

**MINUTES
TO BE
APPROVED**

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

Wednesday, March 11, 2015

6:00 p.m.

**Council Chambers
8000 South Redwood Road
West Jordan, Utah 84088**

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Chad Nichols, and Ben Southworth.

STAFF: Bryce Haderlie, Interim City Manager; Jeff Robinson, City Attorney; Melanie Briggs, City Clerk; Tom Burdett, Development Director; Ryan Bradshaw, Finance Manager/Controller; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Greg Mikolash, City Planner, Nate Nelson, City Engineer, Brian Clegg, Park Director; Jim Riding, CIP/Facilities Project Manager; Robert Thorup, Deputy City Attorney, and Bill Baranowski, Traffic Engineer.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 5:01 p.m.

II. CLOSED SESSION

STRATEGY SESSIONS TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES

DISCUSSION OF THE CHARACTER PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris McConnehey, and Chad Nichols. Council Member Ben Southworth arrived at 5:10 p.m.

MOTION: Councilmember Hansen moved to go into a Closed Session for a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares; and discuss the character professional competence, or physical or mental health of an individual. The motion was seconded by Councilmember Nichols.

Councilmember Haaga reported that he had retained an Attorney, Grace Acosta, Scalley Reading Bates Hansen & Rasmussen, who was in the audience.

A roll call vote was taken

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

The motion passed 5-0.

The Council convened into a Closed Session for a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares; and discuss the character professional competence, or physical or mental health of an individual at 5:03 p.m.

Council Member Ben Southworth arrived at 5:10 p.m.

The Council recessed the Closed Session at 5:03 p.m. and reconvened the meeting at 6:08 p.m.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jenson Coombs, Troop 1510.

IV. COMMUNICATIONS

INTERIM CITY MANAGER COMMENTS/REPORTS

Bryce Haderlie –

- Addressed the goals from the Strategic Planning Session held in January.
- Updated the Council on the meetings regarding the insurance benefits for the coming year.
- Informed the Council and audience that Comcast was hoping for 2000 volunteers for the upcoming ‘Comcast Cares Day.’ Registration was available on-line at www.wjordan.com. He encouraged staff to sign up as managers for this event. Compensation time would be permitted.
- Chief Diamond scheduled to receive ‘Chief of the Year’ award in St. George on March 25, 2015.

STAFF COMMENTS/REPORTS

There were no comments.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Southworth –

- Congratulated Chief Diamond on his selection as ‘Chief of the Year’

Councilmember Nichols –

- Reported that Jordan Valley Water Conservancy District Board along with Utah Valley Water Conservancy District felt there was sufficient water supply for the expected year.
- Reminded everyone to conserve water for the future years

Councilmember Hansen -

- Updated the Council on her attendance at the Community of Council meeting. She said Police Officer body cams were making a difference.

Councilmember McConnehey –

- Reviewed information he received when he met with the Salt Lake County Cultural Facilities Support Program regarding grants. He reported that they were willing to assist the City.

Mayor Rolfe hoped the City would apply for the design and then go after the matching funds.

Councilmember McConnehey –

- Met with the Arts Council and questioned whether the Youth Theater could be formally moved back under the Theater Arts umbrella

The Council agreed to have this placed on a future agenda.

Councilmember McConnehey –

- Commented on the number of semi-trailers parked in various locations around the City. He wanted staff to take an aggressive approach to enforcing City code.

Jeff Robinson said he would speak with Code Enforcement officers.

Mayor Rolfe –

- Reported that House Bill 290 (Auto Dealerships) passed the House and Senate with minor changes. It was moving on to the Governor for his signature. He commented on how last year he was disrespected in the Committee at Office 101, and this year he was respected. He thanked the West Jordan City Council and Representatives for their support.

V. CITIZEN COMMENTS

Jason Casto, Jordan Education Foundation Representative. He suggested combining the Jordan Education Foundation Fun Run/Race with the West Jordan City Health Fair and Summer Reading Kick Off.

Mayor Rolfe suggested Jason Casto coordinate with Julie Brown.

Councilmember Southworth suggested having Jason Castro's committee meet with the Healthy West Jordan Committee along with Julie Brown to set up a proposal for Council's evaluation.

Barbara Backman and Pam Marcusen, West Jordan residents, commented on the October flooding of Constitution Park and the homes affected. She asked for a one-time expenditure when the grant program was completed so that funds from next year could be moved into this year, providing time for the construction phase, and everything else that needed to be done to secure the homes that had been the most impacted by the flooding. She addressed the new asphalt placed in the circle was domed and now no longer holds the regular storm water creating additional issues.

Mayor Rolfe said staff was working on the flooding issue and would contract her.

Councilmember McConnehey reported that staff was setting up an open house in the near future (possibly April) to meet with residents regarding this issue.

Bryce Haderlie reported that City staff was helping with the grant program to assist residents regarding the flooding.

Steve Jones, West Jordan resident, commented on Agenda Item 8.c. regarding the crosswalk at 1960 West 7000 South. He asked the Council to vote in favor of installing flashers, Option 3 as proposed in the Council's agenda packet.

Aaron Baugh, West Jordan resident, commented on the spur line addition by Savage Rail Service. He was concerned with the contents being stored in the additional railcars. He said an explosion would level his home along with others.

Alexandra Eframo, West Jordan residents, asked for a moment to reflect upon the common goals of the business of the City Council meeting.

She suggested a public hearing regarding the Youth and Theater Arts joining together.

She also felt she was a target of the West Jordan Police Department. She was shocked by the upcoming award being presented to Police Chief Doug Diamond. She reported that she had been treated poorly by the Chief of Police. She was told to keep her ideas to herself regarding recent shootings. She briefly commented on the 12-police officers which recently surrounded her.

Jason Wadsworth, West Jordan resident, commented on Agenda Item 8.c. regarding the crosswalk at 1960 West 7000 South. He agreed with Mr. Jones earlier comments. The painting of crosswalk lines were ineffective, lights should be installed. He opposed any type of median.

Jennifer Dinkleman, West Jordan resident, also commented on Agenda item 8.c. She reported that a concrete barrier would make it more difficult exiting from her driveway. She requested lights be installed. She felt this was a dangerous crosswalk.

Justin Peterson, Peterson Development, commented on the adoption of the Highlands Assessment Area. He said this would make residents aware that there would be an assessment of the open space. He provided a handout to the Council.

Councilmember Southworth addressed the fire at Dave Bird's home which burned down. He said Mr. Bird, a veteran, and his wife were both disabled. A benefit concert was being held by various groups to assist Mr. Bird and his wife. The groups were looking into a venue to hold this event preferably in West Jordan. Councilmember Southworth asked if the Council would be willing to sponsor/support this effort.

The Council agreed.

There was no one else who wished to speak.

VI. CONSENT ITEMS

- a. Approve the minutes of February 11, 2015 as presented**
- b. Approve Resolution 15-45, confirming the appointment of members to various City Committees**
- c. Accepting UDOT's counter-proposal made by the City Council on December 17, 2014, by accepting 'routine' maintenance responsibilities which includes snow plowing and pothole repair of 7800 South, between Bangert Highway and Redwood Road**
- d. Approve the request for alcohol at Pioneer Hall on June 13, 2015, requested by Sarah Miranda**
- e. Approve Resolution 15-46, authorizing the Mayor to execute the Revocable License Agreement with Jordan Credit Union for a private sanitary sewer line crossing at 4800 West**
- f. Approve Resolution 15-47, authorizing the Mayor to execute a Contract with MGB&A for planning services for Redwood Road Corridor Study**
- g. Approve Resolution 15-48, authorizing the Mayor to execute an Agreement with Valley Design & Construction, Inc., for the construction of a maintenance building for the Ron Wood Park Complex in an amount not to exceed \$671,500.00**

- h. Approve Resolution 15-49, authorizing the approval of a Purchase Order to Sonntag Recreation, LLC for the construction of a new park pavilion at Handcart Park, in an amount not-to-exceed \$32,250.00**
- i. Approve Resolution 15-50, authorizing the Mayor to execute the Local Government Contract Modification to increase funding by \$28,901.79 for Construction Engineering Management services for the Redwood Road & 8200 South project for an amount not to exceed \$138,137.82**
- j. Approve Resolution 15-51, authorizing the purchase of Faster Fleet Operations Software for Fleet operations and maintenance records keeping in an amount not to exceed \$85,450.00; and Fuel Force fuel software for tracking and recording usage in the City in an amount not to exceed \$17,095.00**
- k. Approve Resolution 15-52, authorizing the Mayor to execute an Agreement with the American Cancer Society Relay for Life for use of the Veteran's Memorial Park August 8, 2015, for their 'Relay for Life' race event**

The Council pulled Consent Item 6.g. for further discussion.

MOTION: Councilmember Nichols moved to approve all the Consent Items except 6.g, and discuss that item later. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

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

The motion passed 6-0.

CONSENT ITEM 6.G.

APPROVE RESOLUTION 15-48, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH VALLEY DESIGN & CONSTRUCTION, INC., FOR THE CONSTRUCTION OF A MAINTENANCE BUILDING FOR THE RON WOOD PARK COMPLEX IN AN AMOUNT NOT TO EXCEED \$671,500.00

Jim Riding reported that existing baseball fields at Ron Wood Baseball Complex and the completion of the new Ron Wood Park and splash pad, it became necessary to provide a

maintenance yard similar to the one at Veterans Park. The maintenance yard would also provide salt storage for the west side of the City providing a much closer location to refill snow plow trucks with salt without having to travel back to the Public Works operation building. The new maintenance yard would sit on 1.25 acres of City owned land just across the street from the new park and baseball fields. The new storage bins would be capable of storing not only salt, but top soil and other materials used in the park maintenance. The new shed would allow maintenance work on equipment to take place inside out of the weather and would also provide restroom facilities year round. The area would be fenced to keep everything secure.

The project was advertised by the City's Purchasing Agent with three bidders responding. The lowest responsive and responsible bidder was Valley Design & Construction, Inc.

Funding for this project was available in Park Impact Fees.

Staff recommended approval of an Agreement with Valley Design and Construction, Inc., for the construction of a maintenance building for the Ron Wood Park Complex in an amount not to exceed \$671,500.00.

Councilmember Haaga wanted to make sure the \$671,500.00 was budgeted. He also wanted to make sure this was identified as Ron Wood Park Phase 2.

Jim Riding explained that the funding for this item would be coming from Park Impact fees. This building would also be used for salt in the wintertime. He explained that this project was an extension of the splash pad. This had previously been schedule to be done at the same time. He said staff was short approximately \$100,000 in Impact Fees, but the City received approximately \$50,000 per month making the fees available.

MOTION: Councilmember Haaga moved to approve Consent Item 6.g. The motion was seconded by Councilmember Southworth.

Brian Clegg indicated that utilizing the building to store salt would cut down on truck traveling time with 99% of the building would be used for parks.

The Council commented on the following:

- Concern using Park Impact fees for streets
- Additional funding source to cover street portion
- Agreed building was a necessity
- Percentage of building not used for parks, need other funding source

Jeff Robinson asked that this item be tabled until it could be determined what specifically the building and impact fees would be used for.

Jeff Haaga said based on the information discussed he withdrew his motion.

Councilmember Southworth withdrew his second.

MOTION: Councilmember Southworth moved to table this item for further review until a time deemed appropriate by staff. The motion was seconded by Councilmember Haaga.

A roll call vote was taken

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

The motion passed 6-0.

VII. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 15-07, REGARDING A GENERAL PLAN LAND USE MAP AMENDMENT FOR APPROXIMATELY 4.04 ACRES FROM PROFESSIONAL OFFICE AND HIGH DENSITY RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL AND REZONE FROM R-1-8A (SINGLE-FAMILY RESIDENTIAL 8,000 SQUARE FOOT LOTS) AND P-O (PROFESSIONAL OFFICE) TO R-3-12 (SHO) (MULTI-FAMILY RESIDENTIAL 12 UNITS PER ACRE MAXIMUM DENSITY, SENIOR HOUSING OVERLAY) FOR CABCO HORIZON ASSISTED LIVING LOCATED AT APPROXIMATELY 7448-7490 SOUTH REDWOOD ROAD; FURST CONSTRUCTION, APPLICANT

Tom Burdett said the applicant Furst Construction was asking for a General Plan Land Use Map amendment and Rezone for Cabco Horizon Assisted Living.

He turned the time over to Greg Mikolash.

Greg Mikolash reviewed the proposed rezoning and Future Land Use Map Amendment affected five parcels of land. The northern two parcels were zoned R-1-8A and were designated as High Density Residential on the Future Land Use Map. The southern three parcels were zoned P-O (Professional Office) and were designated as Professional Office on the Future Land Use Map (Exhibit B which was provided in the Council's agenda packet). All parcels front onto Redwood Road and were vacant.

On February 3, 2015, the Planning Commission reviewed this request and in a 6 to 1 vote recommended that the Future Land Use Map amendment and rezoning request be

approved by the City Council (Exhibit J which was provided in the Council’s agenda packet).

GENERAL INFORMATION & ANALYSIS

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

	Future Land Use	Zoning	Existing Land Use
North	High Density Residential	R-1-8A	Vacant
South	High Density Residential	P-O	Veterinary Hospital
East	Medium Density Residential (across Redwood Rd.)	R-1-8C	Single-family Residential
West	Public Facilities	R-1-8A/PF	Elementary and Middle Schools

The applicant was requesting to amend the General Plan Future Land Use Map from High Density Residential and Professional Office to Very High Density Residential and to rezone the property from R-1-8A (Single-family Residential) and P-O (Professional Office) to R-3-12 (SHO) (Multi-family residential, senior housing overlay). The purpose of the request was to accommodate a future Assisted Living Facility for seniors. The applicant had submitted a concept site plan that showed how the property *could possibly* be developed (Exhibit D in the Council’s agenda packet). The applicant had also provided the following general description of the facility:

“As far as a detailed description we will be a traditional assisted living community with residents receiving treatment across a wide range of needs. We will be licensed as a Type 2 and Memory Care facility with the Board of Health. Some guests will be mobile and just receive meals and laundry services and some may be quite impaired and be receiving daily attention from RNA’s and physical therapists. The needs of the community will determine the exact unit mix.”

“We will build approximately 50 units with a commercial grade kitchen. The staff will vary based on shifts and resident mix, but a typical ratio will be around 1 employee for every 3 residents.”

If the City Council approved the Future Land Use Map amendment and rezone, the applicant must also receive subdivision and site plan approval from the Planning Commission prior to the construction of any development. Those reviews would give the Planning Commission the opportunity to review more detailed site and building elevation plans.

FINDINGS OF FACT

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

Prior to approving a General Plan Future Land Use Map amendment, the City Council shall make the following findings:

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

Discussion: In 2011, the City adopted the Senior Housing Overlay District (SHO). The purpose of the senior housing overlay district (SHO) is to “establish locations for the development of appropriate living arrangements, both assisted and independent, for residents fifty five (55) years and older. The SHO district provides standards for development which recognizes and accommodates the varied housing and lifestyle needs and desires of seniors, including decreasing mobility, changing health, and the alternative needs of the senior person. The SHO district promotes independence and a high quality of life to meet the physical and social needs of seniors by encouraging specialized design features, and convenient access to community and civic centers, support services, mass transit stations and stops, recreational facilities, and shopping centers.”

The General Plan contained several goals and policies that support senior housing. Examples of these goals and policies include the following:

- The Housing Element of the General Plan: “Future housing needs will require a wide range of housing options, including opportunities for families; attractive locations and lots for estate homes; housing for people with special needs such as active seniors, the elderly and disabled; as well as locations for those who may prefer to use alternative transportation modes.”
- Housing Goal 1, Policy 2, Implementation Measure 4: “Increase housing opportunities for active seniors and the elderly (Page 70).”
- Housing Goal 3: “Provide housing that serves different life cycle stages, including the active seniors, elderly, disabled, and others requiring specialized facilities or locations (Page 71).”
- Housing Goal 3, Policy 2: “The City shall consider the design, availability, and functional quality of residential developments to meet the needs of the active seniors, elderly, physically challenged, single individuals, couples, empty nesters, young professionals, and those dependent on public transportation. The location of such housing should be in close proximity to shopping, medical services, entertainment, and public transportation.”

The General Plan supported the need for additional senior housing. Shopping was available at 7000 and 7800 South Redwood Road and was located on a Utah Transit Authority (UTA) bus transit route.

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

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

Discussion: Finding B supported the view that the land use map should only be revised if there were inadequate optional sites for the proposed use. The Senior Housing Overlay (SHO) district may be applied to several zoning districts including the PRD, R-2, R-3, R-M, and PC zoning districts. It may also be applied to the LSFR, MFR and HFR zones within the West Side Planning Area. Staff recognized that there were optional sites for the proposed use; however, Finding B does not factor in all scenarios or other circumstances that overall may improve or benefit the City. This application was an example.

The City was currently studying land uses along Redwood Road as part of the Redwood Road Corridor Study. Although the Future Land Use Map was adopted in 2012, it was recognized at that time that the City would revisit the land uses along Redwood Road to determine if any changes were needed. This application provided an opportunity to evaluate the land use designation on this property now rather than at some point in the future.

The northern two parcels were designed as high density residential while the southern three parcels were shown as professional office as shown on the Future Land Use Map (Exhibit B including in the Council's agenda packet). The schools to the west were designated as public facilities and although the property to the south was designated as High Density Residential it was zoned Professional Office and is occupied by a veterinary hospital. The nearest residence was east of Redwood Road. Because of its proximity, to the schools and Redwood Road, senior housing at this location makes sense. A senior housing development would have less overall impact to the area in terms of traffic than would office development and makes an acceptable transition between the schools and Redwood Road.

If this request were to accommodate 'for rent' residential housing, staff would not support amending the Future Land Use Map as the General Plan only encouraged typical multi-family housing near large commercial facilities or transit stations.

As noted in Finding A, the General Plan clearly recognized the need for additional senior housing throughout the City. As such, staff supported

changing the Future Land Use Map designation to Very High Density Residential but only if the property is zoned R-3-12 (SHO) as proposed.

Finding: Although the development pattern contained on the land use plan adequately provided optional sites for an assisted living facility for seniors, Very High Density Residential would be an acceptable land use at this location only if the property was rezoned for senior housing.

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

Discussion: Changing the Future Land Use Map would not be a detriment to other established uses in the vicinity so long as the rezoning as proposed was approved. As stated previously, there was an elementary school and a middle school on the adjoining property to the west and a veterinary office to the south. It was staff's view that senior housing would have less impact on adjacent uses than would Professional Office.

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

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

Discussion: The applicant would directly benefit from approval of the proposed amendment; however, the amendment allows for a better use of property than would otherwise be allowed under the current Professional Office land use designation. Senior housing would act as an appropriate buffer for future single-family residential development to the west.

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

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

Discussion: The proposed amendment would not adversely impact the neighborhood provided that the Senior Housing District (SHO) zoning was adopted by the City Council. The Engineering Division had reviewed both

the rezoning and Future Land Use Map amendment request and had indicated that the utility infrastructure was adequate to accommodate future senior housing (Exhibit I provided in the Council's agenda packet).

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

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

Discussion: The amendment was reviewed for consistency against the City's General Plan and the zoning ordinance.

Finding: The Land Use Map amendment was consistent with the plans, codes and ordinances provided that the property was zoned Senior Housing Overlay District (SHO).

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

Prior to approving a Zoning Map amendment, the City Council 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: See Future Land Use Map amendment Finding A.

Finding: The proposed rezone 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: Staff did not anticipate that the proposed use would adversely affect adjacent properties or result in any incompatible land use relationships. Senior housing provides an appropriate buffer between the schools and Redwood Road and in staff's view was a better use than high density residential or professional office development at this location. The applicant had indicated they would like to construct approximately 50 units on this property.

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

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

Discussion: The R-3-12 (SHO) zoning district had specific standards which would be met when the property was consolidated through a subdivision process and developed. The R-3-12 (SHO) zoning was compatible with adjoining land uses and furthered the public health, safety and welfare of the City as a whole.

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

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

Discussion: The Engineering Department had determined that the City would have the ability to service the property with water, sewer, streets and storm drainage. The Police and Fire Departments would review any proposed developments at the time of subdivision application to ensure full serviceability.

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 property was located in the Redwood Road Overlay District which does not impose any additional standards on senior housing. The future development would be subject to the Senior Housing Overlay (SHO) requirements if the zoning was approved.

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

Ray McCandless said in conclusion the proposed Future Land Use Map amendment from High Density Residential and Professional Office to Very High Density Residential and rezone of approximately 4.04 acres of property to the R-3-12(SHO) zoning district was compatible with adjoining land uses.

Staff recommended that based on the analysis and findings contained in the Staff Report, staff recommended that the City Council amend the General Plan Future Land Use Map for 4.04 acres located at approximately 7448, 7466, 7482 and 7490 South Redwood Road from High Density Residential and Professional Office to Very High Density Residential and rezone the property from R-1-8A (Single-family Residential, 8,000 square foot lot minimum) and Professional Office (PO) to a R-3-12(SHO) zoning district.

On February 3, 2015, the Planning Commission in a 6 to 1 vote, recommended that the City Council approve the request to amend the General Plan Future Land Use Map for 4.04 acres located at approximately 7448, 7466, 7482 and 7490 South Redwood Road from High Density Residential and Professional Office to Very High Density Residential and rezone the property from R-1-8A (Single-family Residential, 8,000 square foot lot minimum) and Professional Office (PO) to a R-3-12(SHO) zoning district.

Greg Mikolash said if the Council approved the amendment, the applicant would still need to go through the site plan and subdivision process with the Planning Commission. The building would also need to go through Design Review Committee.

He said the (SHO) could be applied to this zoning district, and would work very well.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, opposed very high-density. She recommended that the Council make very high-density housing earthquake proof.

Steve Jones, West Jordan resident, was concerned with very high-density housing. He was concerned with the proposed Care Center being placed next to Redwood Road. He suggested landscaping or walls to help protect the residents from the main roadway.

Terri Timpson, Herriman resident, Jordan School District worker, asked the Council to be conscious of the school children nearby regarding the construction of any facility.

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

The Council and staff discussed the following:

- Good Land Use – residents must be together to be supervised
- Concern adding an additional ingress/egress on Redwood Road, possible driveway sharing
- Professional Office would not really work in this location
- Developer to be reminded of the children even during the summer

MOTION: Councilmember Southworth said based on the information and findings set forth in the staff report and upon the evidence and explanations received today, I move that the City Council approve Ordinance 15-07, amending the General Plan Future Land Use Map for 4.04 acres located at approximately 7448, 7466, 7482 and 7490 South Redwood Road from High Density Residential and Professional Office to Very High Density Residential. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

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

The motion passed 6-0.

MOTION: Councilmember Southworth moved that based findings set forth in the staff report and upon the evidence and explanations received today; I move that the City Council approve Ordinance 15-07, rezoning approximately 4.04 acres of property from R-1-8A (Single-family Residential, 8,000 square foot lot minimum) and Professional Office (PO) to R-3-12(SHO) zoning district. The motion was seconded by Councilmember McConnehey.

Mayor Rolfe and Councilmember Southworth both believed this was one time where very high-density fit.

A roll call vote was taken

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

The motion passed 6-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
ORDINANCE 15-08, AMENDING THE 2009 WEST JORDAN MUNICIPAL**

**CODE SECTION 13-7C-6 "AMENDMENTS TO THE LAND USE MAP"
REMOVING FINDING B FROM GENERAL PLAN AMENDMENT
FINDINGS IN THE ZONING ORDINANCE; CITY WIDE
APPLICABILITY; CITY OF WEST JORDAN, APPLICANT**

Tom Burdett said this item was to consider amending Code Section 13-7C-6 of the 2009 West Jordan Municipal Code "Amendments to the Land Use Map" removing finding 'B' from the General Plan Amendment findings in the Zoning Ordinance.

He turned the time over to Greg Mikolash.

Greg Mikolash reported that City Code required that amendments to the General Plan and Future Land Use Map be reviewed against the six findings listed in Section 13-7C-6. In general, these findings were meant to assure that the proposed amendment was consistent with the General Plan, would not adversely affect adjoining property, and was in the overall best interests of the City. These findings were listed as follows:

"A. The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the city general plan;

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

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

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

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

F. The proposed amendment is consistent with other adopted plans, codes and ordinances."

Amendments to the General Plan were more often changes to the Future Land Use map associated with a development proposal. Finding B applied specifically to changes to the Future Land Use Map and supported the view that the land use map should only be revised if there were inadequate optional sites available for a proposed use. This finding; however, does not factor in all scenarios or other circumstances that overall may improve or benefit the City and do not reflect current City policy of allowing more freedom to develop property. Repeatedly, Finding B had caused consternation among Planning

Commissioners trying to adhere to the City Code. Staff was of the opinion that Finding B of Section 13-7C-6 should be eliminated from the City Code for the reasons stated in the findings section below.

On February 17, 2015, the Planning Commission voted 5-1 to forward a positive recommendation of the proposed Text Amendment to the City Council as recommended by Staff.

FINDINGS OF FACT

Section 13-7-D-7B, requires that prior to approving a Zoning Ordinance text amendment, the City Council shall make the following findings:

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: There were no specific goals or policies related to eliminating findings for amendments to the General Plan. This criterion does not apply.

Finding: This criterion does not apply.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

Discussion: City Code, Section 13-7C-6, Finding B stated "The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment;" This finding implied that the City's policy toward amending the General Plan and Future Land Use Map was that neither should be amended if there are adequate optional sites within the City that can accommodate a proposed development. On the surface, this appeared to be a beneficial policy because it discouraged frequent or needless amendments to the adopted General Plan, but it does not reflect the current policy of the City to allow a developer or property owner the ability to pitch a particular property for a particular development, to be judged on the other criteria of plan change and rezone. Indeed, there may be situations where the amendment may be in the best interest of the City even though there are ample other optional locations already zoned or planned for the proposed use.

As an example, there are areas in the City that are designated Commercial or Professional Office on the Future Land Use Map that may be better suited for senior housing. There were many optional locations for senior housing throughout the City, but it may make sense to amend the Future Land Use map to support the use at a particular location. For this reason, staff found there was sufficient justification for the amendment and was

recommending that Finding B be eliminated from the text. The remaining findings ensure compliance with the general plan, compatibility with adjoining land uses, assures that the amendment does not benefit only one person or entity and that the amendment does not significantly change the acceptable land use patterns or infrastructure.

Finding: The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to the appropriate Sections of the Municipal Code.

Criteria 3: *The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and*

Discussion: The proposed amendment would have a city-wide impact, with no particular area singled-out. The proposed amendment would not create a conflict with any other sections of the Municipal Code.

Finding: The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: *The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.*

Discussion: The proposed amendment would have city-wide implication and does not relieve any particular hardship or confer any special privileges to a single property owner or cause. The proposed amendment was deemed desirable given the scope and scale of new developments in the City.

Finding: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

The proposed text amendment was warranted and not contrary to any current goals and policies in the General Plan or conflicting with Title 13 (Zoning Ordinance) of the Municipal Code.

Staff recommended that the City Council accept the findings contained in the staff report and approve the proposed Text Amendment as recommended by the Planning Commission.

Tom Burdett said the Planning Commission discussed an option to reword Finding B, but failed to find language to replace or amend this finding.

The Council and staff discussed clarifying questions.

Mayor Rolfe opened the public hearing.

Steve Jones, West Jordan resident, felt the intent of Finding B was still applicable and recommended the Council leave it in place, or fix the text.

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

Councilmember McConnehey questioned the number of times criteria Finding B had been cited for a no vote.

Tom Burdett indicated that this had been the cause of some split votes.

The Council and staff discussed for following issues:

- Consider changing the verbiage
- Keeping the balance

MOTION: Mayor Rolfe said based on the analysis and findings set forth in the staff report, and upon the evidence and explanations received today, I move that the City Council approve Ordinance 15-08, including the proposed Text Amendments to Title 13, removing Finding B from General Plan Amendment Findings in the Zoning Ordinance, West Jordan Municipal Code Section 13-7C-6 as recommended by the Planning Commission. The motion was seconded by Councilmember Nichols.

Tom Burdett said with timing of land use amendments, sometimes communities would place in their statues that the land use amendment come forward at the same time, so there could be rebalancing of the land use, among all the land uses done by the City.

Bryce Haderlie suggested having the Planning Commission work on the ambiguity.

Councilmember Hansen tended to agree with Mr. Jones. She felt the land use could be changed for the appropriate reasons. However, she did not want to make it easy for developers to change the land use without looking for alternative uses or site for parcels of land.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	No
Councilmember McConnehey	No
Councilmember Nichols	Yes

Councilmember Southworth **No**
Mayor Rolfe **Yes**

The motion failed 2-4.

MOTION: **Councilmember Southworth moved to send this item back to the Planning and Zoning Commission to take a stab at rewording. The motion was seconded by Councilmember Haaga.**

A roll call vote was taken

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

The motion passed 6-0.

RECEIVE PUBLIC INPUT AND CONSIDER FOR INCREASING THE SALARIES FOR THE CITY COUNCIL MEMBERS OF WEST JORDAN, AS OUTLINED IN UTAH CODE 10-3-818 'SALARIES IN MUNICIPALITIES'

Mayor Rolfe said the salary for City Council Members had not increased for over 20 years. As Mayor, he proposed conducting a public hearing for consideration of increasing the City Council salary from \$815.00 to \$1,000 per month; with a stipulation that the Council members would also receive the same Cost of Living Adjustment that City employees may receive from year to year.

Pursuant to the Utah State Code Annotated, 10-3-818. Salaries in municipalities.

- (1) The elective and statutory officers of municipalities shall receive such compensation for their services as the governing body may fix by ordinance adopting compensation or compensation schedules enacted after public hearing.
- (2) Upon its own motion the governing body may review or consider the compensation of any officer or officers of the municipality or a salary schedule applicable to any officer or officers of the city for the purpose of determining whether or not it should be adopted, changed, or amended. In the event that the governing body decides that the compensation or compensation schedules should be adopted, changed, or amended, it shall set a time and place for a public hearing at which all interested persons shall be given an opportunity to be heard.
- (3) (a) Notice of the time, place, and purpose of the meeting shall be published at least seven days before the meeting by publication:

- (i) at least once in a newspaper published in the county within which the municipality is situated and generally circulated in the municipality; and
 - (ii) on the Utah Public Notice Website created in Section 63F-1-701.
- (b) If there is not a newspaper as described in Subsection (3)(a)(i), then notice shall be given by posting this notice in three public places in the municipality.
- (4) After the conclusion of the public hearing, the governing body may enact an ordinance fixing, changing, or amending the compensation of any elective or appointive officer of the municipality or adopting a compensation schedule applicable to any officer or officers.

SUMMARY OF OTHER CITIES COUNCIL MEMBER PAY:

OGDEN CITY –

CURRENT CODE - 2-3-6: COMPENSATION:

Effective January 3, 2012, the annual salary of the council chair, the vice chair and members of the city council is hereby fixed and determined as follows: council chair, thirteen thousand eight hundred eighty four dollars (\$13,884.00); council vice chair, twelve thousand eight hundred eighty eight dollars (\$12,888.00); and council members, eleven thousand eight hundred eighty dollars (\$11,880.00). Beginning in fiscal year 2014, and every four (4) years thereafter, subject to approval by the council, the above salaries shall be modified, as necessary, based on benchmarking of other Utah cities. The council chair, vice chair and members of the city council shall be reimbursed for real and actual expenditures they may make relating to official duties conducted outside of the city, in addition to the above compensation. Reimbursement for out of town expenditures, except for per diem, shall be paid upon submission of documentation and claims.

AMENDMENT APPROVED JANUARY 13, 2015

2-3-6: COMPENSATION:

Beginning in fiscal year 2016, council members' annual salary of eleven thousand eight hundred eighty dollars (\$11,880.00) shall be adjusted by the percentage or percentages approved by the city council as cost of living and performance adjustments for non-merit special employees in the annual pay plan adoption. Council members' salaries may be modified through the annual budget process, as necessary, based on total compensation benchmarking of other Utah cities. The resulting salary, including all adjustments and benchmarking modifications, shall become the base salary for the next fiscal year. In addition to the base salary, the council chair shall receive a pay differential of two thousand dollars (\$2,000.00) per year and the council vice chair shall receive a pay differential of one thousand dollars (\$1,000.00) per year. The council chair, vice chair and members of the city council shall be reimbursed for real and actual expenditures they may make relating to official duties conducted outside of the city, in

addition to the above compensation. Reimbursement for out of town expenditures, except for per diem, shall be paid upon submission of documentation and claims.

TAYLORSVILLE CITY -

Taylorsville City Council Members receive \$13,219 annually (\$1,101.58 monthly)

WEST VALLEY CITY -

West Valley City Council Member receive \$18,820.10 annually (\$1,568.34 monthly)

DRAPER CITY -

Draper City Council Member receive \$13,814.04 annually (\$1,151.17 monthly)

SOUTH JORDAN CITY -

South Jordan City Council Member receive \$14,900.00 annually (\$1,241.66 monthly)

Adopted January 6, 2015

2.20.120: MAYOR AND COUNCIL MEMBERS; SALARIES, BENEFITS AND EXPENSES:

A. Mayor And Council Member Salaries: The compensation of the mayor shall be twenty one thousand five hundred dollars (\$21,500.00) per year. The compensation for city council members shall be fourteen thousand nine hundred dollars (\$14,900.00) per year. The Mayor and City Council shall receive the same annual cost of Living adjustment, if any, which is approved for full-time employees in the budget process. Said compensation shall be paid biweekly.

OREM CITY -

Orem City Council Member receive \$13,200.00 annually (\$1,100.00 monthly)

SALT LAKE CITY -

Salt Lake City Council Member receive \$24,466.26 annually (\$2,038.86 monthly)

Regarding the fiscal impact to the City the increase to the City Council member salaries would be an approximate increase of \$2,220 per member, for a total increase of \$13,320 to the City Council Budget.

Councilmember Nichols explained that cities with higher populations place a higher demand on Councilmembers.

Councilmember Haaga said the salary provided to Councilmembers was not enough to make a living on. This was a service and 40-60 hours per week could be spent on Council work.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, briefly commented on the following:

- Not all the Council Member deserved the same amount
- Professions were filled by people who want to do the job
- Being on the Council, because you want to serve the residents
- Increase in salary deserved

Steve Jones, West Jordan resident, agreed Council Member's should receive an increase, but did not agree with it being tied to the cost of living.

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

The Council discussed the following:

- Concerns with tying this to a cost of living increase
- Utah State Retirement (URS) brochure – definition – City Council Person is an Elected Official, but should be treated as a full-time employee
- Council Member must make \$977.00 to qualify for URS

Mayor Rolfe stated that he had dropped the Cost of Living Adjustment (COLA). After reviewing the salary information provided he felt the current salary was too low.

MOTION: Mayor Rolfe moved to direct staff to prepare an ordinance amending the 2009 West Jordan Municipal Code Title 1, Chapter 4, 'Compensation of Members of City Council' increasing City Council Members monthly salary from \$815.00 to \$1,500.00, effective January 1, 2016. The motion was seconded by Councilmember Haaga.

Councilmember Southworth spoke against the motion.

Mayor Rolfe reported that West Valley City with a population just larger than West Jordan City for the time being, pays their Council Members \$1,568.34 per month.

Councilmember McConnehey said Council performance was not reflected by the salary. He explained that serving as a Councilmember takes a toll on the Councilmember and their family.

Councilmember Hansen said as a resident of the City for over 50 years, she believed her government background would assist her on the City Council. She agreed with the elimination of the COLA, and the proposed effective date.

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes

Councilmember McConnehey	No
Councilmember Nichols	Yes
Councilmember Southworth	No
Mayor Rolfe	Yes

The motion passed 4-2.

MOTION: Councilmember Nichols move to take a five minute recess. The motion was seconded by Councilmember Southworth and passed 6-0 in favor.

The meeting recessed at 8:15 p.m. and reconvened at 8:20 p.m.

VIII. BUSINESS ITEMS

DISCUSSION AND POSSIBLE ACTION RESOLUTION 15-53, ESTABLISHING THE HIGHLANDS ASSESSMENT AREA BOARD OF EQUALIZATION, AND RESOLUTION 15-54, ESTABLISHING THE PROPOSED 2015 ASSESSMENTS FOR THE HIGHLANDS ASSESSMENT AREA

Brian Clegg addressed establishing the highlands assessment area board of equalization, and establishing the proposed 2015 assessments for the Highlands Assessment Area.

Introduction and History

The City Council had created the Highlands Assessment Area under the auspices of the Utah Code. In connection with the City Council approval process, a Notice of Intent to Create Assessment Area was prepared, approved by the City Council, and mailed to property owners in the Highlands. This Notice described the assumptions, policy decisions and processes associated with the creation of the Highlands Assessment Area, and which would govern assessments. The purpose of the Highlands Assessment Area was to provide funding for the maintenance of the high level of open space and other public improvements associated with the Highlands master development area. Now that public improvements, homes and businesses had started to appear in the Highlands, the Highlands Assessment Area should be activated and assessments started because ongoing City maintenance responsibilities had already commenced.

2015 Calendar Year Assessment Area Budget

Through a variety of analyses and information gathering, the Parks Department had determined that the net budget for the Highlands Assessment Area for the remainder of calendar year 2015 would be \$8998. This amount was estimated to provide weekly mowing and weed attention, as well as winter snow removal from park sidewalks and trails as well as park strips along collector and arterial roadways. This weekly attention was twice the attention that open space in other parts of the City would receive under current budgeting.

As approved by the City Council previously, 3% of this amount would be assessed to the owners of undeveloped land, based on an ERU (Equivalent Residential Unit) share of $\frac{1}{4}$ acre. In other words, the 3% share of the maintenance budget, or \$270, would be divided by the number of $\frac{1}{4}$ acre units in undeveloped land and assessed to the owners thereof.

As approved by the City Council previously, 5% of this amount would be assessed to the owners of commercial enterprises, with each separate business location being a single ERU. In other words, the 5% share of the maintenance budget, or \$450, would be divided by the number of individual business locations and assessed to the owners thereof.

As approved by the City Council previously, the remaining 92% of the assessment area annual budget would be assessed to owners of residential real estate, with each residential unit counting as 1 ERU. In other words the remaining 92% of the maintenance budget, or \$8278, would be divided by the number of residential units having a certificate of occupancy and assessed to the owners thereof.

The 2015 Residential Assessment

There were 21 residential units now extant in the Highlands with certificates of occupancy. Based on this number of residential units, a monthly assessment of \$32.00 would be required to raise the needed money. However, during 2015 additional housing units would come on line. Moreover, based on a projection of full build-out of public improvements to be maintained by the Assessment Area, and now-projected full build out of residential units, the monthly assessment per household would be \$15.00.

A monthly assessment of \$15.00 on each of these residential units is calculated to raise less than is needed in the first years, but should be the residential assessment that will avoid raising the assessment over time.

Of course, we cannot accurately foresee the actual cost of maintenance over time. Nor can we accurately foresee the total number of residential units in the future, and over time. What we do know was that any overage collected would be retained in the Assessment Area and would be applied to the next year's budget. Also any under collection can be added to future budgets to recoup advances made by the City. If after build-out the Assessment Area started to incur costs that were not fully absorbed by the existing assessments, the City Council would be asked to raise the assessments as needed to fully cover the costs.

The Process of Assessment

If the City Council approved a proposed assessment, as suggested tonight. These proposed assessments are then provided to the owners of property in the Highlands by direct notice. During a period of 30 days, a board of equalization would convene from time to time to hear appeals of the tentative assessment from property owners. (Given the simplicity of the Highlands Assessment Area regulations, it was hard to see a case that could be made for equalization.) Once the Board of Equalization process was completed, the City Council would be asked to approve final assessments. Once final assessments

were approved, the assessments would be levied and collected pending a new assessment proposal.

Board of Equalization

The Highlands Assessment Area Board of Equalization would consist of one City Council member, the City Engineer or designee, and the Director of Finance or designee. The Board can determine when it would meet to receive appeals. These times and dates would be given to the property owners in the Highlands at the same time they were provided with the tentative assessments. During the 30-day period, the Board of Equalization would likely meet 1 or 2 times, perhaps once during the day, and once after business hours. The Board was empowered to adjust assessments if they appeared to be miscalculated for that property owner, or if the City's ERU determination was wrongly applied.

Collection of Assessments

As approved by the City Council previously, the residential and commercial assessments would be added to the water bills going to the same addresses and would be a charge akin to fees already collected through the water bill. The enforcement of payment of the assessment was akin to enforcement of a failure to pay any charge currently on the water bill: a water shut off.

As also approved previously, the undeveloped property assessment would be assessed in the most efficient way. Initially property owners would be asked to pay their assessment directly to the City. Those property owners who failed to pay as requested would have the assessment placed on the annual property tax bill at the County for their property.

The assessments would raise funding to provide a higher level of service within the Highlands Assessment Area than in the City generally. For the first few years, the Parks Department would budget amounts to cover short falls in the assessment, due to a timing mismatch of facilities coming on line for maintenance and additional residential units coming on line to pay the assessment.

Staff recommended approval of both of the resolutions.

The Council asked clarifying questions regarding the assessment.

- Legislation HB 190 – Does not go into effect until May 15, 2015
- This assessment area was already created (but the City would be in compliance)
- Homeowners and businesses were made aware this was an assessment area
- \$15 *should* provide enough to cover the assessment costs as additional residents/businesses move-in, based on current information

Mayor Rolfe confirmed with City staff that residents and business were made aware that an assessment fee would be assessed.

MOTION: Councilmember Haaga moved that the City Council adopt and approve Resolution 15-54, establishing proposed assessments for the Highlands Assessment Area, all as explained in the staff report; and further move to notify the residents and businesses in the Highlands Assessment Area concerning the proposed assessments. The motion was seconded by Mayor Rolfe.

A roll call vote was taken

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

The motion passed 6-0.

Robert Thorup provided brief comments regarding the Board of Equalization.

He said staff was proposing a Board of Equalization be made up of the City Engineer or his/her designee, City Finance Manager or his/her designee, and a member of the City Council. He indicated how the process would work.

The Council asked clarifying questions regarding the Board of Equalization.

- Does the revenue generated go into the General Fund?
 - It would be separately accounted for

MOTION: Mayor Rolfe moved to adopt and approve Resolution 15-53, establishing the Highlands Assessment Area Board of Equalization, and appointing Mayor Rolfe as the Council Representative. The motion was seconded by Councilmember Hansen.

The members would consist of City Engineer or his/her designee, City Finance Manager or his/her designee, and Mayor Rolfe.

A roll call vote was taken

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

The motion passed 6-0.

**DISCUSSION AND POSSIBLE ACTION REGARDING DRAFT
TRANSPORTATION MASTER PLAN UPDATE AND UPDATE
TRANSPORTATION CAPITAL FACILITY PLAN**

Nate Nelson said City staff had been working with Horrocks Engineers, A-Trans and InterPlan to prepare an updated Transportation Master Plan. The document provided in the Council's agenda packet would serve as the basis for preparation of the transportation capital facility plan.

West Jordan City last completed an update to the City's Transportation Master Plan in 2009. The current update to the plan analyzed and modeled the future road and highway improvements that would need to be developed to meet the City's anticipated growth. The plan addressed the functionality of the existing road system and recommended improvements.

Results of this planning study included plans for improvements to collector and arterial roadways within the City. The plan would be presented to the public in an Open House format followed by presentation to the Planning Commission and finally adoption by the City Council.

How to Share Comments on the DRAFT Transportation Master Plan:

Staff invites input from the Council and public as we work to prepare an updated master plan that meets the City's needs as we move into the future. Comments of the Transportation Master Plan could be provided through the following formats:

1. West Jordan City Website: www.wjordan.com/Engineering (see Draft copy of the master plan and online comment form);
2. Email: billba@wjordan.com; or
3. Attend one of two Open Houses (dates and time to be determined):
 - *for residents living on the west side of the City at Copper Hills High School library located at 5400 West New Bingham Highway; or*
 - *for residents living on the east side of the City at West Jordan City Community Room located at 8000 South Redwood Road.*

Proposed Schedule of Master Plan Future Meetings:

1. Two Public Open Houses: April 15-16, 2015
2. Planning Commission Review: May 2015
3. Final City Council Approval: June 2015

Staff reported that the projects selected would have a fiscal impact to the City.

Staff recommended Council review the Draft Transportation Master Plan.

Nate Nelson introduced Joe Perrin, A-Trans, Transportation Engineer, and Steven Lord, Horrocks, Transportation Engineer.

Joe Perrin, A-Trans, said they were seeking feedback, concerns and comments.

Steven Lord provided the following presentation.



This presentation represented an information session for the City Council. This was not a decision point in the process, rather a benchmark for the Council to view the process so far and provide comment as to the direction the master plan was heading. The next step was to present materials to the public in the form of public open houses.

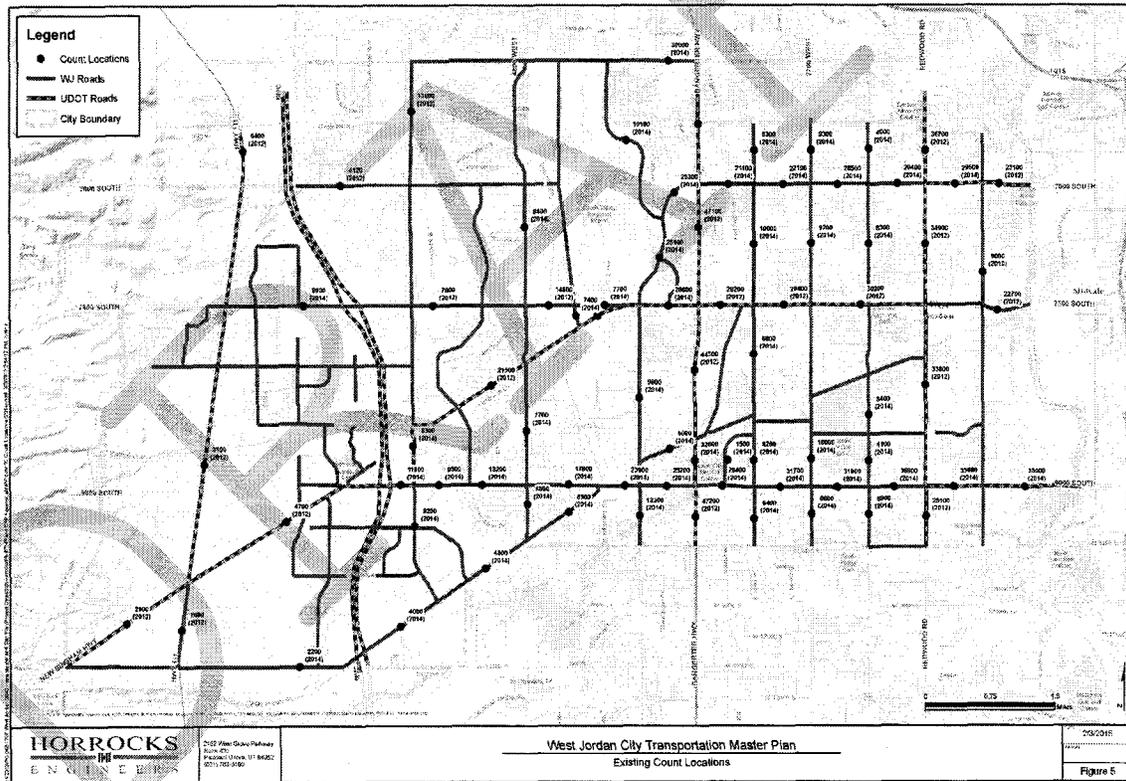
OUTLINE -

- Traffic Data Collection
- Existing Conditions
 - Roadway Network
 - Level of Service

- Future Conditions (2040)
 - Proposed Roadway Network
 - Projected Level of Service
- Capital Facilities Plan
 - Project Map (2040)
 - Improvement Costs (2040)
 - Improvement Costs (10 Year)
- Other Elements included in the TMP
- Next Steps

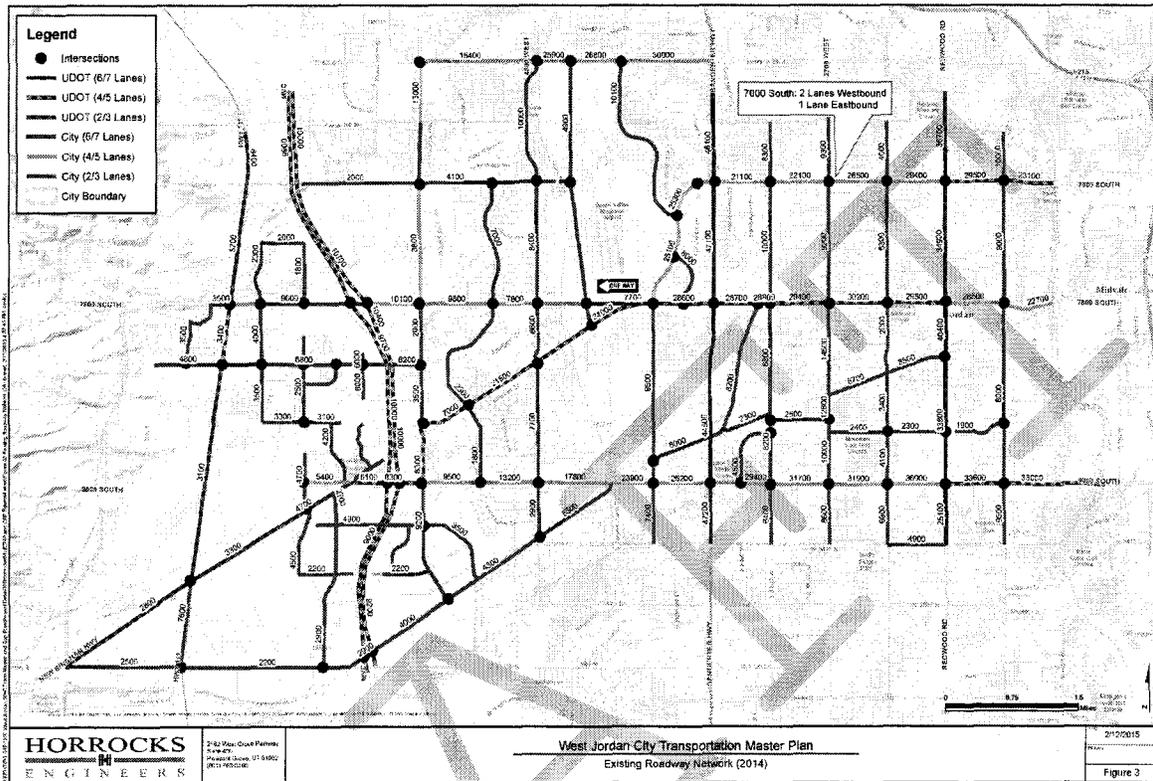
TRAFFIC DATA COLLECTION –

24 Hour traffic counts were taken at various places in the City. This data was supplemented by UDOT traffic count data and data collected as part of previous studies. This map showed the location of the traffic data collected and the year of collection.



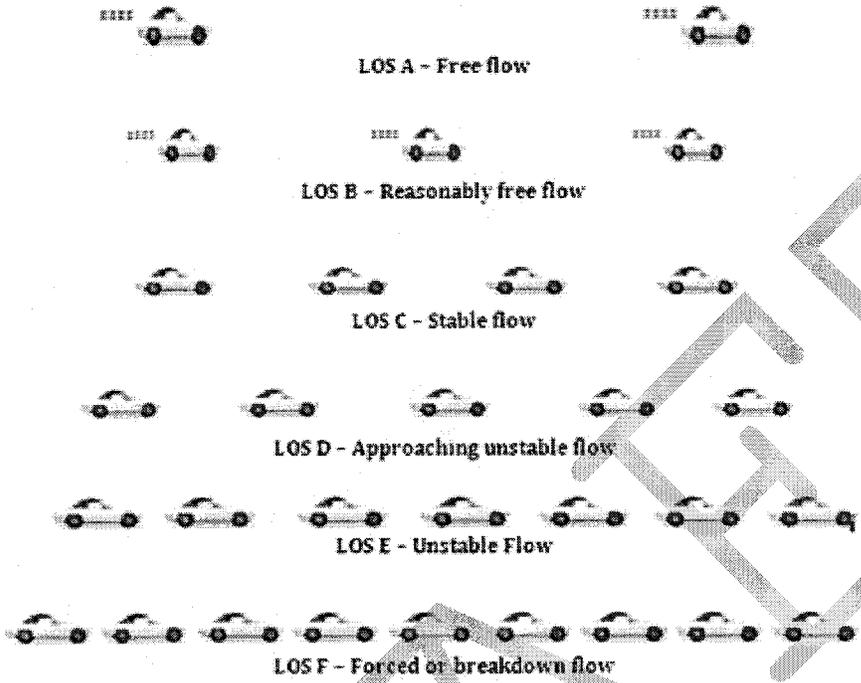
EXISTING ROADWAY NETWORK –

This figure represented the existing roadway network in the City. Each road was classified by owner and number of lanes. The owner of the roadway was important as we move into a discussion of capital facilities planning and costs. The number of lanes helps us define the roadway capacity now and into the future.



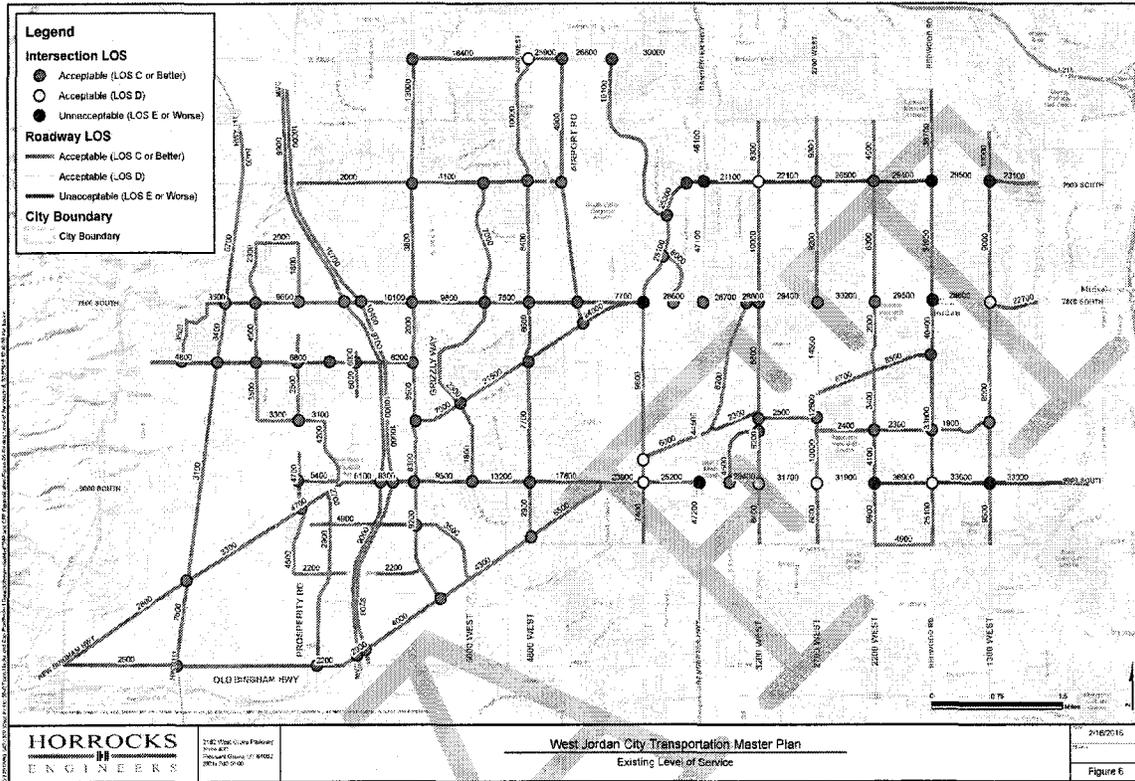
LEVEL OF SERVICE –

This graphic represented a measure of roadway congestion known as Level of Service of LOS. It is a letter grade assigned from A-F, A being free flow conditions F being gridlock. LOS D was generally considered acceptable in urban environments and represents a good balance between mobility and infrastructure spending. A distinction must be made between roadway segment LOS and intersection LOS. Although each described the level of congestion on a roadway or at an intersection, each problem must be addressed using different methods. Intersection congestion can be mitigated with upgrades such as signals, roundabouts and turn lanes whereas roadway congested was usually mitigated with capacity improvements such as additional lanes.



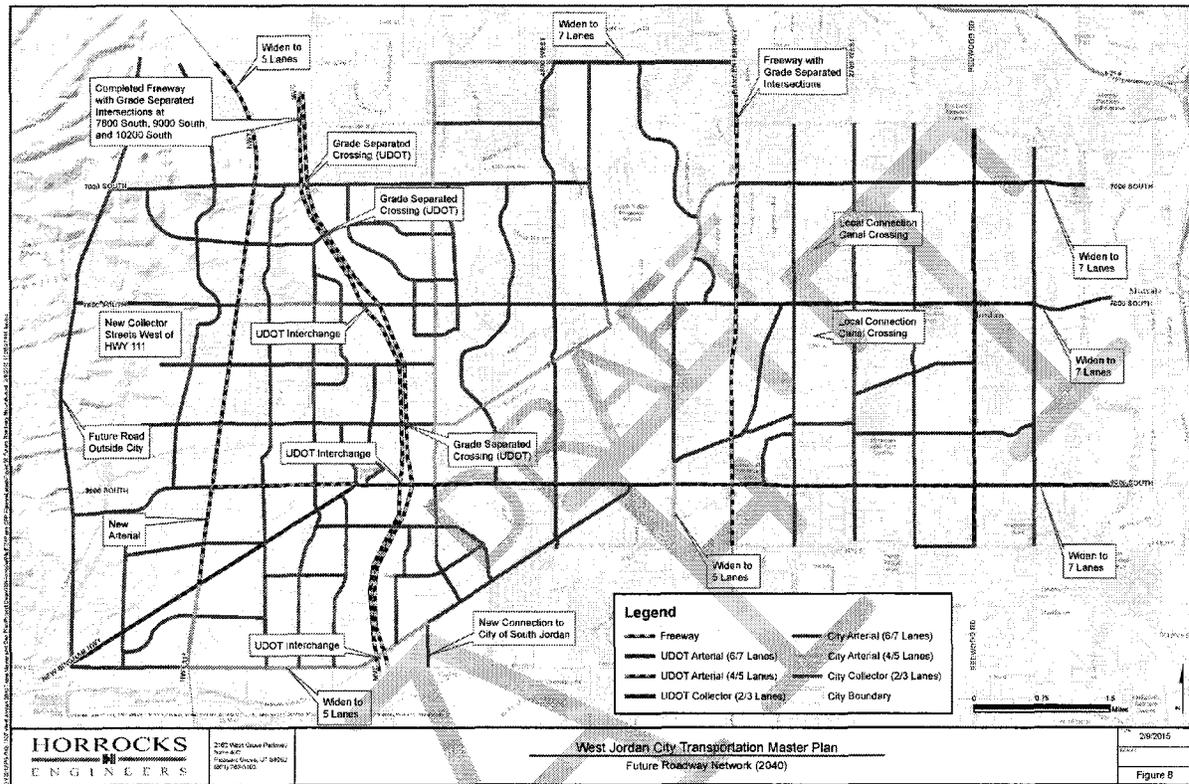
EXISTING LEVEL OF SERVICE –

This map represented the Level of Service which can be found on the streets of West Jordan City today. The notable problem areas are 9000 South and 7000 South. Intersections along Redwood Road, 90th South, 7800 South and 7000 South were also experiencing unacceptable LOS today.



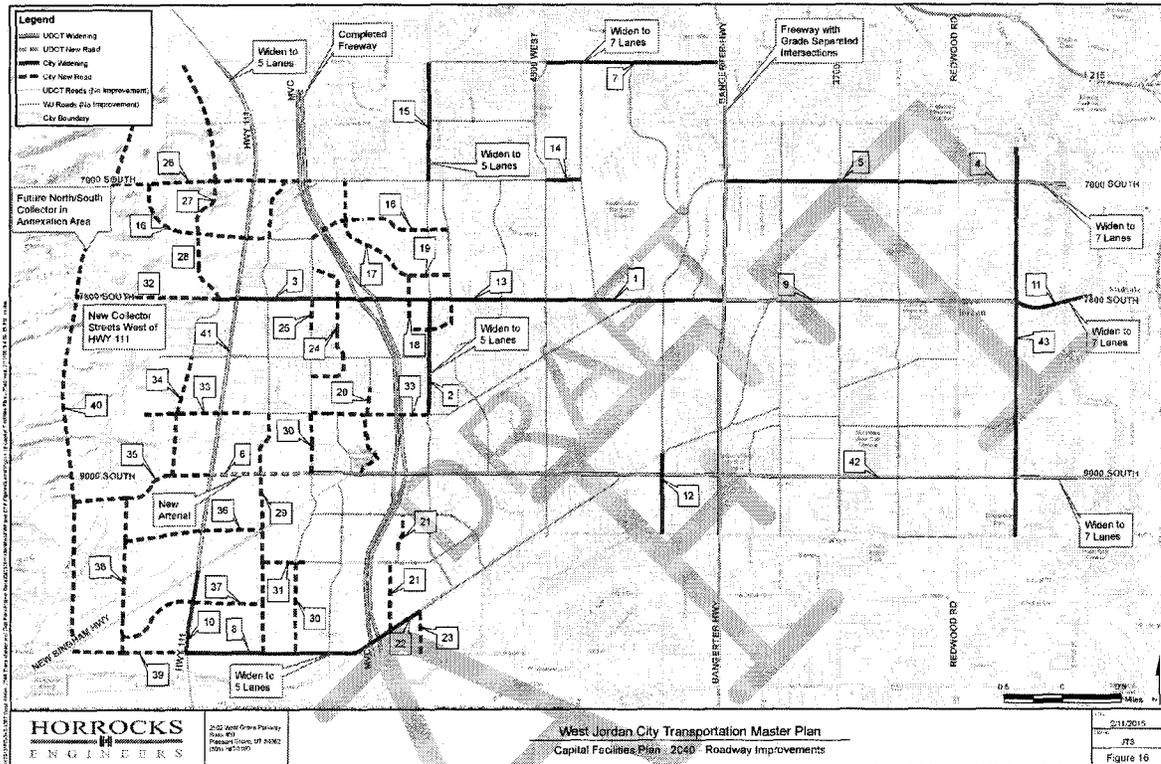
PROPOSED FUTURE STREET NETWORK (2040) –

Using travel demand modeling techniques based on the City zoning and land use plans, Interplan Co. projected traffic conditions to the year 2040. The demands placed on the roadway network in some cases exceed the capacity available and this map represents the proposed future street network to meet those demands.



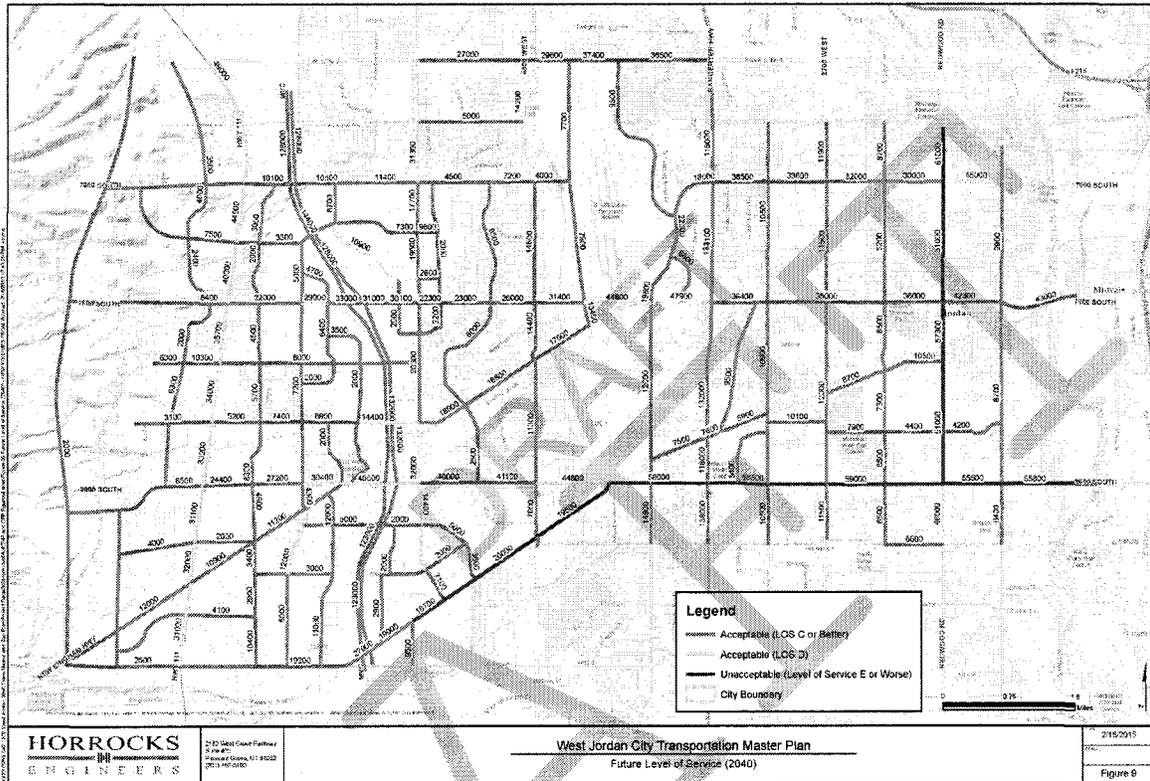
CAPITAL FACILITIES PLAN – ROADWAYS (2040) –

The figure in this slide isolates the roadway projects proposed as part of the 2040 Transportation Master Plan. Roads indicated as widening projects will vary depending on existing pavement widths and available right-of-way. In each widening case, additional lanes are required. These lanes may be added in some cases with just striping, in other cases the additional lanes will need to be added with property purchase.



CAPITAL FACILITIES PLAN – INTERSECTIONS (2040) –

This map showed the locations of proposed intersection improvements to meet the needs of future demand. Intersection improvements will need to be evaluated on a project by project basis as the needs for improvements arise. Intersection improvements would vary from roundabouts, signalization, and right-of-way purchase, to simple timing adjustments or turn lane reconfigurations.



Joe Perrin commented on the following information.

2040 CAPITAL FACILITIES PLAN – IMPROVEMENT COSTS

This table showed the expected costs of improvement through the year 2040. It was expected that West Jordan City through impact fees or other means will be required to expend approximately \$73,000,000 to meet the demands of growth on the street network by the year 2040.

Jurisdiction	Total Roadway Costs	Total Intersection Costs	Total
UDOT Costs	\$32,180,000	\$190,930,000	\$223,110,000
West Jordan City Costs	\$65,090,000	\$5,770,000	\$70,860,000

Total \$97,270,000 \$196,700,000 \$293,970,000

10 YEAR TOTAL IMPROVEMENT COSTS

This table showed the expected costs of improvement through the next 10 years. It was expected that West Jordan City through impact fees or other means would be required to expend approximately \$15,000,000 to meet the demands of growth on the street network in the next 10 years.

Jurisdiction	Total Roadway Costs	Total Intersection Costs	Total
UDOT Costs	\$31,910,000	\$53,710,000	\$85,620,000
West Jordan City Costs	\$11,870,000	\$2,390,000	\$14,260,000
Total	\$43,780,000	\$56,100,000	\$99,880,000

OTHER ELEMENTS INCLUDED IN THE TMP

This was a list of other elements included in the Transportation Master Plan. These elements although not directly tied to the principals of capacity and demand form an integral part of any TMP. They provided the city with a framework to work within when approving new development and managing the transportation system.

- Traffic Impact Studies
- Intelligent Transportation Systems
- Traffic Signal Coordination
- Access Management
- UDOT Coordination
- Travel Demand Management
- Safety
- Traffic Calming Measures
- Corridor Preservation and Techniques

NEXT STEPS

Tonight they asked the City Council to review the materials provided and give any feedback on the general direction of the plan. The next major milestone was to hold public meetings where we can engage the residents of West Jordan City in the planning process and take feedback from them. Once that feedback was received it would be reviewed and each comment addressed individually. This comment resolution would form part of the final master plan document. Planning Commission would review the document and the City Council would then have the opportunity to review the final document and provide final comments and adjustments prior to adoption.

- **City Council Comments (March)**
- **Public Open Houses (April 15 and 16)**
- **Comment Resolution (April)**
- **Planning Commission Review (May)**
- **City Council Adoption (June)**

Contact Information:

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Horrocks Engineers
stevenl@Horrocks.com

Joe Perrin
A-Trans Engineering
Atrans@Comcast.net

The Council and staff discussed clarifying questions.

The Council directed City staff to prepare for the public open house to receive public comments and to work with the consultant to prepare an updated Transportation Capital Facility Plan.

DISCUSSION AND POSSIBLE ACTION REGARDING CROSSWALK IMPROVEMENTS LOCATED AT 1960 WEST 7000 SOUTH

Bill Baranowski reported that 7000 South was an arterial street owned by West Jordan City. This location currently had a crosswalk that was used occasionally by neighborhood residents. He said there was a City park on the north side of 7000 South called Bicentennial Park. Figure 1 Map below showed the intersection location and spacing on 7000 South. The intersection was located 1,400 feet to the east of 2200 West and 1,100 feet to the west of Redwood Road. The crosswalk was at a midblock location with no east-west traffic controls (*no STOP sign or traffic signal*) on 7000 South. The crosswalk had been in place for over 10 years and had orange crossing flags that pedestrians may use to increase their visibility while crossing the street.

crossing were within the West Jordan Elementary school boundary. The school was located to the south and west of the intersection. Traffic was controlled with an existing traffic signal.

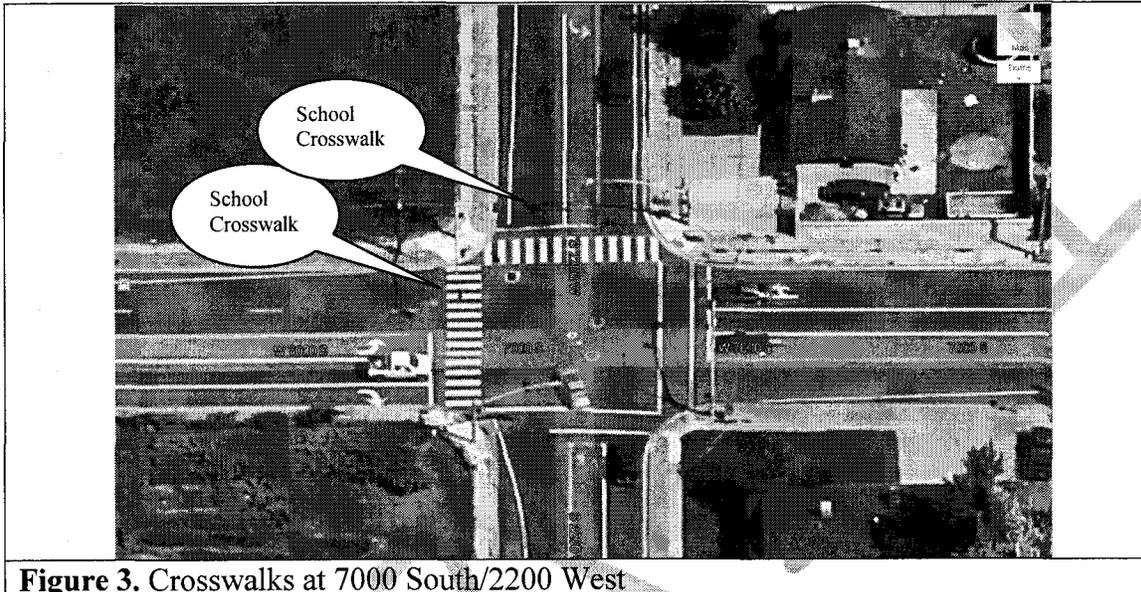


Figure 3. Crosswalks at 7000 South/2200 West

Midblock Crosswalk Guidelines:

Information recently published by the Federal Highway Administration (FHWA) suggested that, on higher volume, multi-lane roadways, marked crosswalks alone (without any other treatments) were associated with higher vehicle-pedestrian accidents rates compared to unmarked locations.

Options to Consider

The following options should be considered for the crosswalk at 7000 South/1960 West:

1. Remove the Crosswalk.
2. Improve the visibility of the existing crosswalk.
3. Install a Rectangular Rapid Flashing Beacons (RRFB) crosswalk.
4. Install a Hybrid Pedestrian Crosswalk Beacon (HAWK) crosswalk.
5. Install a Conventional Pedestrian Signal.

Option 1. Remove the Crosswalk Entirely

There were existing controlled crosswalks to the east at Redwood Road (1,100 feet) and to the west at 2200 West (1,400 feet) where pedestrians can cross.

Option 2. Improve the visibility of the existing crosswalk

The visibility of the existing crosswalk could be enhanced by repainting the crosswalk as a zebra crosswalk. Paint advance warning bars for traffic in the travel lanes in the east and west directions. Install a short raised concrete median on the center-lane near crosswalk to provide a pedestrian refuge area.

Option 3. Install a RRFB crosswalk- Rapid Rectangular Beacons (RRFB)

Rectangular Rapid Flashing Beacons (RRFBs) are traffic safety warning devices that use LED lights to emit rapid flashing (wig-wag) lights to drivers to alert them of the presence of pedestrians in the crosswalk. West Jordan City had been successful in using RRFBs to increase motorist yielding to pedestrians at unsignalized crossings. Typically a minimum crossing volume of 20 pedestrians per hour was typically required.

The City had installed Rapid Rectangular Beacons (RRFB) at four midblock crosswalk locations in the City in 2013 and one was proposed for installation in 2015:

1. 2700 West at the TRAX Light Rail Station at 8350 South
2. 2700 West at the West Jordan High School at 8120 South
3. 2200 West at 7600 South
4. Grizzly Way south of Copper Hills High School at 8740 South – Old Creek Road
5. The City received a request and has planned a new RRFB on Grizzly Way at the crosswalk in front of West Hills Middle School.

The cost estimate for an RRFB crosswalk at 7000 South/1960 West was \$30,000.

How RRFB Crosswalks are Used

The lights are activated by a pushbutton used by the pedestrian as they wait to cross the roadway. Pedestrians were expected to wait until drivers yield before entering the crosswalk. The LED lights are timed to allow time for the vehicles to yield while continuing to flash as the pedestrians cross the roadway. Drivers were expected to follow State law and yield to pedestrians in the crosswalk. The RRFBs would be active all day allowing for activations anytime for users. The units were solar powered so they will not be subject to interruption during power outages. A typical RRFB crosswalk was shown in Figure 4.

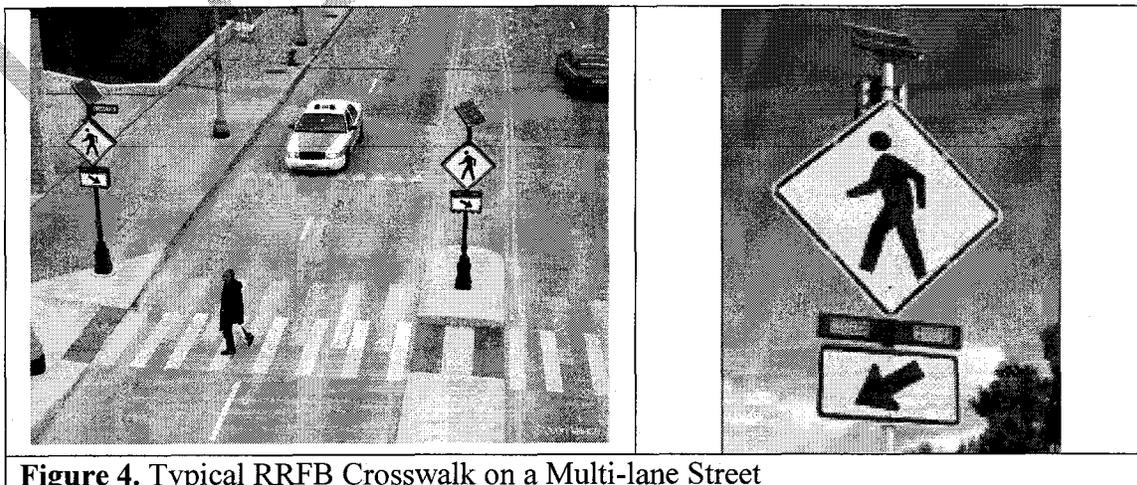


Figure 4. Typical RRFB Crosswalk on a Multi-lane Street

Option 4. Install a HAWK crosswalk- HAWK Hybrid Pedestrian Crosswalk Beacon

There are two existing HAWK crosswalks in the City: one was located at Gardner Village on 7800 South providing access to the TRAX station and the other HAWK was located at the 6200 South/Clermontes intersection (approximately 5400 West).

A typical HAWK crosswalk was shown in Figure 5. Hybrid Beacons (HAWK beacons) may be considered on 7000 South and the MUTCD contains warranting guidelines that utilize automobile traffic, pedestrian traffic, automobile speeds, and pedestrian crossing distance. HAWK beacons may be installed where the crossing volume was as low as 20 pedestrians per hour but were typically used for higher pedestrian volumes than a RRFB crossing. This option was not warranted for the 7000 South location.

Mayor Rolfe reported that the time allowed for the meeting needed to be extended.

MOTION: Councilmember McConnehey moved to suspend the rules. The motion was seconded by Councilmember Southworth and passed 6-0 in favor.

The cost estimate for a HAWK beacon at 7000 South/1960 West was \$90,000.



Figure 5. Typical HAWK Crosswalk

Option 5. Install a Conventional Pedestrian Signal

A Conventional Pedestrian Signal crosswalk was shown in Figure 6. The MUTCD contains warranting procedures for conventional pedestrian traffic signals based on automobile and vehicle traffic volumes to help determine if a pedestrian signal was appropriate. These signals were typically considered when there were over 100 pedestrians an hour crossing a roadway. There was one existing conventional pedestrian signal in West Jordan City located at Redwood Road/8400 South. This option was not warranted for the 7000 South location.



Figure 6. Typical Conventional Pedestrian Signal – Redwood Road/8400 South

Staff reported that the crosswalk improvements may cost between \$30,000 and \$90,000 depending on the options selected.

Staff recommended Council review the crosswalk options presented by City staff and provide finding for any improvements selected by them.

The Council and staff discussed clarifying questions regarding the following:

- Islands
- Flashing lights and their effectiveness
- Current condition being unsafe
- Concrete median being problematic
- Lights could be moved in the future should road widening become a factor

Bill Baranowski said the effectiveness of flashing lights depended on the numbers pedestrians using the crosswalk. The stopping percentage of the hawk was a little higher than the beacon light.

MOTION: Councilmember McConnehey moved to direct City staff to upgrade the crosswalk at 1960 West 7000 South to be an Rectangular Rapid Flashing Beacons RRFB Crosswalk with the overhead bars, and also direct staff to determine if funding was available in the current budget year, and other improvements as necessary. The motion was seconded by Councilmember Hansen.

Mayor Rolfe voiced his concerns with just having the overhead flashing beacons. He wanted to make sure the residents of West Jordan were safe.

Councilmember McConnehey wanted to start with the overhead flashers, and should it become necessary in the future, discuss adding the concrete islands.

Councilmember Southworth felt the Council should be sure this was done correctly the first time. Crosswalks installed in the pass that should have been revisited for concerns never come back for possible changes.

Mayor Rolfe commented on the several times he had seen near misses in crosswalks at Gardner Village, and Redwood Road even with Hawk signals. He wanted to make sure the residents of West Jordan were safe.

A roll call vote was taken

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

The motion passed 6-0.

Councilmember McConnehey suggested directing staff to bring back the intersections and crossings which were of concern to the Council, so they could be addressed prior to finishing the budgets.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-33, AUTHORIZING STAFF TO PLACE ON THE NOVEMBER 2015 MUNICIPAL GENERAL ELECTION, THE ISSUE TO CHANGE THE FORM OF GOVERNMENT TO A COUNCIL-MAYOR FORM

Councilmember Haaga said in 2014, this City Council was asked to consider this action and there were many good comments that were discussed and proposed. One was that there should be more education of this form of government, and that City Council had proper time to debate the proposed question.

The resolution in 2014 was defeated, which precipitated an initiative with sponsors and the creation of the Political Issue Committee PIC registered with the Lieutenant Governor's office as per Utah Code 20A-11-802. The applicants had asked before completion of the initiative process that it be allowed to have the West Jordan City Council have one more opportunity to be involved in the process. According to State Law an entity or groups opposing the question would also have to register, or create a Political Issue Committee to conform to State and City Law. If the Council became the initiator of the ballot question, the Council body can then be both the proposing group and opposing group. Otherwise, the Council needed to remain neutral and any sitting members unless they form a legal PIC cannot campaign as an opponent. The applicants seek the desire to have public debate and that it would be said that the process was fair and representative of

both sides of the issue. The City Council had more authority directing the debate if as body the question was enacted.

The sponsor of this resolution, to that end, would hope that this Council body recognized the importance of this to the residents. He hoped that we recognize as our fore fathers and mothers when faced with oppression made this declaration.

Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

Therefore, consent of the people was all this resolution enacts. Some might be running for municipal office again this year and asking the same for the "consent of the governed." It was how we choose are leaders in our Republic and we should allow our resident to choose the form of government they would be governed.

Council-Mayor Form of Government

The Council-Mayor Form of municipal government was created by the Laws of Utah 1977, Chapter 48. It still is a form of government that most of Utah First and Second class cities are govern. Sandy, Ogden, Salt Lake City, Murray, Salt Lake County and more. This form of government may not be adopted by a city or town without voter approval. A city or town does not have this form of government unless it has held an election at some time to choose this form.

This form has two separate, independent, and equal branches of municipal government consisting of a legislative branch—a council composed of seven members; and an executive branch--the mayor and, under the mayor's supervision, any executive or administrative departments, divisions, and offices and any executive or administrative officers provided for by statute or municipal ordinance.

The mayor in a city or town operating under the council-mayor form of government is the chief executive and administrative officer. He or she exercises the executive and administrative powers and performs of the municipality. The mayor has the responsibility to execute the policies adopted by the council. The Mayor appoints, with the council's advice and consent, qualified persons to the city or town's officers and positions including such things as city administrator, recorder and treasurer.

State Law clearly defines the duties of the Mayor and the City Council body and if passed give clear direction on each power of the equal branches.

Councilmember Haaga explained that all he was asking was that the residents have the opportunity to decide whether to change the form of government or not.

Councilmember Hansen voiced her concerns. She felt the petition avenue should be used so residents can make sure they understand the meaning of changing the form of government.

Councilmember Nichols commented on the current form of government. He commented on the following:

- Most closely resembled that of a corporation
- National Civic League (NCL) an advocate for democracy endorsed this form of government
- The Legislature has *not* provided an avenue to come back to the current form of government, if this Council decided to change

Councilmember McConnehey commented on the following:

- Prohibiting residents from voicing their opinion was not a valid reason for placing this on a ballot
- Times when it might be beneficial to have the strong-mayor form of government

He would be in favor of an open house or public comment/public hearing for resident input.

Mayor Rolfe stated that this would not affect his term in office. He wondered why not let the citizens decide.

MOTION: Councilmember Haaga moved to approve Resolution 15-33, authorizing staff to place on the November 2015 Municipal General Election, the issue to change the form of government to a Council-Mayor form with the question authorized by State Law. The motion was seconded by Mayor Rolfe.

A roll call vote was taken

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

The motion failed 3-3.

DISCUSSION AND POSSIBLE ACTION ESTABLISHING A MUNICIPAL ETHICS COMMISSION AS AUTHORIZED BY UTAH CODE TITLE 10 CHAPTER 3 PART 13 MUNICIPAL OFFICERS' AND EMPLOYEES' ETHICS ACT

This agenda item was not discussed.

IX. REMARKS

There were no remarks.

X. ADJOURN

MOTION: Councilmember Southworth moved to reconvene the Closed Session to discuss personnel issues and adjourn from there. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

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

The motion passed 5-1.

COUNCIL: Mayor Kim V. Rolfe and Council Members Judy Hansen, Chris McConnehey, Chad Nichols, and Ben Southworth. Councilmember Haaga was excused.

The Council recessed into the Closed Session to discuss personnel issues and adjourned at 10:45 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 BRIGGS, MMC
City Clerk

Approved this 8th day of April 2015

DRAFT