

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

Wednesday, May 27, 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 Sophie Rice. Council Member Ben Southworth was excused.

STAFF: Bryce Haderlie, Interim City Manager; Darien Alcorn, Deputy City Attorney; Carol Herman, Deputy City Clerk; David Oka, Economic Development Director; Ryan Bradshaw, Finance Manager/Controller; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief, Doug Diamond, Police Chief, Eric Okerlund, Budget Officer, Larry Gardner, Senior Planner, Chuck Tarver, Grant/CDBG Coordinator, Jonathan Gardner, Human Resources Manager, and Brian Clegg, Parks Director.

I. CALL TO ORDER

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

Ia. 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 Rolfe and Councilmembers Jeff Haaga, Judy Hansen, Chad Nichols, and Sophie Rice. Councilmember Chris McConnehey arrived at 5:05 p.m. Councilmember Ben Southworth was excused.

STAFF: Bryce Haderlie, Interim City Manager; providing legal representation were Eric Johnson, Tracy Cowdell and Chad Wooley.

MOTION: Councilmember Hansen 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 Haaga.

A roll call vote was taken

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

The motion passed 5-0.

The Council convened a Closed Session at 5:03 p.m.

The City Council meeting reconvened at 6:23 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Derek Anderson, Troop 1133.

III. PRESENTATION

Presentation of ‘One with Courage’, addressing No Child Abuse for Children

Doug Diamond presented a short video pertaining to “One with Courage,” a national initiative that had recently been kicked off in Utah. It was designed to prevent and also encourage the reporting of child sexual abuse. He explained that there was a lot of information available at onewithcourageutah.org regarding how to be the “one with courage” either as a parent, friend, clergy, educator, etc. to be aware of the signs of child sexual abuse and be the one to speak up and report it. He stated that we each had that responsibility.

IV. COMMUNICATIONS

INTERIM CITY MANAGER COMMENTS/REPORTS

Bryce Haderlie –

- Asked for the Council’s approval to extend the Council’s appreciation to various volunteers. There was no objection.
- Regarding future events at the rodeo arena, the Council had previously agreed that there would be no further events beyond what had already been approved previously. However, there was an event on June 14 that was scheduled prior to that discussion. He confirmed with the Council that they did not wish to have further events scheduled at the arena until they had a chance to review other options.

STAFF COMMENTS/REPORTS

David Oka –

- Explained that he had attended the International Council of Shopping Centers convention along with Mayor Rolfe, Councilmember Haaga, and Bryce Haderlie. Many great contacts were made, including one firm that was negotiating for some space in the City.

Wendell Rigby –

- Reported that the environmental phase of the 7000 South corridor study was commencing, with an Open House for public comment scheduled on June 9 from 5:30 to 7:30 p.m. in the Community Room at City Hall.
- Regarding the storm water construction project, nine bids were received which came in under the engineer's cost estimate. He anticipated that the contract would be presented to the Council on June 10.

Marc McElreath –

- Susan Cahoon, Executive Assistant in the Fire Department, was retiring on June 1 after 19 years of service. There would be an Open House for her the following Friday from 2 p.m. to 4 p.m.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Haaga –

- Stated that at the ICSC convention he was very impressed with Economic Development Director David Oka and the number of people he was in contact with.

Councilmember Hansen –

- Attended the Memorial Day service earlier in the week and said it was awe-inspiring and very well done.

Councilmember McConnehey –

- Thanked the Public Works staff for the effort they put in at the Open House held for those affected by flooding near Constitution Park. They were prepared with detailed information in response to the residents' questions and reported on specific actions slated to take place immediately.
- He was recently informed that the Jordan River Commission still showed Justin Stoker as representing the City. He asked that an item be added to the next Council meeting agenda wherein Mr. Stoker's previous committee assignments would be discussed. The item was placed on the June 10, 2015 agenda.

Mayor Rolfe-

- Agreed with Councilmember McConnehey that staff made a wonderful presentation at the Open House. He then read the following statement:

Because the right of free speech is so important to me, I will defend that right always. After reviewing articles in the West Jordan Journal, I want to state on the record some of the facts that were stated in error:

1. First, Bryce Haderlie was not in the building on April 20th at 9:15 a.m.
2. Second, the entire City Council was told the week before that he would not be there.
3. Third, under direction of the City Council and Municipal Code 1-7D-9, Police Chief Diamond has assumed the role of Temporary City Manager in Bryce Haderlie's absence many times.
4. Fourth, Councilmember Southworth was not at the April 17th closed door session.
5. Fifth, there would be only one subject of closed door session that the city manager would not participate in.
6. Sixth, I have recordings of the closed sessions for April 8th and April 17th.

V. CITIZEN COMMENTS

Alexandra Eframo, West Jordan resident, asked that they pause for a moment to reflect upon common goals. She then stated that she was still waiting for a public apology from a Councilmember who she believed behaved shamefully at the April 29, 2015 City Council meeting. She next mentioned an incident at City Hall which she was involved in the previous January wherein she was searched by West Jordan Police. She explained that in a later discussion with the Police Chief, he discourteously interrupted her when she was attempting to point out errors in the police report. She felt she had been treated like an animal and was mentally abused. She asked the Council to upgrade the Deputy Police Chief to Police Chief.

Dirk Burton, West Jordan resident, stated that he appreciated that the Council was listening to the concerns of residents who lived near the rodeo arena. However, he did not think it wise to stop accepting applications for future events at the venue. He feared the problem would never be resolved that way. He also wished to discuss the fact that St. George had recently been in the news regarding residents who rented rooms in their homes to visitors. He suggested that the Council proactively look into similar ordinances within West Jordan.

Kayleen Whitelock stated that she would first address the Council as a member of the Jordan School District Board of Education and would then then address them as a constituent. As a board member, she reported that things were going well in the District and that existing funds had been located which would provide for the construction of two new elementary schools. There would be future needs that would still require a small bond.

As a citizen of West Jordan, she stated that although she understood what it was like to be garnering attention from the press, she encouraged the councilmembers to do what they needed in order to allow another city to have a turn in the spotlight. She had been embarrassed by the reactions of others when they learned that she was a West Jordan resident. Finally, she expressed to Councilmember Hansen that the roads in her neighborhood still needed work and she asked that she continue to give them her attention. She ended her comments by expressing her appreciation to the Council for the unseen hours they spent working for the City.

There was no one else who wished to speak.

Councilmember Haaga pulled business items 8.a and 8.b from the agenda.

Councilmember Hansen asked that those individuals who were being appointed to various City committees be notified. Mayor Rolfe invited her to announce the names publicly as notification.

Adam Gardiner – Sustainability Committee
Angel Selis – Healthy West Jordan Committee
Kim Ratcliffe – Parks and Open Land Committee
Chelsea McGee – Youth Theatre Subcommittee
Brett Turner – Youth Theatre Subcommittee
Larry White – Arts Council, Vice Chairperson
David Pack - Design Review Committee, Chairperson
Holly Bell – Design Review Committee, Vice Chairperson

VI. CONSENT ITEMS

- 6.a Approve the minutes of May 12, 2015 as presented**
- 6.b Approve a request from Dawn Lehmborg to serve alcohol at Pioneer Hall May 29, 2015**
- 6.c Approve Resolution 15-98, authorizing the Mayor to execute an agreement with Waters & Company for the recruitment of a City Manager, not to exceed \$24,500.00.**

- 6.d Approve Ordinance 15-102, confirming City Council appointments of members to serve on various committees**
- 6.e Approve Resolution 15-99, authorizing the Mayor to execute a contract change order with Pro Industrial Services, LLC to install a cooling tower drain line in an amount not to exceed \$3,250.00**
- 6.f Approve Resolution 15-100, authorizing the Mayor to execute Amendment No. 3 to the contract with A-Z Landscaping, Inc. to extend landscape maintenance services to Stone Creek I and Fairway Estates subdivisions in an amount not to exceed \$10,578.00**
- 6.g Approve Resolution 15-101, authorizing the Mayor to execute a contract with Glover Landscape and Snow for landscape maintenance services in the Sycamores & Maples Developments, in an amount not to exceed \$19,800.00**

MOTION: Councilmember Hansen moved to approve Consent Items 6.a through 6.g. 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	Yes
Councilmember Southworth	Absent
Mayor Rolfe	Yes

The motion passed 6-0.

VII. PUBLIC HEARING

**CONTINUE UNTIL JUNE 10, 2105 – MOTION REQUIRED
RECEIVE PUBLIC INPUT AND CONSIDER APPROVAL OF AN
ORDINANCE RATIFYING THE PLANNING COMMISSION’S
APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE
GARDNER STATION AND ESTABLISH DENSITY OF 21.39 UNITS PER
ACRE LOCATED AT 1206 WEST 7800 SOUTH, P-C ZONE, COLOSIMO
BROTHERS, LLC (APPLICANT)**

Mayor Rolfe stated that although the applicant had requested this item be continued until the next City Council meeting, he wished to allow residents to speak if they chose to.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, expressed her strong opposition to high density development. She said she knew it did not matter since it had already been approved but she still wished to express her opposition.

Mayor Rolfe pointed out for the record that this was a *new* application requesting a higher density and involving additional land.

Kayleen Whitelock, West Jordan resident, implored the Council to look seriously at high density, saying that although the “planning people” thought it was great, she was not sure it was the best thing for the City.

There was no one else who wished to speak.

Mayor Rolfe closed the public hearing.

MOTION: Councilmember Nichols moved to continue Public Hearing item 7.a to June 10, 2015. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

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

The motion passed 5-1.

RECEIVE PUBLIC INPUT AND CONSIDER APPROVAL OF ORDINANCE 15-11, AMENDING ORDINANCE 02-51 ZONING CONDITION #E FOR THE REDWOOD PROFESSIONAL PLAZA, LOCATED AT 8800-8860 SOUTH REDWOOD ROAD, TO ALLOW FOR STRUCTURES, APART FROM THE ACTUAL BUILDING, TO BE BUILT WITHIN 50 FEET FROM THE PROPERTY BOUNDARIES, CLARK CHAMBERLAIN, APPLICANT

Councilmember Haaga stated that this item involved his neighborhood and that he would be speaking on behalf of the neighborhood. For that reason he excused himself from the dais and stepped down.

David Oka turned the time over to Larry Gardner who explained that the subject property was rezoned to SC-2 (Community Shopping Center Zone) with zoning conditions on

December 3, 2002 by the City Council. The zoning conditions passed with the rezone established that:

- a. Eight 8 foot high barrier wall to be constructed and maintained on the property line around the west and north boundaries with residential property prior to construction. The materials of the wall are to match the existing wall. (Buffer)
- b. Twenty feet 20 of landscaping to meet West Jordan code around west and north perimeters to include trees and thorny-type shrubbery to discourage human contact with the commercial side of the wall. Tree spacing along north and west property lines to be a minimum of 1 tree every 40 feet. (Buffer)
- c. Parking lot lighting to be diffused/directed away from residential property and turned off between the hours of 12 midnight and 7 AM except for required security lighting. (Buffer)
- d. No dumpsters may be placed against the west and north landscape boundaries of the property unless fully enclosed. All restaurant dumpsters on the property shall be fully enclosed and lockable. (Setback)
- e. Building set back from north and west property lines 50 feet, not including the loading docks and dumpsters. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)
- f. No delivery trucks before 6 AM or after 10 PM and no overnight tractor trailer parking on site. (Uses)
- g. Exclude uses that would normally be allowed as conditional uses in SC-2 zone: major utility structures, commercial parking, liquor stores, secondhand stores, gasoline service stations, vehicle and equipment rental and sales, new car and truck rental and sale (used car and truck rental and sales as an accessory to use to new vehicle sales) protective service, (except a West Jordan Cop Shop) and check cashing service that includes cash loans quick cash and check cashing services. Pawnbrokers are not a conditional or permitted use in S2C zones. A conditional use permit cannot be obtained for more than one fast food restaurant. (Uses)
- h. All exterior mechanical equipment will be screened and/or landscaped according to West Jordan Code. (Building and Architecture)
- i. Sit-down restaurant to be located near the southeast corner of the property. (Uses)
- j. Maximum roof line height of any retail building on the property to be thirty five feet (35'). (Height)
- k. Speed control measures to be installed in drive aisle behind building on west end of property. (Building and Architecture)

After the rezone, the property was developed into professional offices, retail stores and a restaurant. The applicant wished to build six carports for the tenants in the north professional building, within the 50 foot setback area on the west side of the property

directly in back of the main two story professional office buildings. To allow the carport construction, the applicant was proposing to modify letter (e) of the zoning conditions as follows:

Building set back from north and west property lines 50 feet, not including the loading docks, ~~and~~ dumpsters and carports constructed in the established parking lot area. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)

The applicant felt that the 50 foot setback was for the main structure so the mass of the building would not overwhelm the adjacent residential uses and that the carports would not be obtrusive to the adjacent neighborhood. The carports would be less than eight feet in height and would be buffered by the existing landscaping buffer and eight foot wall on the west side of the project.

Table A. The subject property’s surrounding zoning and land uses

	Future Land Use	Zoning	Existing Land Use
North	Medium Density Residential	R-1-10F	Single-Family Residential
South	Community Commercial	SC-2	Smith’s Marketplace and other retail shops
East	Professional Office	PO (ZC)	Office Complex
West	Medium Density Residential	R-1-10F	Vacant agriculture land

Section 13-7D-7(A): Amendments to the Zoning Map

Amendment to the zoning map shall be approved only if:

Criteria 1. *The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.*

Discussion: The applicant’s business is located within an area that is on the General Plan land use map as neighborhood commercial. The amendment to the zoning ordinance will not affect any of the uses on the property, by changing them or making the uses more intensive. The zoning amendment is sought to enhance the commercial viability of the development by making the property more in line with current and prospective tenant’s expectations. The main concern is if the buffering and setback conditions established can be altered to meet the needs of the property owner without creating a nuisance to neighboring property owners.

The General Plan (Page 28) discusses buffering between incompatible uses.

Goal 2, Policy 1, number 6 states: *“Continue to administer and refine development standards requiring buffers between incompatible uses. Buffers may include a combination of landscaping and open space, and where appropriate, permanent walls and fences. Separation and buffering between incompatible uses should occur most frequently at rear property lines, occasionally at side lot lines, but discouraged at street lines.”*

The twenty foot landscaping buffer and eight foot wall installed with the development would not be changed. The carports would be constructed in the existing parking area. The height of the carports at (7’6’’) would not be overbearing on adjacent properties to the west. The carports would be painted and would match the colors of the office building.

In the commercial section of the General Plan Goal 3, Policy 1, implementation #3 Stated:

“Encourage existing business to improve general maintenance and appearance of buildings and grounds”.

The applicant would not reduce the landscaped area or create an unsightly condition with the addition of the carports. The carports were for a tenant who required covered parking as part of their contract.

In the same section of the Plan, implementation item 10 stated:

“Maintain the landscaping and fencing buffer requirements between residential and commercial uses.”

As stated earlier, the applicant would not be encroaching into the existing twenty foot landscaped area and would not be altering the existing wall in any way. The applicant maintained their property and landscaping in a professional, clean and pleasing manner. The addition of carports would be visible but should not be a nuisance to adjacent property owners.

Finding: The proposed amendment was consistent with the purposes, goals, objectives and policies of the adopted general plan.

Criteria 2. *The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.*

Discussion: The compatibility between the commercial property and the adjacent residents would not be altered or intensified with the amendment to the zoning condition. The applicant stated:

“There do not appear to be any adverse impact on adjacent land owners because the requested placement of the carports would be 20’ away from the wall that separates the west boundary of the project from adjacent property owners. The wall will create a buffer that will shield the carports from view. The carports will have a single slope roof with minimal pitch and be constructed of galvanized steel (no rust). The powder coat finish will closely match the existing building color.”

Storm water runoff from the carports would be contained on the property and would not flow on to neighboring properties. The carports would not create additional heat, odors, noise or glare for neighboring properties and would not create a hiding place for criminals, because the carports could be seen through.

Finding: The proposed amendment would result in compatible land use relationships and did not adversely affect adjacent properties.

Criteria 3. *The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.*

Discussion: The zoning condition amendment adding carports into a parking area would not create an impact to the health and safety of the residents of West Jordan. As stated, storm water runoff from the carports would be contained on the property and would not flow on to neighboring properties. The carports would not create additional heat, odors, noise or glare for neighboring properties and would not create a hiding place for criminals, because the carports could be seen through. The 20 foot travel lane in back of the buildings would not be encroached upon or obstructed in any way. This travel lane also served as a fire lane. The carports would be constructed in the established parking stalls adjacent to the landscaped buffer. The applicant addressed the need for the zoning condition amendment which would directly affect his ability to conduct business and overall the welfare of the community. The applicant stated:

“Without this zone change Redwood Medical Plaza stands to lose one of its largest and longest occupying tenants. Without their presence at the Plaza, existing tenants will suffer as a result of losing synergy and loss of referrals that they currently receive as a direct result of the tenant’s presence. Also, there are other new businesses who have expressed interest in locating at Redwood Medical if the tenant in question were to remain on campus.”

Finding: The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.

Criteria 4. *The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.*

Discussion: The zoning condition amendment adding carports into a parking area would not have any impact on or change the adequacy or amount of public services and facilities required on the site such as public safety, water, sewer or roadways. As stated in the previous section, travel lanes around the buildings would not be obstructed when the carports were constructed which would allow fire and police to travel around and have access to the rear of the building.

Finding: The proposed amendment would not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Criteria 5. *The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.*

Discussion: The proposed site was located within the Redwood Road zoning overlay district. This application met all requirements of the Redwood Road Overlay District.

Finding: The proposed amendment was consistent with the provisions of any applicable overlay zoning districts which might impose additional standards.

Staff supported the proposed Zoning Condition amendment to # e of Ordinance 02-51 in that the request met all of the criteria for an amendment to the zoning map and that the proposed amendment would be compatible with adjoining land uses and with the neighborhood.

If the moving Council Member disagreed with the staff's findings and conclusions and found substantial evidence supporting a different result, the following motion might be given:

“Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the City Council ***deny*** Ordinance 15-_____” Specifically, I disagree with Staff and find that the following required criterion for a Zoning Map Amendment has not been met:

Zoning Map Amendment Findings:

1. The proposed amendment conformed to and was consistent with the adopted goals, objectives, and policies set forth in the City’s General Plan.
2. The proposed amendment would result in compatible land use relationships and did not adversely affect adjacent properties.
3. The proposed amendment furthered the public health, safety and general welfare of the citizens of the city.
4. The proposed amendment would not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.
5. The proposed amendment was consistent with the provisions of any applicable overlay zoning districts which might impose additional standards.

Which criteria had been met or not met? Why?

Note: All applicable criteria must be met to support a positive action by the City Council.

No fiscal impact was anticipated.

Based on the findings set forth in this staff report, staff recommended that the City Council approve Ordinance 15-11, amending #E of Ordinance 02-51 thus reading: “e. Building set back from north and west property lines 50 feet, not including the loading docks, and dumpsters and carports constructed in the established parking lot area. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)”

Councilmember Nichols asked a clarifying question.

Clark Chamberlain, applicant, pointed out that there was a berm from the parking that was an additional three feet beyond the eight foot wall so it provided a good buffer from the

height of a carport. He also stated that he had had several conversations with Councilmember Haaga and that he intended to continue updating the neighbors with any proposed changes.

Mayor Rolfe opened the public hearing.

Jeff Haaga spoke as a resident and explained that this development turned out to be one of the best things to happen in West Jordan. He stated it was an awesome development and that the tenants were very good neighbors. He also indicated that he had spoken with all the neighbors in the “medical section” of the neighborhood and there were no objections.

There was no one else who wished to comment. Mayor Rolfe closed the public hearing.

MOTION: Councilmember Nichols moved that the City Council approve Ordinance 15-11, amending Ordinance 02-51 Zoning Condition #E for the Redwood Professional Plaza, located at 8800-8860 South Redwood Road, to allow for structures, apart from the actual building, to be built within 50 feet from the property boundaries. The motion was seconded by Mayor Rolfe.

A roll call vote was taken

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

The motion passed 5-1.

VIII. BUSINESS ITEMS

DISCUSSION AND POSSIBLE ACTION TO ESTABLISH ACCOUNTING FOR PAID ADVERTISING AND TO DIRECT STAFF TO DRAFT A CONTRACT DEFINING THE PUBLISHER OF THE WEST JORDAN JOURNAL RESPONSIBILITY TO THE CITY AND IDENTIFYING PAID ARTICLES IN THE PUBLICATION AS “PAID FOR BY WEST JORDAN CITY”

This item was pulled and not discussed.

DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY ATTORNEY’S OFFICE WAS APPROACHED BY THE DAVIS COUNTY DISTRICT ATTORNEY, WHY JUSTICE COURT STAFF MEMEBERS

WERE CONTACTED FOR INTERVIEWS BY THE DAVIS COUNTY DISTRICT ATTORNEY, WHY AFTER THE SETTLEMENT OF THE AARON JENSEN CASE THE CITY ATTORNEY'S OFFICE FILED CHARGES WITH THE SALT LAKE DISTRICT ATTORNEY AND WHY THOSE CHARGES WERE DROPPED, PURSUAUNT TO WEST JORDAN CITY CODE 1-7D-4(Y)

This item was pulled and not discussed.

DISCUSSION AND POSSIBLE ACTION REGARDING THE BIG BEND HABITAT CONCEPT SELECTION

David Oka turned the time over to Chuck Tarver who reminded the Council that Eric McCulley of River Restoration had made a presentation to them during the previous City Council meeting regarding the proposed concepts at the Big Bend Habitat area. A copy of the May 2014 Preliminary Design Alternatives Report summary had been provided to the Council in their agenda packets. Mr. Tarver stated that this was a 10 to 15 year project and that the City Council needed to make a decision as to the level of restoration it wanted to pursue at the site, if any at all, for the completion of the design. The various concepts could be considered on a standalone basis or combined with another alternative. Parts of each alternative could be moved into another alternative and different elements could be phased in as funds allowed. Each part could be interchanged or modified with desirable pieces and parts being included in any alternatives. The consultants had worked with the Parks Department in an attempt to create low-maintenance designs and reduce the cost to the City. Also, there was \$764,000 in Sharon Steel settlement funds that would be used as a match for federal dollars. There were many interested partners for this project. For example, the Department of Wildlife Resources was interested in building a fishery and in that case that agency would maintain everything under the water. Everything outside of the water would be maintained by the City. It was hoped that the final result would be low-impact, passive recreation on approximately 40% of the site, retaining the other 60% for habitat restoration.

All funds for completion of the project were available through funds previously awarded from the Utah Department of Water Quality & Wildlife Resources and the U.S. Fish & Wildlife Foundation (\$225,000)

Staff recommended approval of the 30% design option for the combination of Alternatives 1 & 2.

Mayor Rolfe expressed his desire to choose the higher range option and stated that the regional significance from a County flood control aspect was huge. Chuck Tarver replied that Salt Lake County had been very active in the project's planning process.

Councilmember McConnehey wished for estimates as to the City's financial responsibility. Chuck Tarver replied that estimates would be easier to predict once a concept had been chosen. Councilmember McConnehey wished to ensure that

expectations were set with various partners so that each would be clear about its respective roles and responsibilities.

Councilmember Haaga expressed his support of the project.

Chuck Tarver introduced the team of consultants from River Restoration, Jason Carey, Quinn Donnelly and Eric McCulley.

MOTION: CouncilmemberMcConnehey moved to approve the 30% design option focusing on the elements designated in Alternative #1. 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	Yes
Councilmember Southworth	Absent
Mayor Rolfe	Yes

The motion passed 6-0.

Mayor Rolfe stated his belief that the Council was looking for participation in ongoing maintenance by the other agencies and asked that Mr. Tarver ensure that was part of the continued discussions.

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

Bryce Haderlie asked that the item be continued until the entire Council was present.

MOTION: Councilmember Nichols moved to continue Business Item 8.d until the following City Council meeting. 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	Yes

Councilmember Southworth	Absent
Mayor Rolfe	Yes

The motion passed 6-0.

**DISCUSSION AND POSSIBLE ACTION REGARDING THE FY 2015-2016
TENTATIVE BUDGETS**

Ryan Bradshaw explained that \$650,000 in B and C road funds would be added to the budget as a result of recent legislation. He asked for direction from the Council regarding the possibility of using these funds to hire a concrete crew or contracting the work out in order to begin sidewalk improvement throughout the City.

Mayor Rolfe indicated his belief that it only made sense to hire a concrete crew if there was also work available to them during the winter months. Public Works Director Wendell Rigby indicated those employees could be used for snow removal duties during the colder season.

Ryan Bradshaw clarified that these would be new positions paid for out of the coming budget year.

Mayor Rolfe stated that although they would need more detail, the Council was theoretically in favor of hiring a concrete crew.

Ryan Bradshaw stated that more information would be forthcoming at the June 10 meeting of the City Council.

Regarding the City's compensation system, Bryce Haderlie stated that although some wage issues had been corrected through career ladders and step-and-grade, there were other issues that remained and staff was requesting direction from the Council. Some of those issues were:

1. The possible re-classification of some employees who did not fit into a career-ladder but who performed at a higher level than their current job description. These reclassifications would cost the City approximately \$120,000.
2. Internal compensation review of the "competitive plus" pay scale (4% or more above market) that the Council requested in approximately 2013. The HR staff recently reviewed 1/5th of City jobs and reported that half of them paid a wage that was "competitive plus" but half were below that mark. The cost to bring those jobs into alignment would be approximately \$22,000.
3. Collapsed positions—positions that had a career ladder in the past but where it had been determined that there was no longer justification for those career ladders to be in place. Melting two or three positions into one would require a minor adjustment in order to bring those employees into alignment with where they would be on the new wage scale. That would cost approximately \$43,000.

Mayor Rolfe asked how many positions fit into these categories. Bryce Haderlie stated that as far as the internal compensation review was concerned, there were twelve positions identified. Regarding the reclassification and the collapsed positions, he did not have those numbers immediately available but could get them.

Councilmember McConnehey stated that he was very interested in getting more information, particularly about reclassification. Although he agreed that the City should certainly compensate those employees worked 'above and beyond' what was required in the job classification, he wished to ensure that the City did not pay for services or qualifications that exceeded the City's needs.

Bryce Haderlie stated that he would gather the pertinent paperwork and provide it to the Council for their review.

Councilmember Haaga stated that since the Council had previously been informed that there would be a budget deficit and that the City would be dipping into the fund balance for \$4.8 million, he asked that the Council first pass a budget and see what the end figures were before they addressed these issues.

Ryan Bradshaw asked that if the Councilmembers had any questions in the future, they feel free to contact either Eric Okerlund or him.

Bryce Haderlie asked if there were any other topics the Council wished to have staff bring forward as the adoption date of the budget drew nearer.

Councilmember McConnehey expressed a desire to re-visit the issue of video streaming for Council meetings.

Mayor Rolfe stated that he would be scrutinizing the Enterprise Funds as he believed he had found some errors. He would be speaking with Ryan Bradshaw on a daily basis regarding those funds.

IX. REMARKS

There were no additional remarks.

X. ADJOURN

MOTION: Councilmember Nichols moved to adjourn. The motion was seconded by Councilmember McConnehey and passed 6-0 in favor.

The meeting adjourned at 7:41 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 10th day of June 2015