

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

Wednesday, December 7, 2016

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

COUNCIL: Mayor Pro-Tem Chris McConnehey, and Council Members Alan Anderson, Dirk Burton, Jeff Haaga, Zach Jacob, and Chad Nichols. Mayor Kim V. Rolfe was excused.

STAFF: Mark Palesh, City Manager; David R. Brickey, City Attorney; Melanie Briggs, Deputy City Clerk; David Oka, Economic and Community Development Director; Brian Clegg, Parks Director; Bill Pyper, Finance Director; Dave Murphy, CIP Engineering Manager; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Nannette Larsen, Associate Planner; Jonathan Gardner, Human Resource Director; Jim Riding, CIP/Facilities Project Manager, and Greg Davenport, Civil Engineer III.

I. CALL TO ORDER

Mayor Pro-tem McConnehey called the meeting to order at 6:01 p.m.

He announced that December 7, 2016, was the “75th Anniversary of Pearl Harbor.” He reported that over 2,400 military personnel and civilians lost their lives.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Fire Chief McElreath. He also requested that a moment of silence be observed.

Mark McElreath stated that two ships remain underwater at Pearl Harbor.

Mayor Pro-tem McConnehey convened the Redevelopment meeting at 6:05 p.m.

The City Council meeting reconvened at 6:09 p.m.

III. PRESENTATION

WEST JORDAN VICTIM ASSISTANCE STATISTICAL UPDATE

David Brickey recognized Cecilia Budd, and Lawana Sisam, Victim Assistant Coordinators.

Cecilia Budd and Lawana Sisam provided the following presentation:

West Jordan Victim Advocates 2016 West Jordan Statistical Report

Mission Statement –

Advocates shall provide services to the community for crisis intervention and advocacy for victims of violent crimes.

- The Advocate can assist with the filing of the Crime Victim Compensation claim
- The Advocate can transport individuals to the Police Station, Hospitals, Family Resource Center, Shelters, Court and any other place for their safety
- Assist in obtaining police reports
- Assist in the filing of a protective order
- An advocate will keep victim well inform of the case
- Attend court proceedings with or without the victim
- Assists in preparing the victim or witness for court to include introducing the person to the courtroom etc.
- During the trial the Advocate stays with the victim or witness and explains the procedure and answers all questions

Measure Report

- During this quarter we have contacted
- 195 Males
- 920 Females
- Making the total #1115
- 1015 Domestic
- 53 Assaults
- 11 Sex Offence
- 17 Child Abuse
- 4 Elder Abuse
- 25 Stalking/Harassment
- 2 Survivors of Homicide
- 242 were Victims with limited English proficiency
- 20 were Assisted with Immigration issues
- 50 On-scene crisis response
- 28 Court Support
- 177 Follow Up Calls
- 113 Hot List Meetings

Volunteering Opportunity

If you are interested in volunteering for the West Jordan Victim Assistance, you can call and make an appointment 801-566-6511.

Mayor Pro-tem McConnehey expressed the appreciation of the City Council for assistance provided to those in need by the Victim Assistance program.

OPEN MEETING/PUBLIC NOTICE TRAINING FOR CITY COUNCIL MEMBERS

David Brickey provided the following presentation:

**Open and Public Meeting Act
Utah Code Annotated
Title 52 Chapter 4
2016 End of Year/New Member Training
See UCA 52-4-103(4)**

Earliest History of open Meetings

- Procedural Due Process:
 - Notice
 - Opportunity to be heard
- Open Door Policy

Public Policy (UCA 52-4-102)

- Openness is the rule
- When in doubt, error on the side of openness
- Local government is the people's business
- Actions and deliberations must be open
- Annual training required for all members of a public body

Open Meetings - Overview

Five Parts – Open and Public Meetings Act:

- One – Meetings
- Two – Public Notice
- Three – Minutes and Records
- Four – Closed Meetings
- Five – Enforcement

All Meetings Open to the Public... (UCA 52-4-103)

- WHAT IS A MEETING?
 - It is the convening of a public body, with a quorum present
 - Includes a workshop or an executive session
 - Includes meeting held in person or by means of electronic communications
 - Where the purpose of the meeting is discussing, receiving comments, or acting upon a matter where the public body has jurisdiction or advisory power
- WHAT IS A PUBLIC BODY?
 - The City Council

- The Planning Commission
- Any other administrative, advisory, executive, or legislative body of the city that is:
 - Created by statute, rule, ordinance, or resolution
 - Has two or more members
 - Spends or is supported by taxes
 - Has authority to make public decisions
 - See UCA 52-4-103(9): Definitions

- WHAT IS NOT A “MEETING”?
 - A chance meeting
 - A social gathering
 - Training
 - See UCA 54-4-103(6): Definitions

Open Meetings – Public Notice

- In January each year the city publishes a notice of its annual meeting schedule
- At least 24 hours before a meeting, an agenda must be posted that includes:
 - Date of the meeting
 - Time of the meeting
 - Place of the meeting
 - Topics for discussion
- Agendas must also be posted on the Utah Public Notice Website
- See UCA 52-4-202
- Regular council meetings MUST be held at city hall
- All topics on a meeting agenda MUST be stated with “reasonable specificity” for the public
- No action can be taken on an item that is not posted on the agenda
- Written minutes are the official record of action taken in an open meeting
- The presiding officer allow a member of the public to speak on a topic that is not on the agenda, but no action can be taken on the matter
- See UCA 52-4-4-202

Open Meetings – Minutes and Records

- Written minutes and a recording shall be kept of all open meetings
- Written minutes of an open meeting shall include:
 - Date, time, and place of the meeting
 - The names of members present and absent
 - Substance of all matter proposed, discussed, or decided which may include a summary of comments made by members of the public body
 - A record, by individual member, of each vote taken by the public body
 - Name of each person who is not a member of the public body, and upon resignation by the presiding member of the public body, provided

- testimony or comments. Brief substance of the testimony or comments provided by public.
- Any other information a member requests be entered in the minutes
- See UCA 52-4-203
- The recording of an open meeting shall:
 - Be a complete and unedited record from commencement through adjournment.
 - Be properly labeled or identified with the date, time, and place of the meeting.
- The minutes and recordings of an open meeting are public records and shall be available within a reasonable time after the meeting
- An open meeting record kept only by a recording must be converted to written minutes within a reasonable time upon request
- All or part of an open meeting may be independently recorded by any person in attendance if the recording does not interfere with the conduct of the meeting.
- Written minutes shall be official record of action taken at the meeting
- See UCA 52-4-203

Closed Meetings – Procedure

- A closed meeting may be held only if:
 - A quorum is present; and
 - 2/3 of the City Council vote to approve closing the meeting
- Closed meetings can only be held for limited purposes
- No ordinance, resolution, rule, regulation, contract, or appointment can be approved in a closed meeting
- The open meeting's minutes must reflect:
 - The reason for the closed meeting
 - Location of the closed meeting
 - Roll call to enter the closed meeting
- A closed meeting may ONLY be held for the following purposes:
 - Discussion character, professional competence, or physical or mental health of an individual
 - Strategy sessions to discuss collective bargaining
 - Strategy session to discuss pending or reasonably imminent litigation
 - Strategy sessions to discuss the purchase, exchange, or lease of real property
 - Investigate allegations of criminal misconduct
 - Discuss deployment of security personnel, devices, or systems
- A public body may not interview a person applying to fill an elected position in a closed meeting
- Minutes of the closed meeting to be kept, but affidavit allowed if:
 - Discussing character, professional competence, or physical or mental health of an individual
 - Discuss deployment of security personnel, devices, or systems
 - See UCA 52-4-204 & 205

Open Meetings – Enforcement

- Utah Supreme Court broadly interprets the Utah Open and Public Meetings Act to ensure the purpose of openness. Exceptions will be strictly construed. *Kearns-Tribune Corp. v. Salt Lake County*
- Court action: a person who feels the City violated the Act may sue to:
 - Compel compliance
 - Interpret the Act based on a public body's actions
 - The court may award reasonable attorney fees and court costs to a successful plaintiff
- Any final action taken in violation of the Act is voidable by the court
- The Act does not prohibit removing a disruptive person from a meeting when orderly conduct is seriously compromised

IV. COMMUNICATIONS

CITY MANAGER COMMENTS/REPORTS

STAFF COMMENTS/REPORTS

Doug Diamond –

- Miles Smith would be graduating from the Police Academy, Thursday, December 22, 2016.

Bill Pyper -

- Financing for the new Public Works building had been completed.

Dave Murphy –

- 7000 South Storm Drain/Utility Project bid opening would be held on January 10, 2017. There would be a pre-bid meeting.
- A box-culvert would be pre-ordered to keep the City on schedule.

Marc McElreath –

- Announced that three Fire employees would be retiring at the end of December
- Fire Department's Annual Awards Banquet was held
- "Fire Fighter of the Year - Julie Sterns"

Melanie Briggs –

- Expressed her appreciation to the Council for their patience during her absence

CITY COUNCIL COMMENTS/REPORTS

Councilmember Burton –

- Town Hall meeting for the River Ridge Subdivision had been held
- Town Hall meeting for Noble Heights Subdivision to be held Tuesday, December 14, 2016 at 7:00 p.m.

Councilmember Jacob –

- Reported that he appreciated the Holiday decorations at City Hall

Mayor Pro-tem McConnehey –

- Need to change the Legislative breakfast from January 11, 2017. Please respond to Jeremy Olsen with your availability in order to reschedule.
- Solidify date for Strategic Planning Session. A one-day session was suggested for January 27, 2016.

The Council and staff discussed options for the days for the meeting.

Councilmember Jacob was concerned that it would be hard to discuss all of the proposed items in just one-day. He would rather have at least one whole day & one-half day.

Mayor Pro-tem McConnehey asked the preference of the Council one-day or two-days.

Councilmember Nichols wanted to make sure there was sufficient time to discuss all the items.

Mayor Pro-tem McConnehey listed the proposed items for the Strategic Planning Session.

- Secondary water system
- Aquatic & Recreation Center
- Cultural Center
- South Valley Regional Airport Center
- Police Grants
- Water Fee Structure
- Storm Water Impact Fee Structure
- Budgeting for the fee schedule

He reported that in order to meet noticing requirements there must be at least 24 hours' notice given. He said staff also needed time in order to accommodate presentations.

Councilmember Burton suggested a half-day on Thursday morning with a full day on Friday.

Councilmember Anderson said having a one-day session would get the Council working on the tasks at hand. He also agreed with Councilmember Burton, but suggested a full day on Thursday with a half-day on Friday.

Councilmember Jacob felt there was not enough communication between staff and Council. He said this was very important. He felt the proposed list was incomplete. He had several priorities that he hoped to discuss during the Strategic Planning Session. He felt the meeting should be scheduled for the two days with the possibility of ending early.

Mayor Pro-tem McConnehey encouraged the Council to get any items for the upcoming Strategic Planning Session to the City Manager as soon as possible.

Melanie Briggs reported that during the December 21, 2016 City Council meeting, there would be a workshop/discussion for Council to report on items for staff to work on for the upcoming Strategic Planning Session.

Mayor Pro-tem McConnehey questioned whether the preference was for two-days with the possibility of ending early.

Councilmember Burton said if two-days were schedule the Council would use both days. He felt the first day was during December 21, 2016, when it would be discussed during the City Council meeting. He said the first day would technically be just a half-day.

Councilmember Anderson supported having some of the initial dialog at the end of the meeting on December 21, 2017, and then providing that information for the Strategic Planning Session on January 27, 2017.

Councilmember Jacob said this was part of the Consent Calendar. He suggested holding off on deciding the Strategic Planning Session dates until the December 21, 2016 meeting.

Mayor Pro-tem McConnehey –

- Expressed his appreciation to the GIS Department for their recognition they received from ERSI for their mapping of the sidewalk hazards throughout the City.
- Boulder Ventures would like to schedule a tour of their TOD project with the entire City Council.

Mayor Pro-tem McConnehey suggested going individually as oppose to as a group.

Councilmember Burton suggested going as a group. He preferred a Saturday.

Councilmember Haaga said that in the past the Council and Planning Commission had reviewed different housing projects in and outside the City. He felt this would be a learning experience. He suggested including some of the Planning staff.

Mayor Pro-tem McConnehey said trips had been made to completed projects, but not necessarily incomplete projects that still required Council approval.

David Brickey stated that this type of outing was allowed and commented on how it should be handled by the Council.

- Parking on the City streets during inclement weather

Mayor Pro-tem McConnehey provided direction to staff to increase noticing by ticket or warning to vehicles improperly parked during inclement weather.

David Brickey said the Attorney's office was working on a re-write of the Administrative Law Judge (ALJ) system looking for compliance, not penalizing someone. Should a person choose to park on the street there would be a citation issued, but it would not be of a criminal nature.

V. CITIZEN COMMENTS

Alexandra Eframo, West Jordan resident, asked for a moment to reflect upon the common goals of the business of the City Council meeting. She commented on the following:

- Allow for meditation
- Strategic Planning Session open to the public
- City lights looked great

There was no one else who desired to speak.

VI. CONSENT ITEMS

- a. **Approve the minutes of November 2, 2016, and November 16, 2016 as presented**
- b. **Approve Resolution 16-180, setting the 2017 Annual Meeting Schedule for the City Council, Planning and Zoning Commission and other City Boards and Committees**
- c. **Approve Resolution 16-181, confirming appointment of members to serve on various City Committees**
- d. **Approve Resolution 16-182, declaring PDS "Pyro" as surplus for change of ownership to occur**
- e. **Approve Resolution 16-183, authorizing the Mayor to execute an Agreement with the US Department of Justice, Office of Community Oriented Policing Services in an amount not to exceed \$500,000**
- f. **Approve Resolution 16-184, declaring items from various City Departments that are no longer of any value or use as surplus property, and authorize the disposition**
- g. **Approve Resolution 16-185, approving funding for the creation of a bronze sculpture in an amount not to exceed \$60,000 and awarding the contract to create said sculpture to Virgil Oertle of VTO Sculpture**
- h. **Approve Resolution 16-186, approving funding for the installation and mounting pedestal for a bronze sculpture in an amount not to exceed \$40,000**

- i. Approve Resolution 16-187, authorizing the Mayor to execute two General Service Contracts, Request Numbers 6266825 & 6264629, with Rocky Mountain Power to provide electric service for a two pressure reducing valve in an amount not-to-exceed \$26,413.00**

- j. Approve Resolution 16-188, authorizing the Mayor to execute a contract with Bowen Collins & Associates, Inc. for design of water system improvements including a PRV Station on 10200 South, Meter Station on 3200 West, and associated pipelines on 9000 South, for an amount not to exceed \$150,101.00**

- k. Approve Resolution 16-189, authorizing the Mayor to execute a Professional Services Agreement with Method Studio Inc., to provide a pre-design report for a Cultural Arts Facility of the City in an amount not to exceed \$12,610.00, half of which will be paid through a grant from Salt Lake County**

- l. Resolution 16-190, authorizing the Mayor to execute Change Order No. 8 with Turf Sprinkler to re-locate 2 City owned points of connections from residents' yards to the City owned park strip, and retrofit with appropriate equipment to function with the calsense system, in an amount not to exceed \$7,690.00**

The Council pulled Consent Item 6.b.

MOTION: Councilmember Nichols moved to approve all the Consent Items except 6.b. The motion was seconded by Councilmember Haaga.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Mayor Pro-tem McConnehey	Yes
Councilmember Nichols	Yes
Mayor Rolfe	Absent

The motion passed 6-0.

CONSENT ITEM 6.B

APPROVE RESOLUTION 16-180, SETTING THE 2017 ANNUAL MEETING SCHEDULE FOR THE CITY COUNCIL, PLANNING AND ZONING COMMISSION AND OTHER CITY BOARDS AND COMMITTEES

State Statute 10-3-502 outlines Meetings, Procedure, and Conduct, "...the council of each municipality shall: (a) by ordinance prescribe the time and place for holding its regular meeting..., and (b) hold a regular meeting at least once each month." During the past year, the City Council has generally held two meetings per month, on the second and fourth Wednesdays; with additional Workshops scheduled when needed.

The City Clerk is directed and authorized to publish a copy of the approved Annual Meeting Schedules 1) at the principal office of the public body; 2) on the Utah Public Notice Website, and 3) at least one time in the "legal notices" section of the Salt Lake Tribune newspaper.

There was no fiscal impact to the City.

Staff recommended approval of a Resolution setting the 2017 Annual Meeting schedule for the City Council, Planning Commission, and other City Boards and Committees.

Councilmember Anderson said earlier the Council had spoken about the meeting with the Legislature on January 11, 2017. He was concerned this was just 10 days prior to the session. He felt this would not provide adequate time to help the City formulate what was necessary to help the City.

He said when calendaring meetings, a tentative date could be November 21, 2017, when the election would be canvassed. He felt this would be of assistance to everyone involved.

Councilmember Jacob agreed with Councilmember Anderson; however, he would prefer a different date other than a Council meeting date. He reported that even a breakfast meeting could work.

Mayor Pro-tem McConnehey said in prior years the Council meeting was kept light so that the Council was available to meet with the Legislators at 7:00 p.m.

Melanie Briggs commented on the proposed Resolution where it stated "Meetings in addition to those specified herein will be held as circumstances require. Appropriate notice would be given for such meetings." Meetings such as the Legislative dinner or breakfast had never been included in the annual meeting schedule. The increase or decrease of the noticed meetings was allowed.

Mayor Pro-tem McConnehey asked if there was any opposition of including the legislative dinner on the agenda for the November 21, 2017 meeting.

The Council agreed to place the legislative dinner on the agenda for November 21, 2017. A change could be made to the agenda at a later date, if necessary.

Mayor Pro-tem McConnehey said it appeared that the majority of the Council wanted to maintain the dates of January 26-27, 2017 for the Strategic Planning Session. There was only one in opposition for both days. He asked if there was anyone supportive of planning for a half day on January 26, with a full day on January 27, 2017.

Councilmember Anderson supported a half-day on the 26th and a full day on the 27th.

Mayor Pro-tem McConnehey suggested a full day on the 26th and a half-day on the 27th.

Councilmember Burton reported that the Council had been invited to OSI at 12:00 on Thursday, and the Wasatch Front Regional Council (WFRC) meeting in the afternoon.

MOTION: Councilmember Jacob moved to approve Resolution 16-180. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Mayor Rolfe	Absent

The motion passed 6-0.

VII. PUBLIC HEARINGS

CONTINUED FROM NOVEMBER 16, 2016 - RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 16-51, APPROVING A REZONE OF 3.1 ACRES FROM R-1-10A (PD) (SINGLE-FAMILY RESIDENTIAL 10,000 SQUARE FOOT LOTS - PLANNED DEVELOPMENT) ZONE TO R-1-8C (SINGLE-FAMILY RESIDENTIAL 8,000 SQUARE FOOT LOTS) ZONE FOR WEST WOODS REZONE, LOCATED AT APPROXIMATELY 7904-7930 SOUTH 2700 WEST: GROWTH AID LLC/ADAM NASH (APPLICANT)

Nannette Larsen reported that three separate properties were under review for the proposed rezone. These properties were located at 7904, 7906, and 7930 South 2700 West. Presently all of these sites were zoned as R-1-10A (PD) (Single-Family Residential A size homes, Planned Development). This Zoning District was approved at the same time the Wood Cove Planned Development which allowed for smaller lot sizes than a typical R-1-10 District. Further explanation of permitted development standards of a

Planned Development were included in Criteria 2 of the Findings of Fact section included in the Council’s agenda packet. The properties located at 7930 and 7906 South 2700 West each have at least a single-family house on their respective sites. Various accessory structures were located on these three properties. The subject sites were not presently in a subdivision.

The properties included in the proposed rezone are adjacent to residential sites to the west, south and east. Located to the north was a commercial site (retail). A concept plan was included in the submittal of the proposal to rezone - Concept Plan was required as part of the rezone application. This concept plan was included in the Council’s agenda as Exhibit C; a Preliminary Major Subdivision was also submitted at the same time of the Rezone application. The Preliminary Major Subdivision application and the Concept Plan for the rezone were the same design. The Concept Plan and the Preliminary Major Subdivision were subject to change and should not be considered by the Planning Commission to be binding, if the Planning Commission determines to recommend approval of the rezone. The details of the Preliminary Major Subdivision and Concept Plan would be reviewed by City Staff and Planning Commission at a later date.

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

	Existing Land Use	Zoning
North	Commercial/Retail	SC-2
South	Single-Family	R-1-10A
East	Single-Family, Church, Multi-Family	R-1-10C, R-3-10
West	Single-Family	R-1-10A

FINDINGS OF FACT

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

Prior to making a positive recommendation to the City Council for an amendment to the Zoning Map, the Planning Commission shall make the following findings:

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

Discussion: The sites were located in the Medium Density Residential designation on the Future Land Use Map. The Medium Density Residential District supported developments with a density of 3.1 to 5.5 dwelling units per acre. This type of density allowed for the R-1-8, R-1-9, R-1-10, PC, and PRD Zoning Districts in this location, which would meet the desired density range.

The proposal to rezone the property R-1-8 was consistent with the intent, goals, and policies listed in the 2012 Comprehensive General Plan, this in addition to meeting the density range required by the Medium Density Residential Future Land Use designation. An R-1-8 Zoning District would have a density of 5.5 dwelling units per acre, so the R-1-8 Zone would be the densest zone permissible in Medium Density Future Land Use designation. The current Zoning District, R-1-10 would typically have a density of 4.3 dwelling units per acre.

While the Concept Plan was subject to change, the density shown on the Concept Plan displays four (4) units per acre. The average square footage of the proposed twelve lots on the Concept Plan was 9,510 square feet.

The rezone to R-1-8C was supported by the 2012 Comprehensive General Plan. The Medium Density Residential designation provides for areas which are, “moderate intensity single-family attached/detached units”, and areas, “that should be designated as medium density residential uses should be preferred for infill development”.

Finding: The proposed amendment was consistent with the purposes, goals, objectives, and policies of the City’s General Plan.

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

Discussion: While the subject site was adjacent to other R-1-10A(PD) Zoning Districts, the rezone of this site still meets the intent of the Future Land Use Map and was compatible with the location of this site. To the west and south of the subject site, also located in the R-1-10A(PD) Zone, was a single-family subdivision Wood Cove Park Phases 1 and 2. Wood Cove Park was approved in 1981 as a Planned Development. Many of the lots in Wood Cove Park Subdivision were smaller than the minimum lot size requirements of the underlying zoning district, this was allowed because the site was in a Planned Development (PD) district. This Planned Development area allowed individual lot sizes to be smaller than the 10,000 minimum, as long as the common open space is provided at an equal rate to the open space of a typical R-1-10 district where lots meet the minimum 10,000 square foot lot size. At the time Wood Cove Park was approved a Planned Development was allowed, currently however the Planned Development portion of the Zoning District is no longer permitted.

The site to the north was zoned SC-2 (Community Shopping Center) where a commercial retail store is located. The proposed rezone of the subject site to a more dense single-family zone will not affect this site to the north.

Properties to the east of the proposed West Woods Rezone are presently zoned R-1-10C and R-3-20. These properties are separated from the subject site by 2700 West (a major collector street). A church was located on the majority of the R-1-10C zone adjacent (and to the east) of the subject site. Access to this church is from 2700 West. To the south of the church is the R-3-20 zone (Multi-Family 10 units or less per acre), this site houses the Jordan River Apartment complex.

In addition to the property being rezoned to a higher density, the applicant was also applying to amend the subzone (or the minimum house size allowed) of the site from subzone A to C. During the Planning Commission hearing the Commission recommended to City Council that E sized houses be approved for the rezone. The applicant agreed to the recommendation and stated that he would be able to comply with the recommendation. This proposed change would require that larger homes are built in the subdivision than what was presently required and what the applicant initially applied for, below is the subzone minimum living space chart with additional square footage requirements of the three subzones:

Subzone	Dwelling Type	Minimum Living Space (In Sq. Ft.)	Zone to which the subzone applies
A	1 level dwelling (rambler or split entry)	2,000	R-1-5
	Split level dwelling	1,500	
	Multi-story dwelling (2 or more)	1,800	
C	1 level dwelling (rambler or split entry)	2,400	R-1-8
	Split level dwelling	2,100	
	Multi-story dwelling (2 or more)	2,400	
E	1 level dwelling (rambler or split entry)	3,000	R-1-10
	Split level dwelling	2,400	
	Multi-story dwelling (2 or more)	3,000	

Finding: The proposed amendment will 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 proposed rezone would not affect the health, safety, or general welfare of the citizens of the City or the neighboring community of the property. While the proposed rezone will increase the housing density on the site, due to its proximity to an major collector (2700 West), the

access into the subdivision is near this major collector street, the increase in housing density will not disturb any other established neighborhoods.

At this time only the rezone was under review, any concerns with the concept plan or potential construction would be reviewed by Planning Commission at a later date and by City Staff to ensure the site would meet the requirements found in Title 13 and Title 14 of the 2009 City code.

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 rezone application was made available to the City's Engineering and Fire Departments. Both of these Departments determined that the proposed rezone would not negatively affect the level of available public services to this neighborhood or to the wider community. Nevertheless, additional and more specific review would be needed at the time of Subdivision submittal to ensure all services are adequate to serve the future subdivision.

Finding: 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.

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

Discussion: The proposed rezone site was not within any overlay-zoning district.

Finding: The proposed amendment is consistent with the provisions of any applicable overlay zoning districts, which may impose additional standards.

In conclusion, the proposed Zoning Map Amendment to rezone the West Woods property to the R-1-8C zoning district meets all the criteria for approval and was not contrary to any current goals and policies in the General Plan or conflicting with Title 13 of the 2009 City Code.

Staff recommended that based on the analysis and findings contained in the Council's staff report, staff recommended that the City Council rezone the property located at 7904, 7906, and 7930 South 2700 West from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with "A" sized homes, Planned Development) to R-1-8E (Single-Family Residential 8,000 square foot lots with "E" sized homes).

On October 18, 2016 the Planning Commission in a 6 to 1 vote recommended that the City Council approve the request to rezone the property located at 7904, 7906, and 7930 South 2700 West Way from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with "A" sized homes, Planned Development) to R-1-8E (Single-Family Residential 8,000 square foot lots with "E" sized homes).

Adam Nash, Applicant and owner of the property, stated that they wanted to change the petition to R-1-8E (Single-Family Residential 8,000 square foot lots with "E" sized homes). He briefly commented on the surrounding area. He said they were offering a quality project.

Councilmember Burton said he appreciated the applicant making the adjustments.

Mayor Pro-tem McConnehey opened the public hearing. There was no one who desired to speak. Mayor Pro-tem McConnehey closed the public hearing.

MOTION: Councilmember Burton said based on the analysis and findings contained in the staff report and the recommendation, he moved that the City Council approve Ordinance 16-51, and establish the rezone of the property located at 7904, 7906, and 7930 South 2700 West from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with "A" sized homes, Planned Development) to R-1-8E (Single-Family Residential 8,000 square foot lots with "E" sized homes). The motion was seconded by Councilmember Haaga.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Mayor Pro-tem McConnehey	Yes
Councilmember Nichols	Yes
Mayor Rolfe	Absent

The motion passed 6-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 16-191, AMENDING THE SALARY SCHEDULE FOR THE
CITY EMPLOYEES FOR FISCAL YEAR 2016-2017**

Jon Gardner said over the past year or so there had been a steady increase in construction activity throughout the City including building permit applications and inspection activity. There had also been a huge increase in solar panels installations. This increase in activity was expected for the foreseeable future as interest rates remain low. Change #3 – the addition of a new Combination Inspector was proposed in order to alleviate the backlog that the City was currently experiencing in these areas.

Change #4 – the addition of a new Engineering Assistant would help to speed up the process time for development reviews. It would also increase the City's ability to address design and build issues with capital improvement projects, Computer Aided Design (CAD) operating, plat reviews and addressing of new homes and businesses. As new construction was occurring throughout the City, the addresses need to be linked to things such as the sewer and water systems. The City currently had only one Engineering Assistant and was unable to keep up with the demand in these areas.

Changes 1, 2, and 5 on the salary schedule were housekeeping issues reflecting changes that had occurred over the past few months.

The proposed changes would have net fiscal impact of approximately \$157,500 for salary and benefits and approximately \$40,500 for the purchase of a new vehicle, computers, etc.

Staff recommended approval of the proposed Resolution amending the Salary Schedule for City employees for fiscal year 2016-2017.

Councilmember Haaga asked about the Deputy City Manager position.

Jon Gardner stated that it was an unfunded position.

Mayor Pro-tem McConnehey clarified that at the next Council meeting there would be an item on the City Council agenda regarding a budget adjustment, which included the funding for a City Attorney position.

Jon Gardner said the budget adjustment would include the two newly proposed positions as well as the Deputy City Attorney position.

Mayor Pro-tem McConnehey opened the public hearing.

Alexandra Eframo, West Jordan resident, asked for clarification regarding the issue.

Mayor Pro-tem McConnehey tried to address Ms. Eframo concerns. There was no one else who desired to speak. Mayor Pro-tem McConnehey closed the public hearing.

Councilmember Haaga would like to see the Deputy City Manager position removed from the salary schedule.

MOTION: Councilmember Nichols moved to approve Resolution 16-191, amending the Salary Schedule for fiscal year 2016-2017. The motion was seconded by Councilmember Jacob.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Mayor Pro-tem McConnehey	Yes
Councilmember Nichols	Yes
Mayor Rolfe	Absent

The motion passed 6-0.

VIII. BUSINESS ITEM

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-192, ACCEPTING THE AUDIT REPORT AND PRESENTATION OF THE CONSOLIDATED ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2016

This item was to accept the Comprehensive Annual Audit Report for Fiscal Year 2016.

The Finance Department was presenting the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2016 for the City of West Jordan and had provided electronic copies to the Council for their review. The firm Keddington & Christensen, LLC, conducted an independent financial audit and issued an unqualified opinion on the City's CAFR. An opinion was said to be unqualified when in the independent auditor's judgment, the financial records and statements are fairly and appropriately presented, and in accordance with accounting principles generally accepted in the United States of America. An unqualified opinion was the most common type of auditor's report.

Marcus Arbuckle, Keddington & Christensen partner, provided a brief presentation. He reported on several items regarding the audit.

He said part of the responsibilities of the City Council was the oversight of the financial reporting process. Management was responsible for the financial statements and the day-to-day accounting. He said in performing the audit they had offered an unqualified opinion. He commented on where the City had improved significantly. Recommendations were made regarding bond draws. He also commented on the following:

- Expenditures of Federal Awards
- State compliance
- Redevelopment Development Agency (RDA) and Municipal Building Authority (MBA) both over budget (recommend project overages with a budget amendment in June)
- Fraud procedures (none found)
- No difficulties performing the audit
- City doing a great job
- Community Development Block Grant (CDBG) (Single audit) is a very in-depth, and the City was doing a good job. The CDBG were also audited and reviewed by several other entities to make sure the City was in compliance and the funds were being spent properly.

Councilmember Jacob commented on a minor change that needed to be made to the CAFR regarding Alan Anderson replacing Sophie Rice in Council District 4 on page 6.

MOTION: Councilmember Jacob moved to approve Resolution 16-192, accepting the Comprehensive Annual Financial Report for FY 2016, with the edit on page 6 and page 7 to have an asterisk next to District 4 Councilmember and an explanation entered as a footnote. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Mayor Pro-tem McConnehey	Yes
Councilmember Nichols	Yes
Mayor Rolfe	Absent

The motion passed 6-0.

**REVIEW THE 7000 SOUTH 1300 WEST TO BANGERTER HIGHWAY
FEASIBILITY STUDY PROJECT NO. F-R299(142) REPORT**

Greg Davenport reported that the Hales Engineering had recently completed a study of traffic conditions along 7000 South from 1300 West to Bangarter Highway. This study examined existing traffic conditions along the corridor and offered several potential alternatives for improving the traffic flow and safety today and in the future. Staff would use this information for budgeting purposes. No decisions about the future of the corridor should be made until an environmental impact statement of the project corridor was complete and the impacts of any decision could be properly weighted.

He provided the following presentation, which was informational only:

7000 South Feasibility Study

Current Deficiencies on 7000 South

- Excessive congestion at 7000 South and Redwood Road. (Eastbound a.m., Westbound p.m.)
- Congestion from Redwood Road extends to 1300 West.
- Unbalanced lane configuration contributes to congestion for eastbound traffic in the a.m. peak.
- Existing Safety Problem – Narrow shoulders make garbage pickup, bicycle travel, and on street parking difficult.
- Existing Safety Problem – Poor lane alignment at 1300 West intersection can result in increased sideswipe accidents.
- Existing Safety Problem – Sidewalks along 7000 South are in poor repair or missing. School Children and pedestrians cross 5 lanes of traffic at 7000 South and 1500 West.
- The merge area and taper east of Bangerter Highway is not long enough to accommodate all of the vehicles in a green phase.

He said the study predicted that if no actions were taken by UDOT or the City of West Jordan the following would happen:

- Congestion would continue to increase
- Safety levels would get worst
- The bottleneck at 7000 South and Redwood Road would expand the hours of peak traffic
- Roadway connections at driveways near Redwood Road (city streets, commercial driveways) would turn into right-in right-out only intersections

He reviewed various alternatives.

Alternative	Features			Level of Service					Peak Hour Travel Reduction (sec)	Right of Way Cost	Total Cost
	Bicycle	Garbage	Parking	Redwood	2200 West	2700 West	3200 West	Bangerter			
No Action	N	N	N	F	D	D	E	F	0	0	0

5 lanes – Existing ROW	N	N	N	F	D	D	C	D	259	\$3,567,000	\$18,976,000
5 lanes – ROW North	Y	Y	Y	F	D	D	C	D	343	\$25,147,000	\$47,255,000
5 Lanes – ROW South	Y	Y	Y	F	D	D	C	D	354	\$30,950,000	\$52,946,000
7 Lanes	Y	Y	Y	E	C	C	C	D	1096	\$33,478,000	\$60,889,000
Hybrid	Y	Y	Y	E	C	D	D	D	969	\$30,081,000	\$55,354,000

Information from Hales Engineering - 2016

The Council and staff discussed clarifying questions.

Greg Davenport said there plan as a Capital Projects group was to take this to Wasatch Front and ask for money to get an environmental study done, which could take a year to complete.

David Murphy said currently a section of 7800 South was on Phase 1 of Wasatch Front's plan, which would be within the next five to ten years.

Mayor Pro-tem McConnehey was hoping City Management would continue to push with the Legislature and lobbyist to make this project a priority regarding funding.

IX. REMARKS

PLANNING COMMISSION CANDIDATE INTERVIEWS

Councilmember Nichols proposed 10 minutes per candidate for Planning Commission interviews.

Mayor Pro-tem McConnehey reviewed how the Planning Commission Candidate interviews would be handled.

X. CLOSED SESSION

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

COUNCIL: Mayor Pro-tem McConnehey and Council Members Alan Anderson, Dirk Burton, Jeff Haaga, Zach Jacob, Chris M. McConnehey, and Chad Nichols. Mayor Rolfe was excused.

STAFF: Mark R. Palesh, City Manager, and David R. Brickey, City Attorney.

MOTION: Mayor Pro-tem McConnehey moved to go into a closed session to discuss the character professional competence, or physical or mental health of an individual; Strategy Session to discuss pending or reasonably imminent litigation, and a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares; then recess the Closed Session to interview the applicants for the Planning Commission positions; and then reconvene the Closed Session and adjourn from there. The motion was seconded was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Mayor Pro-tem McConnehey	Yes
Councilmember Nichols	Yes
Mayor Rolfe	Absent

The motion passed 6-0.

The Council recessed at 7:59 p.m., and convened the Closed Session at 8:01 p.m., and then recessed the Closed Session at 8:20 p.m. to proceed with interviews for the Planning Commission applicants, then reconvene the Closed Session at 10:00 p.m. and adjourn from there.

XI. ADJOURN

The meeting adjourned at 10:30 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.

CHRIS MCCONNEHEY
Mayor Pro-tem

ATTEST:

MELANIE BRIGGS, MMC
City Clerk

Approved this 11th day of January, 2017