

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 12, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 12, 2010, AT 6:37 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR WINDER CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Jim Welch, Finance Director
John Evans, Fire Chief
Layne Morris, Community Preservation Director
Buzz Nielsen, Police Chief
Steve Pastorik, Acting CED Director
Eric Bunderson, Acting City Attorney
Aaron Crim, Administration
Jake Arslanian, Public Works Department

- 15097 **OPENING CEREMONY**
Corey Rushton who read thoughts regarding the history and significance of various community names conducted the Opening Ceremony.
- 15098 **SCOUTS**
Mayor Winder welcomed Scout Troop No. 269 in attendance to complete requirements for the Citizenship in the Community merit badge.
- 15099 **APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 28, 2010**
The City Council read and considered Minutes of the Regular Meeting held September 28, 2010. There were no changes, corrections or deletions.

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After discussion, Councilmember Burt moved to approve Minutes of the Regular Meeting held September 28, 2010, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15100

INTRODUCTION OF NEW EMPLOYEES

Aimee Tye-Critchley, Human Resources/Administration, addressed the City Council and introduced the following new employees:

Fire Department

Morris Barker, Firefighter/Paramedic
Ryan Livingston, Firefighter/Paramedic
Corby Carter, Firefighter
Todd Delnoce, Firefighter
Brandon Gonzales, Firefighter
Nash Nordin, Firefighter
Brandon Preece, Firefighter
Colby Robison, Firefighter
Tyson Rolfe, Firefighter
Jayson Romney, Firefighter
Tyson Swayt, Firefighter

Administration / Justice Court

Sandra Marcial, Court Clerk

Law Department

Nubia Pena, Victim Advocate

Community & Economic Development (CED) Department

Christine Barnhurst, Business Retention Specialist
Keith Morey, Economic Development Manager

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Community Preservation Department
Lucia Corona, Shelter Technician
Katherine Johnson, Shelter Technician
Maria Rodriguez, Section 8 Coordinator
Celeste Ward, Section 8 Coordinator

On behalf of the City Council, Mayor Winder welcomed the new employees to employment with West Valley City.

15101 **PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER 2010,
AS NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH IN
WEST VALLEY CITY**

Councilmember Buhler read a Proclamation recognizing the month of October 2010, as National Domestic Violence Awareness Month in West Valley City.

15102 **COMMENT PERIOD**

Upon inquiry by Mayor Winder, the following individuals addressed the City Council during the comment period:

Jason Johnson, 3700 South Granger Drive, addressed the City Council. Mr. Johnson requested the City Council again consider allowing residents to raise chickens. He stated some residents, himself included, had large enough lots to accommodate this. He expressed concern regarding code enforcement officers posting different information on the Internet than what was written on a violation notice. Mr. Johnson also expressed his opinion that different interpretations of the City's codes could be received from different officers. He indicated one officer was not very nice to work with either in person or on the telephone.

Dustin Baker, 3672 American Drive, addressed the City Council. Mr. Baker stated he concurred with previous statements made by Mr. Johnson. He also stated he did not agree with the codes currently in place, but since they existed, he recognized the need to work within them. Mr. Baker indicated he disagreed with government telling him when he could or could not mow his lawn. He explained he had received a violation for his yard and the notice needed to be more specific so residents knew what needed to be corrected. Mr. Baker questioned if codes applied to commercial buildings also and he mentioned several lots that needed to be cleaned up in addition to those in neighborhoods. He expressed the need to look at codes again and make sure the City was not trying to manage residents' lives and get into their business too much. He concluded the City was "going about it the wrong way."

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APPLICATION NO. Z-1-2010, FILED BY PHIL HOLLAND, REQUESTING A CHANGE OF ZONE FROM ZONE ‘M’ (MANUFACTURING) TO ‘R-1-4’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 4,000 SQ. FT.) AND ‘C-2’ (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT 5300 SOUTH 5600 WEST (PUBLIC HEARING HELD AND CLOSED AT REGULAR MEETING OF SEPTEMBER 28, 2010; AND ACTION REGARDING RELATED ORDINANCE AND RESOLUTION CONTINUED)

City Manager, Wayne Pyle, discussed Application No. Z-1-2010, filed by Phil Holland, requesting a change of zone from zone ‘M’ (Manufacturing) to ‘R-1-4’ (Residential, Single-Family, Minimum Lot Size 4,000 sq. ft.) and ‘C-2’ (General Commercial) for property located at 5300 South 5600 West. He stated a public hearing had been held and closed at the Regular Council Meeting held September 28, 2010; and action regarding the related Ordinance and Resolution had been continued to October 12, 2010.

Mr. Pyle noted there had been much discussion regarding the subject Application over the last two weeks and he advised the applicant had requested a continuance regarding the proposal to allow for additional time to amend the proposal based on concerns and suggestions expressed by the City Council at a Study Meeting held just prior to this meeting.

At the request of the City Council, Steve Pastorik, Acting CED Director, used PowerPoint and displayed an aerial photograph of the Daybreak development located in South Jordan, Utah, including images of several townhomes in that development of various designs and numbers of units. He noted there was a wide variety of different townhomes in the Daybreak development. He also showed an example of townhomes in developments located in Denver, Colorado, of other types of designs.

The City Council reviewed and discussed the proposed site plan and concept drawings that were part of the subject application. Members of the Council made comments regarding the proposal and shared personal opinions about the various site plans submitted since the year 2008. Some members of the Council also expressed concerns regarding density, open space, and connectivity in the proposal. Some members of the Council expressed personal preferences for townhomes rather than apartments and shared opinions regarding various components and different layouts as submitted with the subject application.

City Manager, Wayne Pyle, stated that for the applicant’s benefit it would be helpful if the City Council would give some specific suggestions to be incorporated into an amendment if, in fact, the Council desired to continue this matter to provide additional time for refinement of the proposal.

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Upon further discussion, Councilmember Vincent suggested a combination of the current and the older version of the site plan with the townhome concept and connectivity to the neighborhood to the north would be an improved concept. He stated commercial development on 5400 South would be as appropriate as the commercial development on 5600 West.

City Manager, Wayne Pyle, stated the developer had requested a continuance of this matter. He advised the Council could adopt the proposed Ordinance which would change the zone designation, and continue action on the Development Agreement. He suggested the City Council might want to inquire regarding the applicant's preference at this time.

Upon further discussion, and for benefit of the applicant, the City Council expressed a consensus that the following issues were important to the City:

- Connectivity – for vehicles and trails
- Green space and commercial more important on 5600 West rather than homes backing onto it
- “Mansion” style design for townhomes (as in Daybreak and other developments) rather than single-family dwellings on small lots

The City Manager addressed the City Council and recommended action be continued on Application Z-1-2010 and accompanying proposed Ordinance No. 10-29 and proposed Resolution No. 10-175.

Mayor Winder recognized the applicant, Phil Holland, who addressed the City Council. Mr. Holland stated he was hopeful to work with City staff so the next appearance before the City Council would produce a proposal to be considered by the Council and approved. He expressed appreciation for the input and direction received from the City Council and stated it would be very helpful.

ACTION: ORDINANCE NO. 10-29, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5300 SOUTH 5600 WEST FROM ZONE ‘M’ (MANUFACTURING) TO ‘R-1-4’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 4,000 SQUARE FEET) AND ‘C-2’ (GENERAL COMMERCIAL)

The City Council previously held a public hearing on September 28, 2010, regarding Application No. Z-1-2010, filed by Phil Holland, and proposed Ordinance No. 10-29 which would amend the Zoning Map to show a change of zone for property located at 5300 South 5600 West from zone ‘M’ (Manufacturing) to ‘R-1-4’ (Residential, Single-Family, Minimum Lot Size 4,000 square feet) and ‘C-2’ (General Commercial).

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After discussion, Councilmember Burt moved to continue proposed Ordinance No. 10-29 to no date certain to allow time for the applicant to work with City staff to bring back a new proposal to be considered by the City Council. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mr. Rushton	Yes
Mayor Winder	Yes

Unanimous. Proposed Ordinance No. 10-29 continued to no date certain.

RESOLUTION NO. 10-175, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SCP WESTRIDGE, LLC, FOR APPROXIMATELY 16.39 ACRES OF REAL PROPERTY BEING DEVELOPED IN THE VICINITY OF 5610 WEST 5400 SOUTH

The City Council previously held a public hearing on September 28, 2010, regarding Application No. Z-1-2010, filed by Phil Holland, and proposed Resolution No. 10-175 which would authorize the City to enter into a Development Agreement with SCP Westridge, LLC, for approximately 16.39 acres of real property being developed in the vicinity of 5610 West 5400 South.

After discussion, Councilmember Buhler moved to continue proposed Resolution No. 10-175 to no date certain to allow time for the applicant to work with City staff to bring back a new proposal to be considered by the City Council. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mr. Rushton	Yes
Mayor Winder	Yes

Unanimous. Proposed Resolution No. 10-175 continued to no date certain.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, OCTOBER 12, 2010, WAS ADJOURNED AT 7:26 P.M., BY MAYOR WINDER.

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, October 12, 2010.

Sheri McKendrick, MMC
City Recorder