

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

Wednesday, January 8, 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 McConnehey, Chad Nichols, Ben Southworth, and Justin D. Stoker.

STAFF: Richard L. Davis, City Manager; Jeffrey Robinson, City Attorney; Melanie Briggs, City Clerk; Tom Burdett, Development Director; Ryan Bradshaw, Finance Manager/Controller; Marc McElreath, Fire Chief; Wendell Rigby, Public Works Director; Doug Diamond, Police Chief; Greg Mikolash, City Planner; Ray McCandless, Senior Planner, and numerous City Employees.

5:00 P.M. RECEPTION FOR OUT-GOING MAYOR MELISSA K. JOHNSON AND COUNCIL MEMBER CLIVE M. KILLPACK; MAYOR-ELECT KIM V. ROLFE, AND COUNCIL MEMBER'S-ELECT JEFF HAAGA, AND CHAD NICHOLS

6:00 P.M. CITY COUNCIL MEETING

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Betty Naylor.

III. PRESENTATION

RECOGNITION OF OUT-GOING MAYOR MELISSA K. JOHNSON AND COUNCIL MEMBER CLIVE M. KILLPACK FOR THEIR SERVICE ON THE CITY COUNCIL

Richard Davis recognized Mayor Johnson for her service to the City. He stated she was a progressive and strong leader helping bring many things back to the 'front burner.' She had achieved many great things during her tenure.

Mayor Johnson stated she would miss the staff of West Jordan City because they were among the best in the entire world. They perform their jobs with such commitment, dedication, and willing heart. She had an amazing four years as Mayor, and then four years as a Council member. She has come to realize what was great about community, and West Jordan is great!

Fire Chief Marc McElreath and Police Chief Doug Diamond presented Mayor Johnson with a plaque and badges from each of their departments. They expressed their appreciation to Mayor Johnson for her dedication to the City.

Richard Davis then recognized out-going Council Member Killpack for his dedication to the City and years of service. He expressed his appreciation for his diligence and commitment to the financial direction of the City.

Councilmember Killpack stated he had thoroughly enjoyed serving on the West Jordan City Council. He was grateful to be the 'Watch Dog' for the City, and would continue with that responsibility.

Fire Chief Marc McElreath and Police Chief Doug Diamond presented Council Member Clive Killpack with a plaque and badges from each of their departments. They expressed their appreciation to Clive for his dedication to the City.

Out-going Mayor Melissa K. Johnson was presented with her gavel, picture, a plaque, and a plant on behalf of the City. Out-going Council Member Killpack was presented with a plaque, picture, and plant on behalf of the City.

**OATH OF OFFICE ADMINISTERED TO MAYOR-ELECT KIM V. ROLFE
AND COUNCIL MEMBER'S-ELECT JEFF HAAGA, AND CHAD NICHOLS**

Melanie Briggs administered the Oath of Office to the newly elected Kim V. Rolfe, Mayor, and Jeff Haaga, and Chad Nichols Council Member's At-Large.

**RECOGNITION OF JOHN WINN FOR YEARS OF SERVICE ON THE
PLANNING COMMISSION, AND STEVE FIFIELD FOR YEARS OF
SERVICE ON THE BOARD OF ADJUSTMENT**

The City Council and staff recognized John Winn for his service on the Planning Commission. They presented him with a plaque.

The City Council and staff recognized Steve Fifield for his service on the Board of Adjustment. They presented him with a plaque.

The meeting recessed at 6:30 p.m. and reconvened at 6:40 p.m.

COMMUNICATIONS
CITY MANAGER COMMENTS/REPORTS

Richard L. Davis addressed the appointment of two City members to serve on the VECC Board of Trustees. He mentioned that he would like to serve on the Board, along with Mayor Rolfe as the second appointment. The appointments would be ratified on January 29.

STAFF COMMENTS/REPORTS

Staff members from the various departments briefly commented on the following items:

Bryce Haderlie –

- South Valley Journal would no longer be printing the West Jordan Journal. Staff was looking at various ideas to continue advertising issues for the City.

Marc McElreath –

- Two Fire employees were retiring: Burt Romrell, December 28, 2013, and Blake Behunin, January 15, 2014
- Update on the reconstruction of Fire Station 54

Doug Diamond –

- Three new officer's entered the Police Academy, graduating in June
- Three officers leaving the City: one retirement, one on long-term disability, and one was leaving to work for UPD.
- Updated the Council on the purchase of the Mobile Command Post that was budgeted in the current fiscal year.
- Informed the Council that the Citizen Academy would begin Thursday, January 9, 6:00 p.m.

CITY COUNCIL COMMENTS/REPORTS EXPRESSION OF APPRECIATION

Councilmember Haaga expressed his appreciation for the dedication of City staff and their efforts, as well as the citizens of the City. He looked forward to serving with those individuals.

PUBLIC WORKS EFFORTS DURING SNOWSTORMS

Councilmember McConnehey expressed his appreciation to Public Works staff for their efforts during the recent snowstorms.

QUICK RESPONSE BY POLICE DEPARTMENT

Councilmember McConnehey stated his wife reported suspicious activity in their neighborhood, and was pleased with the quick response and dedication by the City.

SNOWPLOW DRIVER

Mayor Rolfe reported that he looked forward to being the driver of a snowplow.

DISPLAY OF BOEING 787 REPLICA

Mayor Rolfe addressed the Boeing 787 replica that was displayed in the Council Chambers. He said a case would be made to display the airplane.

CITIZEN COMMENTS

Kim Haight, Justice Court Clerk employee, urged to Council to terminate the contract with Taylorsville City for a temporary Justice Court Judge.

Shelley Thomas, Justice Court Supervisor, commented on Consent Item 6.c, she expressed her concern as to why the City proceeded to pass an Interlocal Cooperative Agreement for temporary Justice Court Judge without providing Judge Kunz or her with an opportunity to be involved with the process. She said they were not provided the chance to express their thoughts or input on an issue that directly involved their department. After working in the West Jordan Court for over 30 years, she, and her clerks had never required outside assistance in seeking a pro-tem Judge to fill in for Judge Kunz in his absence. It was disturbing that Recitals 'B', 'C', and Section 1 in the Agreement would contain any kind of language relating to an order issued by the Third District Court or Judge Kunz having so called bias against the City. If the agreement was nothing more than to have a Taylorsville Judge fill in for Judge Kunz while he was unavailable, adding Recitals 'B', 'C', and Section 1 for the intended purposes of the agreement, made absolutely no sense. She asked that the Council terminate the agreement.

Alexandra Eframo, West Jordan, expressed her enthusiasm for the new Mayor and Council that would be serving the City. She indicated that she would like to volunteer in any way that she could to help the City. She felt the City should help businesses stay in business.

Dave Newton, West Jordan resident, addressed his service for the past eight years at the TransJordan Landfill. He invited the Council to a 'Brunch at the Dump' the following morning at 8:30 a.m.

Zach Jacob, West Jordan resident, addressed Business Item 6b, salary of the Mayor and Council salary. He strongly hoped that the Council would not vote on their own salary, while in office.

There was no one else who desired to speak.

IV. CONSENT ITEMS

- 4.a Approve Resolution 14-01, confirming the appointment of members to serve on various Committees**
- 4.b Approve Resolution 14-02, authorizing the Mayor to execute contract with Absolute Construction Inc. for construction of the Grizzly 4 MG Water Storage Reservoir, in an amount not to exceed \$3,644,216.00**
- 4.c Approve Resolution 14-03, authorizing the Mayor to execute the Professional Services Agreement Amendment No. 3 with Excel**

Engineering, Inc. for the 5600 West Roadway Design Phase 2, in an amount not to exceed \$7,820.00

- 4.d Approve Resolution 14-04, authorizing the Mayor to execute a contract with ACME Construction Inc. for the construction of the 2014 Pedestrian Ramp Project at various locations in West Jordan City, in an amount not to exceed \$35,920.00**
- 4.e Approve Resolution 14-05, authorizing the Mayor to execute an Agreement with Hogan & Associates Construction to provide Construction Management/General Contractor services for the construction of Fire Station 54/Police Substation in an amount not to exceed \$79,250.00; in addition to the fee, the General Conditions cost will be approximately 6% of the construction costs and the fee added to any change orders will be 2.5%**

MOTION: Councilmember Nichols moved to approve Consent Items 4.a through 4.e. The motion was seconded by Councilmember Southworth.

A roll call vote was taken

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

The motion passed 7-0.

V. PUBLIC HEARING

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 14-01, AMENDMENT THE GENERAL PLAN LAND USE MAP FOR 2.9 ACRES FROM PROFESSION OFFICE TO MEDIUM DENSITY RESIDENTIAL, AND REZONE APPROXIMATELY 5.97 ACRES FROM A-5 (AGRICULTURE 5-ACRE LOTS) TO R-1-10E (SINGLE-FAMILY RESIDENTIAL 10,000 SQUARE FOOT LOTS AND 'E' SIZE HOME), FOR PROPERTY LOCATED AT APPROXIMATELY 8950 SOUTH 1030 WEST, RP REALTY, INC/RYAN POOL, APPLICANT

Tom Burdett said presently, the site of the subject request was associated with two large parcels and a private road (or driveway). Each parcel contains a single-family dwelling, with the majority of the remaining land being used for the keeping of horses, and/or was underutilized agricultural land. The parcel to the north was 3.51-acres in size, with the

parcel to the south being 2.46-acres. The private driveway, which was located to the west of each parcel, was included in the total acreage as stated previously for a total map amendment boundary of 5.97-acres.

Tom Burdett turned the time over to Greg Mikolash.

Greg Mikolash said the existing Future Land Use Map showed that the north 3-acres of property had a land use designation of Medium Density Residential, while the south 2.9-acres was designated as Professional Office. The Zoning Map listed the entire boundary of the subject properties as A-5 (Agricultural 5-acre lots).

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

	Future Land Use	Zoning	Existing Land Use
North	Medium-Density Residential	R-1-10E	Terra Pointe Subdivision
South	Open Space	Planned Community	River Oaks Golf Course
East	Professional Office	Professional Office (P-O)	River View Office Park
West	Medium-Density Residential	R-1-8D	Farm Meadows and Knollwood Subdivisions

The applicant was requesting to rezone the subject property from A-5 (Agricultural 5-acre lots) to R-1-10E (Single-family Residential, 10,000 square foot minimum lots). This request required that the existing portion of land currently designated as Professional Office on the Future Land Use Map be amended to Medium-Density Residential. Per the General Plan, the Medium-Density Residential Land Use designation had a net density range of 3.1 to 5.0 units per acre. The applicant’s Letter of Intent stated that 17-single family lots would be developed on 5.97-acres of property. The concept plan as provided in the Council’s agenda packet (Exhibit D) showed the proposed roadway design and lot configuration. The average lot size was expected to be 12,653 sq. ft. in area with the smallest lot being 11,178 sq. ft., for a total of 3.44 net units per acre.

On November 26, 2013, the Planning Commission reviewed this request and in a 6-0 vote, favorably recommended approval of both the Future Land Use Map amendment and rezone request to the Council. Minutes from the November 26, 2013 were included in the Council’s agenda packet.

FINDINGS OF FACT:

Section 13-7C-6: Amendments to the Land Use Map:

Prior to making a positive recommendation for a Land Use Map amendment, the following findings shall be made:

Finding A: The proposed amendment conforms to and was consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Discussion: The applicant was proposing to amend the Future Land Use Map and Rezone the subject land for the purpose of constructing 17 single-family detached homes. The proposed R-1-10 zoning district supports up to 5 dwelling units per acre. The proposed density was well below that a net 3.44 du/ac.

The General Plan encouraged a mix of housing in the City, but stated that lower density residential uses were the most preferred housing type in the city (Pages 23 and 31). The immediate area to the north and west was primarily single-family in nature, comprised of both R-1-8 and R-1-10 zoned lots. The proposed Medium-Density Residential designation was consistent with the existing land use classifications in the immediate vicinity, except to the east and south where the property was zoned Professional Office (P-O) and an office complex resides on the site.

The proposed amendment would expand the stock of larger single-family homes on an infill piece of land that was ripe and well suited for residential development.

Finding: The proposed amendment conformed to and was consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Finding B: The development pattern contained on the [existing] land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Discussion: The Future Land Use Map (Exhibit B) in the Council's agenda packet showed that the subject site was adjacent to an existing Medium-Density Residential land use. The proposed subdivision itself would only be accessible from 8925 South which was a 50-foot "local" street-constructed as part of the Knollwood Subdivision in 1983. As proposed, approximately 1.6-acres of property adjacent to 9000 South (not associated with this request) would remain in the Professional Office land use classification. Because of the slopes and ingress/egress issues associated with this land to the south, it would be difficult, though not impossible, to extend a local street from the proposed subdivision to 9000 South. A more feasible land use option and solution was to leave the property in its current configuration and land use classification as Professional Office. Though slopes and ingress/egress would still be of concern at the time the property owner of the 1.6-acre parcel wishes to develop, staff believed that the Professional Office was a more compatible

land use than single-family residential because of the high volume of traffic and impacts created by 9000 South (the main reason for the Professional Office use and zone to the immediate east was to provide an adequate buffer for existing and future residential from the existing power substation). Staff also believed that the remaining 1.6-acres of land would be adequate in size for a small office complex.

Extending the existing land use designation of Medium-Density Residential nearly 425-feet further to the south would allow for a more contiguous land use solution, where residential would be adjacent to residential and ingress/egress from an existing local street would not need to be accessed through a potential professional office land use. In fact, the existing Professional Office land use boundary was north of 8925 South, meaning that if any residential uses were to be proposed on the land today, access would possibly need to be obtained through an office complex, where, typically, private driveways are preferred over public right-of-ways.

Finding: The development pattern contained on the [existing] land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Finding C: *The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.*

Discussion: The proposed Medium-Density Residential land use designation would be more compatible with the land uses to the north and west than the current Professional Office designation shown on the Future Land Use map. As stated in the previous criteria, approximately 1.6-acres of land adjacent to 9000 South will remain as Professional Office, though there were currently no plans to develop this portion of the property.

The conceptual plan submitted with the request(s) showed single-family lots which average 12,653 sq. ft. in size. This average lot size will likely be slightly less when an actual subdivision plat was submitted. This would be due to account for the existing private driveway located on along the west property line needing to stay in place and/or possibly expand in width. This private driveway would still need to serve the existing single-family homes located adjacent to the subject site.

The combined average lot square footage for the Knollwood and Farm Meadows Subdivisions (immediately to the west) was approximately 10,600 square feet. The proposed subzone for home size would be an “E” which related to the following minimum living areas:

- 1 level dwelling (rambler/split entry) -3,000 sq. ft. minimum living space;
- Split level dwelling – 2,400 sq. ft. minimum living space; and,
- Multi-story dwelling (2 or more) – 3,000 sq. ft. living space.

Though the River View Office Complex was the property immediately to the east, staff believed that the expansion of a single-family residential use to this infill area was a more compatible land use solution than professional office. The reasons being:

- At the current time, the subject property would only be accessible via 8925 South which was a residential (or local) street.
- It was unlikely that a Professional Office use would be served solely by a residential street; wherein, a solution would need to be found for obtaining access to the existing vacant 1.6-acres of land immediately adjacent to the subject site and fronting 9000 South. The proposed residential subdivision that would follow approval of this request does not need access to or from 9000 South.
- The grade difference between the existing office to the east and the proposed residential was significant. The construction of a local street for vehicle or pedestrian access between the two properties is infeasible.
- The River View Office Complex served as an existing and appropriate transition of professional office between a large and existing power utility substation and residential (per this request). In staff's opinion, no further buffering and/or transitioning is necessary.
- The established slope in the area serves as a secondary transitional component between the existing power utility station – the existing River View Office Complex and the proposed residential use.
- Single-family residential was a more compatible infill use for this approximate 6-acre site.

Finding: The proposed amendment would be compatible with other land uses, existing or planned, in the vicinity. This being said, it would be necessary to configure a proposed subdivision and new single-family lots so as to *not* interrupt or inhibit access from the existing single-family homes that were served from the private driveway/alley located along the subject property's west boundary line.

Finding D: *The proposed amendment constitutes an overall improvement to the adopted general land use map and was not solely for the good or benefit of a particular person or entity.*

Discussion: The applicant will directly benefit from approval of the proposed amendment; however, the amendment would allow for a more

compatible infill use of the site, where impacts from lighting, vehicle traffic, parking, and noise would be minimal. Expanding the Medium-Density Residential boundary to the south also makes sense because the only current and feasible access to the area was from 8925 South.

Finding: The proposed amendment constitutes an overall improvement to the adopted general land use map, responded to neighborhood concerns and was not solely for the good or benefit of a particular person or entity.

Finding E: *The proposed amendment would not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.*

Discussion: The proposed density of the conceptual subdivision was 3.44 du/ac, which was within the density range of the Medium-Density Residential land use designation (3.1 to 5.0 du/ac).

The City Engineering Department had indicated that the City *does* have the ability to service the project subject the following:

- Water: An existing 6-inch water line will need to be upgraded and extended with an 8-inch line for service;
- Sewer: Extend service to an existing manhole within 1030 West;
- Storm Drain: Option 1 – Extend to and upgrade the existing line in 1075 West. Option 2 – Negotiate an easement with the property owner to the south wherein a connection can be made to 9000 South. Option 3 – Negotiate an easement with the property owner to the east and release on the existing detention at that location. Option 4 – Obtain permission to release into the existing private irrigation line located along the west property line of the proposed subdivision. Note – the City does not have a storm drain facility *readily* available. The Developer of the property will need to determine which option is best for releasing storm drain water – subject to City approval.

Staff had been in contact with the Jordan School District to see how the proposed development would impact the schools in this part of West Jordan. The School District had indicated that the existing schools could adequately accommodate the number of students anticipated for this development.

The area would be served by the following schools:

- Riverside Elementary
- Joel P. Jensen Middle School

- West Jordan High School

Finding: The proposed amendment would not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

Finding F: *The proposed amendment was consistent with other adopted plans, codes and ordinances.*

Discussion: The City's General Plan and Future Land Use Map are the only applicable adopted documents against which this specific review would apply. Review of this application related to conformity of the City's Comprehensive General Plan was discussed in detail in *Finding A*.

Finding: The proposed amendment would be consistent with all adopted plans, codes, and ordinances.

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

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City's General Plan.*

Discussion: A portion of the subject property was located within the Medium-Density Residential land use designation. This designation was created for those residential uses which fall between 3.1 and 5.0 dwelling units per acre. The applicant was proposing to amend approximately 2.9-acres of land currently identified as Professional Office on the Future Land Use Map to Medium-Density, complimenting the existing residential land use to the north and west.

As mentioned in Finding A of the Future Land Use Map findings, the proposed amendment conforms to and was consistent with the adopted goals, objectives, and policies set forth in the General Plan.

Finding: The proposed rezone and Future Land Use Map amendments were consistent with the purposes, goals, objectives and policies of the City's General Plan.

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

Discussion: Please reference Finding C and E of the Future Land Use Map findings which addresses this criterion in detail.

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

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

Discussion: The R-1-10E zoning district had specific standards which will and must be met when the property was subdivided and developed. The R-1-10E zone was compatible with the existing zones and housing densities found in surrounding neighborhoods and would not harm the public health, safety, or welfare of the city as a whole. This criterion was specifically addressed in Finding C of the Future Land Use Map findings located in the report, located in the Council's agenda packet.

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

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

Discussion: The Engineering Department had determined that the City would have the ability to service the property with water, sewer, streets and storm drainage subject to developer constructed improvements at the time of subdivision plat approval. The Fire Department would review the proposed development at the time of subdivision application to ensure full serviceability. Please refer to Finding C in the Land Use Amendment criteria for a full explanation on serviceability.

Several residents that live in the adjacent neighborhood(s) attended the public hearing to voice concerns related to future development on the site. Though no citizens voiced a concern related to the proposed future land use map amendment or rezone, there were concerns related to future development of the subject site. Included in the staff report was the draft Planning Commission minutes, noting concerns relating to: traffic congestion at 9000 South and 1075 West; narrow streets; concerns of garbage pick-up; the burial of underground utilities; water table issues, adequate ingress/egress; and, property line related issues with abutting property owners.

Finding: At this point, the proposed amendment would not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways. Many concerns related to the adequacy of public services would be addressed at the time of a subdivision plat submittal.

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

Discussion: The property is not located within any overlay zone.

Finding: This criterion does not apply.

In conclusion, staff supported the proposed Zoning and Future Land Use Map amendments associated with this request, believing that the intended residential infill for this area will be compatible with adjoining land uses and with the neighborhood.

Based on the findings set forth in the staff report, staff recommended that the City Council amend the Future Land Use Map designation from Professional Office to Medium-Density Residential for 2.9-acres of property, and rezone 5.97-acres from A-5 (Agricultural 5-acre lots) zone to an R-1-10E (Single-family Residential, 10,000 square foot minimum lots) for the property generally located at 1030 West 8950 South.

The Council and staff discussed clarifying questions.

Mayor Rolfe opened the public hearing.

Tommy Viccerelli, West Jordan resident, addressed the grade of the road that accessed the area.

Carleen Logan, West Jordan resident, stated she lives in the area and does not want the road to become an alleyway.

Tim Williams, West Jordan resident, suggested that the piece that was south of the parcel, also be rezoned to residential. He felt 1030 West must be addressed to consider service to the road, along with a variety of other issues.

Rick Logan, West Jordan resident, stated he was concerned with 1030 West becoming a private lane. The City must address the service that must be provided.

Boyd Brown, West Jordan resident, said he owned the property to the east of the parcel, and was in favor of the proposed rezone. He felt the challenges presented would occur, no matter what.

Kyle Spencer, Northern Engineering, Design Engineer for the parcel, said once a plan was presented to the City, resident's concerns would be addressed. They would like to bring forth a quality development to this location.

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

Councilmember Nichols said he would be open to using 1030 West and improving the road.

Councilmember McConnehey supported the proposed change from P-O to Residential.

MOTION: Councilmember Stoker moved to approve Ordinance 14-01, amending the Future Land Use Map from 2.9 acres from Professional Office to Medium-Density Residential, and rezone 5.97 acres from A-5 (Agricultural 5-acre lots) zone to R-1-10E (Single-family Residential, 10,000 square foot minimum lots) for the property generally located at 1030 West 8950 South. The motion was seconded by Councilmember McConnehey.

Councilmember Haaga said in this area the water table was high and slope was steep. He opposed this proposal until the fire truck issue could be resolved.

Councilmember Hansen felt the issues of concern would be addressed with the subdivision application.

Councilmember Nichols briefly addressed the concerns of Mr. Williams, and traffic concerns.

Mayor Rolfe provided the reasons he was in favor of the motion.

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	Yes

The motion passed 6-1.

VI. BUSINESS ITEMS

DISCUSS AND POSSIBLE ACTION REGARDING RESOLUTION 14-06, APPROVING THE CONVERSION OF A PORTION OF JORDAN MEADOWS PARK LAND TO FUTURE PUBLIC RIGHT-OF-WAY FOR JORDAN MEADOWS PARK SUBDIVISION, LOCATED AT APPROXIMATELY 2230 WEST AND 7544 SOUTH, IN AN R-1 10-B ZONING DISTRICT, MAR HOLDINGS/BOYD BROWN APPLICANT

Tom Burdett said Mar Holdings, Boyd Brown applicant was looking for the approval of the conversion of a portion of Jordan Meadows Park property to future public right-of-way for the proposed Jordan Meadows Park Subdivision, located at approximately 2230 West and 7544 South, in an R-1-8B zoning district.

Tom Burdett turned the time over to Ray McCandless.

Ray McCandless said MAR Holdings/Boyd Brown was proposing to develop a 5-lot single-family residential subdivision on the south side of the Jordan Meadows Park. The property was in an R-1-8B zoning district at approximately 2230 West and 7544 South. The property was located at the northern end of 2230 West which was currently a stub street. The applicant needed the park space to provide sufficient street width and area for a turn-around as shown on the concept subdivision plat (Exhibit C) provided in the Council's agenda packet.

He said this 1.57 acre property was zoned from R-1-10B to R-1-8B on May 8, 2013. On June 26, 2013, the City Council held a discussion on this matter. The Council's non-binding direction to the applicant was summarized as follows:

The Council was in agreement to NOT proceed with:

- Deed/convey the remnant parcel to the City
- City contributing to the cost of the improvements on park property

The Council was in agreement to:

- Transfer park property to a City dedicated road, but would not gift the property, there would need to be a different exchange option.
- Consider a 40-foot right-of-way road design (flexible)

The complete discussion was contained in the June 26, 2013 City Council meeting minutes which were attached as Exhibit E, in the Council's agenda packet.

Since the June 26, 2013 City Council meeting, the applicant re-designed the preliminary plat to address the City Council's concerns. The original concept subdivision plat provided at the June 26, 2013 meeting showed 4,843 square feet (.11 acres) of park space converted to public right-of-way. The revised drawing showed that only 2,861 square feet (.07 acre) of park space would need to be transferred to public right-of-way. The concept plat also showed the cul-de-sac shifted further to the south, away from the playground and a sidewalk on the north side of the street as recommended by the City

Council. There was a parking area (5 spaces) for park users that would be installed by the applicant on park property.

Staff was of the opinion that the proposed sidewalk and parking improvements within the park were of equal or greater intrinsic value than the small amount of park space to be converted to right-of-way. Developing the property as proposed would:

- Provide additional parking for the park and better access to the playground.
- Make the park more accessible to the general public.
- Provide access for emergency vehicles to the south side of the park.
- Give better surveillance of the park as the proposed homes will face the park.
- Provide better pedestrian safety as there will be a sidewalk along the street adjacent to the park.

For these reasons, staff supported the transfer of park space to public right-of-way as proposed. The City would sign the final subdivision plat as a property owner.

Staff recommended that the City Council adopt a resolution authorizing the conversion of approximately 2,861 sq. ft. of the Jordan Meadows Park to public right-of-way for the proposed Jordan Meadows Park Subdivision located at approximately 2230 West and 7544 South in an R-1-8B zoning district.

The Council and staff discussed clarifying questions regarding:

- Distance from the parking lot to the playground
- If there were any measures to keep the children from running out of the playground
- Length of the cul-de-sac
- Curb, gutter, and sidewalk
- Compensation
- Responsibility of parking spots and improvements
- Neighbor's concerns regarding parking
- Use funding for something other than parking spots
- Safety measures a concern (playground location)

Councilmember Stoker was against this proposal because of the playground location and it's proximity to the parking lot.

Councilmember McConnehey agreed with Councilmember Stoker, but would be in favor of this proposal if the parking area was eliminated and the playground area relocated. He stated that this had been a little different experience, because the developer who was working on this had been proactive in working with the community, Council, and staff.

Councilmember Nichols asked whether the applicant would consider eliminating the parking spaces, and relocating the park amenities.

Boyd Brown, Applicant, said he would be in favor of eliminating the parking spaces and making changes to the park amenities. He reviewed several possible changes and informed the Council of a retention wall in the design.

The Council and staff commented on several issues:

- Vinyl fencing
- Off-set cul-de-sac
- Buildable area for lots
- Playground area with equipment
- Playground set-backs
- Elimination of the parking area (neighbor complaints might ensue)
- Contribute parking lot funds to the park amenity funding

Councilmember Stoker felt the parking area would keep traffic from the cul-de-sac. He was against the developer being made to contribute to deteriorated improvements in the park unrelated to his development.

Councilmember Haaga was in favor of keeping the location of the playground, and the parking stalls.

Councilmember Hansen agreed with Councilmember McConnehey regarding the parking. She felt the residents in the area would use the parking for additional home parking.

MOTION: Councilmember Southworth moved that the City Council adopt Resolution 14-06, authorizing the conversion of approximately 2,861 sq. ft. of the Jordan Meadows Park to public right-of-way for the proposed Jordan Meadows Park Subdivision located at approximately 2230 West and 7544 South in an R-1-8B zoning district, and direct staff to work with the applicant to consider any safety features that would deemed reasonable to protect children at that playground. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

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

The motion passed 5-2.

**DISCUSSION AND POSSIBLE ACTION REGARDING THE SALARIES
OF THE MAYOR AND CITY COUNCIL MEMBERS**

Mayor Rolfe said recently the Mayor's and City Council salaries had been addressed. He reported that during his campaign, he believed that the salary approved for the Mayor of West Jordan was too high. He felt the Mayor of the City should not make greater than the average income of the City's residents. He also believed that the City Council Member's salaries were too low.

Listed below was the current City Code:

1-7B-4: COMPENSATION:

The mayor shall be paid an annual salary of eighty-nine thousand five hundred dollars, (89,500.00). This salary will be distributed to the mayor over 26 pay periods through the city's regular payroll system, including the withholding of state and federal taxes and state pension plan assessments. The mayor will not be required to submit time sheets. The mayor will also receive the standard benefits provided by the city to appointed officers of the city; provided that the mayor will be allocated no executive or compensatory leave. (2001 Code § 2-4-404; amd. Ord. 13-24, 07-31-2013)

1-6-4: COMPENSATION OF MEMBERS OF CITY COUNCIL:

Each member of the city council, other than the mayor, shall be paid a monthly salary of eight hundred fifteen dollars (\$815.00). (2001 Code § 2-3-105)

MOTION: Councilmember Haaga moved to direct City Management to bring back an ordinance reducing the salary of the Mayor, in our form of government, from the \$89,500.00 to \$60,000.00 per annum, leaving in the place the other benefits already approved by the former Council. Also, the remaining \$29,500.00 to remain in the City Council budget, and in accordance of Utah Code 10-3-818 at the next City Council meeting, conduct a public hearing to consider increasing the salary of the Council Member's from \$815.00 to \$1,225.00 per month, funded from the City Council budget. The motion was seconded by Mayor Rolfe.

Councilmember Nichols disagreed with the proposed salary change. He said historically West Jordan had been fortunate to have Mayor's, who were always in a good position and could afford to run for the position, or at least had the time to give to the City. He believed it was time for change and full-time representation was needed. He felt the current salary made it possible for all residents to run for office. Additionally, he said he would not vote to give himself a raise. He brought up the subject of possibly having a salary commission. That would review elected officials salaries.

Councilmember McConnehey spoke against the motion. He felt Council Member raises could be addressed for future Councilmembers. He commented on the change of the Mayor's salary. He said compensation should be reflective of the duties performed. He reviewed the average salary of other Mayor's in early 2013.

Councilmember Hansen agreed with Councilmember McConnehey. She would also be uncomfortable with increasing her own salary.

Councilmember Stoker would like to provide Mayor Rolfe a way to fulfill his campaign promises. He reviewed ways this could be done.

Councilmember Southworth said the City must have full representation from the Mayor. He said changing the Mayor's salary 'up to' a specific amount was a good idea.

Councilmember Haaga felt a public hearing to receive input regarding salaries for the Mayor and Council was needed.

Mayor Rolfe addressed the work put in by Councilmembers. He believed Councilmembers salaries should be reviewed and changed.

A roll call vote was taken

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

The motion failed 2-5.

MOTION: Councilmember Stoker moved to direct staff to bring back a possible text amendment, that would allow the Mayor's salary to remain at the \$89,500.00; but to allow the Mayor to accept a lower salary if they desire. The motion was seconded by Councilmember McConnehey and passed 6-1 in favor with Councilmember Haaga casting the negative vote.

MOTION: Councilmember Stoker moved to direct staff to begin the formation of a Committee for the evaluation of the Council Members salary. The motion was seconded by Councilmember Nichols.

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 14-07, TERMINATING THE INTERLOCAL COOPERATION AGREEMENT WITH TAYLORSVILLE CITY FOR A TEMPORARY JUSTICE COURT JUDGE

Jeff Haaga said on December 18, 2013, the City Council voted on an Interlocal Cooperation Agreement with Taylorsville City for a Temporary Justice Court Judge.

He said West Jordan was a first class City with special requirements regarding our Justice Court. He opposed anything that took away the City's autonomy. He believed the earlier passed Interlocal Cooperation Agreement with Taylorsville City for a temporary Justice Court Judge removed the City's authority. He provided the Council with the process for selecting a Justice Court Judge.

MOTION: Councilmember Haaga moved to approve Resolution 14-07, terminating the Interlocal Cooperation Agreement with Taylorsville City for a temporary Justice Court Judge, as stated in Section 7, of the agreement. The motion was seconded by Mayor Rolfe.

Councilmember Hansen suggested tabling this issue, so it could be discussed during a closed session.

The Council reviewed their concerns regarding the agreement and possible changes to the agreement.

Councilmember Southworth called the previous question.

A roll call vote was taken

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

The motion failed 3-4.

MOTION: Councilmember McConnehey moved to direct staff to reevaluate the language of the agreement in place, and bring back to Council a revised agreement more tailored to the comments that were shared tonight, specifically the need for a temporary judge to fill in for any reason, not specifically focused on those that were pointed out, and at the next City Council meeting.

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.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-08, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CONSTABLE LARRY BRINGHURST, DBA COURT SERVICES OF UTAH, LLC

Doug Diamond said the West Jordan Police Department was proposing contracting building/court security and court prisoner transports with a local constables office. The FTE currently occupied by the bailiff position could be reallocated to better serve department needs. For this reason bailiff position salary costs were not used in calculating expense or savings. It should be noted that these costs/savings do not include equipment costs, vehicle costs, benefit hours, training, etc.

Currently (not counting the bailiff) there were positions for two (2) full time building security officers, and two (2) part-time building security officers. With the following salary cost breakdown:

- Full Time \$62,347.00 ea. **Total: \$124,694.00**
- Part Time \$19,523.00 ea. **Total: \$39,046.00**

Grand Total: \$163,740.00

Recently the West Jordan Police Department solicited proposals from qualified constables to provide bailiff, security, and prisoner transport services for the West Jordan Municipal Court. After reviewing the four proposals that were received the selection committee opted to select

Constable Larry C. Bringhurst of Utah Court Services LLC to provide these services. This selection was based on the totality of factors to include experience providing this type of service, price, and the ability to meet the requirements set forth in the Request for Proposal.

Constable Bringhurst operates Utah Court Services which currently provided court services for Sandy City, West Valley City, Draper City, Midvale City, Riverton City, Holladay City, Herriman City, Clearfield City, and South Salt Lake.

Constable Bringhurst provides 40-hours of in service training for his deputies. Uniforms consist of LAPD blue shirt and trousers with badges and shoulder patches (no visible tattoos allowed). Constable Bringhurst provides all uniforms, weapons, vehicles, equipment, etc. Constable Bringhurst provided a list of officers and their backgrounds that would potentially be working the courts. They all appeared to have previous LEO experience (several were retired deputies) and/or had significant police or constable experience.

Transports were facilitated via two vans, and two sedans. The vehicles were equipped with cages, and transports were conducted in compliance with the Salt Lake County Sherriff's Office policies, and CALEA standards.

Manpower was billed at a rate of \$25.00 per hour for bailiff and security services. The vendor would coordinate with courts and Building Security sergeant to insure we are not paying for services when the building is closed and/or court is not in session.

Personnel Costs (2,080 hours): \$104,000.00

Transports were billed at a rate of \$25.00 round trip on in custody, and \$25.00 one-way for forthwith commitments. It should be noted that pricing for out of county transports was given but was not of concern due to the anticipation of utilizing warrant officers for out of county transports.

In custody transports (400): \$10,000.00
Forthwith transports (100): \$2,500.00

Grand Total: \$116,500.00

Staff believed that by outsourcing these services the City would continue to enjoy quality bailiff, transport and court security services while realizing an ongoing annual savings of \$47,240.00.

MOTION: Councilmember Stoker moved to approved Resolution 14-08, authorizing the Mayor to execute a contract with Constable Larry Bringhurst regarding court services. 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 Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

Mayor Rolfe said he intended to comply with the 9:00 p.m. adjournment time.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-09, AMENDING THE CITY OF WEST JORDAN SALARY SCHEDULE FOR FISCAL YEAR 2013-2014

Bryce Haderlie said staff had proposed to update the Salary Schedule in order to update the Mayor's salary and add a grant funded Part-time Domestic Violence Victim Coordinator position.

He said Ordinance 13-24, was passed on July 31, 2013 to increase the Mayor's annual salary from \$18,366.40 per year to \$89,500 per year.

Bryce Haderlie reported that a State grant had been received to fund a Part-time Domestic Violence Victim Coordinator position for a six-month period. For this reason, staff was adding this position to the Salary Schedule.

There was no fiscal impact on the grant-funded position while the Mayor's salary increased \$71,133.60 year, and was already included in the approved budget.

Staff recommended approval of the proposed Resolution amending the Salary Schedule for City employees for fiscal year 2013-2014.

MOTION: Councilmember Haaga moved to adopt Resolution 14-09, amending the Salary Schedule for fiscal year 2013-2014. 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 Southworth	Yes
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

OPEN MEETING LAW TRAINING

Mayor Rolfe directed staff to move this item to the January 29, 2014 City Council meeting.

VII. REMARKS

There were no further comments.

VIII. ADJOURN

MOTION: Councilmember McConnehey moved to adjourn. The motion was seconded by Councilmember Hansen and passed 7-0 in favor.

The meeting adjourned at 8:57 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 12th day of February 2014