

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

Wednesday, August 27, 2014

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, Ben Southworth, and Justin D. Stoker.

STAFF: Bryce Haderlie, Interim City Manager; Jeffrey Robinson, City Attorney; Melanie Briggs, City Clerk; David Oka, Economic Development Director; Doug Diamond, Police Chief; Marc McElreath, Fire Chief; Tom Burdett, Development Director; Ryan Bradshaw, Finance Manager/Controller; Wendell Rigby, Public Works Director; Jim Riding, CIP/Facilities Project Manager; Dave Murphy, Engineering Manager for CIP, Stuart Williams, Deputy City Attorney, and Cecilia Budd, Victim Advocate.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 6:00 p.m.

II. CLOSED SESSION

**DISCUSS PENDING OR IMMINENT LITIGATION DISCUSS PERSONNEL
ISSUE**

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Chad Nichols, Ben Southworth, and Justin D. Stoker.

STAFF: Bryce Haderlie, Interim City Manager; Jeff Robinson, City Attorney, and Robert Thorup, Deputy City Attorney

MOTION: Councilmember Southworth moved to go into a closed session to discuss pending or imminent litigation and personnel issue. 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 Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0

The Council went into a closed session to discuss pending or imminent litigation and a personnel issue at 5:00 pm., and recessed at 6:01 p.m. The Council meeting reconvened at 6:05p.m.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Jordan Roberts, Troop 9861.

IV. COMMUNICATIONS

CITY MANAGER COMMENTS/REPORT

Bryce Haderlie-

- Explained the need for a Council workshop to discuss Parks projects and indicated that September 3 was the likely date. It was requested that all Council members report their availability on that date by the following Friday.
- Inquired if the Council was interested in reviewing the five-year capital projects list and possibly re-prioritizing in light of the flooding issues due to recent rain.
- He addressed the process of transferring funds from the Solid Waste Enterprise Fund to the Storm Water Enterprise Fund. The Council was in favor of proceeding, along with making sure our solid waste fees are adequate.
- Reminded the Council that the Highlands Special Assessment Area was created by law and had now been developed to the extent that it was time for the City Parks Department to begin maintaining it. A fee needed to be established and staff had begun work to identify associated costs. Further information would be forthcoming.
- He stated campaign signs were once again an issue. Did the Council desire staff to proceed with following the City Code, or wait for an amendment? The Council indicated that the City's law should be enforced and there would be a future discussion regarding the issue.

STAFF COMMENTS/REPORTS

David Oka-

- In light of the announcement that Fairchild Semiconductor would be leaving the City, staff had attempted to contact the facility manager to inquire about the building.

Tom Burdett-

- Provided the Council with a copy of a new brochure his department created which highlighted the City's Express Building Permit process, including a variety of other services available at the front counter of his department. He indicated they would continue to seek improved efficiencies, applying lean strategies. A new permit software system was also being implemented. Mr. Burdett expressed his appreciation to Official Bill Bailey and Greg Mikolash for coordinating this effort.

Ryan Bradshaw-

- Reported that the City was now five weeks away from going live on the new financial software. Two previous years' data was successfully loaded onto the training database and would be going into the permanent database within a couple of days. Staff training would commence next week.
- The Governors Financial Officer's Association had again awarded the City with the Certificate of Achievement for Excellence in Financial Reporting. This award was given to only 5% of the nation's municipalities.
- Independent auditors had been in the office that week, discussing areas where they might assist the department with some inefficiency. He pointed out that the auditors did not audit the City in the particular areas being discussed, but that they had expressed a willingness to consult regarding the City's bank reconciliation process, fixed asset reporting process, the capital planning documents as well some internal reports, including the new quarterly report being developed. They would make recommendations, the implementation of which would be up to the City. They had agreed to provide this consultation at a significantly reduced rate. He inquired as to the level of the Council's interest in this. He then clarified that the auditors had already contracted for accounting services and that this would be an additional cost, albeit one with a minimal budgetary impact.

Wendell Rigby-

- Regarding the 5600 West roadway project, the recent rains had pushed the opening of the 5600 West 7800 South intersection back a week-- moving it to September 5.
- Regarding the same project, Consent Items 61 and 6m related to two additional parcels of property that were being added to the project, and needed to be added to the contract. Mayor Rolfe clarified that these items were not a typical change order but that the contractor was requesting increased funding. The City was asking them to do the job for the original cost.

Chief Diamond-

- Jordan Roberts recently completed an Eagle Scout project. He constructed eight 8-foot Barricades, and six 5.5-foot long barricades which would help his department with parades and other large events. He expressed his appreciation to Jordan as well as to those that donated materials for the barricades.
- There was a badge-pinning ceremony earlier that afternoon for two new officers as well as two support staffers. His department was also moving forward with hiring a Police Technology Specialist.
- The Police Department had purchased a new K-9 who would be introduced to the Council at the September 24 meeting.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Southworth-

- Stated that he looked forward to the proposed Solid Waste discussion, as he was not present for the previous one. He was trying to figure out how the City could justify collecting funds for a specific purpose (solid waste) and then using it for a different purpose (storm water) instead of returning it to the citizens---particularly since the

Council recently voted not to increase the storm water fee. He indicated that he would listen to the recording of the previous meeting and that he looked forward to the next one.

Councilmember Haaga-

- Explained that he, the Mayor and the Interim City Manager recently attended the Fire Ops 101 class. He stated it was an Interlocal presentation involving other municipalities and that he heard nothing but positive comments regarding our fire fighters. He appreciated the opportunity to experience the class.
- A representative of the Police Department recently met with some City residents, including a WWII veteran. Councilmember Haaga expressed his appreciation to the Department.

Councilmember Hansen-

- Reported that she had recently attended the Sustainability Committee meeting and that the committee was focused on preparing an RFP for the LED lighting project.
- She also attended the Community of Councils meeting and participated in a very interesting discussion on air quality regarding EPA expectations. She requested a copy of the presentation and stated she would forward it to the rest of the Council once she had received it.

Councilmember McConnehey-

- Former Mayor Dave Newton was seeking recommendations on future uses of the old library building. He had extended an invitation to any Councilmember who would like to participate in that discussion. A meeting would be held on September 9 at 7pm in the Community Room of City Hall.
- He reported that he experienced some flooding in his home as a result of the recent rains, and praised employee Jared Millgate for doing everything he could to assist. He also indicated that he had the opportunity to spend several hours with storm water crews, touring and seeing some of the infrastructure and equipment that had been purchased by the City to mitigate this problem. He expressed the desire to host a small open house wherein residents could see what the City had done, and was still doing with regards to the flooding problem. Mayor Rolfe pointed out that at the previous Council meeting the Council had approved a contract to have a company revisit the City's entire Storm Drain Master Plan and he recommended postponing such an open house until the new plan was available and could be included. Councilmember McConnehey agreed that the master plan was an important part of the City's effort, but stated that he wanted residents to know what action had already taken place---the new equipment that had been purchased or approved for purchase, the additional personnel, the hardware, etc. He indicated that he would work with staff to coordinate such an event.

Mayor Rolfe explained that agenda item 9b (regarding Gardner Village area development) would be reschedule for September 10 meeting.

V. CITIZEN COMMENTS

Brenda Thomas, West Jordan resident, spoke about the recent flooding and explained that although she had lived in the home for twenty-six years, she never had a flooding problem until the last 5-7 years. During that time, her home had flooded four times. The most recent incident took place on August 20, leaving the lower level of her home unlivable and unhealthy. She stated that her garage also flooded, causing damage to her vehicle which was determined by her insurance company to be totaled. Ms. Thomas was upset that no one from the City responded to her home when this took place. She explained that she felt she had been abandoned by the City. She indicated that she expected the City to be responsible and follow the laws. She also expressed the strong belief that the City should not only fix the problem, but should take financial responsibility for the resulting damage. She stated that the incident was not an act of God since the flooding was caused by the failure of City personnel to flip a switch to open a floodgate in Constitution Park. She closed by stating that she expected the City to step up and do the right thing.

Alexandra Eframo, West Jordan resident, asked the group to pause for a moment to reflect upon common goals. Ms. Eframo spoke regarding Consent Item 6s and asked that before the Mayor signs the contract he inform UDOT that some West Jordan residents oppose the \$400,000 salary that was paid to the head of UDOT. She also spoke about the campaign sign issue, and stated that last year there were 180 campaign signs that were posted in violation of City code. She called for a \$200 fine for every sign found in violation this coming campaign season and she also wondered if those people that have posted signs on City-owned fences requested permission to do so.

Lindy Christensen, West Jordan resident, stated she had lived in her home approximately four years. Her home first flooded in August 2011. A storm drain in front of her home pumps water from around the City directly in to her yard and home, causing damage. They had borne the cost of expensive clean up in order to prevent mold and other serious health hazards. She reported that her basement was unusable, the carpet had been ruined, and baseboards destroyed. Ms. Christensen asked that the City Council do what was right and repair the drains. She also requested a meeting with City officials to discuss options for solving the problem.

Steve Jones, West Jordan resident, stated that he had lived in his home for thirty years and that his street has flooded for thirty years. He also stated that he had worked in engineering for about 35 years as well as in water and wastewater plants. He stated that he was upset to read news quotes that the City was claiming the system worked flawlessly when it clearly did not. He expressed his belief that the system was poorly designed and needed to be fixed. He also indicated that he was willing to meet with the City to discuss what could be done to solve the problem.

Jeff Cassity, West Jordan resident, had lived in his home for two years and stated that his home had flooded too many times to count. He had black mold in his basement as a result. He had been told numerous times that the problem was fixed, but clearly it was not. He commended the Fire department for responding although he stated there was little they could do. He pointed out that he saw no one else from the City. He explained that he and his neighbors needed answers and were willing to help solve the problem. He had heard the City say that the system worked the

way it was designed. If it worked the way it was designed, it was designed incorrectly. He explained how unhealthy storm water was and reminded the Council that many small children were living in the affected homes. Mr. Cassity ended his comments by stating that the problem needed to be addressed immediately.

Diane Anderson, West Jordan resident, explained that she had been told approximately a year and a half before, that approval had been given to build a roadway that was to connect the City Hall area with the Senior Center and Gene Fullmer Recreation Center. She stated that she wanted to know why no one had seen any plans for it, and when it would be built. She also wanted to know who at the City she could follow up with to get further information about this project.

Angela Breland, West Jordan resident, stated that she and many other residents not directly affected by the flooding were concerned about what appeared to be the City's poor response to the problem.

Leitiza Wetzel, West Jordan resident, said she had come to the meeting along with many of her neighbors to speak regarding Agenda Item 9b on the agenda. She stated that she had sent her concerns via email to each of the Council members, as well as the Mayor and heard back from two of them. She appreciated the two responses. She explained that although the second proposal had accomplished a lot, she still had some concerns and mentioned that of the 5-6 concerns the Council raised during the May 14 meeting, only one of those was addressed by the new plan. She asked that the Council continue to be resolute in what they require of the developer. Regarding the flooding, she asked that the City *not* wait for the new storm drain master plan before taking action so that her fellow citizens do not have to experience more flooding before changes were made.

Michelle Foote, West Jordan resident, stated that she was also present regarding agenda item 9b and that she, too, believed that there had been some improvement in the plan. However, she did not feel that the improvements were sufficient. She was concerned about the building height, but was not sure that the development cared about. It was Ms. Foote's contention that the plan also lacked the variety in housing types which was one of the planned community requirements in the TSOD. Ms. Foote expressed appreciation to the Council for the attention they were paying to the project.

Jared Belcher, West Jordan resident, spoke in reference to the recent flooding problems. He indicated that he was disturbed to hear comments that the storm drain system worked as it was intended, and that the recent storm was an act of God, or a 100-year event. He located a master plan that showed that the City's system was required to handle a 100-year event. He urged the Council to be responsible and solve the problem.

Lawrence D. Stevensen, West Jordan resident, wished to summarize what he had heard thus far in the meeting. He indicated that he heard a proposal allowing the residents to understand the storm water system tabled for further discussion sometime in the future; he heard that a plan that put citizens at risk and increased liability to his government was working exactly as it should; he heard that the City was concerned about code enforcement and that a resident was cited by the City for having sandbags on their property to mitigate the flooding problem. He reported that the

sandbags were discarded following the issuance of the citation four days prior to the flood. He stated that what he heard had caused him to reconsider the pride he had felt in being a 30-year resident of West Jordan. He stated he heard a Council that was divided, and that the Public Works Department was either saddled by Code or was not getting the job done. He closed by indicating that he was disgusted by what he heard from his elected officials, and that as one who possesses a Master's Degree in Public Administration, he was not happy with the representation he was receiving by his fellow public administrators.

Bill Hubbard, West Jordan resident, explained that the property of his neighbors was flooded. He indicated that he wished to be invited to the proposed Open House on this issue, and gain a better understanding of the City's flood drainage system. He wished to be included in the discussion on future funding for storm water drainage improvements. He indicated that he learned through discussions with Councilmembers ' McConnehey and Haaga that there was a surplus in the General Fund as well as in the Solid Waste fund. He asked that there be a discussion about using those funds to improve the storm drainage system immediately.

Kerry Groves, West Jordan resident, indicated that he wished to speak on agenda item 9b and make sure the Council understood that residents in the area continued to be concerned about the proposed development. He suggested that the Council think on a bigger scale and develop the property correctly---that they make it inviting and not all high-density, similar to Daybreak in South Jordan. He also expressed support for his fellow citizens who were faced with flooding problems and asked the Council to solve the problem quickly.

Debbie Davenport, West Jordan resident, expressed her dismay that the Gardner Village area developers failed to address residents' concerns regarding building height. She also reported that her research showed that back in 2005, a different developer opted not to build on part of this site after learning it was the site of a prehistoric landslide. She was concerned with Joe Colosimos' assertion that there was a way to "build around it." She asked that the City look further into the ground, suggesting that perhaps Mr. Colosimo tested the soil prior to proposing five-story buildings on the site. Finally, she urged the Council to assist her fellow citizens who had experienced flooding.

Mayor Rolfe indicated that he wished to report some facts to those present at the meeting. Back in June, the majority of the Council voted to move millions of dollars to address storm drain issues. They have moved ahead with a master plan to help design the system, but wish to avoid simply throwing money at the problem. He stated that there was no one on the Council who was unconcerned with the flooding problem, and that two of them had experienced flooding themselves. He also indicated that he had lived in West Jordan for 38 years and had never been flooded before. He explained that he was the reason item 9b was removed from the agenda because he was shown a plan that did not represent the plan that was posted in the agenda packet. He made some comments to development staff who then contacted the developer. The City did not find out until the last minute that the developer had decided he needed more time to look at the design.

Ben Watson, West Jordan resident, spoke regarding the Gardner Village area development. He stated that instead of coming up with a different plan, the developer filed a law suit and brought

back a new plan that was even worse according to many of the area residents, and was no better than putting "lipstick on the pig." Keeping recent flooding issues in mind, he asked the Council to consider that the current proposal places five-story buildings on land above a canal that had already broken, and on land that had already been abandoned by two previous developers as un-buildable due to geo-technical issues. He indicated that he would hate for the Council to have to face angry residents when the five-story buildings begin to fall into the canal.

Ron Parsons, West Jordan resident, said that the developer appeared to have done nothing more than move some buildings a bit and design them to be even taller than before. He did not think the plan benefited West Jordan residents, but said it would be more appropriate in the City Center.

There was no one else who desired to speak.

VI. CONSENT ITEMS

- 6.a Approve the minutes of August 9, 2014, and August 13,2014 as presented**
- 6.b Approve a contract with Stirrin' Dirt Racing for the production of the 2014 West Jordan Demolition Derby, in an amount not-to-exceed \$32,000.00**
- 6.c Approve Resolution 14-151, approving the retention and expenditure by the Police Department of \$21,606.00 in forfeited cash funds**
- 6.d Approve Resolution 14-152, authorizing the Mayor to execute a Four-Year Agreement with the University of Utah Occupational Health, in an amount not-to-exceed \$20,500.00 per year**
- 6.e Approve Resolution 14-153, authorizing the Mayor to execute a contract with the State of Utah and the City of West Jordan Arts Council regarding funding from the Utah Division of Arts & Museums**
- 6.f Approve Resolution 14-154, authorizing the Mayor to execute an Interlocal Cooperation Agreement between Salt Lake County and the City of West Jordan to transfer \$47,000 to the City to be used for highway construction, reconstruction and maintenance projects on 2700 West, 4000 West and 4800 West and allocate the deposited funds to bike lanes and signs**
- 6.g Approve Resolution 14-155, authorizing the Mayor to execute an Amended Interlocal Cooperative Agreement with UDOT for the SR-48 (7800 South) and 9000 South Road Transfer Evaluation Project No. S-0048(37)3**
- 6.h Approve Resolution 14-156, authorizing the Mayor to execute the Professional Services Agreement Amendment No. 2 with Bowen Collins & Associates, Inc. for additional hours of Construction Management Services**

for the Zone 6 Highway Junction 3.0 MG Water Storage Reservoir, in an amount not to exceed \$42,300.00

- 6.i Approve Resolution 14-157, authorizing the Mayor to execute Change Order No. 3 with Widdison Turbine Services for the Well No. 6 project for an amount not-to-exceed \$22,750.00**
- 6.j Approve Resolution 14-158, authorizing the Mayor to execute an agreement with Newman Construction, Inc. for construction of the 2014 Water Pipeline Projects, 10 an amount not-to-exceed \$681,055.00**
- 6.k Approve Resolution 14-159, authorizing the Mayor to sign the City of West Jordan's Annual Stormwater Report**
- 6.l Approve Resolution 14-160, authorizing the Mayor to execute a Right of Occupancy Agreement with Kick Creek (Peterson) in order to widen the south side of 7800 South Street between 5280 West and 5490 West prior to the City purchasing the property**
- 6.m Approve Resolution 14-161, authorizing the Mayor to execute a Right of Occupancy Agreement with Kick Creek, Doves Landing and Canyon Ranches (Peterson) in order to widen the south side of 7800 South Street at 4977 West prior to the City purchasing the property**
- 6.n Approve Resolution 14-162, authorizing the Mayor to execute the First Amendment to the Development Agreement for Bridgeport Subdivision, with Ivory Development, LLC, H Too O Investments, LLC and SSTCC Limited Company**
- 6.o Approve Resolution 14-163, approving the expenditure and acquisition of electronic control devices, audio and video recording equipment for interview rooms, and P25-compliant portable radios for the Police Department**
- 6.p Approve Resolution 14-164, authorizing the approval of a leasing agreement with the Bancorp Bank/dba/Mears Motor Leasing to provide leasing services for 47 Police Department vehicles and 3 Fire Department vehicles for a 3 year lease in an amount not to exceed \$401,268.49 annually for three years beginning with the 2014/15 budget year and to negotiate with The Bancorp Bank/dba/Mears Motor Leasing to provide leasing services for additional Police and Fire vehicles for the 2015/16 and 2016/17 budget years**
- 6.q Approve Resolution 14-165, authorizing the Mayor to execute an Interlocal Agreement with West Valley City for construction work that resides in West Valley City's municipal boundary that will be completed with West Jordan City's 5600 West 6300-7000 South Project**

- 6.r Approve Resolution 14-166, authorizing the Mayor to execute the 100% reimbursement Agreement between the Utah Department of Transportation (UDOT), West Jordan City and Rocky Mountain Power for the relocation of Rocky Mountain Power facilities impacted by the 5600 West 6300 South-7000 South project**
- 6.s. Approve Resolution 14-167, authorizing the Mayor to sign the Local Government Contract Modification No.2 with UDOT for the 5600 West 6300 South to 7000 South Project.**
- 6.t Approve Resolution 14-168, authorizing the Mayor to execute a contract for the purchase of property located at 6986 South Columbia Drive, West Jordan, from Wantoin and Sumara Pereira**
- 6.u Approve Resolution 14-169, authorizing the Mayor to execute an agreement with Maddox Construction to provide abatement services, in an amount not to exceed \$30,000**
- 6.v Approve Resolution 14-170, approving the 2014 Biennial Moderate Housing Report for the City of West Jordan**
- 6.w Approve Resolution 14-171, agreeing to support a single computer aided dispatch platform for Valley Emergency Communication Center**

MOTION: Councilmember Southworth moved to approve Consent Items 6.a through 6.w. 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 Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

VII. BUSINESS ITEMS

DISCUSSION AND POSSIBLE ACTION ON RECONSIDERATION OF RATIFICATION OF THE PRELIMINARY DEVELOPMENT PLAN FOR THE STATION AT GARDNER MILL; COLOSIMO BROTHERS, APPLICANT

Tom Burdett indicated that based on comments made by the City, the Colosimo group had requested to continue this item as well as item 9b to September 10, 2014.

MOTION: Councilmember Stoker moved to continue business item 7a and item 9b to the September 10 meeting. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	No

The motion passed 7-0.

IX. PUBLIC HEARING

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
ORDINANCE 14-29, AMENDING THE 2009 WEST JORDAN MUNICIPAL
CODE, TITLE 12 AND TITLE 13 TO ALLOW PLANNED CENTER AND
PROJECT IDENTIFICATION SIGNS; CITY-WIDE ; ANDERSON WAHLEN
AND ASSOCIATES/BRANDON MCDUGALD, APPLICANT**

Greg Mikolash stated that the construction of large new developments in the City and the onset of improved monument and pole signage in the industry had prompted Smith's Food and Drug Stores, Inc. and Peterson Development to request the allowance of two new sign-types within the City of West Jordan. These being a larger integrated pole/monument sign which would be identified as a "Planned-Center" sign in the Code, and monument identification signs in roundabouts (or other public rights-of-way) to be identified as "Project Identification" signs.

Upon meeting with administrative City staff with regard to signs in public right-of-ways, specifically the proposal to allow for Project Identification signs in round-a-bouts, it was determined that the best avenue for clarifying the practicality of allowing for such signage would be to have the Planning Commission and City Council review the proposal in a conceptual manner. In general, staff questioned several key aspects for allowing "private" signage in public right-of-ways. On August 5, the Planning Commission discussed the proposal of allowing private Project Identification signs in public right-of-ways, arriving at the same conclusions and concerns as staff indicating that the following would need to be addressed before proceeding with an actual amendment to the Code:

- What entity would be liable for damages created from the sign?
- Would there be established guidelines for placement, size, and safety?
- Who was to be the perpetual maintenance entity of these types of signs?

- Who would be responsible for the quick replacement of these types of signs?
- Was bonding necessary for maintenance and/or replacement?
- Was an agreement or revocable permit necessary or required for signs on public property?

Planning and administrative staff were comfortable with proceeding with a City Council decision with respect to the Planned-Center sign proposal as none of the concerns as outlined above for the Project Identification signage would come into play. The findings of fact in this report would only reflect discussions for the proposed Planned-Center signs. Staff intended to further research the feasibility and possibility of permitting Project Identification signs, where the item would be brought back to the City Council for discussion once this research was complete.

The proposed text amendment was brought before the Planning Commission on August 5, for discussion and a public hearing. At that meeting, the Planning Commission forwarded a positive recommendation to the City Council (5-0 vote) with respect to Planned-Center signs and the amendments to Titles 12 and 13. The minutes of that meeting are attached as Exhibit A.

The proposal to permit Planned-Center signs would affect section 12-1-4: Definitions of the sign code; section 13-3-2: Sign Standards; section 13-3-3: Exceptions and Qualifications for Specific Sign Types; and, 13-17-2: Types of signs permitted in zoning districts of the zoning ordinance. The proposed text was attached as Exhibit B in this report.

Section 13-7-D-7B, required that prior to making a positive recommendation to the City Council for a Zoning Ordinance text amendment, the Planning Commission should make the following findings:

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

Discussion: The 2012 Comprehensive General Plan had applicable goals and policies which state the following with respect to signage:

Chapter 9 – Urban Design (page 126-143)

Goal 1. Promote and Foster Good Urban Design at the Community, Neighborhood, and Individual Projects Levels.

Policy 1. Public and private development at all levels should exhibit a high level of urban design.

Implementation Measures:

5. Establish, regularly review, and enforce standards for improving the visual quality of roadside appearance.

Goal 2. Strengthen the Identity and Image of the City of West Jordan.

Policy 1. Community design standards should be established that will help create a unique and powerful identity and sense of place for West Jordan.

Implementation Measures:

3. All signs in the City should be high quality and promote a positive image.

Although the proposed amendments modified the current code, the proposals remained consistent with the goals and policies as established in the General Plan.

Finding: The proposed amendments conformed 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 these titles.*

Discussion: There was sufficient justification for a modification to the zoning code because this type of sign allowed for the aggregation of business signs that would otherwise result in a cluster of signage adjacent to the major right-of-ways. Through proper site location, height, lighting, and separation requirements, staff found that there was sufficient justification for the conditional permitting of Planned-Center signs in appropriate zones in large developments.

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

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

Discussion: The proposed amendment would have a citywide impact, with no particular area singled-out. The existing General Plan and Zoning Ordinance requirements ensured that the proposed amendments would not adversely affect development within the City or create a conflict with any other sections of the Municipal Code. The application of an Administrative Conditional Use Permit for any such signage, in all instances, would also ensure that any perceived or real impacts could be mitigated.

Finding: The proposed amendments would not create a conflict with any other section or part of the Municipal Code or of the General Plan.

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

Discussion: The proposed amendment would have citywide implication and would not relieve any particular hardship or confer any special privileges to a single property owner or cause. The proposed amendment was deemed desirable given the scope and scale of new developments in the City, and the fact that the

Comprehensive General Plan had goals and policies which warranted and promote such signage.

Finding: The proposed amendment would not relieve a particular hardship, nor would they confer any special privileges to a single property owner or cause, and it would only be necessary to make a modification to this title(s) in light of correction and changes in public policy.

The proposed text amendment to allow for Planned-Center signage was warranted and not contrary to any current goals and policies in the General Plan or conflicting with Title 12 (Signs) and 13 (Zoning Ordinance) of the Municipal Code.

Staff recommended that the City Council accept the findings contained in the staff report and approve the proposed text amendment as recommended by the Planning Commission.

On August 5, 2014, the Planning Commission recommended to approve the proposed amendment for Planned-Center signs.

The Council and staff discussed clarifying issues.

Greg Mikolash pointed out that the amendments were an attempt to eliminate clutter by reducing the number of signs necessary in the area. He also indicated that although different types of signs would be allowed, there would still be spacing requirements. Additionally, he stated that staff needed to have answers to several question raised in the beginning of the staff report before the City could move forward with an ordinance.

Councilmember Hansen expressed a concern regarding large signs potentially causing visibility issues for drivers within the round a bouts.

Councilmember Nichols was concerned that changing the ordinance in this manner would have a negative impact if future developers requested similar signs on the opposite side of the road.

Mayor Rolfe shared the concerns expressed by both Councilmembers' Hansen and Nichols.

Greg Mikolash explained that he attempted to locate a situation elsewhere in the valley where a private sign was located upon public property, and it was extremely difficult.

Councilmember McConnehey expressed his opposition to placing privately owned signs in public space. He also mentioned that some other cities had found ways to utilize this type of area as open space to encourage the arts instead of mere signage.

Councilmember Hansen was concerned that adding signage to round a bouts would end up contributing to sign clutter rather than mitigating it.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, expressed confusion regarding the issue and how it related to the Smiths Marketplace. She requested further research.

Steve Jones, West Jordan resident, indicated that he would prefer *not* to have signage but instead to have the area either landscaped or designed to display art of some sort. If it was decided to display signage, he preferred that it display the name of the City, as opposed to a specific development within the City. He also mentioned the possibility of leasing the property to the developer, putting a bond on it, and requiring the developer to maintain it, and pay for any damage that arises down the road.

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

MOTION: Councilmember Southworth moved that the City Council approve Ordinance 14-29, including the proposed text amendments to Title 12 and Title 13 as addressed in the staff report. 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 Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

VIII. CONTINUATION OF BUSINESS ITEMS

DISCUSSION AND POSSIBLE ACTION REGARDING CAPITAL PROJECT FUNDING FOR THE CITY OF WEST JORDAN

Bryce Haderlie stated that the City of West Jordan had plans and needs within its Capital Projects to address deficiencies and enable future growth within both residential and commercial areas. The discussion would center on the timing of each of these projects, concerns for the possibility of rising interest rates, and concerns in regards to the Bank Qualification Standards (\$10 Million Limit). This would allow staff to work with the Financial Advisors in order to identify the funding of the properties.

Staff indicated that funding would be determined at a later date.

Staff provided the following information in a PowerPoint presentation

CAPITAL PROJECTS FUNDING OPTIONS Bonding Option for Capital Projects for the Next Six Years

CURRENT BOND SCHEDULE

Bond Type	Series	Issuance Amount	Outstanding Amount	Maturity Date
General Obligation	2014	\$ 7,260,000.00	\$ 7,260,000.00	4/1/2025
Sales Tax Revenue	2013	\$ 3,335,000.00	\$ 3,335,000.00	10/15/2023
Lease Revenue	2011	\$ 3,290,000.00	\$ 1,670,000.00	12/1/2015
Water Revenue	2010	\$ 2,525,000.00	\$ 520,000.00	6/1/2015
Water Revenue	2013	\$ 6,045,000.00	\$ 5,860,000.00	6/1/2023
Tax Increment	2005	\$ 8,020,000.00	\$ 2,535,000.00	6/1/2018
Special Assessment	2008	\$ 4,497,000.00	\$ 4,497,000.00	6/1/2023
Totals		\$ 34,972,000.00	\$ 25,677,000.00	

CURRENT CAPITAL LEASE SCHEDULE

Capital Leases	Issuance Date	Original Lease Amount	Outstanding Amount	Maturity Date
Fire Apparatus	2009	\$ 220,000.00	\$ 85,872.00	9/1/2016
Dump Trucks	2011	\$ 384,342.00	\$ 79,040.00	6/1/2015
Fire Engines	2012	\$ 1,279,552.00	\$ 737,297.00	5/1/2018
Vactor Truck	2013	\$ 346,498.00	\$ 247,363.00	5/1/2019
6 Large Trucks	2014	\$ 1,125,000.00	\$ 956,240.00	2/28/2020
Totals		\$ 3,355,392.00	\$ 2,105,812.00	

OTHER OUTSTANDING DEBT

Other Debt	Outstanding Amount	Maturity Date
HUD Loan for Senior Center	\$ 855,000.00	2019
Interlocal Agreement for Salt Lake County Library	\$ 250,000.00	2015
South Valley Water Reclamation Facility	\$ 15,000,000.00	2033
Totals	\$ 16,105,000.00	

FUTURE PROJECTS

- **Project**
 - Led Lighting
- **Cost**
 - \$3 TO \$3.5 million (Bonding would be \$2 to \$2.5 million)
- **Proposed Payback Method**
 - Through rebates and cost savings
- **Year of Issuance**
 - Late 2014 to Early 2015

- **Project**
 - Fleet Facility/Public Works Remodel
- Cost
 - \$4 to \$7 million (Bonding would be used for the entire amount)
- Proposed Payback Method
 - Using amounts for Bond Retiring in December 2015; Annual payments are \$850,000
- Year of Issuance
 - 2015

- **Project**
 - Storm Water Deficiencies Project
- Cost
 - \$5 million (Bonding would be used for entire amount)
- Proposed Payback Method
 - Unknown – Several Possibilities
- Year of Issuance
 - Determined by Funding (Needs are immediate)

- **Project**
 - Parks Deficiencies Projects
- Cost
 - \$5 million (Bonding would be used for entire amount)
- Proposed Payback Method
 - Unknown – Several Possibilities
- Year of Issuance
 - Determined by Funding (Needs are immediate)

- **Project**
 - Water Storage Tank (6500 W Bingham Highway)
 - Water Storage Tank (7800 South 4000 West – Near Airport)
- Cost
 - \$7.5 million (\$3.5 million for 6500 West Bingham Highway, \$4 million for 7800 South 4000 West Near Airport. Bonding would be used for the entire amount)
- Proposed Payback Method
 - Through Current Rate Structure and Impact Fees
- Year of Issuance
 - 2017

- **Project**
 - Safe Sidewalk Project

- Cost
 - \$14 million (Bonding would be for the entire amount)
- Proposed Payback Method
 - Unknown – Possibilities Exist
- Year of Issuance
 - Determined by Funding (Needs are immediate)

- **Project**
 - 1300 West Widening (6200 South to 9400 South)
- Cost
 - \$10 million (Bonding would be used for the entire amount unless City is able to obtain the funding by other means)
- Proposed Payback Method
 - Unknown – Possibilities Exist
- Year of Issuance
 - Determined by Funding (Needs are immediate)

- **Project**
 - 7800 South at the Airport
- Cost
 - \$5 million (Bonding would be used for the entire amount unless City is able to obtain the funding by other means)
- Proposed Payback Method
 - Unknown – Possibilities exist
- Year of Issuance
 - Determined by Funding (Needs are immediate)

- **Project**
 - City Center
- Cost
 - Unknown
- Proposed Payback Method
 - Unknown
- Year of Issuance
 - Determined by project

- **Totals of the Listed Projects**
 - \$56.5 million

- Is this every project that is needed within the City?
- Are these the most important projects?
- What is the timing of these projects?
- How does the possibility of rising interest rates affect the timing?

- Does the \$10 Million Dollar bank Qualification Limit the timing?

Mayor Rolfe expressed a desire to have the Council go through the list of items and explain where each felt the projects belonged on the priority list.

LED Lighting Project: Mayor Rolfe stated that this project should be a high priority and could be completed quickly. Councilmember Stoker agreed, and Councilmember McConnehey indicated that it was his second priority among those on the list (due to the safety implications). This project was the #1 priority of Councilmembers Haaga and Hansen. The Council directed Staff to return the issue to them prior to December 20, 2014, so that it could be funded during the 2014 calendar year.

Fleet Facility/Public Works Remodel: Councilmember Stoker listed this project as a high priority. Councilmember McConnehey listed this project as his third highest priority, as did Councilmember Hansen. It was the second priority for Councilmember Nichols. It was determined that the Council anticipated funding this project in 2015.

Storm Water Project: Councilmember McConnehey and Councilmember Nichols both indicated that for them this project was the #1 priority. It was the second priority for Councilmember Hansen. David Murphy, Capital Projects Manager, indicated that revisions to the Storm Water Master Plan had begun, but the entire process would take approximately 4-6 more months. Funding for this project was anticipated for 2015.

Parks Projects: Councilmember Stoker indicated that parks issues were among his top three priorities. Councilmember McConnehey indicated that although Parks projects were a priority for him, he was not comfortable bonding for them, and felt that other potential funding mechanisms should be explored. It was determined that the Council sought to fund this project in 2015.

Two Water Storage Tanks: This project was Councilmember Haaga's third priority. It was anticipated that funding would be sought for 2017.

Safe Sidewalks Project: This project was the fourth priority for Councilmember McConnehey as well as for Councilmember Hansen. Councilmember Haaga indicated it was his second priority. It was determined that the Council anticipated funding this project in 2015.

1300 West Widening Project: Councilmembers' McConnehey and Stoker felt it would be appropriate to lobby for Regional funds for this project and that the City should not be expected to bear the entire cost. Councilmember Haaga indicated that transportation issues (i.e. 1300 West and 7800 South) would be his fourth priority. Councilmember Nichols combined this project with that of 7800 South, and listed them as his third priority, recommending that the City approach the State Legislature with an offer to fund 20% of the project if the legislature would arrange funding for the rest. It was estimated that funding for this project would be sought-in 2016.

7800 South/Airport Project: As with the 1300 West widening project, Councilmembers' McConnehey and Stoker indicated a belief that this project was worthy of soliciting Regional - funds. Councilmember Haaga indicated that transportation issues (i.e. 1300 West and 7800 South) would be his fourth priority. Councilmember Nichols combined this project with that of 1300 West and listed them as his third priority, recommending that the City approach the State Legislature with an offer to fund 20% of the project if the legislature would arrange funding for the rest. It was anticipated that this project could be funded in 2016.

City Center Project: This project was not listed as a priority by the Council.

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14- 172,
REGARDING THE PROPOSED SPECIALIZED DOMESTIC VIOLENCE UNIT
WITHIN THE CITY ATTORNEY'S OFFICE**

Stuart Williams stated that with the recent resignation of the Victim Services Coordinator, and on the heels of the internal audit performed by the City that included a focus on domestic violence related prosecution and services, the City Attorney's Office, with the support of City management, presented the following proposed Domestic Violence Unit (DVU). The DVU was intended to (1) increase the level of services to victims of crime, improve the level of customer service provided to victims as they proceeded through the legal system or received services specific to the needs as a victim, and (3) assisted in the prosecution against those accused of a domestic violence related crime by providing for a specialized prosecutor that was attuned to the needs of the victim and the City to better form the many difficult decisions that are made throughout a domestic violence related prosecution.

The DVU would allow for the City of West Jordan to become a leader in addressing and attacking what was a very serious and problematic issue within our City, State, and Country. The proposed DVU would include two areas of increased services, (a) Victim Services, and (b) Domestic Violence Related Prosecution. The anticipated immediate improvements were as follows:

- The DVU would result in an increase of 20 hours a week of true victim advocate services to be provided to victims of crime. This would be done by removing the supervision and grant management responsibilities from an advocate and assigning those responsibilities to a DVU Chief.
- The creation of the DVU would allow for vertical prosecution. This created a more consistent handling of each kind of case, allowing for continuity for law enforcement, the Court, and victims and witnesses.
- Vertical prosecution would allow a victim a more meaningful opportunity to participate in the criminal justice system by having a prosecutor that was able to devote more time to each case, and be more informed to the details of each case to ensure the needs of the victim were appropriately addressed.
- The specialized prosecutor would be able to participate in domestic violence and child abuse coalitions and/or committees throughout the valley and increase the presence of the

City in working with outside agencies.

- The specialized prosecutor would stay up to speed on the latest investigative, courtroom, and collaborative strategies by participating in training throughout the state and the nation that is focused specifically on domestic violence cases. The specialized prosecutor would become an expert in domestic violence prosecution.

Increased Grant Qualification Possibilities

In addition to the above benefits, the DVU reorganization and increased focus on victim services and domestic violence prosecution would be a significant change in the status quo approach taken in the past and would show a very substantial increase in the City's contribution to address the problem of domestic violence. As such, the City would be in greater standing to qualify for an increase in its existing grants, as well as be able to utilize the increase in matching contribution to apply for new governmental or private grants to supplement the program in the future.

Proposal A: \$25,259.00 per year (\$2,300.00 one-time costs)

Proposal B: \$9,924.00 per year

Staff provided the above options based upon the outcome of the domestic violence related prosecution and domestic violence victim services section of the internal audit recently performed by City management.

MOTION: Councilmember Nichols moved that the City Council approve Resolution 14-172, specifically proposal 'A,' authorizing staff to proceed with the immediate implementation of proposal A to create a specialized Domestic Violence Unit within the City Attorney's office. The motion was seconded by Councilmember Haaga.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	No
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 6-1.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-173, AUTHORIZING A REQUEST FOR INTERMITTENT CLOSURES OF IDENTIFIED INTERSECTIONS TO ACCOMMODATE THE 5600 WEST ROADWAY RECONSTRUCTION FROM 6200 SOUTH TO 7000 SOUTH

Wendell Rigby stated that the 5600 West Roadway Reconstruction from 6200 South to 4000

South is scheduled to begin in November 2014. In order to accommodate the reconstruction, intersections that were scheduled to be closed have been identified for 30, 60, or 90 day duration as shown on the attached map. The alternate accesses had also been identified. Clarifying the time frames allowed would help control costs during the bidding process, which was fast approaching.

The road closures on the east side of 5600 West were:

Ticklegrass Road
Saguaro Drive
6600 South
Lilac Ave
Balsa Ave

These closures would be for 30 days only and would alternate (no two adjacent streets would be closed simultaneously). Ticklegrass Road, 6600 South, and Balsa Ave would be closed at the same time for approximately 30 days, leaving Saguaro Drive and Lilac Ave as access points. Saguaro Drive and Lilac Ave would be closed for approximately 30 days, leaving Ticklegrass Road, 6600 South and Balsa Ave as access points. By alternating the closure to an every other side street, it would keep accesses open for residents and not be an undue burden.

There was also one closure on the west side of 5600 West:
6665 South

This closure would be for at least 60 days but could go as much as 90 days due to unforeseen construction delays (third party utilities) and weather delays. Alternate access points for 6665 South were located at 5785 West and Adventure Way.

No fiscal impact was anticipated.

Staff recommended approval of requested intersection closure time frames, as indicated, to accommodate the 5600 West Roadway Reconstruction from 6200 South to 7000 South.

MOTION: Councilmember Nichols moved to suspend the rules and extend the meeting beyond 9:00 p.m. The motion was seconded by Councilmember McConnehey and passed 7-0 in favor.

Dave Murphy provided clarifying information for the Council. Councilmember Southworth inquired about the possibility of completing the project earlier (saving time and money) by shutting the area down more completely.

Councilmember McConnehey suggested that additional shifts be added to the work schedule, and also indicated that he would not be opposed to offering a financial incentive to the contractor.

Dave Murphy pointed out the fact that because this was a Federal project, the Council need to be very careful regarding an incentive, and asked that if the Council elected to offer one, they be

very specific in the language they used.

MOTION: Councilmember Stoker moved to approve Resolution 14-173, authorizing a request for intermittent closures of identified intersections to accommodate the 5600 West Roadway Reconstruction from 6200 South to 7000 South, with the option of a full closure if the timetable greatly expedites the completion of the project. 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 Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

X. REMARKS

Councilmember McConnehey stated that his negative vote regarding the Specialized Domestic Violence Unit within in the City Attorney's office was not because he did not support the program, but because he had not seen the audit upon which the recommendation was based. He did not wish to make a decision about the proposal without the benefit of the underlying documentation.

There were no additional remarks

XI. ADJOURN

MOTION: Councilmember Nichols moved to resume the Closed Session and adjourn the Council meeting from there. 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 Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

The meeting recessed at 9:11 p.m.

The Closed Session resumed at 9:20 p.m., and adjourned at 10:55 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 S BRIGGS, MMC
City Clerk

Approved this 24th day of September 2014