

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

Wednesday, June 10, 2015

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

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

STAFF: Bryce Haderlie, Interim City Manager; Darien Alcorn, Deputy City Attorney; Melanie Briggs, City Clerk; David Oka, Economic Development Director; Ryan Bradshaw, Finance Manager; Justin Stoker, Deputy Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Brian Clegg, Parks Director; Larry Gardner, Senior Planner; Eric Okerlund, Budget Officer; Jeremy Olsen, Assistant to the City Manager; Jared Smith, Risk Manager; Tim Heyrend, Utilities Engineer; Drew Sanders, Police Lieutenant, and Joe Monson, Police Traffic Sergeant.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 5:01 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, Chad Nichols, and Ben Southworth. Council Member Chris McConnehey arrived at 5:50 p.m. Council Member Sophie Rice was excused.

STAFF: Bryce Haderlie, Interim City Manager, and Darien Alcorn, Deputy City Attorney.

MOTION: Councilmember Nichols 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

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

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 5:02 p.m.

The Council recessed the Closed Session at 6:32 p.m.

The meeting reconvened at 6:33 p.m.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kyle Hardy, Troop 1877.

IV. PRESENTATIONS

PRESENTATION BY NATHAN GEDGE, CHAIRMAN, WESTERN STAMPEDE AND INTRODUCTION OF 2015 ROYALTY

Nathan Gedge, Chairman, Western Stampede, invited all of the Council and those in attendance to attend the Western Stampede Rodeo. He reviewed the events that were scheduled. He recognized the Stampede Committee members and then introduced the 2015 Western Stampede Royalty:

- Queen – Chelsey Palmer
- 1st Attendant – Rachel Despain
- 2nd Attendant – Alaina Hunter

Nathan Gedge expressed his appreciation to the City Council for their support.

V. COMMUNICATIONS

INTERIM CITY MANAGER COMMENTS/REPORTS

Bryce Haderlie –

- Expressed his appreciation to City staff and committee members for their work and attendance at the recent Viridian Library Event.
- Reported that the Osmonds would be practicing in the old library.
- Viridian Library had 10 free days available for use. Staff would like to allow the Osmonds two of the ten free days.
The Council did not oppose.
- Last Mexican Rodeo in the arena for the time being. The event would be monitored regarding the sound.
- Delay of changes to the Facility Use policy until after the larger events had passed.
- Council were invited July 2, 3, 4, 2015, Rodeo Arena Skybox at 7:15 p.m. to meet all of the contestants.

STAFF COMMENTS/REPORTS

Brian Clegg –

- Proposals had been received regarding the Playground Equipment. There would be additional proposals in the future for additional playground equipment and park pavilions.

Justin Stoker –

- Updated the Council on the following projects:
 - 5600 West project between 6200 South and 7000 South
 - 9000 South reconstruction
 - 4000 West Culvert
 - 3300 West Storm Drain project
 - 7000 South Storm Drain project

Marc McElreath –

- Updated the Council on the firework restrictions for the upcoming season.
- Expressed appreciation to Clint Hutchings and the GIS Department for assisting with maps.

Doug Diamond –

- Academy Graduation, Thursday, June 11, 2015, for Justin Stapley.
- Two members of West Jordan Police graduated from the Basic Tactical Operators Course (BTOC).
- Recent human trafficking – information regarding one West Jordan massage parlor was provided to the Attorney General's Office.
- Expressed appreciation to the Council for their support during the Child Abuse Awareness Field activity.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Nichols –

- Encouraged the public to visit the Jordan Valley Water Conservancy District's website: www.jvwcd.org

Councilmember Haaga –

- Recognized the Youth Theater committee members in the audience.

Councilmember McConnehey –

- Visited the water tank under construction 7800 South 4000 West. He expressed his appreciation to the staff for all their hard work.

Mayor Rolfe –

- Expressed his appreciation to those in attendance for patiently waiting.
- Met with Sione Vatuvei from the Polynesian Community Service Organization. Mr. Vatuvei wanted to have a Polynesian Cultural Center built in Salt Lake City on California Ave and 5600 West. He asked for a letter of support from the West Jordan City Council.

The Council were in agreement for the Mayor to send a letter of support.

- 4th of July parade - All of the Councilmembers agreed to walk the parade route.

VI. CITIZEN COMMENTS

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:

- Frustration of being lied to by a member of public service.
- Removal of the West Jordan Police Chief from office.

Councilmember Nichols called a point of order, speaker should not personally attack an individual.

John Allred, Huntington Water Company, Chairman, and Robert Munson, Director, were in attendance representing 48 water users of Huntington Estates. John Allred commented on the problems associated with the irrigation pipeline on 4000 West. He said recently there had been water bubbling up from the clean-outs along 4000 West in front of Country Squire Drive. He reviewed the issues associated with the pipeline. He asked when this problem would be resolved.

Mayor Rolfe asked staff to look into the issue.

Justin Stoker said Jared Millgate had looked into this issue. He said staff would work with the Council regarding moving forward.

Brenda Thomas, West Jordan resident, commented on her sloped driveway which floods. She urged the Council to vote in favor of the proposed Stormwater Grant. She asked staff

to provide her with an agenda with a possible end date, so her home could be put back in order.

Steve Jones, West Jordan resident, felt there were some good plans moving forward regarding the storm drain issues. He believed that the problems were due to the developments west of Bangerter Highway. He felt the pipe at 7000 South should have been increase in size. The City's infrastructure should be better addressed regarding new developments.

Mandi Bastian, West Jordan resident, representing the Youth Theater. She commented on the lack of participation due to poor scripts. She addressed the following costs:

- Good scripts - \$2,300 - \$4,000
- Revenue rental cost - \$4,500
- Two shows per year - \$16,500 (not including costuming, set, makeup, posters, etc.)

She said the Youth Theater did not want a second rate theater.

She commented on the fall shows: 'Beauty and the Beast' and 'Into the Woods,' which both had the youth excited. She said the Youth Theater needed additional funding and the Council's support.

Bart Barker, West Jordan resident, asked the Council to approve the proposed CenturyLink Franchise agreement. He reviewed the positive reasons for approving this action.

There was no one else who wished to speak.

VII. CONSENT ITEMS

- a. Approve the minutes of May 13, 2015, and May 27, 2015 as presented**
- b. Approve Resolution 15-105, confirm City Council appointment of members to serve on various Committees**
- c. Approve Resolution 15-106, authorizing the Mayor to execute a contract with the State of Utah regarding the funding from the Utah Division of Arts & Museums for the West Jordan Arts Council**
- d. Approve a Class A Beer License for two events for the MH Pro Connections Mexican Rodeo Event, June 14, 2015, and August 9, 2015**
- e. Approve Resolution 15-107, authorizing the Mayor to execute an Agreement with Snow, Christensen & Martineau to render legal services defending the City of West Jordan for pending litigation**

- f. Approve Resolution 15-108, authorizing the Mayor to execute Change Order No. 5 with Cody Ekker Construction, Inc. for the Bingham Creek Culvert Improvement Project for an amount not-to-exceed \$35,325.82**
- g. Approve Resolution 15-109, authorizing the Mayor to execute Amendment No. 2 to the Professional Service Agreement with Stanley Consultants, Inc. for geotechnical services for the 7000 South Utility Design from the Jordan River to Constitution Park Project in an amount not to exceed \$8,680.00**
- h. Approve Resolution 15-110, authorizing the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Hansen, Allen and Luce, Inc. for a Water Master Plan second draft report with additional Modeling Analysis Services of pipe scenario alternatives, in an amount not to exceed \$9,814.00**
- i. Approve Resolution 15-111, authorizing the Mayor to execute a contract between the City of West Jordan and Jordan Valley Construction, Inc., for construction of storm drainage facilities for the 3300 West, 6880 South and 3370 West Storm Drain Improvements Project in an amount not to exceed \$918,813.50**
- j. Approve Resolution 15-97, authorizing the Mayor to execute a Development Agreement and an Agreement for Deferral of Public Improvements with Perry Homes Utah, Inc., for Copper Valley Estates, located at approximately 8600 South 5600 West**

The Council pulled Consent Items 7e and 7f for further discussion.

The Council asked clarifying question regarding Consent Item 7.d.

MOTION: Councilmember Nichols moved to approve all the Consent Items except 7.e. and 7.f. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

VIII. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL RESOLUTION 15-112, APPROVING THE FINAL BUDGETS FOR THE CITY OF WEST JORDAN GENERAL FUND, THE SPECIAL REVENUE FUNDS, THE CAPITAL PROJECTS FUNDS, THE WATER FUND, THE SEWER FUND, THE SOLID WASTE FUND, THE STORM WATER FUND, AND THE INTERNAL SERVICE FUNDS FOR FISCAL YEAR 2015-2016

Ryan Bradshaw said the Interim City Manager delivered the proposed budgets to the City Council in April and May 2015. The City Council adopted the tentative budgets on May 13, 2015. Utah state law required final budgets to be adopted before June 22. The tentative budgets could be reviewed, discussed, and amended as necessary up through the public hearing and final adoption.

He noted that the capital projects budgets in the Road Capital Fund, Parks Capital Fund, Water Fund, Sewer Fund, and Stormwater Fund were in a work-in-process status at the time of printing of this document and were shown in this resolution at the Fiscal Year 2015-2016 amounts in last year's Strategic Plan documents. These capital budgets would be revised and formally presented to the governing body as soon as complete.

The total budget for these funds was \$118,248,245.

Staff recommended approval of Resolution 15-112, adopting the Fiscal Year 2015-2016 Final Budgets for the General Fund, the Special Revenue Fund, the Capital Projects Funds, The Enterprise Funds, and the Internal Service Funds.

Councilmember Haaga requested that the Youth Theater budget be increased from \$20,000 to \$25,000.

Mayor Rolfe addressed the need to reclassify some positions that did not meet the career ladder, so complete wages could still be achieved.

Bryce Haderlie commented on the email sent to the Council, which outlined several items that were identified along with the career ladders. He felt it did not include adding additional staff to the parks department. However, there was a table that showed adjustments to wages referred to as the 'Competitive Plus Compensation Program.' He said there were several Parks Department positions that were being paid below market. Approximately 13-positions were being proposed, and it would be approximately \$24,000 to correct all of the positions, with some being parks positions.

The Council and staff discussed clarifying questions.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, disagreed with the increase to the Council Members' salaries in the proposed budget.

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

MOTION: Councilmember Southworth moved to approve Resolution 15-112, adopting the Fiscal Year 2015-2016 Final Budgets for the specified funds as presented. The motion was seconded by Councilmember Nichols.

Councilmember Haaga said this was a \$120 million budget, and asked if the presentation could be provided for the residents.

Bryce Haderlie indicated that the Human Resources Department had gathered information on the different wage issues, along with the Judge's salary, which needed to be confirmed.

SUBSTITUTE

MOTION: Councilmember Haaga moved to allow staff to present their budget presentation prior to voting on the previous motion.

The substitute motion died for lack of a second.

Councilmember Southworth said based on the comments made, he withdrew his motion.

The Council continued this item to the end of the meeting.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
ORDINANCE 15-12, AMENDING THE 2009 WEST JORDAN MUNICIPAL
CODE, TITLE 13, SECTION 5J, AMENDING THE WEST SIDE
PLANNING AREA BOUNDARY, PETERSON
DEVELOPMENT/BARRETT PETERSON, APPLICANT**

Larry Gardner said the applicant was requesting a text amendment to City Code Section 13-5J-2A amending the area description of the West Side Planning Area (WSPA) from 410 acres to 418 acres. This amendment would include an 8.33 acre parcel between Clay Hollow Wash and the Mountain View Corridor that was left over when the Mountain View Corridor was constructed. The WSPA was a zone covering a much larger land use area at one time. The City Council decided to eliminate the WSPA as a zone, but as a result of a litigation settlement agreement, the WSPA continued to apply to land that was now comprised of just the Highlands Development area. There were still many tracts of land that have WSPA zoning designation which are no longer governed by WSPA zoning. The proposed property was one of those properties. The applicant wanted to include an 8.33 acre tract of land adjacent to the Highlands Development Area to be governed by the WSPA. The applicant's intent was to construct multi-family dwellings on the property and desires the benefit of the WSPA zoning. In a separate application this same area will asked to be included into the Highlands Development Area.

TEXT AMENDMENT REQUEST

To expand the boundaries of the land governed by the WSPA, the text of section 13-5J-2A needed to be amended. The text currently read:

A. WSPA Defined: The WSPA is described as an area approximately four hundred and ten (410) acres in area, located between 5600 West and 6700 West, 7800 South and 8200 South.

Section 13-5J-2A would be amended as follows:

A. WSPA Defined: The WSPA is described as an area approximately four hundred and ~~ten (410)~~ **eighteen (418)** acres in area, located between 5600 West and 6700 West, 7800 South and 8200 South.

The amended text was the first step to include, the additional 8.33 acres into coverage by the West Side Planning Area. An application to amend the Highlands map and development plan had also been submitted. If this land was to be governed by the Highlands Development Agreement, the amendments needed to be approved by the City Council following a recommendation from the Planning Commission. Further a separate application had been submitted to include the 8.33 acres into the Highlands Assessment Area.

FINDINGS OF FACT:

Section 13-7D-7(B) Findings for approval: Text Amendments

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: The zoning text amendment would make the provisions of the WSPA zone applicable to this property. The amendment will not change the land use or zoning designation of the property. The property was designated as Very High Density Residential on the Future Land Use Map of the City. The entire property was zoned High Density Residential (HFR). The applicant's intent was to develop a multi-family housing project on the property. The 2012 Comprehensive General Plan stated in the Residential Land Use section:

***Goal 4; Policy 3** Multiple-family residential development should be provided in appropriate areas in order to maintain diversity in the city's housing stock and to provide land use transitions between dissimilar uses.*

On page 30 of the General Plan an implementation policy stated the following:

Require developers to prepare small area plans showing the relationship of proposed subdivisions to the neighborhood of which they will be a part. These plans should illustrate, among other things: access to the general street system, connections to adjacent neighborhoods and properties, schools, recreation sites, and other facilities and services.

The inclusion of the 8.33 acre parcel into the coverage of the WSPA will satisfy this policy. Because the parcel was adjacent to the Highlands it will be a seamless transition into the development and will result in similar uses, development patterns, roadway connections, trail improvements and housing types.

Finding: The proposed amendment conforms to the general plan and was consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title.*

Discussion: The applicant justifies this request by the following points:

- *This property is currently zoned HFR which is only applicable within the WSPA.*
- *The conceptual density of this project is very similar to that of proposed developments to the west and would be consistent with the adjacent land use.*
- *Adding this acreage to the Highlands Master Plan would increase the overall number of people paying into the Highlands SAA and consequently decrease the fee per unit.*
- *The WSPA zoning requires 20% open space that can be used for community parks and trails. The maintenance vehicle is already in place to maintain these amenities.*
- *The WSPA allows flexibility to create a development with a variety of amenities to serve the project.*

The General Plan on Page 22 Goal 3 stated:

“Promote land use policies and standards that are economically feasible and orderly, which also protect desirable existing land uses and minimize impacts to existing neighborhoods.”

“1. The type, location, timing, and intensity of growth shall be managed. Premature and scattered development shall be discouraged.”

2. Growth shall be limited to those areas of the city that can provide for adequate levels of service (i.e. water, sewer, fire and police protection, schooling, and transportation)."

The amendment would result in a development similar in type, density and layout as the proposed adjacent development to the west. The 8-acre property proposed to be included into the WSPA/Highlands was marginal land adjacent to the Mountain View Corridor and was bisected by a very deep Clay Hollow wash. The property in question was designated on the future land use map as Very High Density residential.

Finding: The proposed amendments were appropriate given the context of the request and there was sufficient justification for a modification to this title.

Criteria 3: *The proposed amendment will not create a conflict with any other Section or part of this title or the general plan.*

Discussion: The proposed amendments would not conflict with other sections of the 2009 City Code or the General Plan. The proposed amendment would resolve conflict within the General Plan due to the land currently being zoned HFR and the HFR zone only being fully functional within the WSPA zone.

Finding: The proposed amendment would not create a conflict with any other Section or part of this title or the general plan.

Criteria 4: *The proposed amendments do not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.*

Discussion: The text amendment does not relieve the applicant of any "hardships" or excuse them from other ordinance requirements. This text amendment was unique in that it is geographically constrained to the WSPA and this particular 8.33 acre piece of property, and will not apply Citywide. The text amendment results in a change more like a zoning map amendment. The applicant would not be able to use this amendment outside of the boundaries of the WSPA created by the text amendment. The proposed amendment will resolve a conflict due to the land currently being zoned HFR and the HFR zone only being fully functional within the WSPA.

Finding: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or

cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.

Larry Gardner said in conclusion the proposed text amendment amending the boundaries of the West Side Planning Area (WSPA) met all of the criteria for an ordinance text amendment. The inclusion of the 8.33 acre parcel that was contiguous to the current WSPA would result in similar uses that had been planned for in the Highlands Master Planned Development, which this parcel was intended to be included into. The proposed text amendment would not result in any detrimental impacts to this area of the City.

Staff recommended that the City Council amend the West Jordan 2009 Code, Section 13-5J-2A, "WSPA Defined", changing the boundaries of the West Side Planning Area (WSPA).

The Planning Commission, by a vote of 6-0, recommended that the City Council amend the West Jordan Municipal Code, Section 13-5J-2A, "WSPA Defined", changing the boundaries of the West Side Planning Area (WSPA).

Mayor Rolfe opened the public hearing.

June Christensen, West Jordan resident, also representing Lynn Rasband, spoke against very high-density. She commented on minutes from a Planning Commission meeting where a statement was made by Barrett Peterson 'There is one other five-acre piece that could possibly be within the boundary, but it could be developed on its own.' She asked whether it was their five-acres that was being referred to? She was told 'no.'

Kaylynn Nichols, representing Peterson Development, said this parcel was approved for a rezone (HFR zone) back in September. This was strictly to amend the boundary. She reviewed the steps they would be taking in the future.

Alexandra Eframo, West Jordan resident, reminded the Council that they had previously said they would not approve high-density. She said the residents of West Jordan were against high-density development.

Mayor Rolfe clarified that this request was to amend the West Side Planning Area Boundary, not a rezone.

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

Councilmember Southworth asked how the addition of approximately 8-acres affected the requirement for open-space.

Larry Gardner indicated that there was a 20% requirement in the Highlands Master Development Plan.

Councilmember McConnehey reviewed the reasons that he agreed with amending the WSPA boundaries for this request.

MOTION: Councilmember Nichols moved to adopt and instruct the Mayor to sign Ordinance 15-12, amending West Jordan 2009 City Code Section, 13-5J-2A, “WSPA Defined”, changing the boundaries of the West Side Planning Area (WSPA). The motion was seconded by Councilmember McConnehey.

Councilmember Haaga commented on the trail in the area, which was used by residents. He felt this would be an additional taxation for the citizens purchasing in the Highlands.

Councilmember Southworth previously argued against the density; however, he now saw the benefits and safety.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 5-1.

CONTINUED FROM MAY 27, 2015 - RECEIVE PUBLIC INPUT AND CONSIDER APPROVAL OF ORDINANCE 15-13, RATIFYING THE PLANNING COMMISSION’S APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE GARDNER STATION AND ESTABLISH DENSITY OF 21.39 UNITS PER ACRE LOCATION AT 1206 WEST 7800 SOUTH, P-C (TSOD) ZONE, COLOSIMO BROTHERS, LLC, APPLICANT

Larry Gardner reported that the proposed development had been through numerous meetings and open houses that had ultimately resulted in this proposal before the City Council. The project was revised considerably by the applicant. The revisions to the plan included changes, additions and alterations and were adapted to make it more TOD friendly by:

- Creating a more transit-based development
- Providing a more compact development pattern
- Increasing walkability and pedestrian connectivity
- Integrating a mixed-use element and a commercial component
- Enhancing the relationship with Gardner Village and the impacts on how the site should look, function, and feel. The project should enhance the historic

fabric in the Gardner Village area and optimize the offsite views and diversity of housing choices

- Creating a mixed-use street at the front entrance off of 7800 South to serve residential and commercial purposes and create a sense of place
- The building layout is bent to follow the lay of the land
- Under unit parking on all of the downhill units, which changes the quality of the housing and gives it a higher ranking in the real estate market and provides a new housing type.
- Moving the parking lots to the rear.
- Working with UTA on a bridge situation to overcome the conflict of 7800 South
- Providing a centralized clubhouse and moving the community center to the center of the project for a sense of community
- Utilizing the slopes as an asset instead of a liability
- Strengthening the internal connections to be more pedestrian oriented with sidewalks and street trees, for a stronger connection to the Trax system and better connections to Jordan River trail system.

On August 19, 2014 the Planning Commission considered Preliminary Site Plan and Preliminary Subdivision for a slightly expanded area of property 11.6-acres. In a 5-2 vote, the Planning Commission forwarded a positive recommendation to the City Council to ratify the Preliminary Development Plan and its subject density of 19.25 dwelling units per acre for a total of 224 multi-family residential dwelling units with the condition that the Site and Development Plan be brought back to the Planning Commission for final approval.

On November 19, 2014 the City Council, in a 5 to 2, vote adopted Ordinance 14-11, ratifying the Planning Commission's approval of a residential density of 19.25 units per acre for a total of 224 multi-family residential dwelling units for the Gardner Station project with the following five conditions of approval:

1. Maximum building height of all structures is fifty-eight (58) feet.
2. Developer installation of a center left-turn lane on 1300 West at the north entrance to the site.
3. Developer installation of right-turn deceleration lane and right turn acceleration lane on 1300 West at the north entrance to the site.
4. Developer installation of a four to six- foot wide sidewalk from 1300 West to Gardner Village along the north access of the site, including a pedestrian bridge over the North Jordan Canal, if necessary.
5. Execution of a development agreement between the City and Gardner Village LC prohibiting multi-family structures on the corner of 7800 South and 1300 West.

The five conditions of approval are reflected in the current site and development plans.

GENERAL INFORMATION:

Immediately following the City Council's ratification of the density in November, the applicant proceeded to acquire additional property immediately to the west of the proposed development; this in an effort to expand the ground-level mixed-use component of the project, and add an additional building within the extra acreage of property. With the expanded development area, the applicant submitted a new Site Plan and Subdivision application showing: (1) the new expanded subdivision boundary; (2) an additional building on the newly purchased property; (3) a reconfiguration of the building layout and decrease in building height; and (4) a density increase from the approval in 2014. The density increase was because of the redesign of the additional (land) parcel and building. The project also had increased the flex retail/office space square footage from approximately 7,000 square feet to 30,000 square feet.

The applicant was requesting ratification of the Planning Commission's approval of the new Development Plan and the residential density of 21.39 units per acre resulting in 272 residential dwelling units and approximately 30,000 square feet of retail/flex space for The Station at Gardner Mill. The proposed design for the site now included approximately 30,000 square feet of flex retail space on the ground floor of the southern-most buildings 1 and 2. As mentioned previously, the development had been redesigned to emphasize the integration of both residential and retail components of Gardner Village and vertical mixed-use within the proposed project itself. Pedestrian integration was accomplished through direct connections to Gardner Village and across 7800 South to the UTA Trax station and Jordan River trail system. Additionally the new design provided a vehicular circulation network which created a mixed-use and pedestrian friendly street from the south end of the project to the north. The revised design also established strong internal connections to trails, existing streets, and other uses in the P- C zone and TSOD.

The proposed buildings at Gardner Station were being arranged in such a manner that established a harmonious relationship with the streets and site topography while also capitalizing on views toward the Wasatch and Oquirrh Mountains. The building massing was articulated and detailed in a "theme-based" manner which took cues from nearby historically important sites such as Gardner Village. Architectural details within the proposed project would provide a contemporary look upon the existing historic nature and patterns within Gardner Village. Where previously the architectural ties were lacking in the previous plans— this new proposal attempts to tie elements of Gardner Village into the new project, reinforcing and expanding the "sense-of-place" already established by Gardner Village. The buildings were supported by a suite of amenities that included a centralized clubhouse, pool and spa, fitness room, playground, outdoor dining area and trail connections. The buildings and their amenities were supported by ample access to a variety of parking options that included on-street, structured, and surface parking. This parking was distributed across the site in a manner that reduced the visual impacts while still providing abundant access to parking throughout the site.

Understanding the need to integrate the proposed project with the existing Trax station directly to the South, the applicant had agreed to conceptually work with the City and

Redevelopment Agency to construct a "gateway" pedestrian bridge across 7800 South. At this conceptual stage, the bridge was intended to be constructed at the southeast corner of the Gardner Station property on the north side of 7800 South. In an effort to keep the walkable grades of the bridge as level (flat) as possible, the bridge would commence in an arcing-southerly direction toward the east side of the Rock Church, along the south side of 7800 South. Keeping the grade of the bridge as flat as possible, the bridge would continue south and tie directly into the existing Gardner Village Trax platform. Though the design of the bridge was yet to be established, Gardner Village LC, Colosimo LLC, and the City have all agreed that construction of the bridge was vital and key to the approval of the proposed Gardner Station development. Contingent to the approval of the development, the City intended to collaborate with the developer to create a CDA (Community Development Project Area) to assist in subsidizing the costs of a bridge.

Larry Gardner reported that as required as part of the entitlement of the project was the subdivision of approximately 14-acres of land, approximately 12-acres of which would establish a developable lot for The Station at Gardner Mill development. As part of a development agreement with the City the remaining 2-acres of land, located at the immediate northeast corner of 1300 West and 7800 South, would stay as remainder parcels until the time that the land was ready for development. A development agreement exist which limits development of the remainder parcel to focus on commercial uses and not on multi- family.

The subject property's surrounding zoning and existing land uses were as follows:

	Existing Land Use	Zoning
North	South Valley Water Reclamation Facility/Rural Residential	P-F/RR-.5D
South	Cemetery/TRAX Station (across 7800 South to the east)	PF/C-G
East	Gardner Village (<i>Let's Play Soccer</i> facility)	P-C (TSOD)
West	Rural Residential (single-family homes)	RR-.5D

DEVELOPMENT PLAN FINDINGS:

The final density in the PC zone shall be approved as part of preliminary development plan approval by the City Council after receiving a recommendation from the planning commission. There were no specific findings of fact for Development Plans. A Development Plan was simply intended to be the textual and visual complement to a Site Plan serving as a foundation for all development on a specific site. Furthermore a Development Plan was meant to provide more detail as to those aspects of a proposed development which cannot be readily explained by a site plan or building elevation. The Preliminary Development Plan as submitted adequately provided the information needed to comprehend the overall project.

In conclusion, The Station at Gardner Mill Development Plan was a collaborative effort to address many of the concerns as raised by the City Council and the residents of the abutting neighborhoods, where in the end, an improved and upgraded project could be

constructed on the site. The City Council's action with this application was to approve or disapprove the final Development Plan and establish the density of the project after receiving a recommendation from the Planning Commission.

Staff recommended that based on the requirements listed in the Zoning Ordinance, that the City Council ratify the Planning Commission's approval of The Station at Gardner Mill Preliminary Development Plan generally located at 7659 south 1300 West with a residential density of 21.39 units per acre for a total of 272 multi-family residential dwelling units.

On May 5, 2015, the Planning Commission approved with a 7-0 vote, the Preliminary Development Plan with a residential density of 21.39 units per acre for a total of 272 residential units.

Larry Gardner said if the proposed ordinance was not approved the applicant could develop the property under the previously approved Ordinance 14-11, approved on November 19, 2014 and included in the Council's agenda packet.

Joe Colosimo, Applicant, reported that Ray Whitchurch, IBI Group, would be speaking.

Ray Whitchurch, IBI Group, said they had raised the quality of the development by installing elevators. He re-reviewed the approved plan. He said the revised plan had been reviewed by the Planning Commissioners. He reviewed some of the improvements:

- Added elevators
- Moved buildings six and seven
- Provided driveway access into the parking lot
- Added rooftop decks
- Additional retail use
- New building types
- Density change
- Prior conditions (met condition approvals)

He felt the overall quality of the project had improved.

Councilmember Haaga left the meeting at 7:43 p.m.

Councilmember Haaga returned at 7:47 p.m.

Mayor Rolfe opened the public hearing.

Jay Thomas, West Jordan resident, said he opposed approval of Ordinance 15-13. He listed some of his reasons:

- Safety concerns not addressed
- Additional Traffic

- Parking

Alexandra Eframo, West Jordan resident, also opposed approval of the proposed Ordinance.

Chad Lamb, West Jordan resident, voiced his concerns regarding the additional traffic on 1300 West. He asked Council to address 1300 West traffic concerns first.

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

The Council and staff discussed clarifying questions:

- Traffic and parking
- Future improvements of 1300 West and 7800 South

Staff reviewed the proposed changes for the future

- Additional 48 units
- Building heights seen from 1300 West (now lower)
- Funding from the State and Federal level

Councilmember Southworth felt this was a great plan.

Councilmember McConnehey addressed his concerns:

- Increased traffic
- Increased density
- Timing
- Additional retail (traffic flow)
- If this did not pass, the plan would revert back to the original approved plan

He said he had been concerned with the original plan prior to its approval. However, the overall feel of this project seemed to be significantly improved.

MOTION: Councilmember Southworth moved that the City Council adopt Ordinance 15-13, and ratify the Planning Commission's approval of The Station at Gardner Mill Preliminary Development Plan for property generally located at 7659 South 1300 West with a residential density of 21.39 units per acre for a total of 272 multi-family residential dwelling units on 12.7-acres of property. The motion was seconded by Councilmember Hansen.

Councilmember Haaga believed the developers were wearing out the residents. He felt the design had not changed and they should not be granted an additional 48 units. He spoke against the motion.

Mayor Rolfe spoke against the motion. He felt adding the 48 units would not be appropriate at this location.

Councilmember Nichols agreed with some of the concerns of Councilmember Haaga and McConnehey. However, he preferred this Station at Gardner Mill Preliminary Development Plan over the first one.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	No

The motion passed 4-2.

IX. BUSINESS ITEM

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-113, SETTING THE 2015 PROPERTY TAX RATE FOR THE CITY OF WEST JORDAN

Ryan Bradshaw reported that the Utah state law required the annual property tax levy to be set before June 22 of each year. As of the time of preparation of this document, the City had not received the certified tax information from Salt Lake County. The City traditionally received the certified tax rate information from Salt Lake County in the June 10-15 timeframe and also traditionally sets its property tax rate at a rate not to exceed the rate that was determined by Salt Lake County.

The fiscal impact for the 2015-2016 fiscal year, the General Purposes Property Tax was projected to be \$11,405,261 and the Interest & Sinking Fund (Debt Service) Property Tax was projected to be \$756,542.

Staff recommended adoption of Resolution 15-113, setting the 2015 property tax rate at a rate not to exceed the certified rate to be determined by Salt Lake County.

MOTION: Councilmember Nichols moved to adopt Resolution 15-113, setting the 2015 property tax rate at a rate not to exceed the certified rate to be determined by Salt Lake County. The motion was seconded by Councilmember Southworth.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

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

MOTION: Councilmember Haaga moved to continue this item until a full Council was present. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-114, AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH CENTURYLINK

David Oka reported that staff had reviewed the agreement and found it to be in order. CenturyLink applied for a franchise to provide cable television services in West Jordan. Currently, there was existing Qwest infrastructure over and through which the services can be provided in some locations within the City. No additional infrastructure was planned immediately. In the future, when and if CenturyLink desired to perform construction activities within the City's right-of-way, an encroachment permit would be required for installation, repair or removal activities.

The term of the agreement was ten (10) years. It allowed CenturyLink to provide the services using the City's present and future rights-of way. As stated above, work within the right-of-way required an encroachment permit. The use of the right-of-way was also subject to the terms and conditions of the Franchise Agreement and West Jordan City Code and standards. Some of the provisions of the Franchise Agreement address

trimming and cutting of trees, restoration of rights-of-way, safety, inspection by the City, location of the distribution lines, moving of lines. Specifically, the City required CenturyLink property to be relocated or removed within 90-days of the City's request, and the City had the right to remove or relocate CenturyLink property as needed for emergencies. The City would collect franchise fees, in compliance with Federal and State law, in the amount of 5% of CenturyLink's gross revenue as defined in the proposed Franchise Agreement.

The proposed agreement had been reviewed by CenturyLink, and CenturyLink and City staff had agreed to and incorporated each other's comments.

Staff recommended the City Council adopt the Resolution 15-114, the approval of the Franchise Agreement.

MOTION: Councilmember Southworth moved to approve Resolution 15-114, authorizing the Mayor to execute the Cable Television Franchise Agreement between the City of West Jordan and Qwest Broadband Services, Inc. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-115, THE CITY OF WEST JORDAN'S SUPPORT SALT LAKE COUNTY TO PLACE A LOCAL OPTION SALES TAX ON THE BALLOT IN NOVEMBER 2015

Bryce Haderlie said in the 2015 General Session, the Utah State Legislature enacted House Bill 362, which gave local governments the authority to enact a 0.25% general sales tax for transportation projects. The tax would be implemented after approval by approval by voters in a general election, and was administered on a county by county basis, meaning the local governing body for each county must place the issue before voters on the ballot in either 2015 or 2016.

Before deciding whether to place the local option question before voters, the Salt Lake County Council had requested municipalities within its jurisdiction to enact a resolution supporting the Council's action.

If approved by the voters, the City would receive 0.10% of the total, the County would receive 0.05% and the Utah Transit Authority would receive 0.10%. Additionally, the City would be obligated to maintain current levels of transportation funding, meaning the new revenue could not replace general fund monies allocated to road projects.

He said there would be no fiscal impact associated with the passage of the proposed resolution.

Staff recommended approval of the proposed resolution.

Councilmember Haaga was against having this responsibility on the City Council. He felt if residents wanted this issue on the ballot they should call the County Council.

Mayor Rolfe said that Salt Lake County was looking for each city to represent their residents and state whether they support this on the ballot. The voters would decide whether to have this tax. He was in favor of having this item on the ballot and would like his fellow Councilmembers to support having the residents decide.

Councilmember McConnehey reviewed several changes he would like to see in the proposed Resolution.

MOTION: Councilmember McConnehey moved to approve Resolution 15-115, with the following changes to the Resolution only using the final two 'Whereas' statements, and keep only Section 2 (minus the last sentence), Section 7, and Section 8, support action by the Salt Lake County Council placing the local option transportation tax on the November 2015 ballot. The motion was seconded by Councilmember Nichols.

Councilmember Southworth opposed the motion. He felt City roads were being held hostage to the needs of Salt Lake County and Utah Transit Authority.

Councilmember McConnehey felt this needed to be fixed on the State level, but not at this time.

Councilmember Southworth indicated that if this tax was not passed, then the need for transportation funding would still be there.

Mayor Rolfe said that Salt Lake County Council would just like support from the cities to place this item on the ballot. The discussion was not whether to favor or oppose the tax.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	No
Mayor Rolfe	Yes

The motion passed 5-1.

MOTION: Councilmember McConnehey moved to discuss Business Item 9f as the next item. The motion was seconded by Councilmember Haaga and passed 6-0 in favor.

BUSINESS ITEM 9F

DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHING A STORMWATER GRANT PROGRAM

Councilmember Nichols recused himself from the item, due to a conflict of interest, and stepped down from the dais.

Justin Stoker said based upon discussion and feedback from the City Council meeting on May 13, 2015, details regarding the program had been developed into this final proposal.

This item finalized the framework for the grant program based upon Council direction. Set for discussion during the June 24, 2015, Council meeting were a variety of items related to the Risk Management office, including a financial review and a proposed text amendment to the City Code.

Staff recommended approval of the Stormwater Grant Program for West Jordan City.

Justin Stoker provided the following information:

Year 1 (July 2015-June 2016):

It is intended that the funds will be used for one of following purposes during the first year of the program:

- Pay for clean-up of a residential home damaged by flooding (limit \$10,000).
- Pay for some or all of the restoration of a residential home damaged by flooding (limit \$10,000).
- Allow for grants towards projects to protect a residential home from flooding (limit \$10,000).

- Serve to pay for building permit and inspection fees associated with a homeowner's initiative to modify their home. This requires that a homeowner is in an area of historic flooding and is making specific improvements to increase the home's resistance to flooding.

To qualify, an applicant must show that the impacted home had suffered a flood loss and to quantify the estimated costs for clean-up and to restore the home to a condition similar to that before the flooding (public money cannot be used to "improve" the home). Those costs could then be submitted to the City's Risk Management office along with any associated applications to assist in the process of validating and issuing those grants.

For homes that had experienced a documented flood loss in the past or are in an area of historic flooding, another option existed to homeowners that wish to proactively make changes to their home to improve the resistance to flooding. In these situations, the grant money could be used for small mitigation projects or to pay for permit applications, inspection fees, or other city related charges associated with construction at the home. The money must be used in connection with homeowner efforts to make the home more resistant to flooding through small mitigation projects such as a driveway drain, slightly raising the drive approach or berming along the property line. The grant money cannot be used for home improvements unrelated to flood mitigation. For mitigation projects, the homeowner may apply to have funds used to pay for City-imposed costs related to permits and inspections.

The grant money was not intended to replace the home owner's responsibility to properly convey their own property runoff in a safe and reasonable manner. It is likewise not intended to accept responsibility for flooding related to runoff from one property owner onto a neighboring property, or an owner's decision to purchase or build a home with a reverse-grade driveway, or a home sitting lower than the street.

Year 2+ (July 2016-beyond):

After the Year 1 applications had been completed (which will include twelve months of retroactivity), it was anticipated that there would be a reduced number of application requests received in the second and subsequent years as applications would trend toward flood loss received for the current year. Beginning in the second year of the program, applications would be received for not only the four areas listed earlier, but also those applications for more substantial changes to the property. These are projects that would exceed the \$10,000 limit and could involve more substantial changes to the home. Beginning in the second year, if the home owner wished to begin a substantial project that a pre-application meeting be set up with the City to review the availability of funds and to review the project for the ability to mitigate long term flood damage. Pre-application meetings would consist of a representative from Risk Management and from Public Works to assist the home owner in the request.

The funding of the program may change from year to year based upon allocations from City Council.

Application Process

With City Council approval of the program and an appropriation of funds for the program, the Public Works Department would work with the Risk Management office to create the application, which residents would complete to apply for any available grant money. The application would require that residents use the money towards one of the approved purposes.

Grant applications would include the contact information for the homeowner and would identify the proposed clean-up, restoration work, or scope of the mitigation intended for the home, along with a bid or cost estimate for the proposed work. The application would then be reviewed for appropriateness. If the request was only for clean-up or restoration, then the application may be reviewed solely by the Risk Management Office. Likewise, if the request was for a waiver of fees for a homeowner's modification, that application may be handled directly between the Development and Risk Management offices. In all applications the Public Works Department would provide support, but the program would be principally run by Risk Management.

At the start of the program implementation, there would be a 45-day period for which people could submit requests for funds. At the end of the 45-day period, if the approved applications amount to a value less than the approved funds, then payments would be made. If the amount of the requests received within the first 45-day period exceeded the allowable funding, then applications may receive partial payment. If funding does become a limiting factor, then awards would be based upon past history of flooding at the property and severity of the loss. If program funding was limited by the number of applications, then grants may be given but may not be for the full amount requested at the discretion of the City.

Due to the anticipated need and the number of residences this program can assist, it was anticipated at these would be one-time awards for any one particular cause although residents may make multiple applications for different causes (e.g. clean-up and restoration). Within the available funding, the goal was to address the largest number of issues across the various neighborhoods of the City. While the initial program would not consider repeat awards to a singular residence for the same cause, repeat awards may be considered in the future, based upon need and continued funding.

Justin Stoker said the intent for this program was to solve potential problems and to assist as many residents as possible while still being financially responsible with the funds allocated to the program. Every effort would be made to help all those that apply and ask for assistance.

The Council and staff discussed the following:

- Final decision maker

- Clarification in the final version regarding what amount could be applied for

Councilmember McConnehey asked that the following sentence be changed: “It is intended that the funds will be used for one of following purposes during the first year of the program.” He would also like a sentence added such as “for a total potential reimbursement of

Justin Stoker indicated that the final version could read: “It is intended that the funds will be used for one or more of following purposes during the first year of the program” and he could add the additional sentence.

Councilmember McConnehey said that if there was a question or dispute, and it went into the various departments, he would like to see a Councilmember from another district help resolve the issue. Lastly, he was concerned with the timeline for the residents.

Justin Stoker explained that if residents were seeking building permit labor fees it could be made immediately, also the 45-day period could be reduced to 30 days.

Councilmember McConnehey wanted the building permit item exempt from the 45-day period.

Darien Alcorn informed the Council that the text amendment was necessary. The 45-day waiting period was to ensure that the total value could compare to the total value of all of the applications, to the total amount that was budgeted to pay out the grant. Building permit fees would still be coming from the same fund. Agreeing to the building permit fees in advance would reduce the grant fee availability on a first come first served basis.

Mayor Rolfe felt the process should not be evaluated piece by piece. He felt staff needed sufficient time.

Councilmember McConnehey said maybe at the start of the program a one-time exception could be made to a two-week window, and any building permits submitted/requested within that two-week window staff, would wait two-weeks and then review them; however, anything submitted after July 15, 2015, would be subject to the normal 45-day window. He did not want the affected residents to have to wait until next spring. He wanted to get the building permit process done, so residents could move forward, or possibly allowing for reimbursement of building permits.

Mayor Rolfe said it could be a possibility if that was an approved amount, but there must be documentation.

Bryce Haderlie said the text language still needed to be brought back for Council approval. Staff would try to evaluate areas where the time frame might be shortened.

The Council and staff discussed clarifying questions.

- Was this a reimbursement
- Stormwater Grant program – Year 1-left out the stormwater reference

Justin Stoker said that flooding was left out of the major projects description (so if a major disaster impacted the City, the City would have flexibility).

- In order to qualify a resident must be in a location of the stormwater flooding
- Language to protect the City
- Reverse grade driveway language could be removed
- Possible if funding ran out first year, applicants who received only partial funding could resubmit for balance
- Clarification on totals

MOTION: Councilmember Haaga moved to suspend the rules and extend the meeting until 9:30 p.m. The motion was seconded by Councilmember Southworth and passed 5-0 in favor.

MOTION: Mayor Rolfe moved to approve the proposed Stormwater Grant Program as presented, with direction for staff to bring back the amended language as discussed. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Absent
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 5-0.

Councilmember Nichols returned to the dais.

MOTION: Councilmember Southworth moved to take a short five-minute break. The motion was seconded by Councilmember McConnehey and passed 6-0 in favor.

The Council recessed at 8:58 p.m. and reconvened at 9:03 p.m.

BUSINESS ITEM 9E

DISCUSSION AND POSSIBLE ACTION REGARDING THE LED STREETLIGHT REPLACEMENT FOR THE ACQUISITION OF FIXTURES AND INSTALLATION

Justin Stoker provided an update on the acquisition of LED streetlights. He said as final evaluation and selection of the fixtures drew close, attention was drawn to how the City Council would like to have the fixtures installed. There had been various discussions about whether to contract the work out to a private company that would work under contract to do the replacement or to do the work with in-house staff.

The following three options were provided:

Option 1: Contracted work to perform installation

An RFP would need to be created and then go out for bid for a qualified electrical contractor to perform the replacement of the streetlight fixtures. There are a number of companies in the area that were qualified to perform the work.

A rough estimate was created based upon feedback from various municipalities, professional organizations, and contractors.

On average it could be estimated that it would cost about \$50 per light fixture to take an existing streetlight fixture and replace it with a new fixture that was provided by the City. The \$50 average included labor, incidental materials, and vehicle expenses.

With about 5000 fixtures scheduled for replacement in the City, it was reasonable to estimate that a replacement contract would cost approximately \$250,000.

Depending on the contract, the replacement could be done in as little as 6-months or as much as 18-months depending on the request. For a single crew that replaces fixtures at an average rate of three to four fixtures per hour, full replacement could be done in an eight or nine-month schedule.

In addition to the light fixture replacement, it was common for the contractor to provide additional services such as surveying in light poles and entering in GIS data regarding each light as part of the contract. Additionally, one benefit of contracted work was that they can work entirely during the night to minimize impacts to traffic.

Option 2: City Staff to perform installation

The greatest benefit to utilizing city staff to perform the work would be the cost savings. Currently, the City's electrical group consisted of a Master Electrician, a Journeyman Electrician (currently classified as an Apprentice), a Street's Maintenance I, and a Seasonal Laborer. With a bit of reorganization, the City Staff can be properly setup to perform all of the light fixture replacements.

City staff also had the ability to perform any sort of GIS information gathering. With the replacement done by staff, the experience would be there in case warranty replacements, modifications, or maintenance were ever required.

With the other responsibilities of the City staff, it was anticipated that the streetlight replacement would be mingled with other responsibilities and could take 18-24 months to complete.

Again, there would also be the need to reclassify the three current electrical staff members, in accordance with their license requirements, obtain a contractor's license, and to hire a fourth electrician to have two fully functioning electrical teams. If the City got a contractor's license it would allow for the City to create and sponsor an apprenticeship program with a number of benefits for both the City and the electricians.

Option 3: City Staff to perform installation and contract replacement of fixtures near overhead power

The major disadvantage to having staff do all of the work is the limited number of overhead high power electrical lines that run through the City. It requires special training and carries a certain amount of risk involved with replacing streetlight fixtures if they were close to overhead power lines.

Staff would recommend a mixed approach, rather than the all-or-nothing approaches detailed in Options 1 and 2. With this option, City staff would perform all replacements except for those near overhead power lines. While a detailed list of which streets this includes had not been finalized, it was estimated that City staff would still replace approximately 90% of all of the lights (most of the lights near power lines are on Rocky Mountain Power poles and were not included in the project). This option greatly reduced the risk to the City by allowing a contractor that was already properly trained to handle the replacement of those that may be in more dangerous situations.

With this option, there would still be a need for staff changes to be able to meet the demand for their services. There was currently a backlog of demand for electrical services in the City. Once the streetlight replacement is done, there would still be the work available to justify two electrical work teams.

Staff recommended Option 3 due to the cost savings over Option 1 and the reduced risk over Option 2.

Justin Stoker reported that there would be a night-time walk-through with the samples installed. Council would be invited.

The Council and staff commented on the following:

- New development - power poles be powder coated
- New development only - solar power street lights required

- Research whether the power poles on Mountain View Corridor with solar power was cost saving (The figure was approximately \$10,000 per fixture)

Justin Stoker addressed all of the options for Council's consideration with additional updated information regarding Option 2.

The Council and staff discussed the various options.

MOTION: Councilmember Nichols moved to direct staff to install the new LED streetlight fixtures in accordance with Option 1. The motion was seconded by Councilmember Southworth.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A SEVERANCE AGREEMENT FOR JEFF ROBINSON

This item was not discussed.

CONSENT ITEM 7E

APPROVE RESOLUTION 15-107, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SNOW, CHRISTENSEN & MARTINEAU TO RENDER LEGAL SERVICES DEFENDING THE CITY OF WEST JORDAN FOR PENDING LITIGATION

Darien Alcorn reported that pursuant to West Jordan's purchasing policies, the City Attorney's office requested statements of qualifications from attorneys interested in performing legal litigation services for the City on an as-needed basis. After receiving direction and authorization from the City Council and City Manager, the City Attorney's office contacted three qualified law firms who had submitted statements, and inquired about their availability to represent West Jordan in one pending litigation matter.

Two of the three law firms contacted were not available. However, the law firm of Snow, Christensen, and Martineau was available and capable of representing West Jordan in this litigation matter. The engagement letter included in the Council's agenda packet was proposed to memorialize the representation. The hourly rates were as follows: Maralyn

English, \$250.00; other shareholders, \$250.00; Associates, \$220.00; and Paralegals, \$140.00. They would appraise the City Attorney's office of progress and coordinate work with the City Attorney's office where possible to reduce the expense of outside legal fees.

The fiscal impact would be the on-going legal services for pending litigation.

Staff recommended adoption of the proposed Resolution.

Councilmember Haaga indicated he was opposed to this contract.

MOTION: Councilmember McConnehey moved to approve Resolution 15-07, authorizing the Mayor to execute a written agreement with Snow, Christensen, and Martineau for the rendering of legal services defending the City and its representatives in the now pending litigation. The motion was seconded by Councilmember Nichols.

Councilmember Haaga would like staff to re-evaluate. He felt the cost was steep.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 5-1.

CONSENT ITEM 7F

APPROVE RESOLUTION 15-108, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 5 WITH CODY EKKER CONSTRUCTION, INC. FOR THE BINGHAM CREEK CULVERT IMPROVEMENT PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$35,325.82

The Bingham Creek Culvert Project was widening the road, adding sidewalk, curb and gutter, and replacing culverts at both 1300 West and 4000 West. The project was progressing well, and now required a change order for additional asphalt placement, curb and gutter, and fencing at 1300 West; and additional retaining wall concrete and sewer piper replacement and bypass pumping at 4000 West. The sewer pipe replacement was needed as the existing transit pipe was unstable and ran right through the excavation, and would fracture if it was not replaced.

Previous changes to the contract address safety concerns along the roadways by adding jersey barriers and guard railing, and adding a concrete pedestrian barrier next to the sidewalk. All of these changes better protect motorists and pedestrians from accidentally entering the creek.

The funds for this project were available in the Storm Capital account.

The Council and staff discussed clarifying questions.

MOTION: Councilmember Haaga moved to adopt Resolution 15-08, authorizing the Mayor to execute Change Order No. 5 with Cody Ekker Construction, Inc. for an amount not-to-exceed \$35,325.82. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

PUBLIC HEARING ITEM 8A

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL RESOLUTION 15-112, APPROVING THE FINAL BUDGETS FOR THE CITY OF WEST JORDAN GENERAL FUND, THE SPECIAL REVENUE FUNDS, THE CAPITAL PROJECTS FUNDS, THE WATER FUND, THE SEWER FUND, THE SOLID WASTE FUND, THE STORM WATER FUND, AND THE INTERNAL SERVICE FUNDS FOR FISCAL YEAR 2015-2016

This discussion was continued from earlier in the meeting.

Eric Okerlund reviewed the changes that had been made since the last Council review.

The Council and staff discussed clarifying questions regarding the Fiscal Year 2015-2016 Budget:

- Hiring additional crews for what could be temporary work (Contract out instead)
- Stormwater regarding debt
- Career ladders – Citywide
- Fund balance

Bryce Haderlie reviewed the list of items for proposed approval with this Resolution:
(some dollars amounts were estimated)

- Education reimbursement - \$25,000
- Job reclassifications estimated - \$120,130
- Position consolidation - \$43,000

Councilmember Haaga called the previous question. There was no second.

- Competitive plus advantage - \$24,835
- Interns - \$16,800

MOTION: Councilmember Nichols moved to approve Resolution 15-112, approving the Final Budgets for the City of West Jordan General Fund, the Special Revenue Funds, the Capital Projects Funds, the Water Fund, the Sewer Fund, the Solid Waste Fund, the Storm Water Fund, and the Internal Service Funds for Fiscal Year 2015-2016, removing the concrete crew; and include the items addressed by Bryce Haderlie. The motion was seconded by Councilmember Southworth.

Councilmember Haaga opposed the motion. He did not see the justification for spending approximately \$5 million. He said this budget would be taking the Fund Balance from 25% to 16%.

Mayor Rolfe opposed the motion.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	No

The motion passed 4-2.

BUSINESS ITEM 9G

DISCUSSION AND POSSIBLE ACTION REGARDING COUNCIL ASSIGNMENTS OF FORMER COUNCIL MEMBER JUSTIN STOKER

Former Councilmember Justin Stoker Council assignments:

Arts Council

Historic Preservation – alternate

Parks & Open Land Committee

Jordan River Restoration Project
Branding/Logo Committee
CDBG/Home Committee
Jordan River Council

MOTION: Councilmember Southworth moved to table this item until the next City Council meeting. The motion was seconded by Councilmember Nichols and passed 5-1 with Councilmember McConnehey casting the negative vote.

X. REMARKS
CITY FLAG

Councilmember Southworth was contacted by a citizen regarding the unavailability of a City Flag. He said maybe the graphics could be provided to a company where the flag might be available for purchase.

Councilmember McConnehey said he opposed the motion to table Business Item 9g, due to the fact that some meetings were being missed. He said the next Jordan River Commission meeting was scheduled for June 18, 2015.

MOTION: Councilmember McConnehey moved to assign all committee assignments that had not already been assigned, from previous Councilmember Stoker to Councilmember Rice. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Absent
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 6-0.

XI. ADJOURN

MOTION: Councilmember Nichols moved to adjourn the City Council meeting and convene the Redevelopment meeting. The motion was seconded by Councilmember McConnehey and passed 6-0 in favor.

The meeting adjourned at 9:47 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 24th day of June 2015