

MINUTES OF COUNCIL STUDY MEETING – FEBRUARY 19, 2013

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, FEBRUARY 19, 2013, AT 4:37 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
Corey Rushton
Steve Vincent

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

ABSENT:

Karen Lang

STAFF PRESENT:

Eric Bunderson, City Attorney
Kevin Astill, Parks and Recreation Director
Jim Welch, Finance Director
Russell Willardson, Public Works Director
Layne Morris, CPD Director
John Evans, Fire Chief
Steve Pastorik, Acting CED Director
Larry Marx, Acting Police Chief
Steve Lehman, CED Department
Rachelle Hill, Law Department
Jake Arslanian, Public Works Department
Aaron Crim, Administration
Craig Thomas, Administration
Leslie Hudson, Administration

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 5, 2013**
The Council read and considered Minutes of the Study Meeting held February 5, 2013. There were no changes, corrections or deletions.

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After discussion, Councilmember Christensen moved to approve the Minutes of the Study Meeting held February 5, 2013, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

2. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED FEBRUARY 19, 2013

Acting City Manager, Paul Isaac, stated there were no new items added to the Agenda for the Regular Meeting scheduled February 19, 2013. Upon inquiry, there were no questions regarding items scheduled on the subject Agenda.

3. AWARDS CEREMONIES AND PROCLAMATIONS SCHEDULED FEBRUARY 26, 2013:

A. PROCLAMATION DECLARING MARCH 4, 2013, AS THE CENTENNIAL ANNIVERSARY OF THE UNITED STATES DEPARTMENT OF LABOR

Acting City Manager, Paul Isaac, stated Councilmember Rushton would read a Proclamation declaring March 4, 2013, as the Centennial Anniversary of the United States Department of Labor, at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

4. PUBLIC HEARINGS SCHEDULED FEBRUARY 26, 2013:

A. PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. S-18-2012, FILED BY SUBURBAN LAND RESERVE, INC., REQUESTING FINAL PLAT APPROVAL FOR Highbury Centre Subdivision – Lots 1, 2, 4, 5 AND 6 AMENDED, LOCATED AT 2938 SOUTH 5518 WEST

Acting City Manager, Paul Isaac, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. S-18-2012, filed by Suburban Land Reserve, Inc., requesting final plat approval for Highbury Centre Subdivision – Lots 1, 2, 4, 5 and 6 Amended, located at 2938 South 5518 West. He discussed proposed Ordinance No. 13-08

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related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

ORDINANCE NO. 13-08, APPROVING THE AMENDMENT OF LOTS 1, 2, 4, 5 AND 6 OF THE Highbury Centre Subdivision

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 13-08 which would approve the Amendment of Lots 1, 2, 4, 5 and 6 of the Highbury Centre Subdivision located at 2938 South 5518 West.

Mr. Isaac stated the proposed amendment would adjust certain property lines in order to create two additional commercial building lots. He advised the Highbury Centre Subdivision had been recorded in June of 2011 and Suburban Land Reserve Inc. processed the subdivision plat and Target conditional use permit. He indicated the property owner had entered into negotiations to sell the remainder of this subdivision to Arbor Gardner. He further explained as Arbor Gardner began to evaluate the recorded subdivision plat a better design had been developed.

The Acting City Manager further explained the amendment was rather insignificant given the overall scope of the subdivision. The proposal included adding one additional lot from Lot 2 and one additional lot from Lot 4. The boundary of Lot 1 would change because Target required a certain amount of parking. He stated the other lots were simply renumbered to reflect the changes proposed from creation of the new lots.

Steve Lehman, CED Department, further reviewed the Application and proposed Ordinance, displayed the plat map and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. S-18-2012 and consider proposed Ordinance No. 13-08 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

5. **ORDINANCE NO. 13-09, ENACT TITLE 27 OF THE WEST VALLEY CITY MUNICIPAL CODE ESTABLISHING A WEST VALLEY CITY ETHICS COMMISSION PURSUANT TO STATE LAW**

Acting City Manager, Paul Isaac, discussed proposed Ordinance No. 13-09 which would enact Title 27 of the West Valley City Municipal Code establishing a West Valley City Ethics Commission pursuant to State law.

Mr. Isaac stated that in 2012 the Utah Legislature established a Political Subdivisions Ethics Review Commission to review ethics complaints against elected officials and chief executives of political subdivisions. He explained the commission would be authorized to hear ethics complaints against members of the City Council and the City Manager and could make recommendations to the City Council and to the district attorney. He

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reported however, under the new law cities could establish their own ethics review commissions which would then be the forum in which ethics complaints were heard. He stated by establishing an ethics commission locally, ethics complaints against Council members or the City Manager would be heard locally.

City Attorney, Eric Bunderson, further reviewed and discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 13-09 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

6. **RESOLUTION NO. 13-27, APPROVE AN AGREEMENT WITH COMMUNITY DEVELOPMENT CORPORATION OF UTAH FOR THE CONDUCT OF A HOME FACELIFT PROGRAM**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 13-27 which would approve an Agreement with Community Development Corporation of Utah (CDCU) for the conduct of a Home Facelift Program.

Mr. Isaac stated the proposed agreement would allocate \$150,000.00 of Community Development Block Grant (CDBG) funds to purchase, rehabilitate and resell homes within West Valley City. He reported the City's Strategic Plan included the following goal: "improve housing stock of existing neighborhoods by facilitating cost, design and process incentives to residents." He indicated to implement this goal the Home Facelift Program had been developed. One component of the Home Facelift Program was a partnership with CDCU. He explained CDCU would purchase homes in need of renovation, rehabilitate the homes, and resell the homes to low/moderate income families.

The Acting City Manager further indicated the City Council recently approved a Substantial Amendment to the Consolidated Plan 2012 Annual Action Plan for the Community Development Block Grant Program and allocated \$150,000.00 for the Home Facelift Program.

Steve Pastorik, Acting CED Director, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-27 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

7. **RESOLUTION NO. 13-28, APPROVE A ROAD IMPACT FEES REIMBURSEMENT AGREEMENT WITH PLANET TOOTH RESERVE FOR ROADWAY IMPROVEMENTS**

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 13-28 which would approve a Road Impact Fees Reimbursement Agreement with Planet Tooth Reserve, in the amount of \$17,924.6, for roadway improvements.

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Mr. Isaac stated the proposed reimbursement covered certain qualified improvements to the City's major roadway system on Parkway Boulevard as part of the Planet Tooth Dental Office site located at 2682 South Anna Caroline Drive (5715 West). He advised Planet Tooth had agreed to install certain improvements in exchange for reimbursement upon the successful installation, construction and completion of those qualified improvements. He reported the qualified improvements would be completed in compliance with the West Valley City Road Impact Fee Ordinance, Section 8-4-103.

The Acting City Manager discussed background information and advised in accordance with the agreement Planet Tooth Reserve, LLC would complete the improvements and be due reimbursement according to terms of the agreement.

Public Works Director, Russell Willardson, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-28 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

8. RESOLUTION NO. 13-29, APPROVE PURCHASE OF NEW FLOOR COVERINGS FOR THE WEST RIDGE GOLF COURSE CLUBHOUSE

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 13-29 which would approve purchase of new floor coverings for the West Ridge Golf Course Clubhouse in the amount of \$44,611.00.

Mr. Isaac stated the Clubhouse was being remodeled as part of construction of the new golf course and needed new floor coverings. He reported bids had been solicited and two vendors had visited the site and measured for coverings, after which one bid had been submitted as follows:

Wasatch Front Floor Coverings:	\$44,611.00
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The Acting City Manager reported Wasatch Front Floor Coverings had submitted the lowest responsible bid.

Upon discussion, Councilmember Rushton expressed concern regarding the proposed name change to "The Ridge" and other members of the Council inquired regarding the process for doing so. Mr. Astill explained the process for the proposed name change.

Parks and Recreation Director, Kevin Astill, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-29 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

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9. RESOLUTION NO. 13-30, APPROVE AN AGREEMENT WITH IHC HEALTH SERVICES, INC. d/b/a WORK/MED FOR OCCUPATIONAL HEALTH SERVICES FOR CITY EMPLOYEES

Acting City Manager, Paul Isaac, discussed proposed Resolution No. 13-30 which would approve an Agreement with IHC Health Services, Inc. d/b/a WorkMed for occupational health services for City employees, compensation as specified in Exhibit A, Itemized Fee Schedule, attached to the WorkMed Agreement.

Mr. Isaac stated under the proposed agreement WorkMed would perform the City's drug testing, new hire physicals, and assist in getting employees back to work after worker compensation injuries. He reported the City submitted the request for services through the City's agent, Benefit Management Services.

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. 13-30 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

10. NEW BUSINESS SCHEDULED FEBRUARY 26, 2013:

A. APPLICATION NO. PUD-1-2013, FILED BY RUSSELL PLATT, REQUESTING FINAL PLAT APPROVAL FOR TRUONG PUD PHASE 1, LOCATED AT 1600 WEST 3860 SOUTH

Acting City Manager, Paul Isaac, discussed Application No. PUD-1-2013, filed by Russell Platt, requesting final plat approval for Truong PUD Phase 1, located at 1600 West 3860 South.

Mr. Isaac stated the applicant had requested approval for the first phase of the Truong Planned Unit Development (PUD), which had received preliminary approval by the Planning Commission in September of 2012. He reported the project site was bordered on the north by light industrial uses and the Gates at Kingspointe Condominiums. He indicated property to the east would be a future phase of the development. He also advised property to the south was a senior community while property to the west was zoned commercial.

He explained the first phase of the Truong PUD would consist of 27 residential lots and 1 commercial lot. During re-zoning of the property a development agreement had been reviewed and approved by the City Council and all conditions outlined would be required as part of this development.

The Acting City Manager reported access to the development would be gained from 3860 South and all streets within the development that intersected 3860 South would be private. The private right-of-ways would be 26 feet in width, and

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improvements within the right-of-way would be 24 feet of asphalt, a rolled gutter and ribbon curb on the opposite side.

He stated housing proposed for the project would be a combination of two and three story units, with the two story units having three bedrooms and comprising 1,400 square feet of finished floor area. In addition, a 600 square foot basement had also been planned. The three story units would have four bedrooms and be approximately 1,800 square feet. Each unit would have a two car garage accessed from the rear of the building allowing the front of each dwelling to front a common green space.

Mr. Isaac explained the elevations consisted of architectural enhancements placed along different planes to create a visual depth resulting in a more attractive building. Varied roof pitches and second floor balconied would add to that concept. The rear elevation had been designed with boxed windows, raised roof sections and building relief to help enhance the elevations. Building materials would consist of brick, stucco and hardi-plank. He stated City staff had evaluated this project in regards to the multiple family design standards and the buildings met the design criteria and would be fine-tuned when the applicant submitted building plans.

The Acting City Manager reported all units would have a two car garage, with the three story units having driveways in front of the unit, and the two story units would not. He indicated even though the City's parking requirements had been met (two spaces per unit) a number of guest parking spaces would be provided at the south end of the project. He stated the total number of required space was 54 and the developer had proposed a total of 80 spaces within this phase.

He discussed the overall open space and stated it had been calculated at 3.31 acres for this development, which would be just over 50% of the project area. This phase of the project had approximately .80 acres of open space with enhanced landscaping being provided along 3860 South to help buffer buildings from the street.

Mr. Isaac reported a soils report had been prepared indicating ground water encountered at a depth of 15 feet. Based on soil samples the report indicated water levels could fluctuate between 10 and 15 feet. Based on these findings, the developer had decided to install basements in all end units.

He stated the developer would provide a Home Owner's Association (HOA) for the entire project that would be responsible to hire a property management company. He indicated as per previous PUD applications, City staff recommended that prior to the development being turned over the HOA a meeting with staff, the developer and the management company should take place. He

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stated this would provide an opportunity to ensure all development standards and improvements had been completed in accordance with the City's approval of the project.

Steve Lehman, CED Department, further reviewed and discussed the application, displayed the plat map and answered questions from members of the City Council.

The City Council will consider Application No. PUD-1-2013 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

- B. APPLICATION NO. S-17-2012, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR Highbury Place Subdivision – Phase 8, Located at 2860 South 5120 West**
Acting City Manager, Paul Isaac, discussed Application No. S-17-2012, filed by Ivory Homes, requesting final plat approval for Highbury Place Subdivision – Phase 8, located at 2860 South 5120 West.

Mr. Isaac stated the proposed subdivision was located to the southeast of Phases 5 and 6 and immediately north of an existing waterway which divided this phase from the Greenbriar Subdivision to the south. Property to the east was vacant and would be platted as future phases of Highbury in the future.

He indicated Phase 8 consisted of 12 lots and three parcels on 6.2 acres, with lot sizes ranging from 9,087 square feet to 25,637 square feet. He advised the average lot size was 11,600 square feet with the largest lot not used in the overall calculation due to its size.

The Acting City Manager reported access to the subdivision would be gained from Brixham Way located to the northwest of the subdivision. This phase would extend Brixham Way to the east for future development. All streets in the subdivision would be dedicated and consist of a 54-foot right-of-way, allowing for a five-foot parkstrip and five-foot sidewalk. He indicated Ivory Homes had submitted a tree planting plan for the entire Highbury Place Subdivision and would provide home owners with a voucher to purchase and plant these trees. The residential homeowner association would ensure the trees were planted and maintained in accordance with the approved plan.

Mr. Isaac reminded the Council had reviewed and previously approved a Development Agreement for the entire Highbury community that addressed dwelling size, building materials and other items related to construction of residential homes.

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He reported the subdivision was located next to one of many waterways planned for the overall development. He stated in phases 2, 3 and 5 Ivory installed a semi-private fence along the rear property lines constructed of a Trex post and wrought iron thus allowing visibility into the waterway. The same fence type would be installed along lots in this phase that were adjacent to the waterway.

The Acting City Manager stated Ivory Homes planned to install basements for all homes. He indicated a soils report had been prepared indicating ground water encountered at a depth ranging from 9-13 feet below existing grades. All homes were eligible for basements and would comply with the water table elevation as noted on the plat. In addition, Ivory would install a sub-drain system to provide an extra measure of protection for new home owners.

Steve Lehman, CED Department, further reviewed and discussed the application, displayed the plat map and answered questions from members of the City Council.

The City Council will consider Application No. S-17-2012 at the Regular Council Meeting scheduled February 26, 2013, at 6:30 P.M.

11. **COMMUNICATIONS:**

A. **LEGISLATIVE UPDATE**

Acting City Manager, Paul Isaac, stated an update had been scheduled regarding proposed actions by the Utah State Legislature. He indicated Nicole Cottle, Assistant City Manager/CED Director, was not in attendance, however, she had distributed a bill-tracking sheet to members of the City Council and City staff via e-mail earlier today.

Mr. Isaac also reported regarding a presentation to a legislative committee earlier today by representatives of the Hale Centre Theatre. He advised they had requested \$2 million funding for a new facility. He advised there had been a related news article in the Salt Lake Tribune on-line edition.

The City Council discussed Salt Lake County Zoo, Arts and Parks (ZAP) funding and the need for those funds to remain in West Valley City in the event Hale Centre Theatre moved to Sandy. It was stated that message needed to be conveyed to the Salt Lake County Council. Also discussed was the advantages and desire of the City Council for expansion of the Hale Centre Theatre in West Valley City over a move of that facility to Sandy.

Upon discussion, Councilmember Christensen requested the City Manager review SB77 and HB330, in particular, regarding their fiscal impact. Councilmember Rushton mentioned Lee Ray McCallister open space funds were a priority for the

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Jordan River Commission and he would provide additional information to Ms. Cottle.

B. **NEIGHBORHOOD SERVICES EVENTS UPDATE**

Acting City Manager, Paul Isaac, informed an update regarding upcoming Neighborhood Services events. Upon direction, Craig Thomas, Administration, updated the City Council regarding neighborhood groups and upcoming meetings and events. He distributed written information, requested feedback and comments, and answered questions from members of the City Council.

C. **RACHELLE HILL – VICTIMS ADVOCATES REPORT**

Acting City Manager, Paul Isaac, stated a report regarding victims' advocates had been scheduled and, upon direction, Rachelle Hill, Law Department, distributed written information and discussed the division's a mission statement and staffing. She also discussed funding sources, number of victim contacts, collaboration with the Police Department and prosecutor's office. She expressed appreciation for the support of the City Council and the community and further discussed examples of cases including results. Ms. Hill answered questions from members of the City Council. Upon inquiry, she advised needs were met except for long-term volunteers and languages.

D. **COUNCIL UPDATE**

Acting City Manager, Paul Isaac, stated the City Council previously received a Memorandum outlining upcoming meetings and events as follows: February 20, 2013: Utah Grizzlies vs. Alaska Aces, 7:05 P.M.; February 21, 2013: Bellator MMA, Maverik Center; February 22, 2013: EAC Bowling Tournament, Delton Bowling Lanes, Noon; February 25, 2013: Fire Department Awards Banquet, UCCC, 6:00 P.M. – 7:30 P.M.; February 26, 2013: Joint City Council/Planning Commission Meeting, 3:30 P.M., 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.; February 27, 2013: University Diversity Mash-up, UCCC, 3:00 P.M. – 7:30 P.M.; March 5, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 7 – April 24, 2013: Utah's Beehive Exhibit, UCCC (Opening Reception on March 7th from 6:00 P.M. to 8:00 P.M.); March 9-13, 2013: National League of Cities Conference, Washington, D.C.; March 12, 2013: Council Study and Regular Meetings – canceled (no quorum – four Councilmembers will be attending NLC Conference); March 14, 2013: Utah Legislature Session Ends; March 19, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; March 26, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 2, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 9, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 10-12, 2013: ULCT Conference, St. George; April 16, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 23, 2013: Council Study

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Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; April 30, 2013: No Council Meeting Scheduled (5th Tuesday); May 2, 2013: UDOT's Annual Meeting with Municipalities in Salt Lake County, Calvin Rampton Complex, 4501 South 2700 West, 9:00 A.M. – 11:00 A.M.; June 3-17, 2013: Filing Period for Municipal Election (During regular business hours); August 13, 2013: Municipal Primary Election; and November 5, 2013: Municipal General Election.

Mayor Winder inquired if a member of the City Council could attend a fundraising event scheduled the following Saturday to raise funds for law enforcement organizations as he would be unable to do so.

Councilmember Christensen reminded regarding a joint City Council and Planning Commission meeting scheduled the following week at 3:30 P.M. prior to Study Meeting.

12. COUNCIL REPORTS:

A. COUNCILMEMBER TOM HUYNH – COG MEETING

Councilmember Huynh stated he recently attended a Salt Lake County Council of Governments (COG) meeting and reported on the issues discussed.

Mayor Winder stated he also attended the COG meeting. He advised the issue of homelessness had been discussed along with a request for funding for funding of regional shelters by municipalities.

B. COUNCILMEMBER DON CHRISTENSEN – CONVERSATION WITH REPRESENTATIVE GREG HUGHES

Councilmember Christensen advised he recently hosted Representative Greg Hughes and his family at the City suite during a hockey game at the Maverik Center. He reported regarding issues discussed with Representative Hughes. He also advised the Representative praised the efforts of Assistant City Manager/CED Director Nicole Cottle for her work at the State Legislature on behalf of West Valley City.

C. COUNCILMEMBER COREY RUSHTON – MONUMENT REVIEW/SKATE PARK COMMITTEE MEETINGS

Councilmember Rushton reported regarding recent meetings of the Monument Review Committee and the Skatepark Committee.

D. MAYOR MIKE WINDER – CONGRESSMAN JIM MATHESON, PROJECT SAFE NEIGHBORHOOD EVENT, HISTORICAL SOCIETY AND STRATEGIC PLAN GOALS

Mayor Winder reported regarding a ribbon cutting and open house event recently held at Congressman Jim Matheson's office in West Jordan City.

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He discussed the Project Safe Neighborhood event held the previous week at the Utah Cultural Celebration Center (UCCC) facility and hosted by West Valley City.

Mayor Winder reported regarding a meeting of the Historical Society and in particular a project to collect family histories of early residents or settlers of this area.

Mayor Winder requested the City Manager schedule time at a Study Meeting each month for discussion and review of the Council's six strategic plan goals.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, FEBRUARY 19, 2013, WAS ADJOURNED AT 5:50 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, February 19, 2013.

Sheri McKendrick, MMC
City Recorder