

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

**Wednesday, January 29, 2014**

**6:00 p.m.**

**Council Chambers**

**8000 South Redwood Road**

**West Jordan, Utah 84088**

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**COUNCIL:** Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Ben Southworth, and Justin D. Stoker. Council Member Chad Nichols arrived at 5.05 p.m.

**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; Darien Alcorn, Deputy City Attorney, and Jim Riding, Capital Facilities Manager.

**5:00 P.M. CLOSED SESSION**

**I. CALLED TO ORDER**

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

**II. CLOSED SESSION**

**DISCUSS PENDING OR IMMINENT LITIGATION, AND DISCUSS PERSONNEL ISSUES**

**COUNCIL:** Mayor Kim V. Rolfe and Council Members, Jeff Haaga, Judy Hansen, Christopher M. McConnehey, Ben Southworth, and Justin D. Stoker. Council Member Chad Nichols arrived at 5:05 p.m.

**STAFF:** Richard L. Davis, City Manager; Jeff Robinson, City Attorney; Stuart Williams, Deputy City Attorney, and Camille Johnson, outside Counsel.

**MOTION:** Councilmember Hansen moved to go into a Closed Session to discuss pending or imminent litigation, and discuss personnel issues. The motion was seconded by Councilmember Stoker.

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Absent</b>
<b>Councilmember Southworth</b>	<b>Yes</b>

**Councilmember Stoker**                      **Yes**  
**Mayor Rolfe**                                      **Yes**

**The motion passed 6-0.**

The Council went into the Closed Session to discuss the pending or imminent litigation, and discuss personnel issues at 5:03 p.m., and recessed at 6:04 p.m.

The meeting reconvened at 6:07 p.m.

***Iia. PLEDGE OF ALLEGIANCE***

The Pledge of Allegiance was led by Braxton Cotton, Troop 1557.

***III. COMMUNICATIONS***

**CITY MANAGER COMMENTS/REPORTS**

Richard L. Davis updated the Council on the beginning stages of establishing a plan for perpetual parks, trails, and open-space funding.

**STAFF COMMENTS/REPORTS**

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

Jeff Robinson –

- Part-time employee in the Prosecutors office would be leaving, and they would immediately be filling the position.

Tom Burdett –

- Updated the Council on the previous Council discussions regarding the Solar Energy ordinance that had been proposed sometime ago. Due to the significant changes, the proposed ordinance would be presented to Planning Commission during their meeting February 4, 2014, and then forwarded to the Council.

Ryan Bradshaw –

- A Public Hearing would be held on February 26 for the Council to inform the public that the City does not charge themselves for utilities.
- Staff was pursuing a capital lease for six vehicles with a purchase price of over \$100,000 for each, with a total amount to lease of \$1,125,000.00 with a percentage rate of 1.66.

Marc McElreath –

- Stated with the recent two retirements in the Fire Department, they would begin the recruitment process to fill the vacant positions. The Council agreed.

Wendell Rigby –

- Bids would be received tomorrow, January 30, for the 5600 West Phase 2 Project, 7000 – 7600 South
- Informed the Council that Sandy Kuperus, Executive Assistant, would be retiring, and the department would be proceeding with filling the position.

Doug Diamond –

- February 13, at 4:00 p.m. in the Police Community Room, there would be a Badge Pinning for a promotion, as well as recognizing two Officers for life-saving awards, and three new Police Officers.
- Made two offer letters to Police Officers, and possibly two additional by the end of the week.
- Solution to close the gap to bring Police Officers on quicker would be to hire a part-time background investigator. The Council agreed.

#### **CITY COUNCIL COMMENTS/REPORTS DANNON YOGURT TO ADDRESS FOUL ODOR**

Councilmember Stoker updated those in attendance on the complaints regarding the foul order in the west end of the City (Dannon Yogurt). There was nothing amiss with the sewer lines, etc. Dannon would be conducting an Open House, February 11, Copper Canyon Elementary school north of 9000 South 5500 West, at 6:30 p.m., to address this issue.

Richard L. Davis informed the Council that Scott Corsetti, Senior Plan Director from Dannon indicated that the issue might be from bad bacteria.

#### **60<sup>TH</sup> ANNIVERSARY FOR WESTERN STAMPEDE RODEO**

Councilmember Southworth informed the Council and those in attendance that the Western Stampede Rodeo would be celebrating its 60<sup>th</sup> Anniversary. He addressed a number of the events that were scheduled for July.

#### **RON WOOD PHASE II PROJECT UPDATE**

Councilmember Southworth updated those in attendance on the status of the construction for Ron Wood Phase II project.

#### **EXPRESSION OF APPRECIATION**

Councilmember Nichols expressed his appreciation to the Animal Control department, and particularly the Animal shelter on the status of the facility.

#### **DOMESTIC VIOLENCE COMMITTEE UPDATE**

Councilmember Hansen updated the Council on the recent meeting she attended for the Domestic Violence Committee, specifically for the South Valley Sanctuary. She informed those in attendance of a survey that was online for citizens to complete.

### **GOVERNMENT FINANCIAL OFFICERS ASSOCIATION AWARD**

Richard L. Davis informed the Council that the City had received the Government Financial Officers Association Award (GFOA), for the Fiscal Year 2013-2014 Budget.

### **THEATER ARTS REQUEST**

Mayor Rolfe stated he had received a request from the Theater Arts to conduct their upcoming play at the Midvale Theater Arts location, for \$100 per night.

Councilmember Nichols said this issue had been brought before the Council several times. He felt tax revenues should remain in the City.

Councilmember Stoker reported that venues within the City had been considered, but with no luck. He felt the Midvale Theater was a good option, until a suitable location could be located. He said the use of school auditoriums were very expensive.

Councilmember Southworth expressed concerns regarding West Jordan City taxpayers sending revenue to another city. He suggested some kind of collaboration with the County or Midvale City to retain revenue within the City.

Councilmember McConnehey remarked that conversations with Theater Arts had taken place about making sure there was an available venue before starting production. He agreed that taking revenue outside the City was an issue, and pointed out that ticket sales revenue comes back to West Jordan City. He also expressed concern for the citizens of the City who may want to participate in the Theater Arts program. He suggested approaching the county about the use of the old library building.

The majority of the Council were in favor of allowing the Theater Arts to perform at the Midvale Theater Arts.

### ***IV. CITIZEN COMMENTS***

Alexandra Eframo, expressed her appreciation to the Boy Scouts and their leaders for being in attendance. She then expressed her disagreement with Business Item 7d, and the proposal for a new logo. She felt that the City did not need a new logo.

There was no one else who desired to speak.

### ***V. CONSENT ITEMS***

**5.a Approve the minutes of December 18, 2013 as presented**

**5.b Approve Resolution 14-06, declaring items from various City Departments that are no longer of any value or use as surplus property, and authorize the disposition**

- 5.c Approve Resolution 14-07, confirming the appointments of Richard L. Davis as the City's primary voting member and Kim V. Rolfe as the alternate voting member on the Valley Emergency Communication Center (VECC) Board of Trustees**
- 5.d Approve Ordinance 14-02, amending the 2009 West Jordan Municipal Code Title 1, Section 7, regarding the Mayor's duties and compensation, and the election of the City Council**
- 5.e Approve Resolution 14-08, amending the City of West Jordan Salary Schedule for Fiscal Year 2013-2014**
- 5.f Approve Resolution 14-09, confirming the appointment of members to the Employee Discharge Appeal Board**
- 5.g Approve Resolution 14-10, authorizing the Mayor to execute the Professional Services Agreement Amendment No. 1 with Bowen Collins & Associates, Inc. for Construction Management Services for the Zone 6 Highway Junction 3.0 MG Water Storage Reservoir, in an amount not to exceed \$78,828.00**
- 5.h Approve Resolution 14-11, authorizing the Mayor to execute an Agreement with Tyler Technologies, Inc., to provide Enterprise Resource Planning (ERP) software solution product "MUNIS" and services for the ERP system implementation, in an amount not to exceed \$794,930.00**
- 5.i Approve Resolution 14-12, authorizing the Mayor to execute an Agreement with InterPlan for the Master Transportation Plan Update Modeling Assistance in an amount not-to-exceed \$10,666.50**
- 5.j Approve Resolution 14-13, authorizing the Mayor to execute an Agreement with Hansen Allen & Luce, Inc. for the Secondary Water Master Plan Update in an amount not to exceed \$79,533.00**
- 5.k Approve Resolution 14-14, authorizing staff to proceed with a Purchase Order with Sonntag Recreation, LLC for playground equipment for the Ron Wood Park in an amount not to exceed \$450,000.00**
- 5.l Approve Resolution 14-15, authorizing the Mayor to execute two original copies of the Interlocal Cooperation Agreement between West Jordan City and Salt Lake County for Participation as Co-Permittee under UPDES Permit No. UTS000001 (Jordan Valley Municipalities)**
- 5.m Approve Resolution 14-16, authorizing the Mayor to execute three original copies of the Encroachment Agreement between West Jordan**

**City and Welby Jacob Water Users Company in an amount not to exceed \$8,400.00**

The City Council pulled Consent Items 5d, 5g, 5j, and 5k for further discussion. Consent Item 5e. was continued until February 12.

**MOTION:** Councilmember Southworth moved to approve all Consent Items except for the items pulled; 5.d, g, j, and k. The motion was seconded by Councilmember Nichols.

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**VI. PUBLIC HEARING**

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 14-03, RATIFY THE PLANNING COMMISSION APPROVAL OF THE ENGLEFIELD HEIGHTS SUB-AREA PRELIMINARY DEVELOPMENT PLAN PERMITTING 3.43 UNITS PER ACRE MAXIMUMS DENSITY WITH 66 RESIDENTIAL LOTS ON PROPERTY LOCATED AT APPROXIMATELY 6400 WEST 7800 SOUTH WITH THE HIGHLANDS MASTER PLAN, GARBETT LAND INVESTMENTS, LC, APPLICANT**

Tom Burdett said in 2006 the subject property was rezoned from Agricultural (A-5) to Low Density, Single-family Residential (LSFR) as part of the establishment of the West Side Planning Area (WSPA) (Ordinance 05-51).

In 2011, the Planning Commission reviewed a revised master plan that added 134 acres of area to the original concept plan (2009); bringing the total area of the master plan from 236 acres to approximately 370 acres. Apart from the addition of new land, the new master plan on the original 236 acres was essentially unchanged. This expanded master plan, the *Highlands Master Plan*, received general positive feedback from the Planning Commission. The Highlands Master Plan was never forwarded to the City Council for their review and comment as it was presented to the Planning Commission as a discussion item.

On June 5, 2012, the Planning Commission reviewed a more detailed Highlands Master Development Plan. In addition to the general conceptual land use layouts, which the Planning Commission reviewed in 2011, this more detailed master plan included supportive information related to *potential* density buy-ups within each “village” or sub-area plan. As before, the master development plan received general positive feedback from the Planning Commission. No official action by the Planning Commission was made as this was a discussion item.

On December 17, 2013, the Planning Commission considered this item and in a 6-0 vote, voted to forward a positive recommendation to approve the Preliminary Development Plan subject to the following approval conditions:

1. The Final Development Plan shall be updated to state: Once the streetscape walls along 7800 South and 6400 West have been installed by the applicant and the warranty period expired, maintenance of these streetscape walls shall be the responsibility of an Assessment Area, the adjacent property owners or the homeowners association.
2. The applicant shall provide a list of the specific design requirements, as approved in the sub-area preliminary development plan, to all future home builders within this development to ensure compliance with these adopted architectural standards.
3. The applicant shall update the sub-area preliminary development plan to specifically show which lots must have a front covered porch greater than 50 square feet in size.

Tom Burdett turned the time over to Ray McCandless.

Ray McCandless said the applicant, Garbett Land Investments, LC, was requesting approval of the Englefield Sub-area Preliminary Development Plan and the Englefield Heights Preliminary Subdivision Plat. The Englefield Heights subdivision was located at approximately the southeast corner of 7800 South 6400 West as shown on the Aerial Map (Exhibit A) in the Council’s agenda packet.

The Englefield Subdivision included 66 lots on 19.23 net acres (19.85 acres gross) for a proposed residential density of 3.43 dwelling units per acre. The subdivision would be developed in two phases. Phase one would consist of 24 lots on the south end of the property, Phase 2 would include 42 lots. Lot sizes would range between 5,040 and 14,720 square feet. The subject site was designated as Low Density Residential on the City’s Future Land Use Map. The entire property was zoned Low Density, Single-family Residential (LSFR).

The LSFR zone allows residential density of 2.01 to 4.00 dwelling units per acre. The 3.43 dwelling units per acre proposed by the applicant required a density buy-up of 72% which was based on staff’s analysis of the amenities and enhancements proposed by the applicant in the Preliminary Development Plan (Exhibit H) in the Council’s agenda packet. The applicant’s analysis in the Preliminary Development Plan showed a density

buy-up of 83%. Specific review of the proposed elements of the development plan was in the following section.

The applicant was proposing a 1.24 acre park and youth soccer play field in the center of the development. There would also be a .58 acre landscaped open area at the intersection of 7800 South and 6400 West as shown on the preliminary Subdivision Plat (Exhibit E) in the Council's agenda packet.

The applicant proposed to construct energy efficient homes on each of the lots. Examples and descriptions of the homes were contained in the Preliminary Development Plan which was reviewed by the Design Review Committee on October 29, 2013. The members in attendance recommended approval of the Preliminary Development Plan and Preliminary Subdivision Plat.

*Findings of Fact – Preliminary Development Plan*

There were no specific findings of fact for development plans; however, the Municipal Code does provide a table which indicates required elements and bonus density elements for development plans located in the West Side Planning Area (WSPA) (Municipal Code Section 13-5J-5C).

Assigning values (density buy-ups) to some of the amenities and improvements may be challenging given the lack of comparable context to other projects. In order to assist in this review, staff had provided Table 1.0. The most recent residential development in the WSPA reviewed by the Planning Commission was the Loneview sub-area plan that was reviewed and approved last year.

Table 1.0 was derived from the table found in Section 13-5J-5C of the Municipal Code. Within the table was a tabulation of staff's review along with discussion of each amenity/improvement as they relate to the Englefield development plan. The criteria listed in the table are further elaborated upon in Section 13-5J-6 of the Municipal Code.

The following Table was provided for review of the Englefield Sub-area Preliminary Development Plan to assist the Council in tallying up the total amount of density buy-up.

*Table 1.0*

	Weighted Value	Required vs. Optional	Has Criteria been met? Yes or No	Scaled Score Rate 1 - 10; 1 = not met; 10 = exceeded criteria.	Score
<b>Amenity/Improvement</b>					
<b>Trails and open space:</b>					
<i>Improvement: Dedication of open space, trail corridors of "in lieu of fees" in accordance with the comprehensive general plan and the parks, recreation and trails master plan</i>		Required	Yes		N/A
<b>Discussion:</b> The Parks Recreation Trails and Open Space Master Plan does not show any parks, trails or open space on this property. 10.92% of the site would be open space and enhanced width park strips.					
<i>Improvement: Installation of enhanced open space/recreational amenities in excess of that required per city standards</i>	Up to 22%	Optional	Yes	See table Section 13-5J-6	7 %
<b>Discussion:</b> The Development Plan shows a playground, benches with equipment in Open Space Parcel B. The plan also shows a tot lot in Open Space Parcel A; [Playground w/ equipment (1%), tot lot (1%); picnic area (2%) benches (1%) play field (2%)] <i>Applicant Score – 3%, Staff Score – 7%</i>					
<i>Improvement: Improvement of trail corridors and installation of trail amenities in excess of that required per city standards</i>	Up to 15%	Optional		Each point is worth 1.5 %	0 %
<b>Discussion:</b> No trail corridors are proposed or required within the development. <i>Applicant Score – 0% Staff Score – 0%</i>					
<i>Improvement: Dedication of additional property for trails beyond that required per city standards along creeks/washes</i>	Up to 15%	Optional		Each point is worth 1.5 %	0 %
<b>Discussion:</b> No trail corridors are proposed or required within the development. <i>Applicant Score – 0% Staff Score – 0%</i>					

Amenity/Improvement	Weighted Value	Required vs. Optional	Has Criteria been met? Yes or No	Scaled Score Rate 1 - 10; 1 = not met; 10 = exceeded criteria.	Score
<b>Street design:</b>					
<i>Improvement: Pedestrian scale and consistent, architectural street lighting</i>		Required	Yes		N/A
<b>Discussion:</b> The subdivision proposes using the standard West Jordan “acorn” style light. The street lights may be no taller than 12 feet tall with aluminum shaft with fluted finish direct burial pole with 3 inch tenon top. This meets code.					
<i>Improvement: Traffic calming design</i>		Required	Yes		N/A
<b>Discussion:</b> Speed tables are proposed to be installed in various locations within the subdivision. The roundabout at 7950 South, 6400 West would provide a safer walking route for children who need to cross 6400 West (a Collector Road).					
<i>Improvement: Street system designs</i>		Required	Yes		N/A
<b>Discussion:</b> The project does not have any internal cul-de-sacs or dead end streets and provides stub streets to the east to ensure connectivity with future developments.					
<i>Improvement: Entryway monument or gateway feature to the subdivision - development</i>	Up to 10%	Optional		Each feature is worth 1 %	6 %
<b>Discussion:</b> The development plan shows three ornamental features. Applicant Score – 6%, Staff Score – 6%					
<i>Improvement: Provision of landscape buffer on major rights-of-way</i>	Up to 10%	Optional		1% for 100’ lineal frontage	10 %
<b>Discussion:</b> The development plan shows an 8’ landscape buffer on 7800 South and 6400 West (2,025 lineal feet total). Applicant Score – 10%, Staff Score – 10%					
<i>Improvement: Passive Open Space improvement</i>	Up to 2%	Optional		See table Section 13-5J-6	2 %

	Weighted Value	Required vs. Optional	Has Criteria been met? Yes or No	Scaled Score Rate 1 - 10; 1 = not met; 10 = exceeded criteria.	Score
<b>Amenity/Improvement</b>					
<p><b>Discussion:</b> The subdivision design shows two passive open space areas identified as Open Space A and Open Space C. The total combined area of these two alpha parcels is 29,090 square feet or .67 acres. <i>Applicant Score -0%, Staff Score - 2%</i></p> <p><b>Smart growth urban design:</b></p>					
<i>Improvement: Master planned subdivision design</i>		Required	Yes		N/A
<p><b>Discussion:</b> The project appears to have met this requirement with stub streets and future pedestrian connections.</p>					
<i>Improvement: Pedestrian friendly and walkable neighborhood design</i>		Required	Yes		N/A
<p><b>Discussion:</b> 5 foot sidewalks are placed along all interior and exterior streets. Once the traffic calming and roundabout is installed, this subdivision would provide an improved pedestrian environment.</p>					
<i>Improvement: Alternative load garage configuration</i>	Up to 18%	Optional		Each point is worth 1.8 %	0 %
<p><b>Discussion:</b> The intent of this buy-up improvement is to reduce the garage dominated streetscape that had become common in most post 1950's subdivisions. All of the proposed lots would have standard, front loading or front yard/side loading garages. <i>Applicant Score -0%, Staff Score - 0%</i></p>					
<i>Improvement: Clustered subdivision design</i>	Up to 10%	Optional		Each point is worth 1 %	0 %
<p><b>Discussion:</b> Not used, not applicable to this design.</p>					
<b>Building design:</b>					
<i>Improvement: Attractive theme based and consistent architecture on all structures</i>		Required	Yes		N/A
<p><b>Discussion:</b> The development plan shows typical building elevations. The City's Design Review Committee felt that the proposed dwellings are compatible for the area. Staff believes that there is enough detail in the development plan and the WSPA to ensure that this requirement is met.</p>					
<i>Improvement: Installation of</i>	Up to	Optional		Each point	13 %

	<b>Weighted Value</b>	<b>Required vs. Optional</b>	<b>Has Criteria been met? Yes or No</b>	<b>Scaled Score Rate 1 - 10; 1 = not met; 10 = exceeded criteria.</b>	<b>Score</b>
<b>Amenity/Improvement</b>					
<i>covered porches throughout 50% of subdivision</i>	14%			is worth 1.4 pts.	
<p><b>Discussion:</b> Without having specific building floor plans to review and approve, the applicant had simply stated that at minimum 50% of the homes within this subdivision would have a front porch at least 50 square feet in area. Meeting the requirements of this optional buy-up should be easy to obtain, but it requires clear communication throughout the duration of the subdivision build out. In order to ensure that this improvement would be met, staff would support a condition of approval that requires the developer to provide information within the development plan designating exactly which lots in the subdivision must have covered porches that meet the minimum size requirements.  <i>Applicant Score –14%, Staff Score – 13%</i></p>					
<b>Improvement:</b> <i>Enhanced door and window treatment</i>	Up to 12%	Optional		Each point is worth 1.2 %	10%
<p><b>Discussion:</b> Without specific building elevations to critique, the applicant has provided photographs of “typical” building elevations they expect to see built in this development. Windows and doors appear to have variety with differing configurations. <i>Applicant Score –12%, Staff Score – 10%</i></p>					
<b>Improvement:</b> <i>Equal dispersion and use of high quality building materials</i>	Up to 12%	Optional		Each point is worth 1.2 %	12 %
<p><b>Discussion:</b> The applicant had stated in the development plan that all homes would incorporate stucco, stone, brick, Hardi board and other high grade materials. <i>Applicant Score –12%, Staff Score – 12%</i></p>					
<b>Improvement:</b> <i>Discretionary buy up</i>	Up to 12%	Optional		Each point is worth 1.2 %	12 %
<p><b>Discussion:</b> All homes would use high energy-efficient building practices including solar power. The roundabout would be landscaped by the applicant. <i>Applicant Score –12%, Staff Score – 12%</i></p>					
				<b>Total</b>	72 %

The following calculation was used to find out the maximum allowed density of a project:

$$[(\text{Base Density}) \times (\text{Bonus Density Percent})] + (\text{Base Density}) = \text{Max Allowed Density}$$

**Density Buy-up / Development Plan Summary:**

Based on a base density of 2.01 du/ac for the LSFR zoning district and a bonus density score of 72% the project would have a maximum allowed density of 3.46 units per acre. The total number of units proposed for the 19.23 net acre development was 66; for a total of 3.43 dwelling units per acre.

Based on the information submitted and the conditions of approval recommended by staff, the Englefield Sub-area Preliminary Development Plan appeared to have sufficient amenities to achieve the requested 66 single-family residential lots.

Based on the requirements listed in the Zoning Ordinance, staff recommended that the City Council ratify the Planning Commission's approval of the Englefield Heights Sub-area Preliminary Development Plan generally located at approximately 6400 West 7800 South with a residential density of 3.43 units per acre for a total of 66 single-family residential lots, subject to the conditions listed below:

**Recommended Conditions of Approval**

1. The Final Development Plan shall be updated to state: Once the streetscape walls along 7800 South and 6400 West have been installed by the applicant and the warranty period expired, maintenance of these streetscape walls shall be the responsibility of an Assessment Area, the adjacent property owners or the homeowners association.
2. The applicant shall provide a list of the specific design requirements, as approved in the sub-area preliminary development plan, to all future home builders within this development to ensure compliance with these adopted architectural standards.
3. The applicant shall update the sub-area preliminary development plan to specifically show which lots must have a front covered porch greater than 50 square feet in size.

The Council and staff discussed clarifying questions.

Rene Olerking-Garbett Homes, applicant, expressed his appreciation to staff for their explanation of the proposed development. He stated the structures would completely provide their own energy. He addressed the designs and how they compliment the efficiency. He discussed the 'Home Energy Rating System.'

Mayor Rolfe opened the public hearing.

Alexandra Eframo, said welcome to West Jordan, and stated she loved the proposed development especially because of the efficiency that would be available.

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

**MOTION:** Councilmember Stoker said based on the information set forth in the staff report and the design shown in the Englefield Heights Sub-area Preliminary Development Plan, and upon the evidence and explanations received today, I move that the City Council ratify through Ordinance 14-03, the Planning Commission's approval of the Englefield Heights Sub-area Preliminary Development Plan for property located at approximately 6400 West 7800 South. I also move that the Preliminary Development Plan be approved with a residential density of 3.43 units per acre for a total of 66 single-family residential lots, subject to the conditions listed:

**Recommended Conditions of Approval**

- 1. The Final Development Plan shall be updated to state: Once the streetscape walls along 7800 South and 6400 West have been installed by the applicant and the warranty period expired, maintenance of these streetscape walls shall be the responsibility of an Assessment Area, the adjacent property owners or the homeowners association.**
- 2. The applicant shall provide a list of the specific design requirements, as approved in the sub-area preliminary development plan, to all future home builders within this development to ensure compliance with these adopted architectural standards.**
- 3. The applicant shall update the sub-area preliminary development plan to specifically show which lots must have a front covered porch greater than 50 square feet in size.**

The motion was seconded by Councilmember Nichols.

A roll call vote was taken

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

The motion passed 7-0.

**VII. BUSINESS ITEMS**

**CONSENT ITEM 5d**

**APPROVE ORDINANCE 14-02, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE TITLE 1, SECTION 7, REGARDING THE MAYOR'S DUTIES AND COMPENSATION, AND THE ELECTION OF THE CITY COUNCIL**

Jeff Robinson reported that the City Council amended Section 1-7B-4 "Compensation" in the 2009 City Code during 2013 to provide for a salary of \$89,500 for the Mayor, in recognition of the full-time nature of the position. The proposed amendment recognizes \$89,500 as a maximum salary and provides that at any time the sitting Mayor may designate the maximum or a lesser salary by written notice to the Finance Director. The written designation would be effective immediately and would continue in force until and unless changed by another written notice to the Finance Director.

A notice calling for a lesser salary than the maximum provided in Section 1-7A-4 would result in less salary expenditure than is budgeted in the current fiscal year. A subsequent notice calling for an increase, up to the maximum salary, could result in more salary expenditure than is currently budgeted in a given fiscal year.

Staff recommended adoption of the Code text amendments as provided in the attached Ordinance.

Councilmember Haaga proposed setting up a committee to look into the compensation of both the mayor and the council.

Jeff Robinson clarified that the above-referenced ordinance was prepared to ensure that the Mayor could designate his salary and was not intended to address the Councilmembers' compensation. He stated that another recommendation would be addressed with regard to Councilmembers' compensation following more research, and this should be treated as a separate issue.

**MOTION: Councilmember Nichols moved to approve Consent Item 5d., Ordinance 14-02. The motion was seconded by Councilmember McConnehey.**

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**CONSENT ITEM 5g**

**APPROVE RESOLUTION 14-10, AUTHORIZING THE MAYOR TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 1 WITH BOWEN COLLINS & ASSOCIATES, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE ZONE 6 HIGHWAY JUNCTION 3.0 MG WATER STORAGE RESERVOIR, IN AN AMOUNT NOT TO EXCEED \$78,828.00**

**MOTION:** Councilmember McConnehey stated this item was pulled in error. Councilmember McConnehey moved to approve Consent Item 5g. The motion was seconded by Councilmember Nichols.

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**CONSENT ITEM 5j**

**APPROVE RESOLUTION 14-13, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HANSEN ALLEN & LUCE, INC. FOR THE SECONDARY WATER MASTER PLAN UPDATE IN AN AMOUNT NOT TO EXCEED \$79,533.00**

Wendell Rigby said the City had long considered developing a seasonal secondary water distribution system to support outdoor irrigation needs. This type of water delivery system would relieve demand on the culinary water system by reducing the consumption of culinary quality water resources.

Several studies had been completed in the past to evaluate the feasibility of a secondary water system. The city operated a limited secondary water system used to irrigate selected parks and open spaces. The City did not operate a secondary system to provide water to residential and/or commercial areas.

Staff had, in the past, required new residential developments to construct secondary water piping systems “dry pipes” with services to each lot within the development. The feasibility of that program was evaluated and it was determined that the program should

be discontinued and a more effective and practical program developed. It was further decided that the City would no longer require the installation of “dry pipes” by developers and that the existing “dry pipes” would not be used at that time.

At that time, the desire was to develop the water resources to support such a system, as well as install the infrastructure features such as transmission pipelines, storage facilities and pumping facilities to support a secondary water system. We desired to proceed with the development of a secondary water program utilizing the existing “dry pipe” system and developing the program further as resources were available. Proposals had been received to consult on this project from a number of engineering firms. The project team chose the engineering firm of Hansen Allen & Luce, Inc. as the successful proposer. It was requested that this project and proposal be approved.

With regard to the selection of the firm Hansen, Allen & Luce, Inc. (HAL), the selection team discussed the depth and extent of experience for each proposer. The team felt that HAL had specific and wide-ranging experience with developing complex secondary water systems with varying complexity and distinctiveness throughout Utah. It was felt that this extensive and comprehensive experience would greatly assist West Jordan in developing a realistic and viable solution for the secondary water system. Though the two other firms have similar experience, the selection team felt the project would benefit from the new, fresher look at the issues the HAL team presented. The MWH proposal did not show sufficient innovative initiative and, although Bowen Collins and Associates, Inc. proposed some good approaches and ideas; their team did not have the depth of experience the HAL team offered. Additionally, the selection team felt HAL’s experience developing similar specific and inventive programs for nearby cities like South Jordan City was impressive and would best fit West Jordan’s project goals. Staff reported that funding for this project was available in the Utility Water Reserves Account.

Staff recommended approval of an Agreement with Hansen Allen & Luce, Inc. for the Secondary Water Master Plan Update in an amount not to exceed \$79,533.00

Councilmember McConnehey asked for clarification on how the determination to award the above-named company was made, the ranking process, and the scoring disparity.

Mayor Rolfe explained that at times experience with specific projects tend to lend a heavier weight in the scoring process. In this instance, the above-named company provided evidence of more experience with the specific concerns of West Jordan City, and would be a better consultant to select based on that information, despite the higher price tag.

**MOTION: Councilmember Nichols moved to postpone this item until February 12, for further information, and place on the Consent Calendar. The motion was seconded by Councilmember Southworth.**

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**CONSENT ITEM 5k**

**APPROVE RESOLUTION 14-14, AUTHORIZING STAFF TO PROCEED WITH A PURCHASE ORDER WITH SONNTAG RECREATION, LLC FOR PLAYGROUND EQUIPMENT FOR THE RON WOOD PARK IN AN AMOUNT NOT TO EXCEED \$450,000.00**

Wendell Rigby reported that City staff had previously sent out an RFP for playground equipment as part of the Ron Wood Park construction project. The criteria given to the playground suppliers were that the budget was \$150,000 and the size of the playground would be approximately 6500 square feet. Several proposals were received, and based on the playground elements provided, the design, and the cost, Sonntag Recreation, LLC, was selected by a committee (2 Councilmembers, the Architect, and 2 City staff members). After proposals were received and a selection made, the committee decided to ask City Council for additional funding and enlarge the playground to accommodate children with a variety of abilities. This would provide playground elements that would be appropriate for less abled children and also provide a solid surface similar to the playground at the field of dreams, thus allowing wheelchair accessibility throughout the playground.

As a result of the discussion noted above, City Council approved an increase in the budget to \$450,000 and approximately 12,000 square feet in size. Consequently, another RFP was advertised and six suppliers responded. After considerable evaluation by the selection committee, Sonntag Recreation, LLC, was once again selected based on the same criteria identified above.

Staff reported that funding for this project was available in the Capital Parks fund.

Staff recommended approval of a Purchase Order with Sonntag Recreation, LLC, for playground equipment for the Ron Wood Park in an amount not to exceed \$450,000.00.

Councilmember McConnehey stated he would like the item brought back to a later date with further information with details, prior to approving a purchase order for almost half-a million dollars.

Councilmember Stoker explained that he and Councilmember Southworth had been working very closely with the providers of services and equipment to ensure the most value for the taxpayers' dollar. He added that due to the tight time constraints for a May opening, the purchase order needed to be issued to order the equipment.

Councilmember Southworth added that they had gone through two bidding processes due to the desire to make the park all-inclusive. He stated that a significant part of the cost of construction was the play surface. He assured the Council that due diligence had been made with regard to the award of the bid, and was unaware that the details had not been made available.

**MOTION: Councilmember Southworth moved to approve Consent Item 5k. The motion was seconded by Councilmember Stoker.**

Councilmember Haaga objected to the plan, because he felt that it was a lot of money and would like to see detailed information before approving.

Jim Riding indicated that the plans had been made and agreed upon, and that he could provide the details if needed.

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>No</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 6-1.**

**DISCUSS AND POSSIBLE ACTION REGARDING RESOLUTION 14-17, APPROVING THE MODIFICATION OF AN ENGINEERING DESIGN STANDARD TO ALLOW GRADING TO EXCEED THE 6-FEET MAXIMUM ALLOWED BY CODE, ON THE HIGHLANDS COMMERCIAL SITE, 7800 SOUTH 5600 WEST**

Wendell Rigby stated this item was no longer needed because there were not exceptions to the City's Code.

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-18, AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND PETERSON DEVELOPMENT COMPANY, LLC FOR THE HIGHLANDS COMMERCIAL SUBDIVISION**

Darien Alcorn stated the Developer had prepared and presented to the City a development application for the Highlands Commercial Subdivision upon property located at approximately 5600 West 7800 South.

On or about September 27, 2012, the City entered into a development agreement by and between City of West Jordan and Peterson Development Company, LLC (the " Master Developer"), entitled " Development Agreement The Highlands Sub-Areas Master Plan" the " Master Development Agreement"), to which the Property was subject. Developer desired to acknowledge its awareness of the City's creation of the assessment area envisioned in said agreement and to confirm that Developer would not object to the creation of such district.

Prior to or concurrent with execution of this Agreement, the City would enter into a Project Participation Agreement with Developer, requiring Developer to reimburse City for construction of roundabout improvements at approximately 5600 West Street and Dry Wash (7600 South) and 7800 South Street and 5800 West( the "Roundabout Improvements").

In addition to addressing the transfer of some obligations from the Master Development to this Highlands Commercial Subdivision, the proposed Development Agreement addressed the following items to be considered by City Council:

1. It includes a condition for the City and Developer to enter into a separate agreement, referred to as the "Project Participation Agreement" for participation including the Roundabout Improvements and other items.
2. The agreement addressed a remainder parcel and the requirement of a future subdivision plat prior to development of the remainder parcel.
3. The Developer had requested that building permits be issued prior to completion of all public improvements for the development. City staff had concerns about emergency access during construction. However, the Fire Department determined that if water and a 20'- wide paved fire road are available prior to delivery of combustible materials to the Project, construction may begin prior to completion of all public improvements. The Developer had requested to submit a design for an unpaved fire access road for review by the Fire Chief and City Engineer at a later date, so language had been included in section 2.1.3B allowing the Fire Chief, in consultation with the City Engineer to review and determine whether to accept an alternate surface.
4. Due to an upcoming City capital facilities project scheduled for award on February 12, the Development Agreement stated that certain public improvements that would typically be required for the subdivision would not be required. The section was entitled "Unrequired Improvements" and is found at 2.1.4 A.
5. Roundabout Improvements were described as being addressed by the Project Participation Agreement that was also being presented to City Council in a different Request for Council Action.

6. There was an agreement in section 2.1.8 for the parties to encourage cooperation among contractors, as there would be on-going construction by various contractors in the vicinity.

7. Future maintenance was addressed in section 3. 2. 2. Roundabout Improvements, except monument signs, the 5600 West detention basin, 5600 West Street and 7800 South Street improvements, including some landscaped medians would be by the City. Other maintenance would be as set forth in the City Code.

The Exhibits were not yet attached, but were documents that were prepared, reviewed and approved during the City's regular plat review and approval process.

- Exhibit A was referenced as a legal description of the property being developed. The legal description would be on the plat and could be copied and added to the Development Agreement at that time.
- Exhibit B was referenced as a copy of the plat, which could be added after it was submitted and approved. City staff contemplated using the final document and not a draft. As the Development Agreement was only required to be recorded before the plat, it seemed more efficient to finalize the two at the same time.
- Exhibit C would be the bond estimate prepared by the Office of Development Assistants and Engineering Division. The Developer did not have input into the bond estimate, and it was included to demonstrate the parties' understanding of the public improvements to be constructed with the Project. Since this would not be a negotiated item, it seemed reasonable to add it after approval of the Agreement.

The City Attorney would review the Development Agreement and ensure exhibits were attached prior to approving the agreement as to legal form.

Mayor Rolfe expressed his appreciation for the efforts of everyone involved. He was of the opinion that approval of the items discussed be added to the motion.

**MOTION: Councilmember Southworth moved to approve Resolution 14-18, directing staff to add exhibits to the Development Agreement between the City of West Jordan and Peterson Development, LLC, and authorizing the Mayor to execute the Development Agreement after approval as to legal form by the City Attorney. The motion was seconded by Councilmember Stoker.**

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 14-19, AUTHORIZING THE MAYOR TO EXECUTE A PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY AND PETERSON DEVELOPMENT COMPANY, LLC FOR CONSTRUCTION OF IMPROVEMENTS AS PART OF THE CITY OF WEST JORDAN 5600 WEST PHASE 1, 2A AND 2B PROJECT**

Darien Alcorn STAFF REPORT\*\*\*\*\*

The Council and staff discussed clarifying questions specifically the design costs for the round-a-bout.

Councilmember Stoker felt the \$50,000 design costs seemed excessive.

Councilmember McConnehey agreed with Councilmember Stoker that an itemized list was needed; he was in favor of a not to exceed amount and auditing before paying the invoice.

**MOTION:** Councilmember Stoker moved to approve the use of reserve funds from road and storm drain capital accounts and the Water Enterprise Fund, in the amount of \$89,225, and to adopt Resolution 14-19, directing staff to finalize and authorizing the Mayor to sign the Project Participation Agreement as presented with the condition that itemize costs for the round-a-bout and reviewed by City staff would be included. The motion was seconded by Councilmember McConnehey.

**A roll call vote was taken**

<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Hansen</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Southworth</b>	<b>Yes</b>
<b>Councilmember Stoker</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 7-0.**

**DISCUSSION AND POSSIBLE ACTION REGARDING UPDATING THE CITY LOGO AS PART OF THE COMMUNITY BRANDING INITIATIVE**

Richard L. Davis said on January 18, 2013, the City Council communicated its unified desire to move forward with the creation of a branding strategy. This branding strategy would include but be limited to the creation of a new City logo and slogan. It was proposed by the City Manager at the time that the creation of a new logo and slogan should be part of a more comprehensive strategy to address community branding and marketing.

Design work was underway with a graphic artist with expertise in strategic logo creation to design a logo to identify and market the City of West Jordan. The logo would be used on all materials produced by and for the City including signage, printed materials, advertisements, products, website, e-mails, letterhead and other materials. Staff would use the materials with the current logo to avoid waste and slowly implement the new logo as new materials were ordered.

Logo design was estimated to cost \$5,500 - \$8,500 to create the following:

1. Main Logo
2. Department Logos
3. Stationery Package (Business Cards, Letterhead, #10 Envelopes)
4. Web Site Landing Page Template
5. Newsletter Template
6. Style Guide
7. Street Signs
8. Sign Templates (for future application)
9. Apparel Design

Council approved the expenditure up to \$25,000 as part of the community branding initiative included in the 2013-2014 Final Budget Process. The branding initiative included other components in addition to the logo. The logo purchase would be for up to \$8,500.

Staff asked for feedback from the Council regarding the logo design.

Richard Davis indicated that the new logo could be transitioned slowly, as circumstances allow. He indicated that a budget had not been forecasted for changing the logo, except for where the logo was used for specifically approved branding.

Councilmember McConnehey expressed desire to revamp the current logo design.

Councilmember Stoker mentioned that the logo needed modernization, as opposed to a variation of the current logo.

The Council agreed to have different logos presented in a printed form.

The Council liked the simplicity of using only the Oquirrh mountain outline with variation of West Jordan text.

### **DISCUSSION AND POSSIBLE ACTION REGARDING HIRING AN ECONOMIC DEVELOPMENT DIRECTOR**

Councilmember Haaga said during the Annual Strategic Planning Session held during January 16-17, 2014, the City Council discussed their desire to have an Economic Development Director for the City. He would like to move forward with the hiring process, and have it completed as quickly as possible.

Councilmember McConnehey expressed concern regarding the time limitations given to staff to research and develop a job description. He would support this without such strict time restraints. He also desired to see a job description that casts a wider net and does not discourage local applicants from applying.

Councilmember Stoker mentioned raising the standards of the job description to require a master's degree and involvements in associations, a possible realtor's license, with at least eight years of experience.

Councilmember Nichols indicated that he was of the opinion that a motion was not needed at this time, as there was forward motion on this issue with regard to researching qualifications, and a decision does not need to be made at the moment.

A sample description with essential required tasks/examples of duties was provided for the Council in their agenda packet.

#### **Sample Description:**

This position consists of administrative, technical and analytical work in support of the Economic Development Department. The incumbent assists with soliciting, attracting, and securing new and expanding retail, mixed-use, office, and industrial developments and tenants and supporting efforts to retain existing businesses to provide for the sound growth of West Jordan tax base and for the economic stability of the community. The incumbent works in partnership with other employees, departments/divisions, external entities, and the public in delivering effective and innovative services.

The Council and staff discussed the potential job description for the proposed position and what process to use for advertising (i.e., professional recruiter, advertising etc.)

Mayor Rolfe informed the Council that the Human Resource Department was currently working on this issue.

### **OPEN MEETING LAW TRAINING**

Jeff Robinson provided training regarding the following:

- Basic principles of the City Manager/Mayor Form of Government
- Various powers of the City Council
- Functions of voting as an Legislator, Administrator, or in a Quasi Judicial manner
- Utah Open and Public Meeting Act
- Formally created committees must abide by the Utah Open and Public Meeting Act
- Electronic communications (absolutely no texting during a meeting)
- Closed meetings

Jeff Robinson suggested that Council remain transparent regarding the Utah Open and Public Meeting Act.

The Council and Jeff Robinson discussed clarifying questions.

### ***VIII. REMARKS***

There were no further comments

### ***IX. ADJOURN***

**MOTION: Councilmember Nichols moved to adjourn. The motion was seconded by Councilmember Haaga and passed 7-0 in favor.**

The meeting adjourned at 9:03 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**  
**City Clerk**

Approved this 26<sup>th</sup> day of February 2014