



**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL WORK SESSION**

Wednesday, September 22, 2021 - 5:30 pm
Approved October 13, 2021

West Jordan City Council Chambers • 8000 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Zach Jacob, Vice-Chair Kelvin Green, Chad Lamb, Christopher McConnehey, David Pack, Kayleen Whitelock, and Melissa Worthen (via Zoom)

STAFF: Council Office Director Alan R. Anderson, Deputy Public Works Director Isaac Astill, Community Engagement & Government Affairs Director Tauni Barker, Community Development Director Scott Langford, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Fire Chief Derek Maxfield, Assistant City Attorney Duncan Murray, Economic Development Director Chris Pengra, Council Office Clerk Cindy Quick, and City Attorney Robert Wall

CALL TO ORDER

Chair Jacob called the work session to order at 5:30 pm, and noted the meeting was open to the public at City Hall, available remotely via Zoom, and streamed live on YouTube.

A. Wood Ranch, MDA, and PC-Hillside Zone Discussion

On August 11, 2021, the City Council tabled Ordinance No. 21-19 amending the City Code to add 13-5 Article L Planned Community Hillside (PCH) Zone until the September 22nd meeting for a report on the Wood Ranch Master Development Agreement (MDA). Community Development Director Scott Langford reported staff and Daybreak had agreed on Transferred Development Open Space (TDOS), defined as “that portion of a clustered development plan from which density has been permanently transferred and the land has been dedicated to the public,” with the following formula:

Acres of TDOS/Density Unit = Entire Project Area (Acres) x .25/Total Project Residential Density

Mr. Langford showed a table of open space proposed to be provided in each of the ten phases of development of Wood Ranch. Representatives of Daybreak estimated the full Wood Ranch project would be completed within 12-20 years. Mr. Langford spoke of the slope of acres of proposed TDOS. The following points were explained and discussed:

Residential Land Use

- Number of total residential units: 3,068
- A maximum of 10% of the single-family residential units may include accessory dwelling units (ADUs), approved during the subdivision platting process; the ADUs would not count against the total residential cap.
- Number of stacked flat “apartment style” housing: maximum 600 units
- Single-family versus multi-family ratio: 50/50 mix (1,534 single-family; 1,534 multi-family [inclusive of the 600 stacked flats listed above])
- Single-family versus multi-family pacing: it was the direction of the City Council that single-family detached units should never be outpaced by multi-family units. Staff and Daybreak were still working on the specific language of how to implement this direction.

Responding to a question from the Council regarding ADUs, a representative of Daybreak stated some elements of the MDA would carry forward to the HOA. The group discussed trail connections, the Conceptual Lotting Plan, and alley widths (standard and fire access). Mr. Langford commented that alley widths were sufficient for two vehicles to pass each other, but the drive aprons allowed space for vehicles to move over a little and increase the comfort level when passing. Council Member Whitelock said she had seen vehicles parked in the drive aprons at Daybreak South Jordan, which reduced the level of comfort. The alleys would be City-owned but maintained by the HOA.

Commercial Land Use

- Once the 500th residential unit was constructed, the Property Owner/Master Developer shall construct and shall operate, or cause to be operated, a bistro or restaurant of at least 3,000 gross square feet in floor area; said bistro would be held open to the general public for at least two meals per day, six days per week.
- Within the first subdivision plat within a Village Center Place type, and as a condition of plat approval, Property Owner/Master Developer, would construct, or cause to be constructed, a minimum of twelve Live/Work units. A Live/Work Unit is an attached building form with a minimum of a 75% glass façade and commercial store front that is oriented to a street, has a minimum first floor height of ten feet and a minimum finished first floor space (excluding garage) of 400 square feet.
- Within the first subdivision plat within Phase 9, and as a condition of plat approval, Property Owner/Master Developer, shall landscape and dedicate to the City an option to develop a parcel of at least 5 acres at the corner of 7400 South and U-111 (“5 Acre Parcel”).
- The 5 Acre Parcel shall be used initially for storm water retention requirements of the Project and shall be maintained by the HOA, with access reserved to the City. If the City determined to develop the 5 Acre Parcel as a commercial use, the City shall first provide to Master Developer/Property Owner at least 30 days written notice of its intent to advance commercial development of the 5 Acre Parcel, along with the proposed plans, development schedule, design, proposed land sale price and development cost, and the City-derived economic benefits analysis. Master Developer shall either commit to develop the 5 Acre Parcel, which would generate the same economic benefit to the City, under the same development schedule, or deed to the City the 5 Acre Parcel. In either case, the development would not exceed 75,000 gross square feet, excluding structured parking, in addition to the maximum commercial density provided to the Master Developer/Property Owner.

Economic Development Director Chris Pengra said the 5 Acre Parcel would likely not meet site selection requirements to attract a Trader Joes but suggested the unique space would attract boutiques or restaurants. City Administrator Korban Lee commented that commercial property 10 acres south at 7800 South and U-111 were designated for grocery store and pad sites.

Items that staff and Daybreak were in general agreement with but were still finalizing terms:

- a) Existing mining operations within the county
- b) Annexation
- c) Assignability
- d) Construction pacing of single-family units versus multi-family units
- e) Geotech assurance
- f) Pattern Book

Mr. Langford presented a sequence of steps for moving forward:

Step #1: Solidify the content of the Wood Ranch MDA

Step #2: Planning Commission recommendations

- Recommend MDA
- Recommend amendment to the General Plan Future Land Use Map
- Recommend rezoning of the property to the PCH Zone
- Recommend an Annexation Petition of the portion of the Wood Ranch development currently in the county

Step #3: City Council decisions

- Approve the PCH ordinance
- Approve the MDA
- Approve amendment to the General Plan Future Land Use Map
- Approve the rezoning of the property to the PCH Zone
- Approve an Annexation Petition of the portion of the Wood Ranch development currently in the county

Chair Jacob adjourned the work session at 6:40 pm

I, Cindy Quick, hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on September 22, 2021. This document constitutes the official minutes for the West Jordan City Council Meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 13th day of October 2021



MINUTES OF THE CITY OF WEST JORDAN CITY COUNCIL MEETING

Wednesday, September 22, 2021 – 7:00 pm
Approved October 13, 2021

West Jordan City Council Chambers • 8000 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Zach Jacob, Vice-Chair Kelvin Green, Chad Lamb, Christopher McConnehey, David Pack, Kayleen Whitelock, and Melissa Worthen (via Zoom)

STAFF: IT Administrator Robert Allred, Council Office Director Alan R. Anderson, Deputy Public Works Director Isaac Astill, Community Engagement & Government Affairs Tauni Barker, Mayor Dirk Burton, Associate Planner Lisa Elgin, City Planner/Zoning Administrator Larry Gardner, Community Development Director Scott Langford, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Fire Chief Derek Maxfield, Assistant City Attorney Duncan Murray, Economic Development Director Chris Pengra, Council Office Clerk Cindy Quick, Deputy Police Chief Jeremy Robertson, and City Attorney Robert Wall

1. CALL TO ORDER

Council Chair Jacob called the meeting to order at 7:00 pm

2. PLEDGE OF ALLEGIANCE

Betty Naylor led participants in the pledge of allegiance.

3. WEST JORDAN POLICE DEPARTMENT PINNING CEREMONY

Deputy Police Chief Jeremy Robertson introduced the newest members of the Police Department: Zach Allen, Nolan Butler, William LaBounty, Cesar Evangelista, Colter Lee, and Viataki Tupouniua. The officers received their badges, and the Council congratulated each officer.

4. CITIZEN COMMENT

Council Chair Jacob opened the citizen comment period at 7:07 pm

Citizen Comments:

Betty Naylor, Vice President of the Salt Lake County Farm Bureau, invited the Council to an event at a farm on 4000 West just off 9000 South on Monday, October 11th.

Council Chair Jacob closed citizen comments at 7:10 pm

5. EXECUTIVE REPORTS TO COUNCIL

a. Mayor's Report

Mayor Dirk Burton spoke of a recent open house for Vast Fitness Center.

b. City Administrator's Report

Associate Planner Lisa Elgin updated the Council on the Senior Meals program. Deputy Public Works Director Isaac Astill reported on the progress of a current mill and overlay project. Tauni Barker with Community Engagement and Government Affairs reported on the recent Monster Truck Rally

and oriented the Council with the new mobile-friendly City website. The Council asked questions and provided feedback on the website.

6. PUBLIC HEARINGS

a. ChamberWest Fee Waiver

Council Office Director Alan Anderson explained the request from ChamberWest for a fee waiver for rental of the Community Room at City Hall for a Meet the Candidates event on October 12th. He explained that State Code required a public hearing for potential fee waivers and did not allow fee waivers to exceed 1% of the budget for the given year. City Code aligned with State Code and placed the responsibility of granting a waiver on the legislative body. The budget impact of the proposed fee waiver would be 2.5 hours at \$95 per hour, less the approved 25% discount for non-profits, for a total of \$178.13.

Responding to a question from Council Member McConnehey, City Attorney Rob Wall said he advised the Council Office it would not be appropriate for the City to sponsor a Meet the Candidates event with current Council Members running for office. The event would be sponsored by ChamberWest. Mr. Anderson added that the agreement with ChamberWest did not specify a Meet the Candidates event as a required event but did allow business and networking events. Responding to a question from Council Member Lamb, Mr. Wall said he did not believe current candidate Council Members voting on the proposed fee waiver would legally constitute an ethics violation but added that candidates could recuse themselves from the vote to avoid the public perception of such.

Council Member Worthen questioned whether the room size was appropriate for such an event. She questioned how the public would perceive the Council waiving the fee for use of the room for a Meet the Candidates event with three of the current Council Members running for office. She suggested ChamberWest should pay the fee or hold the event somewhere else.

Council Member Pack commented that the same issue would come up in another two years, with four Council seats up for election. He asked what had been done in the past and suggested having a standing policy. Council Member McConnehey briefly explained what had been done historically. Mr. Anderson commented that Meet the Candidates events were held in city facilities in other cities.

Chair Jacob opened a public hearing at 7:56 pm

Citizen Comments:

None

Council Chair Jacob closed the public hearing at 7:57 pm

Council Member McConnehey said he would prefer a venue other than City Hall but added that City Hall was a public place. He said he did not believe any impropriety would be involved if incumbents voted in favor of the issue and suggested the appearance of trying to prevent the event would look worse.

Council Vice Chair Green said a Meet the Candidates event was a community event of community interest. He stated ChamberWest asked to use the room, and he did not believe it was the Council's call to tell them to go somewhere else. He pointed out that the Cultural Society of West Jordan used the room regularly without a fee waiver. He stated similar non-profits should be treated equally. Council Vice Chair Green expressed the opinion that if the Council denied the requested fee waiver, they would be in dangerous territory.

Council Member Whitelock suggested Council Chambers would be a better venue. Council Member McConnehey responded that incumbents would have a “home court advantage” in Council Chambers.

Responding to a question from Council Member Worthen, Mr. Anderson stated fees were waived on a case-by-case basis, with applications judged on their own merit. Council Member Worthen said she would not want to show favoritism and the appearance of home court advantage. She expressed concern with the event taking place at City Hall.

Council Member Lamb pointed out the issue had not been put forth by candidate Council Members Lamb, Whitelock or Green. He stated the request came from ChamberWest and would benefit all candidates. Council Vice Chair Green said if City Hall was an inappropriate venue for the event, the planned arts center should be built to house such events. He emphasized that West Jordan City did not have a community center for community meetings. Mr. Anderson said he did not know if ChamberWest had considered a different venue.

Council Member McConnehey emphasized the question was whether or not to waive fees for the use of the room. He said he did not believe approving the fee waiver would set a precedent. Responding to a question from Council Member Worthen, Mr. Lee commented that not all groups that used City facilities had contracts with the City. He suggested the contract with ChamberWest could be amended in the future in a way that would meet the intent of City Code and eliminate the need for a public hearing in the future.

MOTION: Council Chair Jacob moved to approve Resolution No. 21-044 providing a fee waiver to ChamberWest for the rental of the Community Room. Council Member Pack seconded the motion.

Council Member Whitelock said she had voted against fee waivers in the past, with one exception. She said she would vote against the requested fee waiver because she had a hard time saying yes to one group and no to others. She stated she was not against the specific event.

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	Abstain
Council Member Lamb	Abstain
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	No
Council Member Worthen	No

The motion failed 4-3

7. REPORTS TO COUNCIL

a. Economic Development Quarterly Update

Economic Development Director Chris Pengra provided an update regarding economic development in the City. He provided a list of areas his department was spending time:

- RDA Strategic Plan

- BRE Program
- City Center Redevelopment
- Target Industry Analysis
- Small Business Development Workshops
- South Valley Regional Airport Master Plan Update
- General Plan Committee – Updating Census Data and BLS Statistics
- Retail Recruitment

Mr. Pengra showed photographs and spoke of new businesses in West Jordan and answered questions from the Council.

8. BUSINESS ITEMS

a. Council Advice and Consent Amendments

At a work session on May 12, 2021, the Council requested staff prepare language to add Council advice and consent for appointments to the Jordan Valley Water Conservancy Board and the South Salt Lake Valley Mosquito Abatement District and requested terms of service for those appointments. Council Office Director Alan Anderson oriented the Council with current City Code regarding Council advice and consent to appointments, and recommended terms of service follow agency by-laws. If terms of service were not addressed in by-laws, he recommended three-year terms consistent with current committee terms. Each term would go through the advice and consent process. Staff answered questions from the Council.

Assistant City Attorney Duncan Murray suggested language regarding multijurisdictional boards. Council Vice Chair Green said he still did not like the definition of “multijurisdictional boards”, and said he was confused by circling references. Mr. Murray explained the intent of proposed language. Council Vice Chair Green said he believed the Code needed to be simpler.

**MOTION: Council Member McConnehey moved to direct Council Leadership to work with staff to resolve discrepancies, circular references, and verbiage concerns, and bring it back to the Council as a consent or business item as they see fit for Ordinance No. 21-37 amending the City Code related to Council advice and consent to certain Mayoral appointments.
Council Member Lamb seconded the motion.**

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	No
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 6-1

Council Vice Chair Green expressed a desire to revisit Title 2 and said he did not believe a Mayoral appointment to the Events Committee or Sustainability Committee should require Council advice and consent.

9. CONSENT ITEMS

a. Approve Meeting Minutes

- August 24, 2021 – Truth in Taxation City Council Meeting
- August 25, 2021 – Work Session and Regular City Council Meeting
- August 31, 2021 – Joint City Council and Planning Commission Meeting
- September 8, 2021 – Work Session and Regular City Council Meeting

The Council reviewed the consent agenda.

MOTION: Council Chair Jacob moved to approve Consent Item 9a as listed. Council Member Worthen seconded the motion.

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	Yes
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 7-0

10. CITY COUNCIL REPORTS/REMARKS

a. Council Office Report

Council Office Director Alan Anderson reported on the new City website and reported the RFP for agenda management software closed the previous week. He stated the Council Office had an opening for a Council Analyst.

b. City Council Reports / Remarks

Council Member Whitelock –

- Provided an update regarding the Western Growth Coalition and affordable housing.

Council Member Worthen –

- Reported the school year was going well for Jordan School District and commented that the Jordan School District podcast was very informative.
- Spoke of upcoming community events.
- Gave a shout-out to Ann Marie with the Bingham Creek Library and said she had been very impressed with her.

Council Vice Chair Green –

- Spoke of participating at the Monster Truck Rally and expressed appreciation for the opportunity to represent the City in the opening ceremonies.

Council Member McConnehey –

- Spoke of the need for improvements to the rodeo arena and emphasized the need for permanent flag poles. He asked if the Council would be supportive of addressing the need before the next budget process.

c. New Business Reports

The Council reviewed new business items expected to appear on a future agenda.

d. Unfinished Business Reports

The Council reviewed a list of unfinished business items from previous agendas. Council Chair Jacob presented possible topics for upcoming meeting agendas.

11. ADJOURN

Council Member McConnehey moved to adjourn the meeting. Council Chair Jacob seconded the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 9:03 pm

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Approved this 13th day of October 2021