

**MINUTES OF THE CITY OF WEST JORDAN  
CITY COUNCIL MEETING**

**Wednesday, July 8, 2015**

**6:00 p.m.**

**Council Chambers**

**8000 South Redwood Road**

**West Jordan, Utah 84088**

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**COUNCIL:** Mayor Kim V. Rolfe, and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Chad Nichols, Sophie Rice, and Ben Southworth.

**STAFF:** Bryce Haderlie, Interim City Manager; Robert Thorup, Deputy City Attorney; Melanie Briggs, City Clerk; David Oka, Economic Development Director; Brian Clegg, Parks Director; Ryan Bradshaw, Finance Manager; Dave Murphy, CIP Engineering Manager; Marc McElreath, Fire Chief; Doug Diamond, Police Chief, and Ray McCandless, Senior Planner.

**I. CALL TO ORDER**

Mayor Rolfe called the meeting to order at 5:00 p.m.

**II. CLOSED SESSION**

**DISCUSSION OF THE CHARACTER PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION, AND STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES**

**COUNCIL:** Mayor Kim V. Rolfe, and Council Members Jeff Haaga, Judy Hansen, Chris McConnehey, and Sophie Rice. Council Members Chad Nichols and Ben Southworth arrived at 5:10 p.m.

**STAFF:** Bryce Haderlie, Interim City Manager; Tracy Cowdell, Contracted Attorney; Chad Wooley, Contracted Attorney, and Eric Johnson, Contracted Attorney.

**MOTION:** Councilmember McConnehey moved to go into a Closed Session to discuss the character professional competence, or physical or mental health of an individual; Strategy Session to discuss pending or reasonably imminent litigation, and a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Absent</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Absent</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 5-0.**

The Council convened into a Closed Session to discuss the character professional competence or physical or mental health of an individual; Strategy Session to discuss pending or reasonably imminent litigation, and a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares at 5:01 p.m.

Council Members Chad Nichols and Ben Southworth arrived at 5:10 p.m.

The Council recessed the Closed Session at 5:59 p.m.

The meeting reconvened at 6:00 p.m.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Kjory Sell, Troop 1133.

**IV. COMMUNICATIONS**

**INTERIM CITY MANAGER COMMENTS/REPORTS**

Bryce Haderlie –

- Expressed appreciation to the Council, staff, and citizens for their support of the Western Stampede, and the Fourth of July parade.
- Consent Item 6.1. - Rocky Mountain Power was only part of the well power issue. He asked the Council to consider allowing the City to save \$35,000 by expediting a purchase for building equipment necessary to running one of the City's wells in addition to the Rocky Mountain Power request. He said the additional funds for the City's portion would be brought back for Council's approval at the next City Council meeting.

Mayor Rolfe felt City staff should have been aware of this issue, prior to the City well power being shut off.

There was no objection from the Council.

### **STAFF COMMENTS/REPORTS**

Brian Clegg –

- New Soccer Secondary Irrigation Pumps were received
- Addressed perpetual funding for parks (staff and equipment lacking)

Councilmember Southworth wanted to see perpetual funding for parks placed on an upcoming agenda.

Councilmember Haaga commented on the upcoming Impact Fees study. He felt discussing the funding of parks would be premature.

Brian Clegg indicated that TischlerBise needed the direction of the City regarding parks for the study.

Councilmember Nichols reminded the Council that impact fees could not pay for maintenance. He would like this item placed on an agenda for discussion.

Councilmember McConnehey agreed with Councilmember Nichols.

Councilmember Haaga felt the City should focus on the City's economy. He did not want another fee or tax created.

Dave Murphy –

- Updated the Council on several projects:
  - 3300 West 7000 South project started
  - Above Constitution Park pot-holing completed / pipe ordering has begun
  - 30% design for 7000 South from Jordan River to Constitution
  - 5600 West 6200 South – 7000 South, completion by July 24, 2015
  - Road completion by Ron Wood park in approximately one-month
  - Completing the work on 4000 West
  - Secondary Water contract work started (currently working in the Sycamores)

Marc McElreath –

- Updated the Council regarding the Fourth of July celebration
  - Approximately 40 calls per night July 2, 3, & 4<sup>th</sup>
- Utah State Bureau of Emergency Medical Services Annual Awards presentation on July 15, 2015, 10 a.m. at the Viridian Event Center

### **CITY COUNCIL COMMENTS/REPORTS**

Councilmember Rice –

- Expressed her appreciation to all those involved with the Western Stampede and Fourth of July parade
- Reminder – Jordan River Commissions 'Puncturevine Weevil Release Party,' July 18, 2015, 8:00 a.m., Millrace Park

Councilmember Southworth –

- Also, expressed his appreciation to all those involved with the Western Stampede and Fourth of July parade
- Commented on the previously reorganized Western Stampede Committee and reported that Western Stampede Rodeo ticket sales were at record numbers

Councilmember Nichols –

- Reported that this May, West Jordan individually as a City conserved 34-percent of water over last May
- Reminded everyone that July was the most important time to conserve water

Councilmember Haaga –

- Addressed placing an item on a future agenda to discuss the proposed form from Bryce Haderlie regarding Council's requests

Councilmember Hansen –

- Expressed her appreciation to all those who participated and helped with the Western Stampede and Fourth of July parade

Councilmember McConnehey –

- Also, expressed his appreciation to all those involved with the Western Stampede and parade. He commented on the accessibility for residents along the parade route

## ***V. CITIZEN COMMENTS***

Steve Jones, West Jordan resident, commented on Business item 8.d. He said in the real world, when a person volunteered to leave their employment there would be no severance package. He opposed severance packages especially when City funds could be used elsewhere.

Alexandra Eframo, West Jordan resident, asked for a moment to reflect upon the common goals of the business of the City Council meeting.

She commented on the following items:

- Waiting for an apology from one Councilmember regarding comments made during the April 29, 2015, City Council meeting.
- Requested that two City staff members take a lie detector test
- Failure to receive the free West Jordan Journal at her home

Dirk Burton, West Jordan resident, commented on the following items:

- Suggested placing a sticker on political signs indicated it was posted illegally
- Consent Item 6h – He spoke in-favor of this item

- Consent Item 6i – His nearby neighbors would like to get involved with the playground in order to possibly receive additional items in the playground

JayLynn Thomas, West Jordan resident, addressed safety concerns regarding dogs getting loose on the weekends and having to wait until Monday for the dog to be picked up by Animal Control Officers.

Nancy Chapman, West Jordan resident, asked if the dry gully by her home on Icehouse Way would be cleaned of debris and trees. She was concerned with possible flooding.

She also addressed her concerns regarding the possible change of mowing only 30-yards into a field, which was just west of her home. She wanted the entire field mowed, not just 30-yards. She asked that the current City code be enforced.

There was no one else who wished to speak.

## **VI. CONSENT ITEMS**

- a. Approve the minutes of June 30, 2015 as presented**
- b. Approve Resolution 15-128, confirming appointments of members to serve on various Committees**
- c. Approve Resolution 15-129, declaring items from various City Departments that are no longer of any value or use as surplus property, and authorize the disposition**
- d. Approve Resolution 15-130, authorizing the Mayor to execute Change Order 5 with Pro Industrial Services, LLC to install electrical conduit for future need in an amount not to exceed \$1,625.00**
- e. Approve Resolution 15-131, authorizing the Mayor to execute a contract with Gerber Construction Inc. to construct the Veteran's Irrigation Pond Reconstruction and Road Project in an amount not to exceed \$946,900.00**
- f. Approve Ordinance 15-17, amending Title 1, Chapter 14, Article C, dealing with responding to a Notice of Violation issued by the City's Code Enforcement Office, and amending Title 5, Chapter 3, defining a public nuisance**
- g. Approve Resolution 15-132, authorizing an Interlocal Cooperation Agreement between the City of West Jordan and Salt Lake County for Google Imagery Data**

- h. Approve Resolution 15-133, declaring an easement surplus, and authorizing the Mayor to execute the Partial Release of Easement and Deed**
- i. Approve Resolution 15-134, and Resolution 15-135, authorizing the Mayor to execute Contracts with RRJ Consulting and Foxley and Pignanelli to provide lobbying services for the 2016 legislative session**
- j. Approve Resolution 15-136, authorizing Staff to proceed with a Purchase Order to Big T Recreation to provide and install playground equipment at nine City parks in an amount not to exceed \$495,606.00**
- k. Approve Resolution 15-137, authorizing Staff to proceed with a Purchase Order to Modern Construction to provide and install 10 All Steel Gable Shelters at nine City parks in an amount not to exceed \$443,100.00**
- l. Approve Resolution 15-138, authorizing the Mayor to execute a contract with Rocky Mountain Power for the electrical services to complete electrical upgrades to the 480 volt three-phase power service and transformer relocation at Well No. 6 in an amount not to exceed \$17,143.00**
- m. Approve Resolution 15-139, authorizing the Mayor to sign a letter to Utah Department of Transportation acknowledging partial release of a UDOT easement on private property at 1650 West and 7800 South**
- n. Approve a variance for the Ute Conference Football League for Constitution Park allowing field use through October 24, 2015 for season league play**

The Council pulled Consent Items 6e, f, i, l, and n for further discussion.

**MOTION:** Councilmember Southworth moved to approve all the Consent Items except 6e, f, i, l, and n. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**VII. PUBLIC HEARINGS**

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 15-18, REGARDING A GENERAL PLAN LAND USE AMENDMENT FOR APPROXIMATELY 8.80 ACRES FROM VERY HIGH DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL FOR JORDAN LANDING PHASE 7, LOCATED AT APPROXIMATELY 7556 SOUTH CAMPUS VIEW DRIVE; FOUR SQUARE PROPERTIES, INC./ DAN MILICH**

David Oka said this item was to consider amending the West Jordan Future Land Use Map for approximately 8.8 acres from Very High Density Residential to Regional Commercial for Jordan Landing Phase 7, located at approximately 7556 South Campus View Drive.

He turned the time over to Ray McCandless.

Ray McCandless said the subject property's surrounding zoning and land uses were as follows:

	<b>Future Land Use</b>	<b>Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Regional Commercial	SC-3 (ZC)	Commercial
<b>South</b>	Regional Commercial	SC-3 (ZC)	Commercial
<b>East</b>	Regional Commercial	SC-3 (ZC)	Commercial
<b>West</b>	Regional Commercial	P-O and SC-2	Professional Office / Commercial

This 8.8 acre piece of property was located in Jordan Landing at 7556 South Campus Drive. It is vacant and was currently zoned Regional Commercial (SC-3). The Future Land Use Map of the City's General Plan showed this property as Very High Density Residential. In 2006, the land use designation was changed from Regional Commercial to Very High Density Residential in anticipation of developing multi-family housing on the property but no follow up action was taken by the property owner to change the zoning to residential. The zoning still remains SC-3.

The applicant now wished to develop this property to accommodate future commercial uses and was requesting that the Future Land Use Map be amended to a Regional Commercial designation to be consistent with the SC-3 zoning.

On June 16, 2015, the Planning Commission voted 7-0 to forward a positive recommendation to the City Council to amend the Future Land Use Map as requested.

**FINDINGS OF FACT:**

According to Section 13-7C-6: Findings for Approval, any amendments to the general plan, including maps, shall be approved only if:

**Criteria A:** *The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the city general plan;*

**Discussion:** An example of the goals and policies in the General Plan relating to the proposed land use map amendment is – “*The official Future Land Use Map should accurately represent the future land use needs and goals of the city.* “ (Page 19)

Changing the designation on the Future Land Use Map to be consistent compatible with the zoning and adjoining land uses was supported by the General Plan.

**Finding:** The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

**Criteria B:** *The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment;*

**Discussion:** Regional Commercial was limited to only two areas in the City, one at approximately 9000 South and the Mountain View Corridor and one at Jordan Landing. As regional commercial areas are limited, it makes sense that this property be designated Regional Commercial. This property was surrounded by commercial development and there were other more appropriate areas in the city that are designated for multi-family development on the Future Land Use Map.

**Finding:** The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

**Criteria C:** *The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity;*

**Discussion:** The surrounding property is designated as regional commercial and is developed as such. Designating the property as Regional Commercial on the Future Land Use Map is compatible with other land uses in the area.

**Finding:** The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

**Criteria D:** *The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity;*

**Discussion:** The proposed amendment would be an improvement to the Future Land Use Map as the changes would make the map more accurate in describing future land use needs for this property. Although the amendment will benefit the property owner, it would be in the best interests of the city as it would promote additional commercial development that will be used by city residents.

**Finding:** The proposed amendments constitute an overall improvement to the adopted general land use map and are not solely for the good or benefit of a particular person or entity.

**Criteria E:** *The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change;*

**Discussion:** The land use patterns as shown on the Future Land Use Map would remain intact and will not result in larger or more expensive public infrastructure improvements.

**Finding:** The proposed amendment would not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

**Criteria F:** *The proposed amendment is consistent with other adopted plans, codes and ordinances; and*

**Discussion:** The Future Land Use Map graphically reflects the land use policies of the City's General Plan which can change from time to time as conditions change. The proposed map amendment reflects such a change. The proposed amendment was consistent with other adopted plans, codes or ordinances.

**Finding:** The proposed amendments would be consistent with other adopted plans, codes and ordinances.

In conclusion, the proposed amendment to the Future Land Use Map was necessary to update the map and make it consistent with zoning and with adjoining land uses.

Staff recommended that the City Council approve the proposed revision to the Future Land Use Map as recommended by the Planning Commission.

Mayor Rolfe opened the public hearing.

Dan Milich, representing Foursquare Properties, said their goal was to build-out the remaining vacant parcels in Jordan Landing. They hoped to begin site work in October, which would include six-parcels in the 8.8 acres. He asked for Council's approval regarding this amendment.

Alexandra Eframo, West Jordan resident, reported that her concerns were addressed by Mr. Dan Milich.

Steve Jones, West Jordan resident, addressed his concerns regarding the road to the north. He felt developments should be built-out to handle not just current traffic but also future traffic.

There was no one else who desired to speak. Mayor Rolfe closed the public hearing.

**MOTION:** Councilmember Nichols moved that the City Council approve the proposed Future Land Use Map amendment for approximately 8.8 acres of land located at approximately 7556 South Campus View Drive from Very High Density Residential to Regional Commercial. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**CONSENT ITEM 6.E.**

**APPROVE RESOLUTION 15-131, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH GERBER CONSTRUCTION INC. TO CONSTRUCT THE VETERAN'S IRRIGATION POND RECONSTRUCTION AND ROAD PROJECT IN AN AMOUNT NOT TO EXCEED \$946,900.00**

The following information was provided in the Council's agenda packet.

The Veteran's Park secondary water system consists of a pumping station and irrigation water storage pond, which irrigated the Park and City Hall landscaping. The pumping station and water storage reservoir were being relocated as part of the proposed paved road between the Senior Center and the Library. This project would demolish the old irrigation pond which was a rubber membrane – lined pond that was deteriorating, and replace it with a concrete lined irrigation pond. The old pond was seven feet above the ground on the east bank and posed a flooding hazard should the bank become unstable and breach. The new pond would be constructed at or below grade.

The project would also grade and pave the existing dirt road between the rodeo grounds and the irrigation pond and add a sidewalk and pedestrian road crossing. The new road would connect the Senior Center parking lot to the Viridian Library parking lot, allowing both foot and vehicular traffic to travel between these buildings. The City had been in contact with the Senior Center and the County Library, and both parties were excited to see the road go in.

The bid was advertised in Intermountain Contractor and the classified ads of local newspapers for three weeks prior to the bid opening on Tuesday, May 19, 2015. Eight companies submitted bids. The lowest bid was from Gerber Construction, Inc. at \$946,900.00, and the other bidders were very close to this amount, indicating a good understanding of the work. Gerber was well qualified to perform the work and had experience on similar projects.

Staff said funding was available from the Capital Roads and Parks Funds.

Staff recommended approval of the proposed contract with Gerber Construction, Inc. to construct the Veteran's Irrigation Pond Reconstruction and Road Project in an amount not to exceed \$946,900.00.

Councilmember McConnehey felt prior to approving this contract the City should look into other options, considering the significant price tag. He felt there might be other or additional improvements to the area, which could be performed at the same time.

Councilmember Southworth agreed with Councilmember McConnehey. He addressed previous discussions regarding the possibility of moving the maintenance facility building. He suggested tabling this for further discussion.

Mayor Rolfe said currently there was an above ground reservoir, which could breach causing severe damage. He said the lining, maintenance, and intake system were all issues. He felt the underground reservoir would be much safer. He was in favor of the proposed contract.

Councilmember Southworth asked clarifying questions:

- Is this the right location

*Response - Piping and pumping cost would be more if it were moved.*

- Currently unsightly – could this become an asset

*Response - Funding would be an issue. Safety of water storage and drawdown from the pumps would also be a hazard.*

- Funding

*Response - Carryover for pump equipment, pond allotment, \$4 million bond for deficiencies*

Dave Murphy explained that this was a gravity fed location.

The Council agreed to table this item for two more weeks.

Councilmember McConnehey wanted to see the breakout cost of the sidewalk and road vs. the water side of the contract.

Councilmember Southworth asked for input regarding the impacts, possible options for other locations, and moving the maintenance facility.

The following comments were provided:

- Replacing the membrane (if not moved now)
- Gravity fed vs. pump and point of diversion change (significant)
- Sugar Factory re-drill
- New electrical included in current contract

Mayor Rolfe felt the cost of this project should be the main concern.

#### **CONSENT 6.F.**

**APPROVE ORDINANCE 15-17, AMENDING TITLE 1, CHAPTER 14, ARTICLE C, DEALING WITH RESPONDING TO A NOTICE OF VIOLATION ISSUED BY THE CITY'S CODE ENFORCEMENT OFFICE, AND AMENDING TITLE 5, CHAPTER 3, DEFINING A PUBLIC NUISANCE**

The following information was provided in the Council's agenda packet.

Code Enforcement amendments address Code violations that require faster remediation than the usual 14-days. The amendments call on the City Manager, by Administrative

Directive, to designate those code violations from time to time that require more rapid remediation.

The nuisance amendments give relief to large landowners now faced with the costly requirement to mow their large land holdings several times per growing season to comply with the current requirement to control weeds. The proposed new language would allow a large landowner (5-acres or more) to mow a 30-foot protection strip along the boundary of the property and not the entire property. However noxious and injurious weeds still need to be controlled on the entire property.

Staff believed that there would be no fiscal impact from the proposed text amendments.

Staff recommended adoption of the proposed changes.

Councilmember McConnehey commented on the Municipal Code where nuisances were defined within City limits or within a certain distance. He questioned whether the City could enforce nuisances outside the City limits. He also addressed injurious weeds and noxious weeds on parcels of undeveloped ground larger than (5) five contiguous acres.

The Council discussed various changes to the following sections:

Municipal Code Sections:

5-3-1: Nuisance Defined and Prohibited

A-3, A-7, A-8, A-9

- Changes included in Section 5-3-1A9: thirty feet (30') to one-hundred feet (100'); also eliminating the line starting with, 'wherein weed growth' and ending at or less at all times.'
- Possibly more aggressive scale for repeat offender

Councilmember McConnehey would like to discuss clearer definition in the future regarding: 'What is urban interface' and 'What is part of the park trail system.'

**MOTION: Councilmember McConnehey moved to direct staff to bring back this item back no later the first Council meeting in August. The motion was seconded by Councilmember Haaga.**

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**CONSENT 6.I.**

**RESOLUTION 15-134, AND RESOLUTION 15-135, AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS WITH RRJ CONSULTING AND FOXLEY AND PIGNANELLI TO PROVIDE LOBBYING SERVICES FOR THE 2016 LEGISLATIVE SESSION**

Bryce Haderlie said for the 2015 Legislative Session, the City contracted with RRJ Consulting, and Foxley and Pignanelli for lobbying and legislative consulting services. The contract with RRJ Consulting was \$50,004, and the Foxley and Pignanelli contract was \$60,000. During the session, RRJ Consulting represented the City's interests in areas of infrastructure financing, and Foxley and Pignanelli represented the City's positions in policy issues.

The City issued a Request for Proposal (RFP) for lobbyist services for the 2016 Legislative Session which received three responses, from Charles Evans & Associates, Foxley and Pignanelli, and RRJ Consulting. The proposal from RRJ Consulting totals \$50,004, the Charles Evans & Associates proposal included a range from \$50,000 - \$70,000, and the Foxley and Pignanelli contract totaled \$180,000.

Staff recommended retaining the services of RRJ Consulting and Foxley and Pignanelli to fill the same roles which they held during the 2015 session.

The maximum fiscal impact associated with the passage of the proposed contracts was \$230,004.

Councilmember McConnehey felt the Council's legislative priorities should be determined prior to signing the proposed contracts. He suggested a Council workshop first.

Councilmember Haaga said numerous things were accomplished with these consulting firms in the past. He would like to see the contracts approved.

Councilmember Hansen agreed with Councilmember McConnehey that the goals and priorities of the Council should be determined first.

Mayor Rolfe addressed the time spent at last year's legislature. He agreed that Council goals should be addressed; however, through the Request for Proposals (RFP) process and experience the right firms had been selected.

Bryce Haderlie commented on some of the topics that were previously addressed during the last legislative session where these lobbying firms were successful. He felt this was due to the assistance of Foxley and Pignanelli and RRJ Consulting. A workshop could be scheduled in the future with these firms in attendance, where the Council could identify their goal and priorities.

**MOTION: Mayor Rolfe moved to approve Consent Item 6.i, Resolution 15-134 and Resolution 15-135. The motion was seconded by Councilmember Rice.**

Bryce Haderlie said if this request was not approved at this time. Staff would still recommend the same two firms in the future due to the excellent work they had provided in the past.

Councilmember McConnehey indicated that he had no objections to the firms. He objected to committing \$230,004, without defining the goals and objectives. He spoke against the motion.

Councilmember Haaga suggested adding a workshop to the motion.

Councilmember Southworth spoke against the motion. He felt the needs of City were not identified at this time.

Mayor Rolfe spoke in favor of the motion. He said both firms were in contact with him and Bryce Haderlie almost daily during the last legislative session keeping them updated and to address any of their concerns.

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>No</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>No</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 5-2.**

#### **CONSENT ITEM 6L**

**RESOLUTION 15-138, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ROCKY MOUNTAIN POWER FOR THE ELECTRICAL SERVICES TO COMPLETE ELECTRICAL UPGRADES TO THE 480 VOLT THREE-PHASE POWER SERVICE AND TRANSFORMER RELOCATION AT WELL NO. 6 IN AN AMOUNT NOT TO EXCEED \$17,143.00**

The following information was provided in the Council's agenda packet.

Well No. 6 was a City-owned drinking water well that supplied water during the summer season to supplement water deliveries from Jordan Valley Water Conservancy District.

Well No. 6 was recently rehabilitated including chemical cleaning of the well screens, addition of a new deep well pump and shaft, and rebuilt motor.

The well was currently undergoing electrical work to install a new electrical motor control panel and variable frequency drive controller in order to ramp the pump motor speed up or down to control the amount of water that was being pumped. In the process of reviewing the proposed electrical work, Rocky Mountain Power determined that the existing 1200 AMP service main panel, and the wires feeding the panel from the existing transformer no longer met code, that the existing transformer needed to be relocated, and that new conduits and service wire to the well house needed to be installed and upgraded.

Rocky Mountain Power had provided the General Service Contract to perform the required work for the amount of \$17,143.00. Funding for this item was available in the Drinking Water Capital Projects Fund. Staff recommended approval of the contract with Rocky Mountain Power for the electrical services to complete electrical upgrades to the 480 volt three-phase power service and transformer relocation at Well No, 5 in an amount not to exceed \$17,143.00.

Councilmember Haaga asked for clarification from Bryce Haderlie regarding the comments made during City Manager comment section regarding this issue.

**MOTION: Councilmember Haaga moved to approve Consent Item 6.I, Resolution 15-138, authorizing the Mayor to execute a contract with Rocky Mountain Power for the electrical services to complete electrical upgrades to the 480-volt three-phase power service and transformer relocation at Well No. 6 in an amount not to exceed \$17,143.00. The motion was seconded by Mayor Rolfe.**

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**CONSENT ITEM 6.N**

**APPROVE A VARIANCE FOR THE UTE CONFERENCE FOOTBALL LEAGUE FOR CONSTITUTION PARK ALLOWING FIELD USE THROUGH OCTOBER 24, 2015 FOR SEASON LEAGUE PLAY**

Bryce Haderlie said the Ute Conference Football League was requesting a variance to City Code 8-13-2 to play at Constitution Park past the park closing date of October 4, 2015.

## **MUNICIPAL CODE**

### **SECTION: 8-13-2 HOURS OF OPERATION AND SEASON**

- A. Open Season: City parks are open to the public starting the first Monday in April and are closed to the public starting the first Sunday in October until the following first Monday in April. City recreational facilities and concession stands are not open to the public and may be occupied and used only by reservation or permit, except that the city may reserve the arena for designated periods of public access.
- B. Open Hours: Except Veterans Memorial Park, city parks are open to the public from six o'clock (6:00) A.M. to ten o'clock (10:00) P.M. during the open season. The Veterans Memorial Park is open from six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M. during the open season. City parks are closed during all other hours of the day.
- C. Other Park Closures: At the sole discretion of the city, any city park or any area within a city park may be closed during open season or hours for any reason for the convenience of the city or to provide for the public health and safety. Reasons for closures may include, but are not limited to, safety, preservation of landscaping, protection of athletic field conditions, construction or performance of maintenance or repair work.
- D. Public Use Subject To Reservations: When a city park, recreational facility, or any area therein, is reserved, it will not be open to the public during the reserved time. Any person or entity that has reserved a city park, recreational facility, or area therein may exclude the public from the reserved area and may request assistance from the city in doing so. The reserved area will be considered closed to the public during the times expressly specified in a reservation or permit approved or issued by the city manager or designee.

The Ute Conference Football league season typically was scheduled past the closing date of our parks. The City closes parks for the season the first Sunday in October. At that time staff starts working on repairs, winterizing facilities and blowing out irrigation lines. The group would be required to provide portable restrooms and hand washing stations at their expense for this time period.

Staff recommended approval.

Councilmember McConnehey said in the past other teams/leagues had requested an extension of time past the park closing date. He reviewed some of the reasons the Parks Department needed to close the parks. He felt three weeks was excessive and would be setting precedence.

**MOTION: Councilmember Haaga moved to approve Consent Item 6.n. The motion was seconded by Councilmember Nichols.**

Brian Clegg indicated that allowing Constitution Park to remain open a few extra weeks would not be as crucial in this park, as some of the other parks.

Councilmember McConnehey still had reservations about allowing this exception.

Mayor Rolfe spoke in favor of the motion.

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>No</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 6-1.**

***VIII. BUSINESS ITEM***

**DISCUSSION AND POSSIBLE ACTION REGARDING THE REQUEST FOR A PERMANENT CRICKET MOUND TO BE INSTALLED BY THE UTAH LIONS CRICKET CLUB IN CONSTITUTION PARK FOR THE GAME OF CRICKET ON SUNDAYS THROUGHOUT THE SUMMER AND FALL**

Brian Clegg said the Utah Lions Cricket Club would like to install an 11-yard concrete mound covered by astro turf carpet to be used for Cricket league play. A cricket field was larger than a typical soccer field.

Staff was currently working on water retention issues with Constitution Park. Installing a new mound of any type that would/could be torn out when the park is redesigned for water retention issues would not make a lot of sense.

A Cricket mound could be considered in the design phase of the new area and be installed when the park was rebuilt. Installing a cricket mound would eliminate one soccer field used by Salt Lake County Recreation in the spring and one football field used by Salt Lake County Recreation and the Ute Conference Football league in the late summer and fall.

Staff did not recommend approval at this time.

**MOTION: Mayor Rolfe moved to table this item until a discussion at some further point in time, when we actually get the elevation of the Constitution Park, with a final design for construction. The motion was seconded by Councilmember Haaga.**

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**DISCUSSION AND POSSIBLE ACTION REGARDING RATIFICATION OF RESOLUTION 15-93, CONFIRMING THE INTERIM CITY MANAGERS ABILITY TO APPOINT AN ACTING CITY MANAGER IN HIS ABSENCE OR TEMPORARY INCAPACITATION**

Bryce Haderlie said the proposed resolution was intended to resolve any questions between State and City Code on the delegation of authority in his absence. He said he would continue to inform the senior staff and Council when he was delegating that authority, who would have it, and for what period of time.

Staff recommended approval of the proposed Resolution to maintain the smooth and consistent operation of the City.

Councilmember Haaga questioned how the determination was made as to who would serve in his absence.

Bryce Haderlie indicated that the City's Municipal Code would be followed.

**MOTION: Councilmember Southworth moved to approve Resolution 15-93, for the Interim City Manager to appoint an Acting City Manager in his absence or temporary incapacitation. The motion was seconded by Councilmember Nichols.**

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**DISCUSSION AND POSSIBLE ACTION REGARDING THE AN  
INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF  
WEST JORDAN AND VARIOUS OTHER ENTITIES REGARDING  
REDWOOD ROAD TRANSPORTATION STUDY**

David Oka reported that back in May 2012, this issue had been discussed.

He turned the time over to Ray McCandless.

Ray McCandless provided the Council with some background information.

He said the agreement included in the City Council's agenda packet was for discussion only. This item was being brought before the Council to determine if the Council wished to participate in the Redwood Corridor feasibility study from North Temple to 11400 South. The study's intent was to provide important and useful information concerning the Redwood Corridor which should help the City in making decisions regarding the corridor. The agreement would be to share in the cost of the study between West Jordan City and nine other municipalities, authorities, and agencies. The City's portion of the costs relevant to this agreement would be \$35,000.00. The attached agreement was currently incomplete and lacking some relevant information. He said if the City Council desired, this item would be brought back on a future agenda for consideration and approval when the Interlocal Agreement document was complete and approved by staff.

The fiscal impact to the City would be \$35,000.00

Staff recommended that the City Council discuss the Redwood Road Transportation Study Interlocal Agreement as a business item and determine if participation is in the best interest of the City.

Brianne Emery, Strategic Planner, Utah Transit Authority, and Hal Johnson, Utah Transit Authority, provided some details for the purpose of the Redwood Road Transportation Study.

- Finding a market for transportation invest
- Looking at roadway and transit improvements in the corridor

Councilmember Haaga asked if a bus lane similar to West Valley City's was being considered for West Jordan.

Hal Johnson felt this study would be looking more at land use, transportation, and beautification investments. It may be a similar concept as West Valley City, but probably not the same execution as on 3500 South.

Bryce Haderlie said the commitment of funds did not need to be paid right now or out of the current budget.

**MOTION: Councilmember Haaga moved to approve the Interlocal Agreement for the Redwood Road Transportation Study between West Jordan City and Utah Transit Authority, Salt Lake City, West Valley City, South Jordan City, Salt Lake County, City of Taylorsville, Sandy City, Utah Department of Transportation, and the Wasatch Front Regional Council for the Redwood Road Transportation Study. The motion was seconded by Councilmember Southworth.**

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-140, RATIFYING PREVIOUSLY PROCESSED SEVERANCE AGREEMENTS FOR VARIOUS CITY EMPLOYEES**

Bryce Haderlie said the City Council conferred with staff in a closed session to give advice and consent for the mutual severance or separation agreements for Tom Burdett and Stuart Williams. The negotiations were carried out and agreements executed on the dates indicated on the signed documents. This action was to ratify those agreements and the fiscal impact in the 2014-2015 budget.

The fiscal impact to the City was noted in the agreements.

Staff recommended the City Council approved the proposed Resolution.

Bryce Haderlie briefly explained some of the reasons severance agreements were necessary.

- Employees ‘not-at-will’ have a property right, so there might be reasons why this process should be utilized
- Employee relinquishes any right to come back and sue the City for certain issues

He explained that some of the funds provided to these individuals were for time they earned on the job, vacation time, execute leave, etc.

**MOTION: Councilmember Southworth moved to approved Resolution 15-140, ratifying the separation and/or severance agreements between the City of West Jordan and Thomas D. Burdett and Stuart E. Williams. The motion was seconded by Councilmember Hansen.**

Councilmember Haaga asked clarifying questions regarding City policies and termination of employment.

Bryce Haderlie said that Human Resources Manager indicated that this was similar direction to what was used in the past. Possible options for the future could be:

- Create a policy with more definition
- Enter into contracts with ‘at-will’ employees

Councilmember Haaga asked whether employees agree to certain terms on their application, and whether it showed grounds for termination.

Bryce Haderlie said the Employees Policy Handbook included the grounds for termination. He explained that once an applicant was offered a position they would come in, sign paperwork, and then agree to the conditions of employment.

Robert Thorup explained that ‘at-will’ jobs were advertised as ‘at-will’ and applicants were made aware of the position being ‘at-will.’

The Council and staff discussed clarifying questions regarding:

- ‘At-will’ employees
- Application on City’s website
- Vacation hours, Executive hours, etc.

**MOTION: Councilmember Southworth called the previous question. The motion was seconded by Councilmember Nichols.**

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>No</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>

<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>No</b>

**The motion passed 5-2.**

Councilmember Haaga left the meeting at 7:56 p.m.

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 6-0.**

***IX. REMARKS***

There were no remarks.

***X. ADJOURN***

**MOTION: Councilmember Hansen moved to adjourn. The motion was seconded by Councilmember Southworth and passed 6-0 in favor.**

The meeting adjourned at 7:57 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

**KIM V ROLFE**  
**Mayor**

**ATTEST:**

**MELANIE BRIGGS, MMC**  
**City Clerk**

Approved this 22<sup>nd</sup> day of July 2015