



**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING
Wednesday, January 25, 2023 – 6:00 pm
Waiting Formal Approval**

Thomas M. Rees Justice Center
8040 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Chris McConnehey, Zach Jacob, Melissa Worthen, David Pack, Kelvin Green, Kayleen Whitelock

STAFF: Council Office Director Alan Anderson, Council Office Clerk Cindy Quick, Policy Analyst Cassidy Hansen, City Administrator Korban Lee, Mayor Dirk Burton, Community Engagement & Government Affairs Director Tauni Barker, Public Works Director Brian Clegg, Public Utilities Director Greg Davenport, Senior PC Specialist Rodney Glore, Community Development Director Scott Langford, Fire Chief Derek Maxfield, Economic Development Director Chris Pengra, Assistant City Attorney Dave Quealy, Assistant City Administrator Jamie Davidson

1. CALL TO ORDER

Chair McConnehey called the meeting to order at 6:00 pm, and noted that Vice Chair Bloom was absent.

2. PLEDGE OF ALLEGIANCE

David Quealy led participants in the Pledge of Allegiance.

3. PUBLIC COMMENT

Chair McConnehey opened the public comment period at 6:02 pm

Citizen Comments:

Anne Marie Barrett, Bingham Creek Library Manager, spoke of upcoming events at Bingham Creek Library.

Chair McConnehey closed public comments at 6:04 pm

4. COUNCIL ADMINISTRATIVE ITEMS

a. Resolution No. 23-002 providing advice and consent to appoint Nate Nelson to serve on the Airport Advisory Committee

Mayor Dirk Burton introduced Nate Nelson to the Council and recommended him to serve as a volunteer on the Airport Advisory Committee. Council Member Pack, as Chair of the Mayoral Appointments Subcommittee, said the Subcommittee reviewed and endorsed the proposed appointment. Council Member Green expressed support for the nomination,

and expressed the opinion that the Mayor should be able to make non-statutory appointments without involving the Council.

**MOTION: Council Member Green moved to APPPROVE Resolution No. 23-002 providing advice and consent to appoint Nate Nelson to serve on the Airport Advisory Board.
Chair McConnehey seconded the motion.**

The vote was recorded as follows:

Yes: Kelvin Green, Zach Jacob, Chris McConnehey, David Pack, Kayleen Whitelock, Melissa Worthen

No:

Absent: Pamela Bloom

The motion passed 6-0.

5. REPORTS TO COUNCIL

a. City Council Reports

Chair McConnehey –

- Reported on a recent Council of Governments (COG) meeting.

Council Member Whitelock –

- Reported on a recent Station Area Plan (SAP) meeting. She commented on the need to budget funds to replace the bridge at 7800 South.

Council Member Green –

- Reported on a recent Association of Municipal Councils (AMC) meeting.
- Reported on plans to put together a City Youth Council.

b. Council Office Report

Council Office Director Alan Anderson spoke of upcoming Utah League of Cities and Towns (ULCT) meetings, and asked Council Members to let him know if they planned to attend the mid-year conference in St. George. Council Members Whitelock, Green, Jacob, and McConnehey indicated a desire to attend. Mr. Anderson reported a provider was selected to conduct a City-wide Community Survey, with Cassidy Hansen as project lead.

c. Mayor's Report

Chair McConnehey wished Mayor Burton a happy birthday. Mayor Dirk Burton reported on events he recently attended. He spoke of an upcoming blood drive, and the Small and Tall Ball scheduled for February 17, 2023. Council Member Green asked if the City had publicized that two West Jordan Officers received awards from the NWACP.

d. City Administrator's Report

Public Works Director Brian Clegg provided an update on the 8600 South flyover bridge project and Phase 1 of the 1300 West widening project, and answered questions from the Council. Public Utilities Director Greg Davenport reported that West Jordan Well #6 broke

earlier that day, and said additional funding would be needed for repairs when the problem was found. Responding to a question from Chair McConnehey, Mr. Davenport said residents should not see a decrease in their water supply.

e. Legislative Update

Public Affairs Director Tauni Barker reported that NWACP Awards were recognized through traditional news media on Presidents Day, and would be mentioned in the next City newsletter. Ms. Barker provided an update regarding the current Legislative Session and specific bills of interest to West Jordan. She asked that the Council nominate a Council Member to fill the open position on the LPC Board while the Mayor served on the Executive Committee. Ms. Barker answered questions from the Council regarding specific bills. A majority of the Council indicated support for Council Member Whitelock serving on the LPC Board. Chair McConnehey said a formal resolution would be brought back at the next Council meeting.

6. PUBLIC HEARINGS

a. Ordinance No. 23-01 a petition by Ryan Peterson/Peterson Development Company, LLC for approval of a Development Agreement for approximately 18.76 acres of property located at approximately 7652 South Highlands Loop Road for Park Valley Townhomes Development

Community Development Director Scott Langford summarized previous approvals associated with the Park Valley Townhomes Development:

Approvals Associated with Park Valley Townhomes:

- September 27, 2012 – City Council approved Highlands Master Development Plan (this established the general densities of both Sommer Glenn Heights and Park Valley Townhome neighborhoods).
- June 23, 2020 – Design Review Committee (recommendation to the Planning Commission regarding the architecture and general layout of the townhome development).
- February 2, 2021 – Planning Commission approved Preliminary Subdivision, Preliminary Site Plan, and Preliminary Subarea Development Plan. (Noticing for the public hearing included mailed notice to 71 properties within a 300' radius of the townhome development, as well as noticing posted in the newspaper, website, etc.).
- March 10, 2021 – City Council approved Subarea Plan (this approved the specific layout of the 217 townhome units and general placement of open space).
- January 2023 – Staff approved Final Subdivision Plat.

Kaylyn Nichols with Peterson Development Company said the following Council actions were requested that evening:

Requested City Council Action for the meeting:

- Consider approval of a development agreement that established what amenities or special improvements would be installed by the developer; and
- Consider who would maintain said amenities/improvements. The Development Agreement referenced a future reimbursement agreement between the City and the

developer associated with public improvements, such as the connector road between this development and the Copper Rim neighborhood.

Council Member Whitelock asked for clarification regarding the proposed public park space and associated parking. Mr. Langford said the park would be City-owned, and would be adjacent to the City's detention basin. The parking would be in the City's right-of-way.

Chair McConnehey opened a public hearing at 6:51 pm

Citizen Comments:

Wendy Lee, West Jordan resident, said her backyard would be adjacent to the proposed townhomes. She said the height of the existing fence next to her property (installed by Ivory) was too low at four feet, and expressed concern regarding safety. She said lights of vehicles driving along the road would shine directly into the existing homes. She asked if there were plans to install a six-foot barrier to provide safety. She said she was concerned about the proposed location of the park. Ms. Lee said the neighbors submitted a letter of concern and had not received a response.

Nancy Neff, West Jordan resident, said she had the same concerns addressed by Ms. Lee. She asked that the fence height be brought up to the six-foot City Code standard, and said safety was a big concern.

Dustin Walmsley, West Jordan resident, said he had the same concerns already shared. He shared photographs of the existing wall, and expressed concern about the height. He repeated that the letter of concern submitted by the neighborhood had not had a response, and said he wanted to know their concerns had been heard. Mr. Walmsley requested grading of the property to improve elevations, and asked why the issue had not been resolved two years ago.

Brayden Walmsley, West Jordan resident, said he was asking for help from the Council so he and his neighbors did not need to consider filing litigation. He said he developed his backyard nicely, and met very specific City Code requirements with installation of his deck. He said there were now many homeowners expressing concern about a fence that was 1½ feet short, and the City had not responded. He referred to City Code 13-13-8 and 13-14-2, and requested that the City require the developer to follow Code.

Kaylynn Nichols, West Jordan resident and Planner on the project with Peterson, said she had paid close attention to neighbor concerns. She said Peterson would not commit to replace the wall installed by Ivory, but had carefully graded so that water would run away from the wall instead of toward the wall. She described a 30-foot landscape buffer that would help with concerns regarding light. Ms. Nichols said lighting and grading plans would be available to the public.

Chair McConnehey closed public hearing at 7:05 pm

Chair McConnehey said a lot of the frustration expressed was not with what the Council had done, but with the execution. He said the Council's role was setting policy and making

agreements, and the Mayor's Office was responsible for execution and enforcement. Chair McConnehey asked the Mayor to obtain resident contact information. Council Member Green asked Mr. Langford to look into decisions made regarding the fence. Council Member Pack said he appreciated the coordination needed for the matter and thanked the residents for willingness to work together.

MOTION: Council Member Green moved to APPROVE Ordinance No. 23-01, a petition by Ryan Peterson/Peterson Development Company, LLC for approval of a Development Agreement for approximately 18.76 acres of property located at approximately 7652 South Highlands Loop Road for Park Valley Townhomes Development. Council Member Worthen seconded the motion.

Council Member Whitelock said she appreciate resident input and wanted residents to know they had been heard. She emphasized that the matter before the Council had to do with an agreement between the developer and the City clarifying what would occur during development, and said she would follow up with the Mayor and staff regarding concerns expressed. Chair McConnehey thanked the residents for attending and sharing concerns.

The vote was recorded as follows:

Yes: Kelvin Green, Zach Jacob, Chris McConnehey, David Pack, Kayleen Whitelock, Melissa Worthen

No:

Absent: Pamela Bloom

The motion passed 6-0.

7. BUSINESS ITEMS

a. Resolution No. 23-004 authorizing the Mayor to execute an employment agreement with a severance clause in excess of three months' salary and benefits

City Administrator Korban Lee explained the request to authorize the Mayor to execute an employment agreement with Jamie Davidson with a severance clause not to exceed six months of benefits. He shared some of Mr. Davidson's professional experience, and said he was excited to welcome him to West Jordan.

Council Member Green said he did not agree with severance agreements in general. However, he said he understood severance packages were standard practice in many cities in the State. Council Member Pack commented that one of the Council's budget goals was to offer competitive salaries to retain institutional knowledge. Council Member Pack said he believed there needed to be a deference to an employee's professional and personal life in a situation where the boss (mayor) could change frequently. He said he was in favor of the severance agreement.

Council Member Worthen said she did not believe residents liked severance packages for City employees. However, she believed making sure the City took care of employees was important. Council Member Worthen said she did not think the proposed severance

package was equal to that of other department heads in the City, and said she did not want to send that message to employees. She said she was comfortable with the standard three-month severance package.

Chair McConnehey said he was not a big fan of the proposed severance package, but acknowledged it was considered standard practice throughout the State. He referred to the size of West Jordan and the responsibility of the position, and said he was okay with the proposal. He said he expected the funds would come from the Mayor's budget should the severance agreement ever be executed.

MOTION: Chair McConnehey moved to APPROVE Resolution No. 23-004 authorizing the Mayor to execute an employment agreement with a severance clause in excess of three months salary and benefits. Council Member Jacob seconded the motion.

Council Member Whitelock said she would continue to vote against severance agreements for reasons stated by Council Member Worthen. She said residents she had heard from were not in favor, and said she believed the City could get quality employees without severance packages.

Responding to a question from Council Member Pack, Mr. Lee emphasized that the severance package would only execute if the Mayor asked Mr. Davidson to move on without cause.

The vote was recorded as follows:

Yes: Kelvin Green, Zach Jacob, Chris McConnehey, David Pack

No: Melissa Worthen, Kayleen Whitelock

Absent: Pamela Bloom

The motion passed 4-2.

8. CONSENT ITEMS

a. Approve Meeting Minutes

- January 11, 2023 – Regular City Council meeting**

MOTION: Council Member Green moved to APPROVE the consent items as listed. Council Member Whitelock seconded the motion.

The vote was recorded as follows:

Yes: Kelvin Green, Zach Jacob, Chris McConnehey, David Pack, Kayleen Whitelock, Melissa Worthen,

No:

Absent: Pamela Bloom

The motion passed 6-0.

9. COUNCIL MEETING WRAP UP

a. City Council Remarks

Council Member Whitelock –

- Commented that if residents wanted the City Council to get a letter, it needed to be sent to the City Council, not the Planning Commission.

Council Member Worthen –

- Said a catalytic converter was stolen from her husband's vehicle earlier that day, and thanked the Police for writing up a report.

b. Council Administrative Items

Chair McConnehey suggested Council Members mention items they wanted added to an upcoming agenda during Council Administrative Items.

10. COMMITTEE OF THE WHOLE

None

11. ADJOURN

Council Member Green moved to adjourn the meeting. Council Member Whitelock seconded the motion, which passed by unanimous vote (6-0).

The meeting adjourned at 7:30 pm

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

Cindy M. Quick, MMC
Council Office Clerk

Approved this ____ day of ____ 2023