

MINUTES OF COUNCIL STUDY MEETING – JANUARY 15, 2013

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, JANUARY 15, 2013, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Corey Rushton
Steve Vincent

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Nicole Cottle, Assistant City Manager/CED Director
John Evans, Fire Chief
Eric Bunderson, City Attorney
Russell Willardson, Public Works Director
Layne Morris, CPD Director
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Anita Schwemmer, Acting Police Chief
Aaron, Crim, Administration
Jake Arslanian, Public Works Department
Stan Varney, Fire Department
Bob Fitzgerald, Fire Department
Brent Garlick, CED Department
Steve Pastorik, CED Department
Steve Lehman, CED Department
Jody Knapp, CED Department
Margo Hoyt, CED Department
Kevin Despain, CED Department
Mark Nord, CED Department
Chris Barnhurst, CED Department
Pauline Davies, CED Department

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1. REVIEW AGENDAS FOR COUNCIL REGULAR AND SPECIAL REDEVELOPMENT AGENCY MEETINGS SCHEDULED JANUARY 15, 2013

Acting City Manager, Paul Isaac, stated no new items had been added to the Agenda for the Regular Council Meeting scheduled January 15, 2013.

Mr. Isaac reviewed two proposed Resolutions listed on the Agenda for the Special Redevelopment Agency meeting scheduled later this night. Assistant City Manager/CED Director, Nicole Cottle, answered questions from members of the City Council.

Upon inquiry, there were no further questions regarding items scheduled on the above referenced Agendas.

2. PUBLIC HEARINGS SCHEDULED JANUARY 22, 2013:

A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. GPZ-3-2012, FILED BY FRANCISCO JAVIER AND VIOLETA GARCIA, REQUESTING A GENERAL PLAN CHANGE FROM MIXED USE TO COMMERCIAL/LIGHT MANUFACTURING AND A ZONE CHANGE FROM ‘C-2’ (GENERAL COMMERCIAL) TO ‘M’ (MANUFACTURING) FOR PROPERTY LOCATED AT 2711, 2727 AND 2737 SOUTH REDWOOD ROAD

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled January 22, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. GPZ-3-2012, filed by Francisco Javier and Violeta Garcia, requesting a General Plan change from Mixed Use to Commercial/Light Manufacturing and a zone change from ‘C-2’ (General Commercial) to ‘M’ (Manufacturing) for property located at 2711, 2727 and 2737 South Redwood Road. He discussed general information including proposed Ordinance Nos. 13-04 and 13-05 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 13-04, AMENDING THE GENERAL PLAN FROM MIXED USE TO COMMERCIAL/LIGHT MANUFACTURING; AND ORDINANCE NO. 13-05, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FROM ‘C-2’ (GENERAL COMMERCIAL) ZONE TO ‘M’ (MANUFACTURING) ZONE FOR PROPERTY LOCATED AT 2711, 2717, AND 2737 SOUTH REDWOOD ROAD

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 13-04 which would amend the General Plan from Mixed Use to Commercial/Light Manufacturing; and proposed Ordinance No. 13-05 which would amend the Zoning Map to show a change of zone from ‘C-2’ (General Commercial) zone to ‘M’ (Manufacturing) zone for property located at 2711, 2717, and 2737 South Redwood Road.

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Mr. Isaac stated the applicant had requested a General Plan and zone change for five parcels totaling 0.78 acres located at 2711, 2717 and 2737 South Redwood Road. He advised the General Plan designation for that area was mixed use which included retail and residential. He indicated the proposed General Plan designation was Commercial/Light Industrial, the same designation for property located on the west side of Redwood Road. He further advised the current zoning for the property was 'C-2' (General Commercial) and the proposed zoning was 'M' (Manufacturing).

The Acting City Manager reported surrounding zoning included 'C-2' to the north and south, 'M' to the west across Redwood Road and 'R-1-6' (Single-Family Residential, minimum lot size of 6,000 square feet) to the east. Surrounding uses included vacant ground to the north, a credit union and office condominiums to the west, an auto repair shop to the south, and single-family homes to the east. He indicated the subject property included three buildings built between 1950 and 1957 totaling just over 7,000 square feet.

In addition, Mr. Isaac explained the applicant had requested these changes to allow for a tattoo business within the eastern most building. He stated the 'C-2' zone did not allow tattoo businesses with the only zones within the City allowing tattoo businesses being in 'C-3' (Transitional Commercial) and 'M' zones. He indicated the 'C-3' zone was not an option for two reasons: first, the minimum lot size in the 'C-3' zone was one acre and the subject property was 0.78 acres; and second, Section 7-6-1005 (4) of the Zoning Ordinance stated: "No 'C-3' Zone shall be approved which shares a common property line with an existing or proposed residential use." He stated the subject property was adjacent to two homes. He advised the 'M' zone did not include these restrictions and was therefore an option for the subject property.

The Acting City Manager advised that the applicant had submitted a letter and an e-mail in support of the application, which had been distributed to the City Council. He stated the letter described how they had been told by the City that the subject property was zoned appropriately for a tattoo shop and that City and Health Department inspections were completed. He explained the letter also stated that after submitting their business license application, they were informed by the City that the zoning was in fact not appropriate. He advised incorrect information had been given verbally "over the counter" regarding the zoning of the subject property, however, after the City received a written business license application, the applicant had been notified by phone and in writing that the zoning for the property would not allow for a tattoo business.

Steve Pastorik, CED Department, used PowerPoint and discussed the application, summarized as follows:

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- Aerials showing each of the three subject parcels
- Photographs of existing buildings
- Background and history regarding the application

Mr. Pastorik further reviewed and discussed the Application and proposed Ordinances, displayed a map, and answered questions from members of the City Council.

Nicole Cottle, Assistant City Manager/CED Director, stated that after hearing the questions and discussion of the Council; she would recommend a development agreement be drafted for consideration by the City Council.

The City Council will hold a public hearing regarding Application No. GPZ-3-2012 and consider proposed Ordinance Nos. 13-04 and 13-05 at the Regular Council Meeting scheduled January 22, 2013, at 6:30 P.M.

3. **RESOLUTION NO. 13-09, AUTHORIZE EXECUTION OF A SECOND AMENDMENT TO THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT (ADL) WITH JORDAN RIVER MARKETPLACE, LLC, TO APPROVE A MASTER PLAN FOR THE DEVELOPMENT AND ALLOW ADDITIONAL TIME FOR INSTALLATION OF IMPROVEMENTS**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 13-09 which would authorize execution of a Second Amendment to the Agreement for Disposition of Land for Private Development (ADL) with Jordan River Marketplace, LLC, to approve a Master Plan for the development and allow additional time for installation of improvements.

Mr. Isaac stated the proposed Amendment No. 2 to the ADL would approve the Master Plan and incorporate it into Exhibit D, provide the developer with another year to install improvements, and correct clerical errors.

The Acting City Manager reported the Jordan River Marketplace project would be a mixed-use, walkable development with culturally diverse shops and restaurants, office space, residential units, and cultural amenities, all within a multi-cultural environment. He indicated the developer entered into the ADL in 2009 and had since worked with the City and the Redevelopment Agency to create development contemplated in that ADL.

Eric Bunderson, City Attorney, further reviewed and discussed the proposed Resolution and Amendment. He distributed copies of the Master Plan and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-09 at the Regular Council Meeting scheduled January 22, 2013, at 6:30 P.M.

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4. **RESOLUTION NO. 13-10, AUTHORIZE EXECUTION AND RECORDING OF A DELAY AGREEMENT WITH LEVI W. CARD FOR IMPROVEMENTS ON PROPERTY LOCATED AT 2555 SOUTH FARGO STREET**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 13-10 which would authorize execution and recording of a Delay Agreement with Levi W. Card for improvements on property located at 2555 South Fargo Street.

Mr. Isaac stated the proposed Delay Agreement would delay construction of curb and gutter, sidewalk and road improvements for the Levi W. Card single-family residence (Lot 6, Block 17, Chesterfield Plat A). He explained an application had been filed for construction of a new home on Fargo Street and as there were no existing improvements along frontage of any of the adjoining properties, it would not be practical to construct the required street improvements at the present. He indicated delay of the improvements did not relieve the property owner from obligation to construct the required road improvements, but merely allowed those improvements to be delayed to a future time as directed by the City.

The Acting City Manager further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-10 at the Regular Council Meeting scheduled January 22, 2013, at 6:30 P.M.

5. **STRATEGIC PLAN PRESENTATION – FIRE DEPARTMENT**

Acting City Manager, Paul Isaac, stated a Strategic Plan presentation by the Fire Department had been scheduled.

Upon direction, Fire Chief, John Evans, presented and discussed information summarized as follows:

- Current organization chart
- Statistics including total calls for service for fire and medical, call volume, fire calls by district, EMS calls by district, ambulance transports, fire response times, EMS response times, and average response time by area
- Current equipment and staffing
- Comparison with City of West Jordan, Sandy City and Murray City of average calls per station, calls per service, and population per on-duty firefighters
- Council action items, department goals, benchmarks and measurements
- Review of accomplishments
- Metro Fire update
- Next steps: Improve ISO rating, demand for Medical Response System, long range planning for the Department, increase customer service presentations for

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businesses, provide additional training and drills for Emergency Response with all City departments

During the above presentation of information, the Fire Chief answered questions from members of the City Council.

6. **STRATEGIC PLAN PRESENTATION – COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**

Acting City Manager, Paul Isaac, stated a Strategic Plan presentation by the Community and Economic Development Department had been scheduled.

Upon direction, Nicole Cottle, Assistant City Manager/CED Director, presented and discussed information summarized as follows:

- Department overview including number of employees and service delivery
- Video clip of West Valley City Economic Development and the Redevelopment Agency winning "Best of State Award" for community development
- Overview of each Division in the CED Department, including Building Inspection, Planning and Zoning, and Economic Development
- Project pipeline
- Updates regarding Decker Lake area, 5600 West area, Valley Fair Mall, and Fairbourne Station
- Council action items, department goals, benchmarks and measurements

During the above presentation of information, Ms. Cottle answered questions from members of the City Council.

7. **LEGISLATIVE UPDATE**

Assistant City Manager/CED Director, Nicole Cottle, discussed the upcoming Legislative session to begin the following week and discussed various issues of importance to the City. She stated the City Council would be kept informed regarding these areas of interest.

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8. **REVIEW DRAFT AGENDA FOR SPECIAL REGULAR MEETING OF REDEVELOPMENT AGENCY SCHEDULED JANUARY 22, 2013**

Acting City Manager, Paul Isaac, reviewed an item listed on the Agenda for a Special Regular Meeting of the Redevelopment Agency scheduled January 22, 2013, regarding consideration of a Second Amendment to the Agreement for Disposition of Land for Private Development (ADL) with Jordan River Marketplace, LLC, which would approve a Master Plan for development and allow additional time for installation of improvements. He also answered questions from members of the City Council.

9. **COUNCIL UPDATE**

Acting City Manager, Paul Isaac, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: January 10 – February 26, 2013: Wild About Fiber Arts: A Celebration of Utah Fiber Arts, UCCC; January 18, 2013: Utah Grizzlies vs. Bakersfield Condors, Maverik Center, 7:05 P.M.; January 19, 2013: Annual Guns N' Hoses Hockey Game, Maverik Center, 2:00 P.M.; January 19, 2013: Utah Grizzlies vs. Bakersfield Condors, Maverik Center, 7:05 P.M.; January 21, 2013: Martin Luther King, Jr. Holiday – City Hall closed; January 21, 2013: Utah Grizzlies vs. Idaho Steelheads, Maverik Center, 7:05 P.M.; January 22, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; January 25 & 26, 2013: All Star Monster Truck Tour, Maverik Center; January 28, 2013: Utah Legislature Begins Session; January 29, 2013: No Council Meeting Scheduled (5th Tuesday); January 30, 2013: ULCT Local Officials' Day at the Legislature; February 1 & 2, 2013: Council's Strategic Planning Meeting, Embassy Suites Hotel; February 5, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 9, 2013: Utah Grizzlies vs. Idaho Steelheads, 7:05 P.M.; February 10, 2013: Utah Grizzlies vs. Idaho Steelheads, 7:05 P.M.; February 12, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 13, 2013: Utah Grizzlies vs. Las Vegas Wranglers, 7:05 P.M.; February 15, 2013: Utah Grizzlies vs. Alaska Aces, 7:05 P.M.; February 16, 2013: Utah Grizzlies vs. Alaska Aces, 7:05 P.M.; February 18, 2013: President's Day Holiday – City Hall closed; February 18, 2013: Utah Grizzlies vs. Alaska Aces, 7:05 P.M.; February 19, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 20, 2013: Utah Grizzlies vs. Alaska Aces, 7:05 P.M.; February 21, 2013: Bellator MMA, Maverik Center; February 26, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; February 26, 2013: Utah Grizzlies vs. San Francisco Bulls, 7:05 P.M.; March 5, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meetings, 6:30 P.M.; March 12, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 14, 2013: Utah Legislature Session Ends; March 19, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and March 26, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.

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10. COUNCIL REPORTS

A. COUNCILMEMBER COREY RUSHTON – IN-HOUSE STORM WATER BILLING PROCESS AND APP FOR MOBILE DEVICES

Councilmember Rushton discussed information regarding the in-house storm water billing process, which he learned during a visit to the Public Works Department.

He also stated previously a request had been made for the City to have an "app" for mobile devices. In response to the inquiry, the Acting City Manager informed there could be a better app that would work with other programs that were already in place. He discussed cost and the desire to move forward with the idea, however, a meeting with Councilmember Rushton should be undertaken prior to moving ahead.

B. MAYOR MIKE WINDER – STRATEGIC PLANNING MEETING AND PIONEER CROSSING BRIDGE PROJECT

Mayor Winder expressed appreciation to City staff for sending out a press release requesting input from citizens regarding priorities for the Council's discussions at the upcoming Strategic Planning meeting. He also advised the two-day Strategic Planning meeting would be held at the new Embassy Suites Hotel and complimentary rooms would be made available by the Hotel for anyone desiring to stay overnight.

Mayor Winder updated the City Council regarding the Pioneer Crossing Bridge project.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, JANUARY 15, 2013, WAS ADJOURNED AT 6:26 P.M., BY MAYOR WINDER.

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, January 15, 2013.

Sheri McKendrick, MMC
City Recorder