

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

Wednesday, April 8, 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, Ben Southworth, and Justin D. Stoker.

STAFF: Jeff Robinson, City Attorney; Melanie Briggs, 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; Greg Mikolash, City Planner; Brian Clegg, Parks Director; Jim Riding, CIP/Facilities/Fleet Project Manager; Tim Heyrend, Utilities Engineer, and Julie Brown, Events Coordinator.

I. CALL TO ORDER

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

II. CLOSED SESSION

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

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris McConnehey, Ben Southworth and Justin D. Stoker. Council Member Chad Nichols arrived at 5:04 p.m.

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 McConnehey.

A roll call vote was taken

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

The motion passed 6-0.

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

Council Member Chad Nichols arrived at 5:04 p.m.

The Council recessed the Closed Session at 6:18 p.m. and reconvened the meeting at 6:20 p.m.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alex Miles, Troop 1277.

IV. PRESENTATIONS

**OATH OF OFFICE FOR SOPHIE RICE AS NEWLY APPOINTED
COUNCIL MEMBER FOR THE OFFICE OF COUNCIL DISTRICT 4**

Greg Mikolash recognized Sophie Rice for her services on the Planning Commission and Design Review Committee. She received a plaque for her services.

Melanie Briggs, City Clerk, administered the Oath of Office to Sophie Rice as the Council Member for District 4.

**RECOGNITION OF POLICE CHIEF DOUG DIAMOND FOR RECEIVING
THE AWARD FOR UTAH POLICE CHIEF OF THE YEAR**

This item was continued to a later date.

**PRESENTATION FROM DWIGHT RASMUSSEN WITH SALT COUNTY
AGING & ADULT SERVICES REGARDING MEALS ON WHEELS, AND
THE NEED FOR VOLUNTEERS AND SUPPORT**

Dwight Rasmussen, Salt Lake County Aging and Adult Services, said currently there were approximately 55-60 aging homebound and frail residents within West Jordan that received the assistance of Meals on Wheels. He said the number of citizens within the

Salt Lake County was constantly growing. He addressed the need for volunteers and support for this program from the City and business. He asked for the City's and businesses support in having 10 people deliver once per week during their lunch hour to residents in need.

Mayor Rolfe said this was a great service and he would volunteer on a regular basis.

Councilmember Haaga also agreed to volunteer sometimes.

V. COMMUNICATIONS
INTERIM CITY MANAGER COMMENTS/REPORTS

Bryce Haderlie was not in attendance.

STAFF COMMENTS/REPORTS

David Oka –

- Updated the Council on various businesses opening in near future, Habit Burger, Café Rio, a bakery, along with some light industrial.

Councilmember Haaga suggested speaking with the West Jordan Chamber of Commerce to line up some ribbon cutting ceremonies.

Ryan Bradshaw –

- Informed the Council that the quarterly report would be presented to the Council at the Budget Workshop on May 12, 2015. Electronic budget material would be provided to the Council in the near future.

Wendell Rigby –

- Updated the Council on construction projects
 - 1300 West Culvert project
 - 4000 West and Bingham Creek
 - 9000 South 4000 West to 5300 West
- Two open houses – Transportation Master Plan
 - April 15, 2015 – City Hall, 6:00 to 8:00 p.m.
 - April 16, 2015 – Bingham Creek Library, 6:00 to 8:00 p.m.

Marc McElreath –

- White Fire Engine temporary, City's Red Fire Truck should be back in service on Monday, April 13, 2015
- Station 54 Bagley Park Police Precinct Building, Fire Department would be moving in on Monday. An Open House – Cuff and Hose Cutting Ceremony, April 30, 2015 at 11:00 a.m. – 1:00 p.m., light refreshments provided by Jordan Valley Medical Center
- Station 54 - Public event would be held on May 2, 2015.

Doug Diamond –

- Will be attending the National Center for Missing and Exploited Children in Washington D.C.
- Will be attending the Family Justice Center Conference in San Diego, California. He said the Salt Lake District Attorney announced that he was hoping to place a Family Justice Center in West Jordan.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Rice –

- Grateful to serve on the City Council and represent District 4.

Councilmember Southworth –

- Cal Ripken Baseball - Opening Ceremonies, Ron Wood Baseball Complex, Saturday, April 11, 2015 at 8:45 a.m. They were looking for Council Members to come throw the first pitches.

Councilmember Haaga –

- Provided a copy of the following to the Council from the developer with signatures:

‘To whom it may concern,

The land purchase of 55 acres between (Sellers) Lamar and Vickie Jones Trust and (Buyer) Jacob Satterfield required the prisons removal as part of the closing, and at the price Vickie and Lamar Jones required in order to be agreeable. They delivered the letter and proof of removal of the state prison location to us as part of our transaction going through and being complete.

Jacob Satterfield
Vickie and Lamar Jones’

Councilmember McConnehey –

- Welcomed Councilmember Rice

Mayor Rolfe –

- Invited the Council to attend the International Council of Shopping Centers (ICSC) Convention in Las Vegas, May 17-20, 2015. World’s Largest Retail Real Estate Exhibition and Conference.
- Does the Council want a letter drafted regarding Salt Lake County placing House Bill 362 (Transportation bill) on the ballot during the odd number election year?

Councilmember Southworth voiced his concerns; he was not in favor at this time.

Councilmember McConnehey wanted to have a letter from the County, and to see how the distribution would be handled.

Councilmember Haaga wanted this placed on the ballot allowing the people to decide. He was in favor.

Councilmember Hansen agreed with Councilmember McConnehey. She would like to see the distribution for West Jordan City.

Councilmember Nichols asked clarifying questions.

Mayor Rolfe said Salt Lake County had put out a formula that would generate B & C Road funds to West Jordan of between \$1 million and \$1.5 million based on today's sale tax rate. Salt Lake County was hoping for the cities support of placing this on the ballot. He said the County could not have an election in an odd year without the support of the cities. He supported have a letter drafted.

Councilmember McConnehey indicated that he was unaware of information presented to the Wasatch Front Regional Council, although if there was something that provided a little bit more insight, he could support having a letter drafted.

Councilmember Hansen agreed with Councilmember McConnehey and wanted to make sure the City would receive B & C road funds.

Councilmember Southworth felt the Utah Transit Authority (UTA) should stand on its own. UTA should make this case on their own and should inform the public we need this and we deserve this because... This should not be tied in with a lot of other projects.

Mayor Rolfe agreed with Councilmember Southworth but this was the bill that passed.

Mayor Rolfe explained that the only way this could make it on the ballot was if over 50 percent of Salt Lake County cities show support.

Councilmember Rice supported placing it on the ballot.

Mayor Rolfe said a letter would be drafted.

VI. CITIZEN COMMENTS

Kayleen Whitelock, Jordan School District Board Member, updated the Council on things happening in West Jordan regarding the Jordan School District.

- Elementary Schools – Traditional school year
- Summer Projects
 - Joel P. Jensen – Air Conditioning
 - Joel P. Jensen – Office relocation

- West Jordan Middle School
 - Partial roof replacement
 - Air Conditioning
 - New Boiler
- West Jordan High School
 - Permanent walls
 - Fan units
- Transportation lot
 - Better lighting

Janice Voochies, Jordan School District Board Member, provided and read the Jordan School District Board of Education Resolution titled: 'Resolution of Appreciation to Legislators within Jordan District Boundaries and to the City Councils of Bluffdale, Herriman, Riverton, South Jordan, and West Jordan' adopted March 31, 2015.

Jay Lynn Thomas, West Jordan resident, addressed what she believed was an increase in Police Officer presence, which she approved of.

There was no one else who wished to speak.

VII. CONSENT ITEMS

- a. Approve the minutes of March 11, 2015 as presented**
- b. Approve a Class B Beer and a Full Restaurant Alcohol for Bar Down Sports Bar & Grill**
- c. Approve Resolution 15-48, authorizing the Mayor to execute an Agreement with Valley Design & Construction, Inc., for the construction of a maintenance building for the Ron Wood Park Complex in an amount not to exceed \$671,500.00**
- d. Approve Resolution 15-67, declaring items from various City Departments that are no longer of any value or use as surplus property, and authorize the disposition**
- e. Approve Resolution 15-68, authorizing the Mayor to execute a contract with Motor Controls Inc. for 2-Skid Mounted Pumping Stations in an amount not to exceed \$318,250.00**
- f. Approve Resolution 15-69, authorizing the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Hansen, Allen and Luce, Inc. for additional Mapping and Modeling Services for missing storm drain pipes and manholes, in an amount not to exceed \$32,000**

- g. Approve Resolution 15-70, authorizing the Mayor to execute a contract with Concrete Concrete for the 2015 West Jordan ADA Pedestrian Ramp Project in an amount not to exceed \$147,887.50**
- h. Approve Resolution 15-71, authorizing the Mayor to execute Amendment No. 3 to the Agreement with Think Architecture for additional design services for Fire Station 54 & Police Substation Project, in an amount not-to-exceed \$4,613.64**
- i. Approve Resolution 15-72, authorizing the Mayor to execute a Settlement Agreement and Release of All Claims between the City and the Claimants regarding the Glasser litigation**
- j. Resolution 15-73, authorizing the Mayor to execute a contract with Precision Manholes for the 2015 Manhole Raising Project, in an amount not to exceed \$208,550.00**
- k. Approve Resolution 15-74, approving and authorizing the Mayor to execute a contract with Holbrook Asphalt Company for high density mineral bond services in an amount not-to-exceed \$413,492.32**
- l. Approve Resolution 15-75, authorizing staff to close Old Bingham Highway by Terra Linda Elementary (8400 South), and 8600 South between 3200 West and Old Bingham Highway for 7 and 36 days respectively, to accommodate the Jordan Valley TOD Sewer Project on Old Bingham Highway and 8600 South**

The Council pulled Consent Items 7.i for further discussion.

MOTION: Councilmember Southworth moved to approve all Consent Items except 7.i. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

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

The motion passed 7-0.

VIII. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL A CHARITABLE CONTRIBUTION TO THE CHILDREN'S JUSTICE CENTER WAIVING FEES FOR THE 2015 DAY OF HOPE CAR SHOW

Julie Brown said the Children's Justice Center was hosting the fourth annual 'Day of Hope Car Show' and they were requesting that the City waive the amount equal to park fees, encroachment permits and any additional City services required.

The fiscal impact to the City would be the fees listed below totaling \$3,835.

3-4-1: WAIVER OF FEES AND FINES, GENERALLY:

For purposes of this chapter, "waiving" an amount also means writing off, forgiving, and/or compromising such an amount. Any fees or other monies legally required by this code to be paid to the city may not be waived, unless:

- A. City Attorney Determination: Determined by the city attorney to be legally uncollectible.
- B. City Manager Authority: Any fee, fine, interest, penalty or other money legally required by this code to be paid by a citizen, applicant, or respondent to the city in connection with a city provided service or a license/permit may be waived by the city manager:
 1. Value For Value Settlements: If the waiver of fees or claims confers a substantially equivalent benefit on the city consistent with law, provided that any such waiver/forgiveness of an amount exceeding fifteen thousand dollars (\$15,000.00) must be approved by the city council; or
 2. Rectifying Errors: In an amount not to exceed five hundred dollars (\$500.00) in any one instance, to rectify an alleged error by city personnel or to rectify any other perceived inequity.
 3. Doubtful/Uncollectible Amounts: Once the city has made reasonable efforts to collect an unpaid fee, fine, interest, penalty or other money legally owed to the city, or has otherwise determined in good faith that the amount is practically uncollectible; provided that any amount totaling more than one thousand dollars (\$1,000.00) per account may not be waived without city council approval.

The City Manager may delegate some or all of this authority to department heads and other managers in city government by administrative directive.

C. Support Of Charitable Entities: After following the procedures required by Utah code section 10-8-2(2) or any successor provision, the city council may waive fees otherwise due to the city, and may otherwise provide financial and nonfinancial support to a charitable entity providing services to the citizens of the city.

D. Settling Litigation And Prelitigation Claims By Or Against The City: A claim made by or against the city may be compromised, in whole or in part, without city council approval, up to an amount payable by, or to be paid to, the city of fifteen thousand dollars (\$15,000.00), if the city attorney determines that such a compromise is in the best interests of the city. Notwithstanding the foregoing, prior to settling any claim by or against the city, the mayor shall be notified of any claim over five thousand dollars (\$5,000.00), and if

deemed necessary the mayor shall call a special/emergency council meeting. (2001 Code § 1-1-120; Ord. 09-19, 7-14-2009)

Pursuant to City Code Section 3-4-1, the City Council may waive fees otherwise due to the City and may otherwise provide financial and nonfinancial support to a nonprofit entity providing services to the citizens of the City, if the City complies with section 10-8-2 of the Utah Code. Section 10-8-2 limits the charitable contribution to a nonmonetary contribution, such as fee waivers and City services. It also limits the total charitable contributions for the fiscal year to 1% of the City's budget for that fiscal year and required a public hearing prior to approval.

The Children's Justice Center was a nonprofit corporation and was requesting nonmonetary contributions for the Day of Hope Car show valued at \$3,835 as follows:

Day of Hope Car Show requested services:

<u>Requested Item</u>	<u>Cost/Value</u>
• Police - K9 Demonstration, Vehicles (6 @ \$50 per hour)	\$1,500
• Police Chief and Fire Chief as Judges	\$ 0.00
• Mayor or designee to select a car award winner	\$ 0.00
• Fire Apparatus display (\$171 per hour)	\$ 855
• Post event information on City Website	\$ 0.00
• Post event information on lobby kiosk	\$ 0.00
• Display poster in city locations	\$ 0.00
• Share event information electronically / social media (\$10/boost)	\$20
• Park fees	
○ Deposit	\$500
○ Set up / Cleaning	\$150
○ Pavilion rental:	\$300
○ Staff support (8a – 6p=10hrs) 10hrs x \$25	\$250
• Encroachment permit	\$260
• Permission to park cars on the park grass	<u>\$ 0.00</u>
TOTAL:	\$3,835

Mayor Rolfe opened the public hearing. There was no one who wished to speak. Mayor Rolfe closed the public hearing.

MOTION: Councilmember Nichols moved to waive fees for park rental, encroachment permits, and additional City services in the amount of \$3,835 for the 2015 Children's Justice Center Day of Hope Car Show on August 1, 2015. 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	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL A CHARITABLE CONTRIBUTION TO THE JORDAN EDUCATION FOUNDATION WAIVING FEES FOR THE 2015 FUN RUN

Julie Brown said the Jordan Education Foundation would like to work with Healthy West Jordan and the City to provide a fun and energetic obstacle run for the community and to raise funds for the Foundation.

She provided a little background information regarding the Jordan Education Foundation.

Jordan Education Foundation

Jordan Education Foundation (JEF) was a non-profit organization dedicated to support your children, their education, and our collective future. JEF connected passions with possibilities and created lasting legacies. The foundation's mission was to generate and guide philanthropic resources to promote excellence in education in Jordan School District.

Foundation board members and friends encourage private support from individuals, businesses, corporations, foundations and events. Jordan Education Foundation was unique because:

- ALL donations (100%) go directly to promote excellence in education and to benefit teachers and students
- No administrative costs are taken from private donations

In the mid 1980's, changes in Utah law provided a process whereby public school districts could accept donations that resulted in a tax deduction for the donor. Jordan Education Foundation was created in 1986 by the Jordan School District Board of Education and incorporated in 1988. JEF was designated by the IRS as tax-exempt under section 501(c)(3) of the Code and classified as a public charity under section 509(a)(1) & 170(b)(1)(A)(vi) of the code.

Cost/Value

The Jordan Education Foundation was requesting nonmonetary contributions for the obstacle run on June 6, 2015 valued at \$3,773 as follows:

Expected Obstacle Run Services:

<u>Requested Item</u>	<u>Cost/Value</u>
• Mayor or designee to help with award presentation	\$ 0
• EMS onsite (\$137.51 per hour / 3 hour minimum)	\$413
• Post event information on City Website and lobby kiosk*	\$ 0
• Timing System*	\$1500
• Sound System*	\$ 0
• Park fees	
○ Deposit	\$500
○ Set up / Cleaning	\$150
○ Arena rental:	\$400
○ Staff support (estimate 10hrs) 10hrs x \$25	\$250
• Encroachment permit*	\$260
• PD Support* (if needed - \$50 per hour / 3 hour minimum)	\$300
TOTAL:	\$3,773

* These items were used for the Linda Buttars Fun Run and were already scheduled through the Healthy West Jordan Committee.

The Healthy West Jordan Committee liked the idea and looks forward to working with the JEF event executive board to create a unique and family fun event to support their organization. The only concern was the short time frame to build the event. JEF assured the committee that they can meet the timeline.

Healthy West Jordan suggested that we coordinate and possibly keep the Linda Buttars 5k this year and re-evaluate after the event was over. JEF felt this was prudent and suggested the same. Healthy West Jordan would also reach out to past participants and Weigh Biggest Loser contestants to gauge their participation on both events.

Both groups agreed that all hard costs (not staffing or facility fees) would be covered before any money went to JEF. Both groups would work together to find an appropriate course and coordinate use of equipment and supplies. Branding, promotion and sponsorship opportunities would be coordinated.

Entry forms and liability waivers would be approved through the Attorney's office. The obstacle course build would be approved through the Parks Director and Risk Management. Police and Fire would determine any public safety concerns and their locations.

Combined attendance was expected to triple (or more) from the 2014 Linda Buttars Fun Run. Because it would be a fundraiser, entry fees would increase but remain market competitive while providing maximum fun.

Julie Brown provided the following information:

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 - 2. Rectifying Errors: In an amount not to exceed five hundred dollars (\$500.00) in any one instance, to rectify an alleged error by city personnel or to rectify any other perceived inequity.
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Pursuant to City Code Section 3-4-1, the City Council may waive fees otherwise due to the City and may otherwise provide financial and nonfinancial support to a nonprofit entity providing services to the citizens of the City, if the City complies with section 10-8-2 of the Utah Code. Section 10-8-2 limits the charitable contribution to a nonmonetary contribution, such as fee waivers and City services. It also limits the total charitable contributions for the fiscal year to 1% of the City's budget for that fiscal year and required a public hearing prior to approval.

Mayor Rolfe opened the public hearing. There was no one who wished to speak. Mayor Rolfe closed the public hearing.

Councilmember Haaga asked clarifying questions.

MOTION: Councilmember McConnehey moved to waive all fees for Jordan Education Foundation obstacle run in conjunction with the activities being sponsored by West Jordan Committee. 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	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

IX. BUSINESS ITEM

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE EMPLOYEE COMPENSATION (CAREER LADDER PROGRAM AND JOB RECLASSIFICATION)

Doug Diamond said in June 2014, the City Council set aside \$550,000 to help deal with various salary concerns including supervisor/subordinate compression, salary compression due to wage freezes between 2008-2011, lifting caps on the career ladder advancement, and to enhance the pay structure to better recruit and retain experienced employees, primarily in public safety.

On October 8, 2014, Council implemented a 14-step Step and Grade Wage Structure for all City employees. At the Strategic Planning Meeting on January 15, 2015, Council approved moving forward with the career ladders using the \$183,000 remaining from the \$550,000. The City Compensation Committee started moving forward to finalize and approve acceptable career ladders in each department. Also mentioned in the Strategic Planning Meeting was educational reimbursement with minor discussions regarding job reclassification and consolidating previous career ladders that no longer meet the career ladder criteria.

The Compensation Committee had approved fifteen (15) career ladders with three (3) career ladders still pending approval. The annual cost for FY 2015-2016 was \$182,079.

There are six (6) job reclassification requests for an annual cost for FY 2015-16 of \$120,130. These job reclassifications had been identified as needs in Public Works, Human Resources, and the Fire Department to meet operational demands.

The Compensation Committee found that five (5) job series, previously classified as career ladders no longer meet the new career ladder criteria. Staff proposed that these job series be consolidated to one job classification per series (i.e. Police Records Technician I, II, III consolidated to Police Records Technician). The cost for consolidating these job classifications was approximately \$43,000.

During the Strategic Planning Meeting, Council tentatively earmarked \$25,000 for educational reimbursement.

Staff was ready to implement each of these plans. We would like to move forward with the career ladder program, job reclassifications, and the job series consolidation plans. He said as soon as Council made budgetary decisions, staff could move forward with any or all of these plans.

The City's fiscal impact would be depended on what was decided by the Council.

The following slide was presented.

Compensation Committee Report
What have we done

- Oct 8, 2014 14 step, Step and Grade put into place
- Jan 15, 2015 Strategic Planning Meeting – Council direction to move forward with career ladders using \$183,000 of \$550,000
- 15 Career Ladders ready to move forward 3 pending approval by committee
- 6 Job Reclassifications have been identified
- Five (5) job series do not meet the career ladder criteria
- Education reimbursement ready to implement if funded \$

Career Ladder

Approved

Streets Maintenance Worker I, II, III	Firefighter I and II
Stormwater Operator I, II, III	Fire Engineer I and II
Water Construction Technician I, II, and III	Paramedic I and II
Water Operator I, II, III IV	Captain I and II
Wastewater Construction Technician I, II, III	
Wastewater Operator I, II, III and IV	Park Maintenance Worker I, II, III
Crime Scene Technician I, II	Combination Inspector I, II and III
Police Officer I, II, III	

Sergeant I, III

Pending

Facilities Maintenance Technician I, II, III, IV

Civil Engineer I, II, III, IV

Engineering Inspector I, II, III

Estimated Costs

	FY 14-15	Annual Additional cost w/Benefits
Career Ladder		
PW		\$49,348
Police		\$51,797
Parks		\$3,354
Fire		\$77,580
Planning		\$0
Career Ladder Total		\$182,079
Reclassification	\$0	\$80,233
Non-Career Ladder Changes	\$10,000	\$43,000
Education Reimbursement		\$25,000

The Council was in favor of the career ladder program, the proposed job reclassification and the education reimbursement.

Doug Diamond indicated that enough direction had been provided by the Council in order for him to move forward.

Councilmember Haaga felt the education reimbursement could be increased next year.

DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF A COUNCIL MEMBER AS A VOTING MEMBER OF THE SALT LAKE COUNTY COUNCIL OF GOVERNMENTS

Ben Southworth said as a City of the First Class, the City of West Jordan was allotted two voting members on the Salt Lake County Council of Governments (SLCO COG). Historically the Mayor and one Council Member had filled these positions. Until his resignation from the Council, former Councilmember Justin Stoker had served as the City's second representative along with Mayor Rolfe.

The Council must fill the vacancy with a new appointment to the SLCO COG.

B.10 REPRESENTATION ON COMMUNITY TASK FORCES

- a. Vote on Each Appointment. Requests for Council representation on community task forces, boards or committees shall be brought before the Council for consensus selection. These bodies include the Council of Governments, Utah League of Cities and Towns, and County task forces
- b. Requests Referred to Council. When the Council or the City Manager receives a request for Council representation on such community bodies, a copy of this request will be forwarded to each Council Member. The Council will determine whether a single Council Member or more than one Council Member should serve. After determining the number of available slots, Council Members will be informed of the opening(s). When possible, all Council Members will be informed of the available position(s) prior to its formal discussion, in order to allow Council Members time to consider their interest and availability.
- c. Selection Process. If the number of interested Council Members exceeds that number of available slots, Council representation will be determined by majority vote.
- d. Interim Selection. Should the timing of a request for representation and the next meeting of a group be such that the Council cannot make a designation, the Mayor will request a Council Member to attend on an interim basis. At the next available opportunity, the above process will be followed to fill the slot(s).

Councilmember Haaga agreed there should be representation. He indicated that COG was really a County organization of a group of Mayors. He felt with West Jordan's form of government it allowed the Mayor to appoint all outside organizations which were not technically based. He reported that he was the alternate for COG and had attended two meetings.

Councilmember Hansen informed the Council that she had spoken with Mayor Rolfe previously to volunteer for this position.

MOTION: Councilmember Nichols moved to follow our Council rules and nominate Judy Hansen to serve on the Council of Government (COG). The motion was seconded by Councilmember Southworth.

Councilmember Rice said since she had no other appointments, she would be willing to serve on COG, or be appointed as an alternate.

SUBSTITUTE

MOTION: Councilmember Haaga moved to allow the Mayor to appoint this position. The motion was seconded by Mayor Rolfe.

Councilmember Nichols spoke against the motion. He addressed several of the Council rules listed above:

- B. 10.d. 'Mayor will request a Council Member to attend on an interim basis.'
- B. 10.a. 'Requests for Council representation on community task forces, boards or committees shall be brought before the Council for consensus selection.'
- B. 10.c. 'Selection Process. If the number of interested Council Members exceeds that number of available slots, Council representation will be determined by majority.'

Jeff Robinson said the Council previously voted to approve the City Council Rules and Procedures, which provided for a majority vote on appointments to COG and others.

Mayor Rolfe reported that over the past four years, it had not been done this way. He said recent appointments had followed what had been done in the last year and three months. He said if this motion failed all of the 67 committees and appointments would be voted on individually.

Councilmember Nichols indicated that these appointments had been made at the previous six Strategic Planning sessions. He felt this was a unique situation.

Councilmember Southworth said he was appointed to the COG by a vote of the Council.

Councilmember Southworth called the previous question.

Vote on the substitute motion:

A roll call vote was taken

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

The motion failed 2-5.

AMENDED

MOTION: Councilmember Nichols moved to appoint Judy Hansen as the Council of Government (COG) representative and Sophie Rice as the Alternate

Representative. The motion was seconded by Councilmember Southworth.

SUBSTITUTE

MOTION: Councilmember Haaga moved to bring back this question as far as the Council Rules of Procedure and make a determination whether the Council Rules are more supreme, or the State Code, making no appoint because it would be moot.

The substitute motion died for lack of a second.

Vote on the Amended Motion:

A roll call vote was taken

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

The motion passed 5-2.

Mayor Rolfe asked that all 67 committees and assignments be placed on the next City Council agenda.

Councilmember Southwest disagreed with that and asked that that not happen.

Mayor Rolfe stated that he was the Mayor and he asked that it be placed on the agenda for the next Council meeting.

Councilmember Nichols commented on the Jordan Valley Water Conservancy Board being a Governor appointment.

Mayor Rolfe requested the Jordan Valley Water Conservancy Board appointment be researched.

DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC DISCLOSURE OF A CLOSED DOOR DISCUSSION CONCERNING COUNCIL AT LARGE JEFF HAAGA AND REQUEST OF PAYMENT TO ATTORNEY GRACE ACOSTA REPRESENTING THE ELECTIVE OFFICE POSITION AS RECOMMENDED BY THE CITY ATTORNEY

Councilmember Haaga said on February 25, 2015, in a closed-door meeting that he (Councilmember Haaga) was accused of wrongdoing performing his council duties by

Council Member's Chris McConnehey and Judy Hansen. Under direction, the City Attorney was advised to hire outside legal counsel and send a letter of representation. This was done and Grace Acosta was hired by the City Attorney. On March 11, 2015, Council Member Haaga in a public meeting introduced the legal counsel representing him as a Council Member from this closed-door meeting. It was discovered by Mrs. Acosta that Chief Diamond of the West Jordan Police Department was directed by the Interim City Manager to investigate. On March 30, 2015, Chief Diamond sent Councilmember Haaga a letter that there was no evidence of wrongdoing and closed the matter. The letter was provided in the Council's agenda packet.

Councilmember Haaga read a portion of the following definition from Wikipedia:

“Bullying is the use of force, threat, or coercion to abuse, intimidate, or aggressively dominate others. The behavior is often repeated and habitual. One essential prerequisite is the perception, by the bully or by others, of an imbalance of social or physical power. Behaviors used to assert such domination can include verbal harassment or threat, physical assault or coercion, and such acts may be directed repeatedly towards particular targets. Rationalizations for such behavior sometimes include differences of social class, race, religion, gender, sexual orientation, appearance, behavior, body language, personality, reputation, lineage, strength, size or ability. If bullying is done by a group, it is called mobbing.

Bullying can be defined in many different ways. The UK has no legal definition of bullying, while some U.S. states have laws against it. Bullying is divided into four basic types of abuse – emotional (sometimes called relational), verbal, physical, and cyber. It typically involves subtle methods of coercion, such as intimidation.

Bullying ranges from simple one-on-one bullying to more complex bullying in which the bully may have one or more "lieutenants" who may seem to be willing to assist the primary bully in his or her bullying activities. Bullying in school and the workplace is also referred to as peer abuse.”

Councilmember Haaga felt that on February 25, 2015 in a ‘Closed Door’ I can’t reveal what was actually discussed in that meeting, but I believe I was not ‘Jeff Haaga’ but my office was a victim of bullying of four Council Members. What that was I don’t know because I decided to walk out and ignore the bullying process. At that time I walked out and consulted an attorney, I then went back into the meeting and we finished our Closed Door Session. After which and why I am bringing this public, my attorney that I ended up having to hire, which was Grace Acosta, told me that I should disclose this in public record. Not what we talked about that’s totally confidential no one should know, but the six members of this Council. But what happened to me and why I had to retain an attorney was the City Attorney was sitting in this room at the same time and right after I had left he also left. I then went and approached him as a Council Member, not Jeff Haaga and asked him what do I do now as a City Councilman being in this position and he said you need to hire an Attorney and send a request to me for representation. I did that,

emailed it to the City Manager, went to the City Attorney and my Attorney for my communications with the City Manager who's not here. I have representation. My Attorney was told to discuss the conversation with the Chief of Police, which however that was decided he would become the official person of this incident, I don't know. Again, all I did was my Attorney spent some time talking to the Chief that was appointed by the City Manager, my point only here I don't know if anything was illegal, I don't know if anything was wrong, there's five members of the Council that know totally what went on, but all I can say is, I still am represented by legal counsel, our City Attorney has recused himself from any actions on this incident along with the City Manager and has turned all of the information over to the Chief. And if you lived on the public record, I received a letter and that's why I decided to go public from the Chief of Police stating 'that my attorney would not be paid for.' So my office as City Council has no representation, my City Attorney will not represent my office, so therefore, I still need to be represented. So I am asking, I'm not going to ask for a motion, I just asking the Council to look at this, I would like to see it de-escalate, but not at the expensive of continuing what I consider bullying in our City Council.

Councilmember Southworth asked for origin of the information placed in this packet.

Melanie Briggs reported that the information was forwarded in an email to the City Clerk's Office to be placed on a staff report.

She said this process was the same process as the previous item, which was placed on the agenda for Councilmember Southworth.

CONSENT ITEM 7.I.

APPROVE RESOLUTION 15-72, AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS BETWEEN THE CITY AND THE CLAIMANTS REGARDING THE GLASSER LITIGATION

Councilmember McConnehey said this was a very unfortunate incident. He offered his sympathy to those who lost loved ones.

He reviewed the reasons he felt the City did not contributed to the tragic loss of life. He opposed the payment by the City, since he believed the City was not at fault.

MOTION: Mayor Rolfe moved to approve Consent Item 7.i. approving Resolution 15-72, authorizing the Mayor to execute a Settlement Agreement and Release of All Claims between the City and the claimants regarding the Glasser Litigation. The motion was seconded by Councilmember Southworth.

A roll call vote was taken

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

The motion passed 6-1.

X. REMARKS

There were no remarks.

XI. ADJOURN

MOTION: Councilmember Southworth moved to reconvene the Closed Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares and adjourn from there. The motion was seconded by Councilmember Nichols and passed 7-0 in favor.

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

The Council recessed into the Closed Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares and adjourned at 9:00 p.m.

The meeting adjourned at 9:00 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 22nd day of April 2015