counseling
 - o Fall risk reduction
 - o Rides for wellness

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- o Mental health
- ImageTrend Elite
 - o Electronic Patient Care Reporting
- Daily Reporting
 - o Automatic reporting
 - o Gate Keeper
 - o What resources are needed?
 - o Who should be contacted?
- Reporting the Needs
 - o SLCO Adult and Aging Services Reporting portal
- Fire Department Referral
 - o Live Document
- Adult protective services (APS)
- Child and family services (DCFS)
- Mental Health (WVCPD CIT)
- Non-emergent visit
- Prescription home delivery (JVW)
- Buy In
 - o Email sent back to the reporting crew
 - What was reported and to who
 - Status of services
 - Ongoing updates
 - o Encourage continual reporting

Councilmember Fitisemanu stated that this program is a great model and a big success. He noted that this works on a local level to get appropriate resources for members of the community who would otherwise not get that care. Councilmember Fitisemanu stated that this is a big deal and congratulated the department on their success. Scott indicated that the City has kept the program low key for a few months but recently met with other agencies who are eager to follow. He discussed various programs and plans that the Department hopes to work on moving forward. Councilmember Christensen stated that the Healthy West Valley Coalition is discussing ideas very similar to this. Mayor Pro Tem Huynh asked how the message is being provided to seniors. Scott replied that there are booklets that can be provided at events but mostly the program focuses on individuals who call 911. Councilmember Huynh asked how many successful connections have been made. Scott replied likely around 50. He indicated that some people don't want the services but many of them are appreciative of the resources provided.

The Mayor and Council had no further questions or concerns.

B. JUSTICE COURT REPORT

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Nicole Cottle, Assistant City Manager, presented a PowerPoint presentation summarized as follows:

- What Is a Justice Court?
 - o Utah's trial court system includes the district, juvenile, and justice courts. Each court has a different responsibility. District courts are courts of general jurisdiction that handle civil cases, criminal felonies, some misdemeanors, and domestic relations cases. In general, juvenile courts are civil courts that handle issues relating to minors (individuals under age 18). District and juvenile courts are state courts.
 - o The justice courts are established and funded by municipalities and counties.
 - o Justice courts have authority to deal with class B and C misdemeanors, violations of local ordinances, small claims, and infractions cases within their jurisdiction. Justice courts' jurisdictions are determined by the boundaries of the municipalities and counties that established them. There are 137 justice courts with 108 county and municipal judges serving in them. A justice court nominating commission recommends candidates to the local appointing authority. The chosen judicial candidate is then ratified by the local legislative body. The appointee must also be certified by the judicial council. The judge then stands for retention election every six years.
- Quick Facts
 - o The West Valley Justice Court is the 2nd largest Justice Court in the state.
 - o 2 judges, 1 court administrator, 16 clerks
 - Average Case Load per Judge 9,000
 - Average Case Load per Clerk 1,000
- Court Cases types of offences 6/21- 7/22
 - o **Total traffic cases filed:** 16,387
 - Driving Under the Influence: 349
 - Impaired Driving: 42
 - Driver License Violations: 2,097
 - Other Moving Violations: 15,406
 - Non-Moving Violations: 5,556
 - o **Misdemeanor/Infraction Violations** 1,977
 - Assault 230
 - Theft 344
 - Public Intoxication 247
 - Illegal Sale Alcohol 6
 - Other Liquor/Alcohol Violations 89

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- Controlled Substance 299
- Domestic Violence 1,138
- Other Misdemeanors 1,018
- (Other misdemeanors include: Stalking, Harassment, Threats, Child Abuse and Neglect, Custodial Interference, Criminal Mischief, Lewdness, Trespassing, False Information to Police, Obstruction of Justice, Making False Reports, Animal Cruelty, numerous others)
- o **Small Claims Cases** 1,060
- City Specific Justice Court Performance Measures
- How has COVID Changed things?
 - o Last 2 years have been challenging with COVID.
 - o Normal court processes were more than interrupted, but state law required courts to remain open and accessible to the public.
 - o We did everything we could to remain open and adjust almost all our processes.
 - o Until February we could not hold in-person hearings, but we then were permitted to hold Bench and Jury Trials in-person. All hearings had been held remotely prior to February.
 - o Judges have determined that most hearings can still be held remotely, except Bench and Jury Trials as well as some other hearings that require in-person attendance.
- Utah State Legislature and the Interplay with the District Level Services
 - o There are current discussions regarding the change of the justice court system to a circuit court of old. The policy discussion around this is of significant interest to the City and we remain heavily engaged.
 - o Misdemeanor v. Felony and why it matters to WVC

Councilmember Whetstone asked if the City received Federal, State, COVID, or ARPA funds for the Justice Court. Nicole replied no. Mayor Pro Tem Huynh asked if the City helps the neighboring town of Magna with their cases. Nicole replied that Magna cases would go through Salt Lake County unless there was some sort of direct tie to West Valley City. She stated that Highway Patrol cases are processed through the City's Justice Court if they were ticketed in the City. Mayor Pro-Tem Huynh asked when the Courts will move to the new building that is the other half of City Hall. Wayne replied that construction is still on track to be completed in the Spring of 2023. He discussed the construction timeline and specific requirements. Wayne also stated that the Justice Court has been a huge asset to the community. He indicated that many cases, such as Domestic Violence or DUI's, were not being prosecuted which is why the City Council established the Justice Court in the late

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90's/early 2000's. Nicole agreed and stated that the Mental Health Court has been a huge success as well and has impacted the lives of many who wouldn't have received that help elsewhere.

The Mayor and Council had no further questions or concerns.

C. COUNCIL CALENDAR

Mayor Pro Tem Huynh 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 he would like a better understanding of street sales/yard sales/fruit stand sales, etc. and what is allowed in the City. He indicated that Code references would be appreciated.

Councilmember Christensen stated that he believes the Communications department is working on a resolution that would encourage health and well-being for City employees and residents.

Councilmember Huynh requested an email updating the Council on the temporary homeless shelter discussion.

B. COUNCIL REPORTS

COUNCILMEMBER CHRISTENSEN- MOSQUITO ABATEMENT AND HEALTHY WEST VALLEY

Councilmember Christensen stated that he attended the South Salt Lake Valley Mosquito Abatement District meeting. He indicated that there was one report of a human case of West Nile Virus in West Jordan and a pool of West Nile mosquitos in West Valley City. He suggested that Parks and Recreation reach out to the mosquito abatement districts to have a booth at City events to inform people.

Councilmember Christensen stated that Healthy West Valley Coalition met and discussed different ways of incorporating healthy lifestyles into the City's long-term plan. He discussed several upcoming events.

MAYOR PRO TEM HUYNH- NATIONAL NIGHT OUT

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Mayor Pro Tem Huynh stated that he attended the National Night Out event that closed out the month last week. He indicated it was a great event and thanked the Fire Department for their contributions.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY SEPTMEBER 13, 2022 WAS ADJOURNED AT 5:32 PM BY MAYOR PRO TEM HUYNH.

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, September 13, 2022.



Nichole Camac, CMC
City Recorder