

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-1-

THE WEST VALLEY CITY COUNCIL MET IN A JOINT MEETING WITH THE PLANNING COMMISSION AND IN STUDY SESSION ON TUESDAY, NOVEMBER 12, 2013, AT 4:00 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 (Arrived as noted)
Karen Lang (Arrived as noted)
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

COUNCIL MEMBER-ELECT PRESENT:

Lars Nordfelt, At-Large

PLANNING COMMISSION MEMBERS PRESENT:

Phil Conder
Brent Fuller
Terri Mills
Barbara Thomas
Harold Woodruff

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
John Evans, Fire Chief
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Layne Morris, CPD Director
Jim Welch, Finance Director
Lee Russo, Police Chief

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-2-

Aaron Crim, Administration
Jake Arslanian, Public Works Department
Steve Pastorik, CED Department
Steve Lehman, CED Department
Jody Knapp, CED Department
Lee Logston, CED Department
Kevin Despain, CED Department
Brandon Hill, Law Department
Bradley Jeppsen, Law Department
Willy Moon, CPD Department
Celia Kenney, CPD Department
Jason Nau, Administration

1. RECOGNITION AND WELCOME

Mayor Winder welcomed and recognized Planning Commission members and At-Large Councilmember-elect, Lars Nordfelt, who were in attendance at the meeting.

2. JOINT MEETING OF THE CITY COUNCIL AND PLANNING COMMISSION SCHEDULED AT 4:00 P.M.

A. GENERAL PLAN DISCUSSION

Upon direction by the City Manager, a PowerPoint presentation was given and information discussed by Steve Pastorik, CED Department, summarized as follows:

- General Plan review and update
- Definition and requirements of General Plan as defined in State Code
- Land use element
- Transportation element

Councilmember Lang arrived at the meeting at 4:11 P.M.

- Other elements that may be included
- General Plan purpose – examples
- Tool for staff – examples
- Process for developing a General Plan
- Document overview
- Major themes
- Color-coded map with land use designations

Councilmember Huynh arrived at the meeting at 4:21 P.M.

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-3-

- Issues to consider in anticipation of further discussion next week
- Sample considerations when updating a General Plan
- Scope of update
- Opportunity areas – expect to see the most change
- Workshop example – 3500 South Street
- “Homework” assignment for next week

During the above presentation and discussion, Mr. Pastorik answered questions from members of the City Council and Planning Commission.

Mayor Winder adjourned the joint meeting of the City Council and Planning Commission at 4:45 P.M. and convened the Council’s study meeting at 4:54 P.M.

3. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED NOVEMBER 12, 2013

City Manager, Wayne Pyle, stated no new items had been added to the Agenda for the Regular Meeting scheduled November 12, 2013, at 6:30 P.M. Upon inquiry, there were no questions regarding any of the scheduled items to be considered on the referenced Agenda.

4. PUBLIC HEARINGS SCHEDULED NOVEMBER 19, 2013:

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. GPZ-5-2013, FILED BY MILT SHIPP, REQUESTING A GENERAL PLAN CHANGE FROM COMMERCIAL/LIGHT MANUFACTURING TO VERY HIGH DENSITY RESIDENTIAL AND A ZONE CHANGE FROM ‘M’ (MANUFACTURING) AND ‘A’ (AGRICULTURE) TO ‘RM’ (RESIDENTIAL MULTI-FAMILY) FOR PROPERTY LOCATED AT 2882 SOUTH DECKER LAKE DRIVE

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled November 19, 2013, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. GPZ-5-2013, filed by Milt Shipp, requesting a General Plan change from Commercial/Light Manufacturing to Very High Density Residential and a zone change from ‘M’ (Manufacturing) to ‘A’ (Agriculture) to ‘RM’ (Residential Multi-Family) for property located at 2882 South Decker Lake Drive. He discussed proposed Ordinance No. 13-46 and proposed Ordinance No. 13-47 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-4-

ORDINANCE NO. 13-46, AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM COMMERCIAL/LIGHT MANUFACTURING TO VERY HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 2882 SOUTH DECKER LAKE DRIVE; AND ORDINANCE NO. 13-47, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2882 SOUTH DECKER LAKE DRIVE FROM ZONE ‘M’ (MANUFACTURING) AND ‘A’ (AGRICULTURE) TO ‘RM’ (RESIDENTIAL MULTI-FAMILY)

City Manager, Wayne Pyle, discussed proposed Ordinance No. 13-46 that would amend the General Plan to show a change of land use from Commercial/Light Manufacturing to Very High Density Residential for property located at 2882 South Decker Lake Drive; and proposed Ordinance No. 13-47 that would amend the Zoning Map to show a change of zone for property located at 2882 South Decker Lake Drive from Zone ‘M’ (Manufacturing) and ‘A’ (Agriculture) to ‘RM’ (Residential Multi-Family).

Mr. Pyle stated the proposed amendments were related to 16 acres of property located at 2882 South Decker Lake Drive and to support the application, Mr. Shipp had submitted several documents and plans, described as follows:

- Letter from Milt Shipp with DAI – Letter outlines justification for the request and includes a petition signed by nearby business owners in support of the application
- Apartment Master Plan: Plan shows the proposed apartment development that includes 368 units housed in 12 three-story buildings with unit sizes ranging from 699 square feet to 1,195 square feet. The proposed density is 23 units/acre. To address concerns of the Planning Commission regarding number of one-bedroom units, the applicant reduced the number of one-bedroom units by 24. The proposed unit mix, that is different from the master plan, is 18% three-bedroom, 47% two-bedroom, and 35% one-bedroom
- Exhibit B – Development Standards: Document includes proposed standards for a development agreement
- Project Plans: Document includes a vicinity map, a colored conceptual site plan, renderings of different buildings, color schemes for the proposed exterior materials, elevations and floor plans
- Decker Lake Presentation – A PowerPoint presentation including economic and other information in support of the application

The City Manager advised that both City staff and the Planning Commission recommended denial of the Application and specific reasons for the

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-5-

recommendation could be found in the minutes of the Planning Commission meeting, copies of which had previously been distributed to members of the City Council.

He reported that while the applicant had proposed standards for a development agreement, a draft had not been included since the Planning Commission had recommended denial. He advised if, however, the Council so directed a draft would be prepared for consideration.

The City Manager advised that the applicant desired hear the Council's discussion regarding this matter, but had been unable to attend this meeting. He stated the applicant had requested the matter be reviewed at this meeting, but discussion by the Council be scheduled for the following week when he could be in attendance. Mr. Pyle reminded a public hearing regarding this matter had been advertised and would be held at the Regular Meeting scheduled November 19, 2013, at 6:30 P.M.

Upon discussion, Councilmember Rushton suggested a motion be considered to suspend the rules regarding the above matter and expressed concern the applicant would give public input in the study meeting. Mayor Winder indicated, procedurally, the Council reviewed items on the regular meeting agenda each week at study meeting. Members of the Council also discussed various procedures including notice requirements.

City Manager, Wayne Pyle, stated the request had come from the applicant.

After further discussion, Councilmember Lang moved to list the application under "unfinished business" on the agenda for the study meeting scheduled November 19, 2013, at 4:30 P.M. Councilmember Christensen seconded the motion.

A roll call vote was taken:

| | |
|-----------------|-----|
| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-6-

Mr. Pyle further reviewed and discussed the Application and proposed Ordinance No. 13-46 and proposed Ordinance No. 13-47 and answered questions from members of the City Council. He advised City staff would discuss the Application, proposed Ordinances, display maps and answer additional questions from members of the City Council at the study meeting scheduled the following week.

The City Council will hold a public hearing regarding Application No. GPZ-5-2013 and consider proposed Ordinance Nos. 13-46 and 13-47 at the Regular Council Meeting scheduled November 19, 2013, at 6:30 P.M.

5. RESOLUTION NO. 13-166, APPROVE AN AGREEMENT WITH PINNACLE RISK MANAGEMENT SERVICES, INC. TO PROVIDE CLAIMS ADJUSTING AND ADMINISTRATIVE SERVICES FOR THE CITY'S WORKER'S COMPENSATION CLAIMS EXISTING AS OF JUNE 30, 2013

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-166 that would approve an Agreement with Pinnacle Risk Management Services, Inc. to provide claims adjusting and administrative services for the City's Worker's Compensation claims existing as of June 30, 2013.

Mr. Pyle stated Pinnacle Risk Management Services Inc. had provided workers' compensation related services to the City for several years, including all claims adjusting and claim related administrative services. He advised, under the agreement, Pinnacle would continue to manage workers' compensation claims made prior to July 1, 2013. He indicated they would continue to adjust, track, and make required payments to employees and medical care providers on those claims and provide the City with various reports on claims made through June 30, 2013.

The City Manager reported because the City was self-insured for workers' compensation claims, all claims adjusting and administrative tracking of claims and payments was done either "in house" or through a private contractor. He advised the City had moved to the Workers' Compensation Fund of Utah as of July 1, 2013, but determined it advantageous to leave claims existing prior to July 1st with the third party administrator to provide those services. He stated Pinnacle had provided excellent service to the City for many years at a very competitive price and the proposed contract with Pinnacle could be reconsidered for renewal on an annual basis.

Acting City Manager/HR Director, Paul Isaac, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 13-166 at the Regular Council Meeting scheduled November 19, 2013, at 6:30 P.M.

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-7-

6. NEW BUSINESS SCHEDULED NOVEMBER 19, 2013:

A. CONVENE AS BOARD OF CANVASSERS FOR THE 2013 MUNICIPAL GENERAL ELECTION HELD NOVEMBER 5, 2013

City Manager, Wayne Pyle, stated the City Council would convene as the Board of Canvassers for the 2013 Municipal General Election held November 5, 2013, at the Regular Council Meeting scheduled November 19, 2013. He stated the Board of Canvassers would canvass all returns and subsequently consider Resolution No. 13-167, as follows:

RESOLUTION NO. 13-167, ACCEPTING AND APPROVING RESULTS OF THE MUNICIPAL GENERAL ELECTION HELD NOVEMBER 5, 2013, AS SHOWN ON THE CANVASS REPORT

City Manager, Wayne Pyle, discussed proposed Resolution No. 13-167, that would accept and approve results of the Municipal General Election held November 5, 2013, as shown on the Canvass Report.

He stated the City Council was the legislative body for West Valley City and comprised the Board of Municipal Canvassers pursuant to Utah Code Section 20A-4-301(2). He reported the Code required the Board of Municipal Canvassers meet to canvass the returns of the Municipal General Election no sooner than seven days and no later than 14 days after the election.

City Recorder, Sheri McKendrick, further reviewed and discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will convene as the Board of Canvassers and thereafter the Council will consider proposed Resolution No. 13-167 at the Regular Council Meeting scheduled November 19, 2013, at 6:30 P.M.

7. COMMUNICATIONS:

A. ANIMAL ORDINANCES DISCUSSION

City Manager, Wayne Pyle, reviewed background information regarding animal ordinances and informed a discussion had been scheduled in order to receive input and direction from the City Council.

Upon direction, Brandon Hill, Law Department, expressed appreciation to Councilmember Buhler for pointing out some inconsistencies in Title 7 and Title 23 regarding animals.

Mr. Hill used PowerPoint and discussed information summarized as follows:

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-8-

- Structure of City's animal ordinances
- Objectives of proposed ordinance – consistency, clarity, ease of application, and enforcement
- Changes in proposed ordinance
- Ordinances from other cities researched in Utah and other states

Bradley Jeppsen, Law Department, used PowerPoint and discussed further information summarized as follows:

- Utah's four animal classifications

Following up, Layne Morris, CPD Director, used PowerPoint and discussed the following:

- City's current guidelines regarding dogs
- Dogs exception
- Current enforcement concerns regarding dogs
- Current guidelines regarding chickens
- Current enforcement concerns regarding chickens
- Photographs of issues addressed by code officers
- Animal rescue

During the above presentations of information, City staff answered questions from members of the City Council.

The City Manager advised policy changes were not being recommended, but rather some "cleanup" issues related to the current ordinance had been included.

The City Council discussed the information presented and expressed a consensus to review the chicken (domestic fowl) ordinance, and so directed the City Manager.

8. COUNCIL UPDATE

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: November 14, 2013: Fire Department Promotion Ceremony, UCCC, 4:00 P.M. – 5:00 P.M.; November 14, 2013: Granite School District Town Hall Meeting, Granger High School, Alumni Room, 7:00 P.M. – 8:00 P.M.; November 15, 2013: So You Think You Can Dance, Maverik Center, 8:00 P.M.; November 16, 2013: Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; November 18, 2013: Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; November 19, 2013: Joint City Council/Planning Commission Meeting, 4:00 P.M.

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013**

-9-

then Council Study Meeting, 5:00 P.M., Regular Council Meeting & Canvass of Municipal General Election, 6:30 P.M.; November 21, 2013: Gratitude Feast, Alianza Academy, 2440 South 1070 West, 1:00 P.M. – 2:00 P.M.; November 21 – December 28, 2013: Trees of Diversity Exhibit, UCCC; November 26, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 28, 2013: Thanksgiving Holiday – City Hall closed; November 29, 2013: Grizzlies vs. San Francisco Bulls, Maverik Center, 7:05 P.M.; November 30, 2013: Winter Market, UCCC, 10:00 A.M. – 6:00 P.M.; November 30, 2013: Grizzlies vs. San Francisco Bulls, Maverik Center, 7:05 P.M.; December 3, 2013: Council Study Meeting, 3:30 P.M. (note time change for economic development tour listed on Study Agenda), Regular Council Meeting, 6:30 P.M.; December 4, 2013: Grizzlies vs. Alaska Aces, Maverik Center, 7:05 P.M.; December 6, 2013: Grizzlies vs. Alaska Aces, Maverik Center, 7:05 P.M.; December 7, 2013: Grizzlies vs. Alaska Aces, Maverik Center, 7:05 P.M.; December 10, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 14, 2013: George Lopez, Maverik Center, 8:00 P.M.; December 17, 2013: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 24, 2013: Christmas Eve – No Council Meeting Scheduled; December 25 & 26, 2013: Christmas Holiday – City Hall closed; December 28, 2013: Grizzlies vs. Colorado Eagles, Maverik Center, 7:05 P.M.; December 31, 2013: No Council Meeting Scheduled (5th Tuesday); December 31, 2013: Grizzlies vs. Las Vegas Wranglers, Maverik Center, 7:05 P.M.; January 1, 2014: New Year's Day Holiday – City Hall closed; January 6, 2014: Swearing-in Ceremony for Newly Elected Officials, City Hall, 12 Noon; January 20, 2014: Martin Luther King, Jr. Holiday – City Hall closed; January 29, 2014: ULCT Local Officials' Day at the Legislature; January 31 & February 1, 2014: All Star Monster Truck Tour, Maverik Center; February 16, 2014: The Roadshow, Maverik Center, 6:00 P.M.; February 17, 2014: President's Day Holiday – City Hall closed; and May 13, 2014: Granite School District Town Hall Meeting, Hunter High School, Media Center, 7:00 P.M. – 8:00 P.M.

9. **COUNCIL REPORTS:**

- A. **COUNCILMEMBER DON CHRISTENSEN – MARINE CORP ACTIVITY**
Councilmember Christensen stated he would represent the City at an upcoming Marine Corp activity in which a Granger High School student would participate.

- B. **COUNCILMEMBER TOM HUYNH – AMERICAN PREPARATORY ACADEMY VETERAN'S DAY PROGRAM**
Councilmember Huynh discussed a recent American Preparatory Academy Veteran's Day program.

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013
-10-**

**C. COUNCILMEMBER STEVE VINCENT – UPCOMING HALE CENTRE
THEATRE BOARD MEETING AND REPORT**

Councilmember Vincent discussed an upcoming scheduled meeting of the Hale Centre Theatre board and advised a report would follow.

10. MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Buhler moved to adjourn and reconvene in an Executive Session for discussion of the professional competence and character of an individual. Councilmember Christensen seconded the motion.

A roll call vote was taken:

| | |
|-----------------|-----|
| Mr. Vincent | Yes |
| Ms. Lang | Yes |
| Mr. Buhler | Yes |
| Mr. Huynh | Yes |
| Mr. Rushton | Yes |
| Mr. Christensen | Yes |
| Mayor Winder | Yes |

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, NOVEMBER 12, 2013, WAS ADJOURNED AT 6:13 P.M., BY MAYOR WINDER.

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013
-11-**

THE WEST VALLEY CITY COUNCIL MET IN AN EXECUTIVE SESSION ON TUESDAY, NOVEMBER 12, 2013, AT 6:16 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

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

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF NOVEMBER 12, 2013, WAS ADJOURNED AT 6:25 P.M., BY MAYOR WINDER.

**MINUTES OF JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
AND
COUNCIL STUDY MEETING - NOVEMBER 12, 2013
-12-**

SWORN STATEMENT

As the Mayor, I presided at a closed meeting of the West Valley City Council on November 12, 2013. Pursuant to Section 52-4-206(6)(a) Utah Code annotated, 1953 as amended, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

SWORN to this 12th day of November, 2013.

MAYOR

ATTEST:

City Recorder

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting and Executive Session of the West Valley City Council held Tuesday, November 12, 2013.

Sheri McKendrick, MMC
City Recorder