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**MINUTES
TO BE
APPROVED**

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

Wednesday, August 25, 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, Sophie Rice, and Ben Southworth arrived at 5:40 p.m.

STAFF: Bryce Haderlie, Interim City Manager; Robert Thorup, Deputy City Attorney; Melanie Briggs, City Clerk; David Oka, Economic Development Director; Brian Clegg, Parks Director; Ryan Bradshaw, Finance Manager; Justin Stoker, Deputy Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Jamie Vincent, Deputy City Clerk; Reed Scharman, Deputy Fire Chief; Scott Langford, City Planner and Larry Gardner, Senior Planner.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 5:34 p.m.

Councilmember Haaga inquired as to who was authorized to call a closed session and who had called this particular closed session. He stated he was unclear about the topic for discussion.

Eric Johnson, a contract attorney for the City, stated that any member of the Council could call a closed door session.

Mayor Rolfe stated his understanding that the Council could enter a closed session any time that a majority of the Council voted to do so.

Mr. Johnson responded that the best practice was to always agendaize such meetings beforehand.

Chad Woolley, a contract attorney for the City, stated that he had recommended that the Council convene a closed session on this date.

Councilmember Hansen pointed out that Councilmembers never know the specifics of closed session topics beforehand—that the same general language is on the agenda each time a closed session is scheduled.

II. CLOSED SESSION

DISCUSSION OF THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL AND A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION.

COUNCIL: Mayor Kim V. Rolfe and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Chad Nichols, and Sophie Rice. Councilmember Ben Southworth arrived at 5:40 p.m.

STAFF: Bryce Haderlie, Interim City Manager, Eric Johnson and Chad Woolley, Contract Attorneys.

MOTION: Councilmember McConnehey moved to go into a Closed Session to discuss the character, professional competence, or physical or mental health of an individual, and a Strategy Session to discuss pending or reasonably imminent litigation. The motion was seconded by Councilmember Nichols.

Councilmember Haaga spoke in opposition to the motion, believing that the closed session was not scheduled in a timely manner, that the topic to be discussed had not been made clear to the Council, and that he was unaware as to who called the closed session.

A roll call vote was taken

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

The motion passed 5-1.

The Council convened into a Closed Session to discuss the character, professional competence or physical or mental health of an individual and a Strategy Session to discuss pending or reasonably imminent litigation at 5:34 p.m.

Councilmember Southworth arrived at 5:40 p.m.

The Council recessed the Closed Session at 6:09 p.m.

The meeting reconvened at 6:12 p.m.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ryan Lowry, Troop 1532.

IV. PRESENTATIONS

OATH OF OFFICE AND BADGE PINNING FOR FIREFIGHTERS – ALEX HARRIS, KENNETH MOELLE AND CLAYTON MACKAY

Fire Chief Marc McElreath provided brief background information on each of the new firefighters.

Melanie Briggs, City Clerk, administered the Oath of Office to the new firefighters.

The City Council congratulated the new firefighters.

V. COMMUNICATIONS

INTERIM CITY MANAGER COMMENTS/REPORTS

Bryce Haderlie –

- Received an email from Rich Hathaway of the Utah Soccer Alliance expressing his appreciation to the City. The Alliance had recently held their largest and most successful event yet, with over 660 soccer matches held in the City.
- Asked if the Council would be interested in holding a workshop to discuss economic development tools, pursuing the right types of businesses, etc.

Councilmember Haaga was not interested in holding such a meeting; however, the majority of the Council agreed that it should take place.

STAFF COMMENTS/REPORTS

David Oka –

- CVS was under construction at 7800 South Redwood.
- Permits would soon be issued for Holiday Oil at 7800 South 2700 West Jordan City
- There had been some interest shown in the property at 1300 West 7800 South
- The owner of the stores at 7000 South Redwood had just signed a lease with a retailer of outdoor equipment to occupy the former Honk's site.

Marc McElreath –

- Dyonne Diamond, formerly of Animal Control, had been selected to fill the Executive Assistant position previously vacated by Susan Cahoon. The Fire Department was now fully staffed.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Rice –

- Explained that she had been disturbed by the physical aggression she witnessed during the Closed Session of two weeks prior. She felt it was inappropriate and indicated that she was tired of feeling unsafe.

Councilmember Southworth –

- Stated he wished to table agenda item 9f to a date uncertain.

Councilmember Nichols –

- Stated that he had planned to discuss Business Item e that evening, but had sought legal counsel and it was determined that there could be some ambiguity as to the original intent of the 1977 code that pertained to West Jordan's form of government, specifically with respect to the Mayor's duties with completing contracts. I feel strongly in this issue that the purpose of bringing it forward had no other purpose than to conform with state law. We see over the years—and this is no fault, really, of any individual other than previous Councils and even potentially this Council in 2013—just letting little things creep in that might not be in conjunction with the 1977 code. So the long response is to explain that I would like to pull this item so that I can work further with the City Manager and City staff just to ensure that we do this right. Because I don't want to change it to go right back and have to change it back. And specifically, that is the reason because the Utah Code from 1977 makes this statement and it's very important for everyone to understand this because it's not in the written Utah Code. You have to go back and look at the old books to find this. And it says specifically in 10-3-1223 that "all bonds, notes, contracts and written obligations of the municipality shall be executed on its behalf by the Mayor..." For me, I want to comply with that and I want to ensure we do. And I had concerns with what was being proposed tonight—that it might not be in compliance. So with that being said, if the Council has no objection, I would like to work with staff for the next two weeks to make sure we're prepared before we bring it back on September 9.

Councilmember Haaga –

- He was concerned about the idea of "picking and choosing" certain types of businesses over others. He felt the City should welcome all business.
- Stated that Business items e and f on the agenda had created a great deal of controversy and press coverage. He felt that to place the items back on another agenda was a violation of the Utah constitution. Additionally, the form of government could only be changed by a vote of "the people."

Councilmember Hansen –

- Was contacted by a constituent regarding an increasing problem of skunks on Redwood Road. Department of Wildlife Resources personnel had told the resident that they were attempting to get the Mayors of various municipalities to provide funding so that local animal control departments could address the problem.

Mayor Rolfe responded that the Mayors had a similar conversation about raccoons, but not skunks.

- Councilmember Hansen also reported that she had been told that two local cities—possibly Sandy and Midvale—were allowing rain barrels to be used to collect rain water. She had been asked if the Council would consider adopting an ordinance allowing that in West Jordan.

Councilmember McConnehey-

- He wished to revisit the issue of the storm water fee. If there was no opposition from the other members of the Council, he wished to direct staff to prepare for such a discussion during the next City Council meeting. A majority of the Council were in favor.
- A parcel of land near 7300 South Redwood Road had recently been sold. The new owners had apparently been contacting neighboring property owners, trying to get them to sign off on a quit claim deed, claiming that the City was going to take some sort of action against them. He wished to know if the majority of the Council would agree to direct staff to draft a letter to property owners in the area, explaining the City's actual position on the matter. A majority of the Council were in favor of giving such direction.

Councilmember Nichols-

- Apologized to those that were in attendance in order to speak on business item e on the agenda. He reiterated his earlier statement that the purpose behind the agenda item was to ensure compliance with Utah State Code.

Councilmember McConnehey -

- Continued his remarks by stating he wished to find a way for the Council to work together with more civility. He was frustrated that some members of the Council had sought methods through the judicial system to prohibit the Council from discussing matters that were of interest to the public. He was also frustrated that relationships among Councilmembers had deteriorated to the point that they were no longer able to communicate directly with one another but instead, through attorneys. He pointed out that several weeks prior, the Council had agreed to work with a mediator. He now asked if there were any objections to moving forward with that plan and making it a priority so that the Council could work through their conflicts and return to conducting the business of the City.

Councilmember Haaga agreed that mediation would be helpful as long as the new City Manager—whoever that turned out to be—was included.

Councilmember McConnehey clarified that his issue was not with the Council working with the City Manager—it was the Council working with other Councilmembers. The Council was in support of moving forward with locating a mediator “with all haste.”

Mayor Rolfe-

- Wished to point out that any time he believed state law had been compromised, he would do whatever necessary to protect the citizens of West Jordan.
- Expressed his disappointment that for the second time, issues had been placed on the agenda and then postponed. Residents had appeared in order to speak on the issues and the discussion was delayed again.
- If there was no objection from the rest of the Council, he wished to direct staff to move forward immediately with speed bumps at Westland Elementary. There was a dangerous situation that he would like to get resolved as quickly as possible.

Councilmember Southworth pointed out that the City's process for completing such projects was very good. Although he could support moving through the process *quickly*, he expressed concern that bypassing the process altogether might be a detriment to those involved.

Mayor Rolfe asked that staff address the issue quickly and return it for Council action.

VI. CITIZEN COMMENTS

Alexandra Eframo, West Jordan resident, asked the group to pause to reflect upon common goals before beginning the business of the meeting. She quoted from the Bible regarding evil and expressed her dismay that so many citizens had gathered to address two issues that were then pulled from the agenda. She was also concerned about the idea of choosing only certain businesses to be in the City.

JayLynn Thomas, West Jordan resident, stated that she wished to address the agenda item regarding the City Manager's responsibilities. She was concerned that the City Manager's accountability to the Council was being diminished and she felt that would put the Citizens' rights in jeopardy. She explained that she had recently contacted the Salt Lake field office of the Federal Bureau of Investigation and filed a complaint with the Utah Attorney General's office.

Russell Evans, West Jordan resident, indicated that he wished to address the issue of changing the position of mayor back to part-time. He questioned the wisdom of having a part-time mayor when the City was getting larger instead of smaller—crime was going up, not down, etc. He pointed out that the citizens of West Jordan voted to make the Mayor a full-time position. Because West Jordan was a full-time city with full-time problems, he felt the mayor should be a full-time mayor.

Julie Dole, West Jordan resident, spoke in opposition to the proposal to reduce the Mayor's hours as well as his salary and duties. She, too, pointed out that the citizens elected a full-time mayor and that if any changes were to take place, they should not take effect until the next term. She suggested that the proposed changes appeared to be unjustified and retaliatory. She asked each Councilmember to stop letting personal agendas and feelings get in the way of doing the City's business.

Theddie Harris, West Jordan resident, spoke regarding the proposed crosswalk near Senior Housing. She stated that many of her neighbors in Senior Housing had difficulty walking, just as she did. Many used walkers or were confined to wheelchairs. There was a great need for a crosswalk and she urged the Council to approve it.

Carolyn Christensen, West Jordan resident, also spoke in favor of the proposed crosswalk. She also asked that the Council find a way to come together.

Melissa Worthen, West Jordan resident, wished to address several issues.

- Employee Morale- She stated that as a long-time volunteer, she no longer wished to be a part of the toxic environment in City Hall. There had not only been workplace harassment but also attempts to destroy professional reputations.
- Back Door Deals- It was her understanding that a member of the Council had offered \$1,000,000 to a developer on the Prison Relocation Committee if he would help get West Jordan off the list of possible sites for the new prison.
- Taxpayer Funds- How much in taxpayer funds was being wasted on lawsuits and back door deals?

Louella Thompson, West Jordan resident, stated that she was absolutely ashamed of the Council. The citizens had elected a Mayor and the Council should let him do his job. If someone wanted to get rid of him, he/she should run against him next time and win. She implored the Council to stop fighting.

Lisa Larson, West Jordan resident, stated that she believed in the Mayor and in everything he had done. She said that since the City Attorney had left, the only people in the City who had listened to her were Melanie Briggs, Mayor Rolfe and Bryce Haderlie. Mayor Rolfe, Bryce Haderlie and Craig Dearing were the only ones who went to her home, heard her out and stood by her during a ten year legal battle with the City. She went on to say that it was time for those with big egos to get over themselves.

June Christiansen, West Jordan resident, spoke in favor of the Mayor and in opposition to the reduction of his salary and duties. When the citizens elected Mayor Rolfe, they chose the candidate with the most moral fiber and the courage to stand up and support the residents of West Jordan. To change anything half-way through an elected term was unethical. If a change was to take place it should happen at the end of the term and with the vote of the people. She asked the Council to take a good look at themselves and then to make the needs of the City their primary focus.

Craig Dearing, West Jordan resident, stated that he was glad that business items e and f had been pulled from the agenda and he hoped they would not return. He felt they were about emotion and personal politics instead of logic. There should be no change to an elected official's hours or pay when the citizens voted him in.

Dirk Burton, West Jordan resident, wished to address the agenda item which asked for additional staff to be hired. He felt it would make better sense to hire a subcontractor to do the work. Regarding the creation of a separate Parks Department, he was opposed to increasing the size of government and cautioned the Council about such a move. Also, he felt the timing of business items e and f was poor so he was glad they had been pulled. He wished to see the Council hold an open retreat wherein they would sit down and work their differences out.

Megan Worthen, West Jordan resident, stated that regardless of the form of government, unless each councilmember could follow the duties of his/her position, nothing would be solved in the City.

Trina McCleary, West Jordan resident, expressed her appreciation to Mayor Rolfe and indicated that he had her support. She stated that the Councilmembers were voted into office by the citizens. She did not want the form of government changed in the middle of a term and asked that the Council do whatever was necessary to better support one another.

Mike Withers, West Jordan resident, pointed out that the ordinance allowing chickens had been changed the previous year. While he was generally in support of farming and allowing chickens within the City, the Code now allowed too many chickens per lot and he wished to have the ordinance re-examined. He also expressed hope that the Council could learn to get along with one another.

Chrissy Wilkes, West Jordan resident, spoke in support of Mayor Rolfe and pointed out that he was elected by a majority of the residents to do a job.

There was no one else who wished to speak.

VII. CONSENT ITEMS

- a. Approve the minutes of August 18, 2015 as presented**
- b. Approve Ordinance 15-22, amending the 2009 West Jordan Municipal Code Title 4, "Business License Regulations" and Title 6 "Police and Public Safety," regarding business license fees and renewals**
- c. Approve Resolution 15-164, confirming the appointment of Councilmember Sophie Rice to serve on the Salt Lake County Association of Municipal Councils**
- d. Approve Resolution 15-165, authorizing the Mayor to execute Change Order No. 6 with Cody Ekker Construction, Inc. for an amount not-to-exceed \$15,979.87**

- e. **Approve Resolution 15-166, authorizing the Mayor to execute Amendment No. 3 to the Professional Service Agreement with Stanley Consultants, Inc. for additional engineering services to provide final design service for Phase 1 of 7000 South project from the Jordan River to 1905 West, in an amount not to exceed \$311,847.00**
- f. **Approve Resolution 15-167, authorizing the Mayor to execute the Professional Services Agreement Amendment No. 2 with MWH America's Inc. for additional engineering services for the Zone 2 Grizzly 4.0 MG Water Storage Reservoir, in an amount not to exceed \$17,763.15**
- g. **Approve Resolution 15-168, authorizing the Mayor to execute the Local Government Contract Modification to increase funding by \$141,603.41 for Construction Engineering Management services for the 5600 West 6300 South to 7000 South, for an amount not to exceed \$588,665.14**
- h. **Approve Resolution 15-169, authorizing the Mayor to execute a contract with Turf Sprinkler Company for the Calsense Central Control Irrigation Improvements Project for the base bid and alternate 1 in an amount not to exceed \$1,333,719.00**
- i. **Approve Ordinance 15-23, amending the 2009 West Jordan Municipal Code Title 1, "Administration," Title 8, "Public Works, Public Ways and Property," regarding Parks Department**

Councilmember Haaga pulled Consent Items b, c and i for further discussion.

MOTION: Councilmember Southworth moved to approve all the Consent Items except 6b, 6c and 6i. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

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

The motion passed 7-0.

Councilmember Haaga left the meeting at 7:30 p.m.

VIII. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 15-24, AMENDING THE 2009 WEST JORDAN FUTURE LAND USE MAP AND ZONING MAP TO REMOVE THE TSOD DESIGNATION FROM 10.21 ACRES OF PROPERTY, AND AMENDING SECTION 1(1) OF ORDINANCE 07-27 TO REFLECT THE UPDATED LEGAL DESCRIPTION TO THE GARDNER VILLAGE STATION COMMUNITY; RR-5D ZONE, LOCATED AT APPROXIMATELY 7655 SOUTH 1300 WEST, CITY OF WEST JORDAN, APPLICANT

Larry Gardner explained that the Brinkerhoff property located at 7653-7655 South 1300 West was adjacent to (north of) the approved Station at Gardner Mill mixed use development. As part of the neighborhood discussions, as the Station at Gardner Mill application was being processed, a concern was raised that the Brinkerhoff property, if left in the Transit Station Overlay District (TSOD) could be developed as a multi-family development which the neighborhood felt would not be desirable. Based on their discussion with neighborhood residents, the City Council on November 19, 2014 directed Staff to prepare an amendment to the future land use map and official zoning map to remove 10.21 acres of the Brinkerhoff property located at 7653-7655 South 1300 West, from the TSOD boundaries.

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

	Future Land Use	Zoning	Existing Land Use
North	Research Park	BR-P	Vacant
South	Transit Oriented Development	P-C	Future Station at Gardner Mill Development
West	Medium-Density Residential	R-1-8	Barton Hollow Subdivision
East	Public Facilities	P-F	South Valley Water Reclamation

The City was requesting to remove the TSOD overlay designation from 10.21 acres of property located at 7653-7655 South 1300 West. TSOD was an overlay of the base zone, RR-.5 (now RR-20) in this case, which granted additional uses and imposed additional requirements. The land use map had the Brinkerhoff property designated as Low Density Residential. The Council directive was to amend the Future Land Use Map and amend the Zoning Map removing the TSOD designation. The only amendment that would be required was to amend the boundary of the Gardner Mill Transit Station Overlay by removing the TSOD overlay from the Brinkerhoff property. The Future Land Use Map would not need to be amended because it was already mapped as Low Density Residential.

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

Prior to making an amendment to the Zoning Map, 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: The General Plan discusses Transit Oriented Development within proximity of $\frac{1}{4}$ to $\frac{1}{2}$ mile from a transit station as an acceptable distance to construct higher density and more compact developments. While the southern portion of the Brinkerhoff property is within the $\frac{1}{2}$ mile distance from the mid-point and measuring along 1300 West the property is beyond the $\frac{1}{2}$ mile distance. The General Plan also states that land use intensity should be reduced farther away from the station to be compatible with existing neighborhoods. It is reasonable to conclude that because the majority of the development to the West and North of the Brinkerhoff Property is low and medium density and because the Brinkerhoff property is at the maximum distance defined by the General Plan from the transit station that the proposed amendment will not conflict with the General Plan.

Finding: The proposed amendment is 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: The primary reason for removal of the TSOD from the Brinkerhoff property is to ensure that land uses remain compatible. As stated the majority of the residential uses near the Brinkerhoff property are low to medium density single family residential. Removal of the TSOD will ensure a consistent land use type and density and a further buffering from the more intense Gardner Station Development.

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 removal of the TSOD Overlay will also remove any additional uses associated with the TSOD. The Brinkerhoff Property will then be governed by the RR-.5 (now RR-20) zoning ordinance requirements. The RR-.5 (now RR-20) zoning district has specific standards which will need to be met if the property is subdivided and developed. The RR-.5 (now RR-20) zone is compatible with the existing zones and housing densities found in surrounding neighborhoods and will not harm the public health, safety or welfare of the city as a whole.

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: Removal of the TSOD overlay will not negatively impact any public services.

Finding: 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.

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

Discussion: The property will be removed from the TSOD overlay zone.

Finding: This criterion did not apply.

There was no anticipated fiscal impact.

Staff supported the proposed Zoning Map amendment associated with this request, believing that the removal of the TSOD from the Brinkerhoff property would result in a more compatible situation with adjoining land uses and with near-by neighborhoods.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, a West Jordan resident, asked a clarifying question.

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

MOTION: Councilmember Southworth moved to approve Ordinance 15-24, removing the Transit Station Overlay District (TSOD) from 10.21 acres of property generally located at 7653 – 7655 South 1300 West. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

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

The motion passed 6-0.

Councilmember Haaga returned at 7:38 p.m.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
ORDINANCE 15-25, RATIFYING THE PRELIMINARY DEVELOPMENT
PLAN ESTABLISHING A DENSITY OF 6.30 UNITS PER ACRE,
PRELIMINARY SUBDIVISION PLAN (180 UNITS ON 28.7 ACRES) AND
PRELIMINARY SITE PLAN; MFR ZONE, LOCATED AT
APPROXIMATELY 6111 WEST 7800 SOUTH, GARBETT LAND
INVESTMENTS, LC, APPLICANT**

David Oka turned the time over to Ray McCandless who explained that in 2006 the subject property was rezoned from Agricultural (A-5) to Medium Density, Multi-Family Residential (MFR) as part of the establishment of the West Side Planning Area (WSPA) (Ordinance 05-51) which was still in effect. The property was currently vacant.

The applicant, Garbett Land Investments, LC, was requesting that the City Council approve an ordinance ratifying the Planning Commission's approval of the Addenbrook Village Development Plan permitting 41 single-family dwellings, 36 twin homes and 103 town homes for a total of 180 residential dwelling units on property located at approximately 6111 West 7800 South in a Medium Density, Multi-Family Residential (MFR) zone. The property was located within the Highlands Master Plan area. The property was east of the Englefield Heights subdivision and west of the Mountain View Corridor on 7800 South as shown on the attached Aerial Map (Exhibit A). The property was currently vacant.

The development would be constructed in 5 phases. The number and type of dwelling unit for each phase was as follows:

Phase	Unit type	Dwelling units
Phase 1	Single-family	21
	Twin homes	14
Phase 2	Town homes	42
Phase 3	Street improvements only	0
Phase 4	Single-family	20
	Twin homes	22

Phase 5	Town homes	61
		180 Total

Portions of phases 1 and 4 would be single-family lots which would act as an extension of the Englefield Heights subdivision to the west. Phase 3 would consist of street improvements only.

Each of the duplex and town home units would be on its own lot as shown on the preliminary subdivision plat with common open space surrounding the buildings. The site consisted of 28.96 acres of land. A total of 8.0 acres (28.8%) would be common open space which included three “active recreation areas” and a “greenbelt” between the townhomes and Fallwater Drive as shown on the site plan and subdivision drawings. A new landscaped roundabout would be installed as part of Phase 2 improvements.

On July 7, 2015, the Planning Commission granted preliminary plat and preliminary site plan approval (with conditions) for Addenbrook Village. The Planning Commission also recommended approval of the Preliminary Development Plan and proposed development density as requested by the applicant.

There were no specific findings of fact for development plans; however, there were other code requirements applicable to this request that needed consideration by the City Council.

The WSPA zoning districts allowed developers to “buy up” density subject to providing certain required and optional amenities and design elements that were intended to improve the overall project. The density range in the MFR zoning district was between 4.51 and 9.0 dwelling units per acre. In this zone, applicants were entitled to 4.51 dwelling units per acre (which was considered the base density) but can “buy up” to 9.0 dwelling units per acre if all optional bonus density elements were provided and integrated into the development. The density “buy up” was determined using the table contained in the 2009 City Code, Section 13-5J-5C and Section 13-5J-6 which further clarified how percentage points were achieved.

Table 1.0 was derived from the table in Section 13-5J-5C. It contained both the applicant’s and staff’s analysis of total percentage points earned.

WSPA STANDARDS AND INCENTIVE CHART

Table 1.0

Amenity/Improvement	Weighted Value	Required vs. Optional	Staff Score	Applicant Score
Trails and open space:				

Dedication of open space, trail (drainage) corridors or "in lieu fees" and installation of trails in accordance with the comprehensive general plan and the "Parks, Recreation, Trails And Open Space Handbook"		Required	0%	0%
<i>Discussion: The Parks Recreation Trails and Open Space Master Plan shows a trail along the south side of the development which will be installed by the developer.</i>				
Installation of enhanced open space/recreational amenities and/or landscaping/irrigation in excess of that required per city standards.	Up to 22%	Optional	9%	11%
<i>Discussion: The Development Plan shows 2 playgrounds (2%), benches (1%), play field (1%). A common green area (1%), landscape buffer (0%) (Landscape buffer is required per city standards) passive open space (2%) roundabout landscaping (2%).</i>				
Improvement of trail corridors and installation of trail amenities in excess of that required per city standards	Up to 15%	Optional	0%	0%
<i>Discussion: No trail corridors in excess of that required per city standards are proposed.</i>				
Dedication of additional property for trails beyond that required per city standards along creeks/washes	Up to 15%	Optional	0%	0%
<i>Discussion: Does not Apply</i>				
Street design:				
Pedestrian scale and consistent, architectural street lighting		Required	0%	0%
<i>Discussion: The subdivision proposes using the standard West Jordan "acorn" style light.</i>				
Traffic calming		Required	0%	0%
<i>Discussion: Traffic calming measures will be incorporated into the design and will be reviewed during the final subdivision and site plan review.</i>				
Street design		Required	0%	0%
<i>Discussion: The project has internal private driveways that serve garages. This configuration must be approved by the Engineering and Fire Departments.</i>				
Entryway monument or gateway feature to the subdivision/development	Up to 10%	Optional	3%	6%
<i>Discussion: The development plan shows 3 entryway features.</i>				
Provision of a landscape buffer on major rights of way	Up to 22%	Optional	3%	3%
<i>Discussion: The development plan shows an 8' landscape buffer along Fallwater Drive (collector street).</i>				
Smart growth:				

Master planned subdivision design		Required	0%	0%
<i>Discussion: The project appears to have met this requirement as all single-family dwellings, twin homes and town homes will have a themed appearance with variations in colors, architecture and building materials.</i>				
Pedestrian friendly and walkable neighborhood design		Required	0%	0%
<i>Discussion: 5 foot sidewalks are placed along all interior and exterior streets. Once the traffic calming and roundabout is installed, this subdivision will provide an improved pedestrian environment.</i>				
Alternative load garage configuration (if single-family)	Up to 18%	Optional	0%	0%
<i>Discussion: Traditional front loaded garages are proposed for all single-family dwellings as shown in the Development Plan.</i>				
Clustered subdivision design	Up to 10%	Optional	0%	0%
<i>Discussion: Not used. Not applicable to this design.</i>				
Building design:				
Attractive, theme based and consistent architecture on all structures		Required	0%	0%
<i>Discussion: The Design Review Committee recommends approval of building architecture.</i>				
Installation of covered porches throughout 50% of subdivision	Up to 14%	Optional	14%	14%
<i>Discussion: A minimum 50% of the homes will have a front porch at least 50 square feet in area</i>				
Enhanced door, window, eave and roofing treatment	Up to 12%	Optional	12%	12%
<i>Discussion: The applicant has provided examples of "typical" building elevations they expect to see built in this development. Windows and doors have variety with differing configurations</i>				
Equal dispersion and use of high quality building materials	Up to 12%	Optional	12%	12%
<i>Discussion: The applicant has stated in the development plan that all homes will incorporate stucco, stone, brick, Hardi Board and other high grade materials.</i>				
Discretionary buy up	Up to 12%	Optional	12%	10%
<i>Discussion: All homes will use high energy-efficient building design and materials.</i>				
		Total	65%	68%

Based on the total percentage in the table above, the following calculation was used to find out the maximum allowed density of a project:

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

As staff calculated the maximum allowed net density, $(4.51 \times .65) = 2.9315$; $2.9315 + 4.51 = 7.44$ du/ac; therefore, 7.44 dwelling units per net acre were possible. The proposed development included 180 units on 28.96 acres gross (28.55 acres net) for a proposed residential density of 6.22 dwelling units per acre (gross) and 6.30 dwelling units per net acre.

Based on the information submitted and the conditions of approval recommended by staff, the Addenbrook Sub-area Preliminary Development Plan had sufficient amenities to achieve the requested 180 residential dwelling units. The Planning Commission agreed with this analysis.

The Preliminary Development Plan included examples of the various housing types that would be constructed within the development. Both the Planning Commission and Design Review Committee reviewed and recommended approval of the proposed building designs. The Preliminary Development Plan also stated that the buildings were designed to be energy efficient. The Preliminary Development Plan also included examples of the landscaping that would be installed around each building, in the public way and within the roundabout.

The proposed Addenbrook Sub-area Preliminary Development Plan met the applicable requirements of the Zoning and Subdivision Ordinances. Staff was confident that the applicant could address any necessary engineering and/or planning related concerns by meeting the conditions of approval and addressing all standards and requirements at the time of final plat, final site plan and final development plan submittal.

Sub-area Preliminary Development Plan

Based on the requirements listed in the Zoning Ordinance, staff recommended that the City Council **approve** the Addenbrook Sub-area Preliminary Development Plan located at approximately 6111 West 7800 South with a residential density of 6.30 units per acre net (41 single-family dwellings, 36 twin homes and 103 town homes) for a total of 180 dwelling units., subject to the following conditions:

1. The Final Development Plan shall be updated to reflect the buy up points and densities approved by the Planning Commission and City Council.
2. The Final Development Plan shall be updated to show all other requirements as approved by the Planning Commission.

Approval of the Preliminary Subdivision plan and Preliminary Site Plan shall be subject to City Council Approval of the Preliminary Development Plan.

Councilmember Southworth left the meeting at 7:41 p.m.

Scott Howell of Garbett and Peterson Development, pointed out that the plan received support from the Design Review Committee and the Planning Commission. There had

already been eleven homes sold in the project so he was confident that it would be worthwhile to the City.

Councilmember Southworth returned to the meeting at 7:43 p.m.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, a West Jordan resident, wished to applaud the developer of the project. She loved the design. She also recommended xeriscaping in lieu of planting grass.

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

MOTION: Councilmember Nichols moved to adopt Ordinance No. 15-25, ratifying the Preliminary Development Plan establishing a density of 6.30 units per acre, Preliminary Subdivision Plan (180 units on 28.7 acres) and Preliminary site Plan. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

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

The motion passed 7-0.

**CONTINUE UNTIL SEPTEMBER 9, 2015 – MOTION REQUIRED
RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 15-146, AMENDING THE FISCAL YEAR 2015-2016
SALARY SCHEDULE**

MOTION: Councilmember Southworth moved to continue item 8c. The motion was seconded by Councilmember Nichols.

Councilmember Haaga spoke in support of bringing the item back as a public hearing.

Councilmember Southworth pointed out that the item was scheduled to be a public hearing and that he was merely moving to continue the hearing.

A roll call vote was taken

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

The motion passed 7-0.

Councilmember Haaga stepped out at 7:49 p.m.

IX. BUSINESS ITEM

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-171, DIRECTING CITY STAFF TO IMPLEMENT THE PROPOSED SENIOR HOUSING/3200 WEST MIDBLOCK CROSSWALK IMPROVEMENT

Justin Stoker turned the time over to Bill Baranowski, Traffic Engineer. Mr. Baranowski explained that the purpose of this request was to obtain funding for a proposed midblock crosswalk on 3200 West for the Senior Housing complex located directly west of the post office. City Staff met in June 2015 with the residents living at the Senior Housing complex located at 7832 South 3200 West directly west of the US Post Office. We walked with the residents across 3200 West and north to the signalized crosswalk at 7800 South and back to the Senior Housing complex.

They outlined the following concerns for pedestrians crossing 3200 West:

- *The existing signalized crosswalk at 7800 South is too far out of the way for them to access the Macey's Food Store and the Post Office.*
- *There are too many vehicles turning left at the existing traffic signal for them to safely cross. They would prefer to cross at a midblock crosswalk with fewer turning vehicles.*
- *A marked crosswalk near the front of their housing complex is their preferred option.*

After the first meeting with the residents, 24-hour traffic data was collected at two potential 3200 West crosswalk locations near the Senior Housing on June 8-10, 2015 and June 15-17, 2015. The study found there were 11,964 vehicles per day between the Post Office driveways and 10,648 vehicles per day south of the Post Office entrance. An estimated 1,316 vehicles per day were entering and exiting the post office from 3200 West.

Midblock Crosswalk Guidelines:

A marked midblock crosswalk location should consider the following:

- Should be located away from busy driveways or intersections;
- Should have at least one overhead illumination light;

- Should have pedestrian ramps that meet ADA requirements;
- Should be located at a location where pedestrian crossings are expected by drivers; and
- Should have a minimum number of conflicts with turning traffic.

Preferred Crosswalk Location – See Figure 1 below:

A second meeting was held in July 2015 with a smaller core group of residents and they selected the preferred crosswalk location south of the Post Office entrance shown in *Figure 1*. The proposed location was preferred because it had 1,316 fewer turning vehicles per day than a location to the north and it was just north of their south driveway.

The residents presented the preferred crossing location to a number of residents of the complex to gauge their support for and willingness to use the proposed crosswalk across 3200 West. The residents expressed a strong desire to have the City install the proposed crosswalk. They could not guarantee that every single resident would use the new crosswalk, but most residents were excited at the prospect of having one installed by the City.

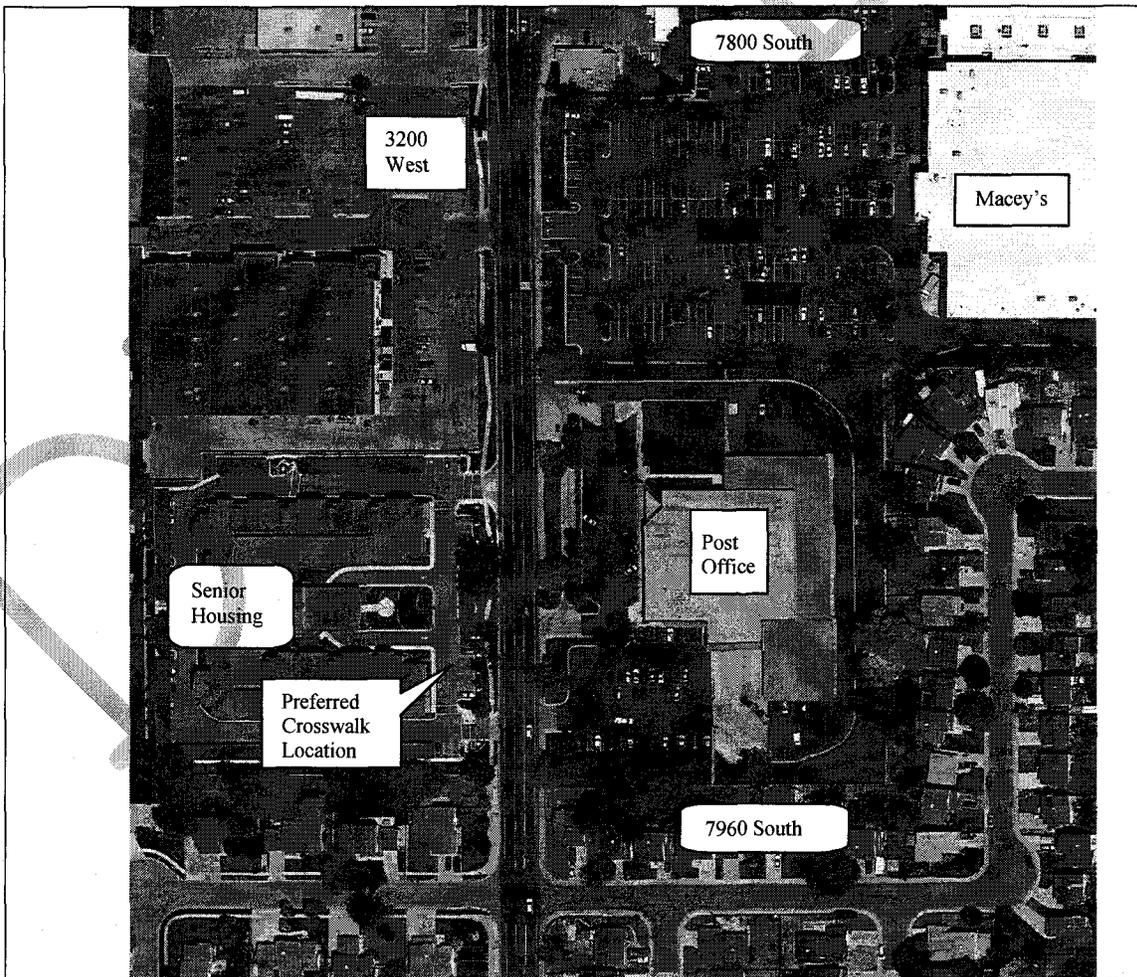


Figure 1. Proposed Senior Housing Crosswalk Location on 3200 West

Two types of crosswalk flashers could be considered at this proposed crosswalk location including RRFB and BlinkerSign flashers.

OPTION 1

Rapid Rectangular Flashing Beacon (RRFB) Option

Rectangular Rapid Flashing Beacons (RRFBs) were traffic safety warning devices that used LED lights to emit rapid flashing (wig-wag) lights to drivers to alert them of the presence of pedestrians in the crosswalk. *See Figure 2.* West Jordan City had been successful in using RRFBs to increase motorist yielding to pedestrians at unsignalized midblock crossings. Typically a minimum crossing volume of 20 pedestrians per hour was required.

How RRFB Crosswalks are Used

The lights were activated by a pushbutton used by the pedestrian as they waited to cross the street. Pedestrians were expected to wait until drivers yield before entering the crosswalk. The LED lights were timed to allow time for the vehicles to yield while continuing to flash as the pedestrians crossed the street. 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 would not be subject to interruption during power outages.

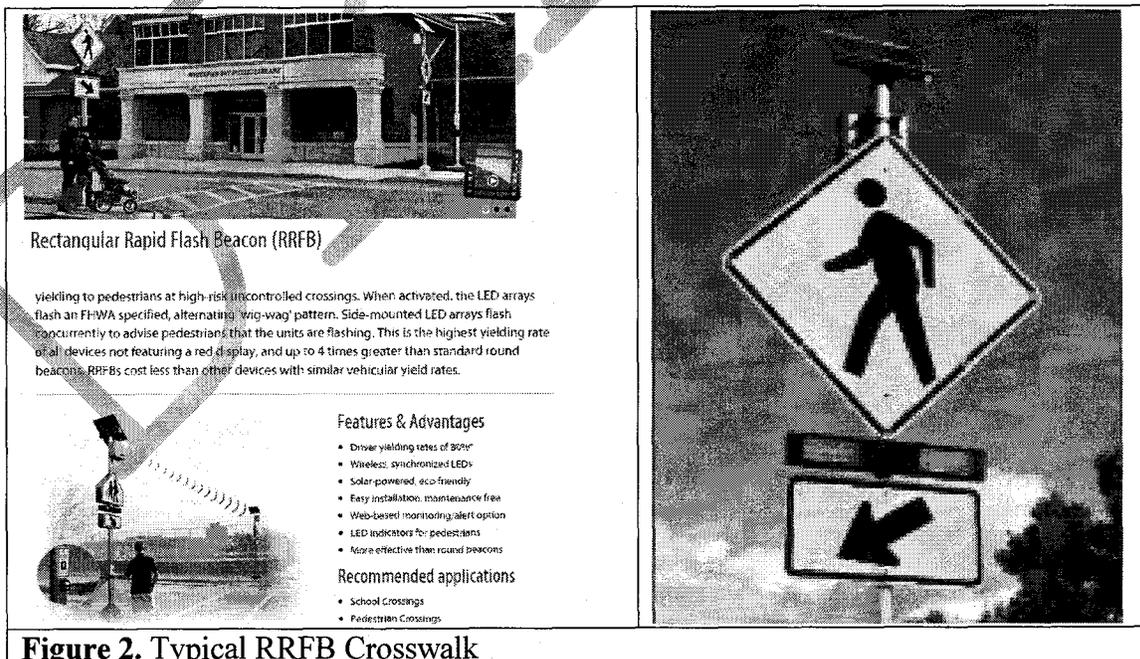


Figure 2. Typical RRFB Crosswalk

OPTION 2

BlinkerSign Crosswalk Flasher Option

A second option for helping drivers notice the new crosswalk location was the use of a BlinkerSign as shown in *Figure 3*. This sign was similar to the RRFB crossing and was activated by pushing a button to cross. This type of sign had been used in Salt Lake City on 500 East for crosswalks to Liberty Park.

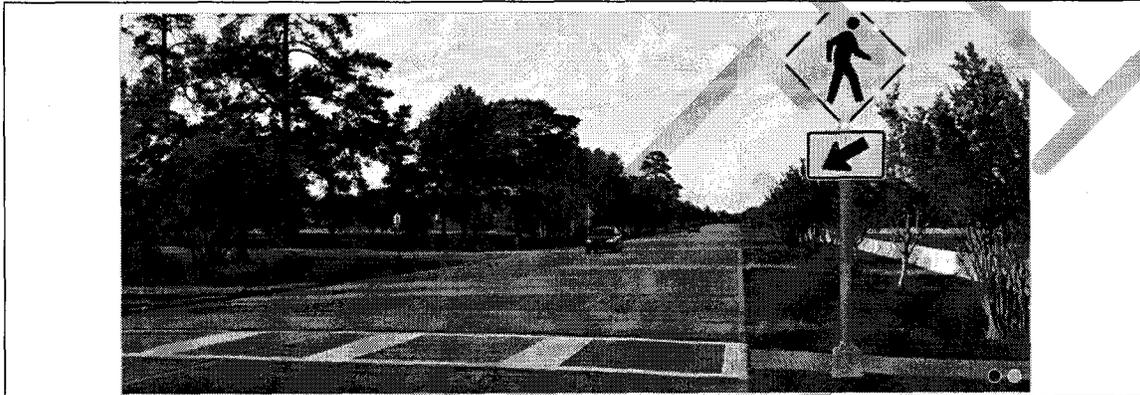


Figure 3. Typical BlinkerSign Crosswalk

City staff recommended that Council allow funding for the following improvements:

1. Install a high visibility crosswalk at the preferred location. The crosswalk was an acceptable location with fewer turning vehicles (1,316 less vehicles per day than at the Post Office driveway) and it was just north of the south Senior Housing access driveway.
2. The cost estimate for the new crosswalk improvements was \$13,635.00. The cost included new street lighting, two pedestrian ramps, flashers and signs. (*Concrete Ramps= \$5,000; Lighting=\$3,635; Flashers Signs and Striping=\$5,000*)
3. The street light providing overhead illumination was required for pedestrians who cross during the darker winter months or at night.

MOTION: Councilmember Southworth moved to adopt Resolution No. 15-171, directing City staff to implement the proposed crosswalk improvements recommended in the staff report including: concrete ramps, street light, signs, striping and possibly a concrete island, once funding was obtained. The motion was seconded by Councilmember McConnehey.

Councilmember Hansen explained that she made a point to visit the intersection in question and agreed that the light changes very quickly. Anyone using a walker, cane, etc. to cross would be unable to cross the road in time. She spoke in favor of the motion.

The Council discussed various types of traffic control devices.

Councilmember Haaga returned at 7:57 p.m.

A roll call vote was taken

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

The motion passed 7-0.

MOTION: Mayor Rolfe moved to take a five minute recess. The motion was seconded by Councilmember Southworth. The motion passed 7-0 in favor.

The City Council meeting recessed at 7:50 p.m. and reconvened at 8:07 p.m.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-170, AUTHORIZING STAFF TO USE EXISTING C-ROAD FUNDS TO HIRE A FIVE-PERSON CONCRETE WORK CREW WITH ASSOCIATED EQUIPMENT AND VEHICLES TO PERFORM CONCRETE RELATED WORK WITHIN THE CITY

Justin Stoker explained that as the City recovered from the recession and worked to meet regulatory requirements, an opportunity to implement no-cost efficiency measures had arisen to be able to save on-going money and increase service to the residents.

In 2008 as the recession was beginning to take a toll on the City and in an effort to reduce expenses, it was decided to eliminate the concrete crew from the Public Works Department and to divert the \$750,000 previously allocated from the telecom tax to other general fund priorities. The results of this decision were seen through the cost savings in personnel, by putting off sidewalk work and minimizing expenses related with manhole raising/lowering and use of the previously allocated portion of the telecom funds in other areas. As a result of the reduced revenue the City saw, funding was tightened and concrete maintenance work was reduced as a priority.

In the time since those cost saving measures were implemented the need for more of the attention to concrete related items had increased. In terms of the sidewalk curb ramps, regulation had required the replacement of old and outdated pedestrian ramps and to

conform to ADA standards. Also, as development had begun to pick up, the need to raise and lower manholes for asphalt overlays had occurred more frequently. Along with demand to address hazardous sidewalks, several claims had been filed with the City regarding accidents associated with trips and falls on uneven sidewalk panels. With this increase in need and without the availability of the telecom funds, it had resulted in the use of a portion of the C-Road funds being spent each year on several contracts to address the concrete needs.

Recent review had determined that as the size of contracted labor increased, the value to the City and its residents had decreased. It was no longer cost effective to use contracted labor to address concrete needs.

To clarify the opportunity, it was important to understand the details regarding the current situation.

In the 2014/2015 Fiscal Year, the City contracted out much of its needed concrete work.

- \$208,550.00 to raise/lower 240 manholes and 150 monuments and water valves
- \$147,887.50 to replace 74 curb ramps to bring into conformance with ADA rules
- \$55,000.00 to build or recreate concrete collars around manholes
- \$150,000 for safe sidewalks

The City currently spent \$561,437.50 out of the C-Roads funds in contracted work for concrete items. The City also usually appropriated an additional \$150,000 from the CDBG funds for sidewalk curb ramp replacement (which didn't happen in 2014). This was all in addition to the concrete work orders that were being addressed by the asphalt construction crews.

In the absence of a dedicated concrete crew, when concrete related work orders were requested by residents, they went onto a list for the asphalt work crews to do between asphalt projects. Currently, sidewalk issues represented the most common work order request made by residents to the Public Works Department. Typically, major asphalt projects ran from the spring through the fall and usually took about two weeks per job. The work crews began spending an increasing amount of time between asphalt projects to address several concrete work orders. This had begun to result in scheduled project delays for the asphalt crews as they addressed the urgent concrete needs. These crews recently received approval to work overtime to address the growing list of concrete related issues and still be able to maintain their paving schedule. Regardless of the overtime, the efficiency of the asphalt crews had been impacted by the need to postpone overlay projects to address concrete work orders. This calendar year, the requests from residents for concrete related work, whether it was heaved, cracked, or uneven sidewalks or curb and gutter panels had been much higher than in previous years.

The City was currently using budgeted money for interns and seasonals to locate and identify sidewalk deficiencies (trip hazards, heaved, broken or deteriorated panels, etc.) in the City. Additionally, curb ramps were actively being identified that did not meet current

ADA standards. Currently with just under 25% of the City surveyed, we currently had:

- 375 spalled or worn sidewalk panels identified
- 3,943 trip hazards
- 1,084 curb ramps that have been identified for ADA replacement

We also had identified 89 sidewalk projects totaling 201,714 linear feet of sidewalk that was missing along the right-of-way at an estimated cost of about \$19.4 million.

We reviewed the contracts for the manhole raising/lowering, replacing curb ramps, and performing new sidewalk installations to determine how much work was being performed each week and at what cost it was being done. We found that the City was consistently paying about \$15,000 for a 5-person crew to perform a week's worth of concrete work, regardless of the type of concrete work being performed when under an outside contract. In other words, the City was paying \$3,000 per person, per week to perform concrete work on City projects.

If a five-person concrete crew were contracted by the City to fulfill the various contracts for ADA ramps, manhole raising/lowering, new sidewalk installations, etcetera, it would cost \$540,000 for that five-person concrete crew to work 36-weeks through a year, if done by contract at the current market rates.

Current policy states that in non-hazardous areas where a resident wished to fix a sidewalk in front of their property, that if they provide for or pay for the materials that city crews would perform the labor to replace the sidewalk. This policy was a remnant from before 2008 when there was a concrete crew. Presently, if a resident called to request this process, work crews were pulled from the asphalt teams to be able to work with the resident. A thorough review of the policy had begun. There were several items in the policy that weren't consistent with current practices. When the review had been completed, it was anticipated that various changes would be presented to Council for their review.

To be able to reduce costs and/or accomplish more work for the money being spent, it was proposed that the City re-establish the concrete crew and perform the concrete work using in-house staff.

Cost estimates have been made to what it would cost for the concrete work to be performed internally. To perform the same level of work by internal staff for 36-weeks, it's estimated that it would cost \$387,514 broken down in the following:

- \$283,977 for salaries and benefits for five person crew of various skill levels (52-week, full-time)
- \$103,537 supplies, tools, and equipment annually (assuming 36-weeks for concrete work is performed)

To clarify the vehicular costs, the Equipment expenses would include a 10-wheel dump

truck (\$210,000 cost) and an F-350 truck (\$51,900) that would be used by the entire crew. The F-350 would have a crew cab that would be able to seat up to four people. Typically, the F-350 would be purchased outright and the dump truck would be leased or financed to spread the payment over time. In summary, there would be a one-time expense of \$51,900 for the F-350 truck and an annual expense of about \$30,000 (if financed over seven years) for the 10-wheel dump truck. Both vehicles include the snowplow packages to be able to use them for plowing snow during winter months.

To cover some of the up-front, one-time expenses, the City expected to begin seeing an increase to the B&C Road fund allocation based upon recent changes in transportation funding by the state legislature. Additional money was expected based upon the revised gas tax calculations with another potential increase from the local option sales tax which was going before voters that November. In addition to other street maintenance needs, this additional money could help pay for some of the expenses, if necessary.

In addition to the cost savings associated with the actual crew, there was a number of intangible benefits to having the work performed with city staff. Although the labor was estimated at 36-weeks, typically concrete crews could start earlier and work later into the year compared to asphalt teams, and could address more issues (concrete work could be done in non-freezing temperatures where asphalt work must be 50 degrees and rising). During winter months, as mentioned, both vehicles were available with salt and plow packages to be able to be used during plowing situations for the City.

Being able to rely upon a specific concrete crew, would allow the flexibility to address concrete related work orders in a timely and agile manner. It would also restore the schedule and efficiency of the asphalt crews by not having them use valuable paving time with concrete work orders. It also provided a proactive approach to resolving those sidewalk deficiency issues to minimize risk due to sidewalk accidents.

With the nature of concrete work and the need to address all manner of problems, there would not be a time that the crew couldn't be used to address the needs of the City. It was estimated that during the year they would be able to work along the following sample schedule, dependent upon weather (note that these were estimates that could be adjusted based upon need and value that could be provided):

November-February: Grinding/fixing trip hazards (dry and below freezing temperatures), snow plow as necessary, and small projects as weather permitted (above freezing temperatures)

March-October: curb ramp replacement (12 weeks), hazardous sidewalk repair (5 weeks), concrete collars (4 weeks), raise/lower manholes (3 weeks), construct missing sidewalks/projects on deficiency list (10 weeks)

It was the intent to use the proposed crew to the best use possible. Since, it appeared that the deficiencies in ADA ramps and sidewalk deficiencies were substantial, the City might still use contracts for minor items like raising or lowering of valves, monuments, and

manholes, to ensure that the most efficient process and greatest value was received by the City.

The City of West Jordan had an increasing demand for repair and construction of concrete related street elements from pedestrian ramp replacement, to the raising and lowering of manholes, sidewalk repairs, and the construction of new sidewalk. An opportunity had arisen that would reduce costs, continue safety efforts, improve asphalt crew efficiency, and add a number of other benefits by re-establishing an in-house concrete crew and by providing the work using City staff. It was recommended that staff be authorized to use existing C-Road funds to re-establish the City's concrete crew.

The Council asked clarifying questions.

Councilmember McConnehey had concerns about the proposal and wanted to ensure that the cost analysis had included the on-going impact of employing the new crew members.

Justin Stoker confirmed that the underlying costs were included in the analysis.

Councilmember Haaga spoke in opposition to the recommendation, saying that he would rather invest in local business than increase the size of government.

Councilmember Southworth asked if the City had the funds to pay for this crew without a tax increase in the future.

Justin Stoker explained that the money would come from what had been previously been used to contract those services out. Additionally, he pointed out that there was an additional funding mechanism that the City would see in the future: the re-work in the gas tax which would create approximately \$600 thousand in new revenue. That was above and beyond what would potentially be realized if the local option tax passed after the November election.

MOTION: Councilmember Southworth moved to approve Resolution 15-170, authorizing staff to use existing C-Road funds to hire a five-person concrete work crew with associated equipment and vehicles to perform concrete related work within the City. The motion was seconded by Councilmember Rice.

Councilmember Haaga spoke in opposition to the motion.

Mayor Rolfe spoke in support of the motion although he pointed out that he typically was not in favor of growing government.

A roll call vote was taken

Councilmember Haaga **No**

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

The motion passed 6-1.

REPORT AND UPDATE ON THE CITY OF WEST JORDAN'S FISCAL YEAR 2014-2015 4TH QUARTERLY REPORT

Ryan Bradshaw explained that the Quarterly Report is intended to give unaudited, summary information to the user about West Jordan City's revenue and expenses for the fourth quarter of fiscal year 2015, which ended June 30, 2015. The report includes information about the City's General Fund and Enterprise Funds. This report gives City Management and the City Council the opportunity to see the financial status of the City within its major funds and make decisions accordingly.



This report contains the current and prior year quarterly information and the year-to-date totals for each fund. In addition, it includes a forecasted total for each number. The forecasts are based on the expenditure and revenue percentages from the previous year. The numbers are not final and may change. The only time that Financial Statements are final is after the City has completed its annual audit and issued its Comprehensive Annual Financial Report (CAFR).

General Fund Summary	Annual Budget	Fourth Quarter (Current Year)	Fourth Quarter (Prior Year)	Current Year to Date	Prior Year to Date	Current Year Forecast
Revenues						
Property Taxes	\$ 11,225,651.00	\$ 1,436,606.63	\$ 1,577,259.27	\$ 11,523,119.36	\$ 11,535,219.74	\$ 11,523,119.36
Sales Taxes	\$ 15,914,809.00	\$ 5,303,018.79	\$ 6,645,850.40	\$ 14,811,354.98	\$ 15,976,144.05	\$ 16,360,354.98
Franchise Taxes	\$ 5,885,435.00	\$ 1,995,207.48	\$ 2,008,708.18	\$ 6,624,993.23	\$ 6,767,141.99	\$ 6,624,993.23
Telecommunications Taxes	\$ 1,200,000.00	\$ 326,301.80	\$ 479,707.45	\$ 1,037,421.89	\$ 1,188,345.79	\$ 1,137,421.89
Fee in Lieu - Vehicles	\$ 1,150,000.00	\$ 257,846.96	\$ 339,045.24	\$ 901,157.50	\$ 998,144.70	\$ 951,157.50
Other Taxes	\$ 373,500.00	\$ 118,050.55	\$ 130,403.13	\$ 234,362.07	\$ 333,537.04	\$ 234,362.07
Licenses and Permits	\$ 1,705,650.00	\$ 724,810.77	\$ 330,282.53	\$ 2,090,660.45	\$ 1,854,866.15	\$ 2,090,660.45
Intergovernmental	\$ 4,115,947.00	\$ 1,427,005.12	\$ 1,513,566.20	\$ 3,656,070.10	\$ 4,173,690.86	\$ 3,656,070.10
Ambulance Fees	\$ 1,462,973.00	\$ 410,760.62	\$ 322,068.98	\$ 1,633,635.58	\$ 1,408,776.33	\$ 1,633,635.58
Charges for Services	\$ 1,616,583.00	\$ 570,705.48	\$ 415,029.57	\$ 1,960,999.45	\$ 1,943,795.81	\$ 1,960,999.45
Interfund Charges	\$ 4,118,315.00	\$ 1,029,578.76	\$ 935,406.48	\$ 4,118,315.04	\$ 3,741,625.92	\$ 4,118,315.04
Fines and Forfeitures	\$ 1,500,000.00	\$ 370,222.21	\$ 360,756.49	\$ 1,481,937.88	\$ 1,477,765.49	\$ 1,481,937.88
Miscellaneous Income	\$ 956,742.00	\$ (295,513.72)	\$ 190,460.98	\$ 544,367.54	\$ 582,466.15	\$ 544,367.54
Events	\$ 221,000.00	\$ 57,889.43	\$ 56,987.43	\$ 128,953.36	\$ 144,967.38	\$ 128,953.36
Total Revenues	\$ 51,446,605.00	\$ 13,732,490.88	\$ 15,305,532.33	\$ 50,747,348.43	\$ 52,126,487.40	\$ 52,446,348.43
Transfers and Contributions						
Loan Payment form Stormwater	\$ 224,989.00		\$ -	\$ -	\$ -	\$ -
Contributions from C-Road Funds	\$ 187,736.00		\$ -	\$ -	\$ -	\$ -
Total Transfers and Contributions	\$ 412,725.00	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenues, Transfers, and Contributions	\$ 51,859,330.00	\$ 13,732,490.88	\$ 15,305,532.33	\$ 50,747,348.43	\$ 52,126,487.40	\$ 52,446,348.43

DRAFT

General Fund Summary	Annual Budget	Fourth Quarter (Current Year)	Fourth Quarter (Prior Year)	Current Year to Date	Prior Year to Date	Current Year Forecast	% Budget to Forecast	Difference
Revenues:								
Revenue	\$ 51,446,605.00	\$ 13,732,490.88	\$ 15,305,532.33	\$ 50,747,348.43	\$ 52,126,487.40	\$ 52,446,348.43	101.9%	\$ (999,743.43)
Transfers In	\$ 412,725.00						0.0%	\$ 412,725.00
Total Revenues	\$ 51,859,330.00	\$ 13,732,490.88	\$ 15,305,532.33	\$ 50,747,348.43	\$ 52,126,487.40	\$ 52,446,348.43	101.1%	
Expenditures:								
<i>Personel Expenses</i>								
Justice Court	\$ 728,095.00	\$ 152,259.40	\$ 167,602.60	\$ 665,799.17	\$ 695,798.52	\$ 665,799.17	91.4%	\$ 62,295.83
City Manager	\$ 1,439,558.00	\$ 395,466.17	\$ 191,063.59	\$ 1,362,251.14	\$ 1,198,436.65	\$ 1,362,251.14	94.6%	\$ 77,306.86
Administrative Services	\$ 3,346,369.00	\$ 756,926.03	\$ 700,839.00	\$ 3,256,139.70	\$ 2,652,655.79	\$ 3,256,139.70	97.3%	\$ 90,229.30
City Attorney	\$ 1,651,506.00	\$ 467,147.77	\$ 319,070.35	\$ 1,557,447.98	\$ 1,335,413.90	\$ 1,557,447.98	94.3%	\$ 94,058.02
Public Works	\$ 3,601,706.00	\$ 831,518.40	\$ 1,251,827.73	\$ 3,585,342.27	\$ 4,972,728.26	\$ 3,585,342.27	99.5%	\$ 16,363.73
Development	\$ 1,403,582.00	\$ 304,639.30	\$ 314,892.94	\$ 1,340,536.12	\$ 1,281,393.39	\$ 1,340,536.12	95.5%	\$ 63,045.88
Economic Development	\$ 140,000.00	\$ 130,149.63		\$ 244,485.30		\$ 244,485.30	174.6%	\$ (104,485.30)
Police	\$ 13,174,122.00	\$ 3,087,242.57	\$ 2,837,188.22	\$ 12,698,595.00	\$ 11,813,050.98	\$ 12,698,595.00	96.4%	\$ 475,527.00
Fire	\$ 8,304,765.00	\$ 1,893,279.12	\$ 1,749,338.54	\$ 8,111,158.42	\$ 7,695,654.22	\$ 8,111,158.42	97.7%	\$ 193,606.58
Parks	\$ 1,668,975.00	\$ 388,058.47		\$ 1,437,352.48		\$ 1,437,352.48	86.1%	\$ 231,622.52
<i>Operating Expenses</i>								
Justice Court	\$ 56,825.00	\$ 13,151.63	\$ 15,274.17	\$ 43,593.49	\$ 49,306.37	\$ 43,593.49	76.7%	\$ 13,231.51
City Manager	\$ 1,423,351.00	\$ 353,755.95	\$ 348,936.93	\$ 1,345,208.90	\$ 1,462,124.43	\$ 1,345,208.90	94.5%	\$ 78,142.10
Administrative Services	\$ 4,222,532.00	\$ 1,187,616.51	\$ 540,867.91	\$ 3,090,271.07	\$ 1,654,229.95	\$ 3,090,271.07	73.2%	\$ 1,132,260.93
City Attorney	\$ 184,936.00	\$ 83,904.38	\$ 33,649.25	\$ 216,099.12	\$ 97,258.02	\$ 216,099.12	116.9%	\$ (31,163.12)
Public Works	\$ 3,091,104.00	\$ 586,018.25	\$ 1,435,292.71	\$ 2,246,413.58	\$ 3,935,223.66	\$ 2,246,413.58	72.7%	\$ 844,690.42
Development	\$ 154,967.00	\$ 21,204.47	\$ 50,906.21	\$ 103,821.78	\$ 138,741.18	\$ 103,821.78	67.0%	\$ 51,145.22
Economic Development	\$ 143,409.00	\$ 21,672.67		\$ 122,539.29		\$ 122,539.29	85.4%	\$ 20,869.71
Police	\$ 3,717,041.00	\$ 866,048.69	\$ 756,397.84	\$ 3,521,932.71	\$ 2,713,520.72	\$ 3,521,932.71	94.8%	\$ 195,108.29
Fire	\$ 1,881,812.00	\$ 486,478.31	\$ 630,162.55	\$ 1,974,205.88	\$ 1,930,916.35	\$ 1,974,205.88	104.9%	\$ (92,393.88)
Parks	\$ 2,044,304.00	\$ 307,612.83		\$ 1,139,794.58		\$ 1,739,794.58	85.1%	\$ 304,509.42
<i>Transfers Out</i>								
Administrative Services	\$ 2,750,000.00	\$ 187,500.00	\$ 4,352,500.00	\$ 750,000.00	\$ 8,023,660.00	\$ 750,000.00	27.3%	\$ 2,000,000.00
Public Works	\$ 2,250,000.00		\$ 87,151.61	\$ 3,038,055.18	\$ 2,594,361.00	\$ 3,038,055.18	135.0%	\$ (788,055.18)
Total Expenditures	\$ 57,378,959.00	\$ 12,441,650.55	\$ 15,782,862.15	\$ 51,851,043.16	\$ 54,244,473.39	\$ 52,451,043.16	91.4%	\$ 4,927,915.84
Operating Surplus (Deficit)	\$ (5,519,629.00)	\$ 1,290,840.33	\$ (477,329.82)	\$ (1,103,694.73)	\$ (2,117,985.99)	\$ (4,694.73)		
Beginning Fund Balance						\$ 19,036,940.00		
Restricted Fund Balance						\$ (4,303,476.00)		
Stormwater Liability						\$ (2,000,000.00)		
Projected Unrestricted Fund Balance 6/30/15						\$ 12,728,769.27	24.3%	

General Fund

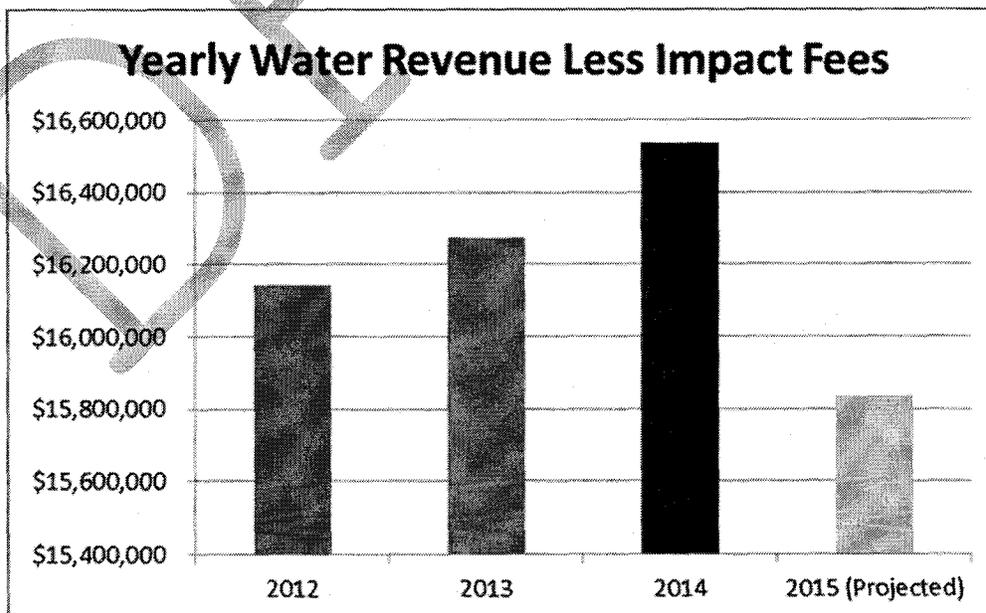
Notes to the General Fund

1. The City receives sales tax revenues 60 days after collection by the retailers.
2. November and December are the primary months for property tax collections.
3. MET & Telecommunication taxes are received 45-60 days after they are billed to the customer.
4. Class C Road revenues are paid bi-monthly and are received 60 to 90 days after collection.
5. Increased Parks Operating Expense Forecast for the following expenditures:
 - a. Internal Utility Costs – \$600,000
6. Economic Development and Parks Departments have no prior year expenditures as they are new departments.
7. The City changed the Public Safety Pay Ranges from a 14 Step, 2.75% Step Difference to an 8 Step, 5% Step Difference Plan that was effective as of 1/1/2015.

Water Fund Summary	Annual Budget	Fourth Quarter (Current Year)	Fourth Quarter (Prior Year)	Current Year to Date	Prior Year to Date	Current Year Forecast	Difference
Revenues:							
Water Sales	\$ 17,314,574.00	\$ 3,563,156.24	\$ 3,789,312.60	\$ 15,319,759.24	\$ 15,785,125.01	\$ 15,319,759.24	\$ (1,994,814.76)
Impact Fees	\$ 1,200,000.00	\$ 724,868.74	\$ 98,847.14	\$ 1,145,892.74	\$ 475,159.14	\$ 1,145,892.74	\$ (54,107.26)
Interest	\$ 18,000.00	\$ -	\$ 109,415.13	\$ 2.20	\$ 151,635.23	\$ 18,000.00	\$ -
Intergovernmental	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (50,000.00)
Total Revenues	\$ 18,582,574.00	\$ 4,288,024.98	\$ 3,997,574.87	\$ 16,465,654.18	\$ 16,411,919.38	\$ 16,483,651.98	\$ (2,098,922.02)
Expenditures:							
Personel Expenses	\$ 1,644,581.00	\$ 359,039.71	\$ 325,167.84	\$ 1,459,214.95	\$ 1,363,994.34	\$ 1,459,214.95	\$ 185,366.05
Operating Expenses	\$ 14,407,951.00	\$ 3,778,628.12	\$ 5,125,601.11	\$ 12,260,621.95	\$ 12,149,551.24	\$ 12,260,621.95	\$ 2,147,329.05
Capital Projects	\$ 10,174,833.00	\$ 1,100,507.55	\$ 3,895,751.33	\$ 5,836,790.27	\$ 6,954,431.73	\$ 5,836,790.27	\$ 4,338,042.73
Bond Principal	\$ 650,000.00	\$ 650,000.00	\$ -	\$ 650,000.00	\$ -	\$ 650,000.00	\$ -
Bond Interest	\$ 140,542.00	\$ 70,553.46	\$ -	\$ 140,512.00	\$ -	\$ 140,542.00	\$ -
Bond Fee	\$ 3,500.00	\$ -	\$ -	\$ 3,000.00	\$ -	\$ 3,500.00	\$ -
Total Expenditures	\$ 27,021,407.00	\$ 5,958,728.84	\$ 9,346,520.28	\$ 20,350,139.17	\$ 20,467,977.31	\$ 20,350,669.17	\$ 6,670,737.83
Operating Surplus (Deficit)	\$ (8,438,833.00)	\$ (1,670,703.86)	\$ (5,348,945.41)	\$ (3,884,484.99)	\$ (4,056,057.93)	\$ (3,867,017.19)	\$ -
Encumbered Contracts						\$ (1,150,000.00)	\$ -
				Restricted	Unrestricted	Total	
Beginning Cash Balance				\$ 4,431,436.00	\$ 10,706,991.00	\$ 15,138,427.00	
Estimated Total Cash Balance 6/30/15						\$ 10,121,409.81	

Water Fund

1. Impact Fees are projected to be near \$1,145,892.74, this is highest in the past four years.
2. Water Revenue less Impact Fees is projected to be lower than the previous three years. This is likely to be a result of the change in the rate structure that promoted conservation.

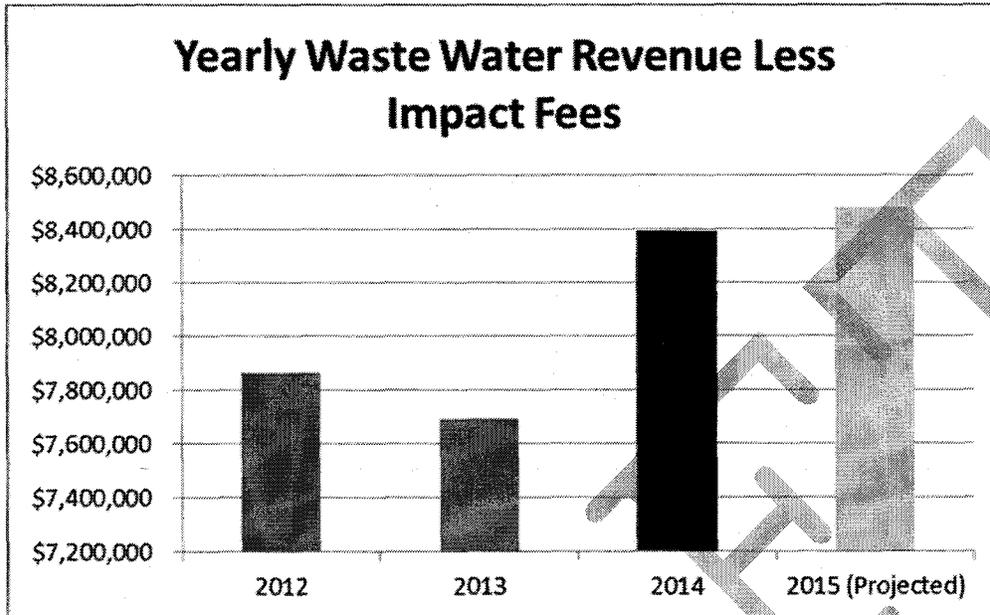


- \$1,200,000 to \$1,300,000 in Water Fees collected had been designated by the City Council each year for Capital Replacement.

Wastewater Fund Summary	Annual Budget	Fourth Quarter (Current Year)	Fourth Quarter (Prior Year)	Current Year to Date	Prior Year to Date	Current Year Forecast	Difference
Revenues:							
Wastewater O&M	\$ 8,446,114.00	\$ 2,155,176.13	\$ 2,111,816.24	\$ 8,475,968.63	\$ 8,344,901.20	\$ 8,475,968.63	\$ 29,854.63
Impact Fees	\$ 1,030,000.00	\$ 616,479.24	\$ 67,545.50	\$ 809,539.41	\$ 323,000.50	\$ 809,539.41	\$ (220,460.59)
Other	\$ 9,400.00	\$ -	\$ 35,803.80	\$ -	\$ 35,803.80	\$ 9,400.00	\$ -
Total Revenues	\$ 9,485,514.00	\$ 2,771,655.37	\$ 2,215,165.54	\$ 9,285,508.04	\$ 8,703,705.50	\$ 9,294,908.04	\$ (190,605.96)
Expenditures:							
Personel Expenses	\$ 859,668.00	\$ 163,282.90	\$ 153,990.92	\$ 639,427.05	\$ 656,942.07	\$ 835,203.44	\$ 24,464.56
Operating Expenses	\$ 5,846,609.00	\$ 1,411,530.61	\$ 1,586,596.35	\$ 5,650,936.18	\$ 5,191,652.33	\$ 5,650,936.18	\$ 195,672.82
Capital Projects	\$ 5,753,701.00	\$ 328,617.88	\$ 978,945.07	\$ 2,518,908.64	\$ 3,216,826.96	\$ 2,518,908.64	\$ 3,234,792.36
Total Expenditures	\$ 12,459,978.00	\$ 1,903,431.39	\$ 2,719,492.34	\$ 8,809,271.87	\$ 9,065,421.36	\$ 9,005,048.26	\$ 3,454,929.74
Operating Surplus (Deficit)	\$ (2,974,464.00)	\$ 868,223.98	\$ (504,326.80)	\$ 476,236.17	\$ (361,715.86)	\$ 289,859.78	
Beginning Cash Balance				Restricted \$ -	Unrestricted \$ 8,741,593.00	\$ 8,741,593.00	
Estimated Total Cash Balance 6/30/15						\$ 9,031,452.78	

Waste Water Fund

- Impact Fees are projected to be over \$809,539.41, this is highest in the past four years.
- Waste Water Revenue less Impact Fees is projected to be the highest in the previous four years. This is because of the Capital Replacement rate increase that happened in Fiscal Year 2014.

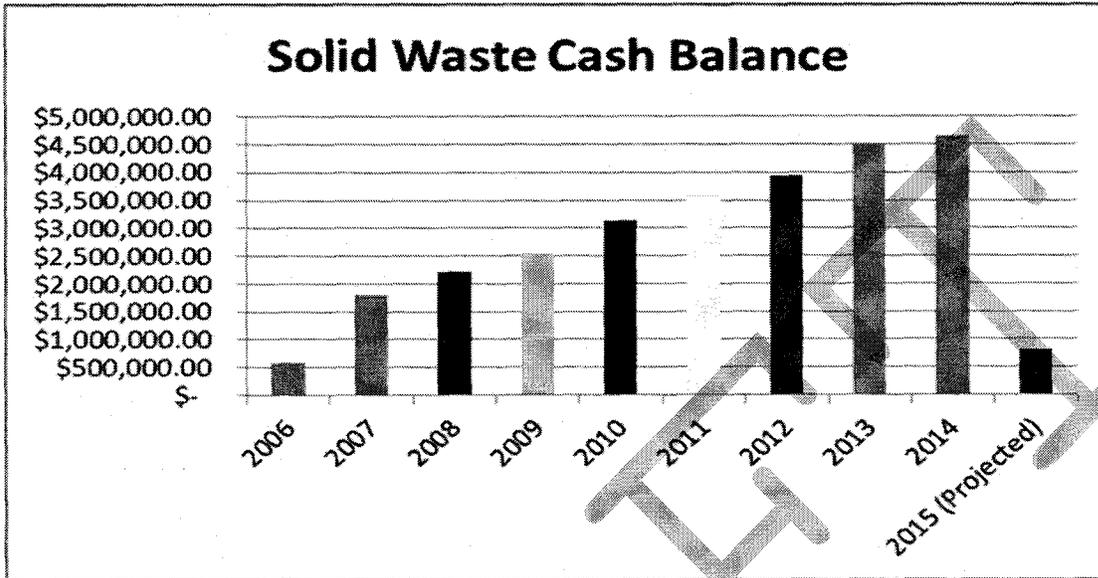


- \$750,000 in Waste Water Fees collected had been designated by the City Council each year for Capital Replacement.

Solid Waste Fund Summary	Annual Budget	Fourth Quarter (Current Year)	Fourth Quarter (Prior Year)	Current Year to Date	Prior Year to Date	Current Year Forecast	Difference
Revenues:							
Solid Waste Fees	\$ 3,923,509.00	\$ 1,033,250.00	\$ 977,139.06	\$ 3,926,638.95	\$ 3,852,495.75	\$ 3,926,638.95	\$ 3,129.95
Other	\$ 10,000.00	\$ -	\$ 31,439.63	\$ 408.00	\$ 31,779.63	\$ 10,000.00	\$ -
Total Revenues	\$ 3,933,509.00	\$ 1,033,250.00	\$ 1,008,578.69	\$ 3,927,046.95	\$ 3,884,275.38	\$ 3,936,638.95	\$ 3,129.95
Expenditures:							
Personel Expenses	\$ 111,322.00	\$ 51,458.01	\$ 29,581.37	\$ 157,236.94	\$ 107,902.99	\$ 157,236.94	\$ (45,914.94)
Operating Expenses	\$ 3,812,106.00	\$ 1,210,217.86	\$ 1,130,294.60	\$ 3,624,976.84	\$ 3,385,771.41	\$ 3,624,976.84	\$ 187,129.16
Total Expenditures	\$ 3,923,428.00	\$ 1,261,675.87	\$ 1,159,875.97	\$ 3,782,213.78	\$ 3,493,674.40	\$ 3,782,213.78	\$ 141,214.22
Operating Surplus (Deficit)	\$ 10,081.00	\$ (228,425.87)	\$ (151,297.28)	\$ 144,833.17	\$ 390,600.98	\$ 154,425.17	
					Total		
Beginning Cash Balance					\$ 665,554.00		
Estimated Total Cash Balance 6/30/15					\$ 819,979.17		

Solid Waste Fund

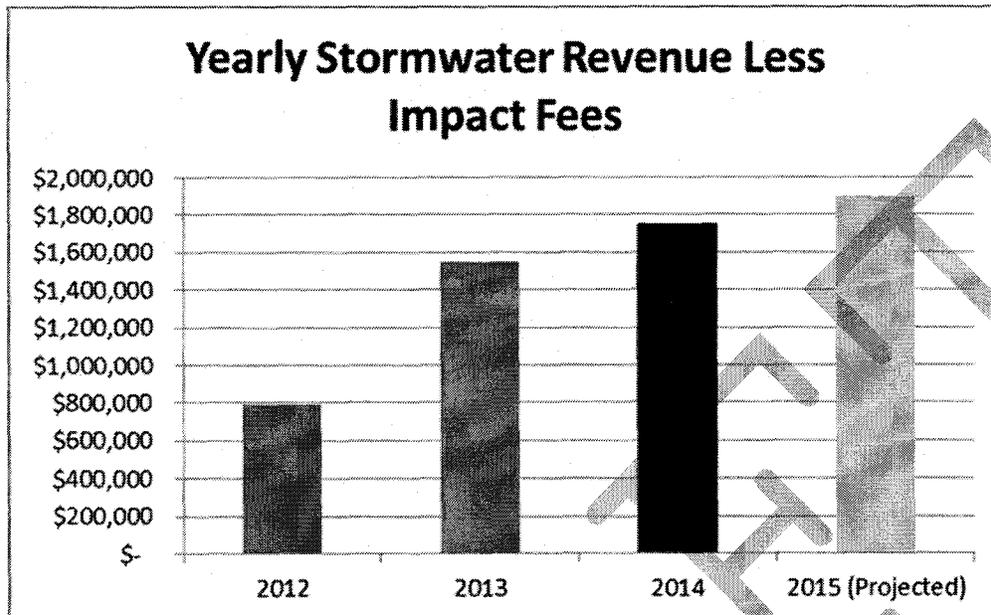
- The Solid Waste Fund has been growing over the last 10 years in order to save for a Transfer Station. Trans-Jordan Landfill has informed the City that they will be paying for the Transfer Station. It was the Council's decision to move \$4,000,000 from the Solid Waste Fund to the Storm Water Fund for Capital Project Funding. Projected Cash will be \$819,979.17 for the end of Fiscal Year 2015.



Storm Water Fund Summary	Annual Budget	Fourth Quarter (Current Year)	Fourth Quarter (Prior Year)	Current Year to Date	Prior Year to Date	Current Year Forecast	Difference
Revenues:							
Storm Water Fees	\$ 1,733,683.00	\$ 456,467.40	\$ 439,917.36	\$ 1,764,913.92	\$ 1,724,728.31	\$ 1,764,913.92	\$ 31,230.92
Impact Fees	\$ 885,000.00	\$ 277,644.06	\$ 131,232.36	\$ 1,097,302.07	\$ 863,663.11	\$ 1,097,302.07	\$ 212,302.07
Other	\$ 28,000.00	\$ 133,152.71	\$ 12,968.96	\$ 133,152.71	\$ 141,121.96	\$ 133,152.71	\$ 105,152.71
Total Revenues	\$ 2,646,683.00	\$ 867,264.17	\$ 584,118.68	\$ 2,995,368.70	\$ 2,729,513.38	\$ 2,995,368.70	\$ 348,685.70
Expenditures:							
Personel Expenses	\$ 803,786.00	\$ 170,189.90	\$ 140,180.60	\$ 624,133.09	\$ 572,911.07	\$ 624,133.09	\$ 179,652.91
Operating Expenses	\$ 995,003.00	\$ 165,786.30	\$ 246,420.72	\$ 621,820.41	\$ 649,815.23	\$ 621,820.41	\$ 373,182.59
Capital Projects	\$ 6,512,890.00	\$ 1,020,221.59	\$ 1,201,811.76	\$ 1,915,161.41	\$ 2,774,819.99	\$ 1,915,161.41	\$ 4,597,728.59
Total Expenditures	\$ 8,311,679.00	\$ 1,356,197.79	\$ 1,588,413.08	\$ 3,161,114.91	\$ 3,997,546.29	\$ 3,161,114.91	\$ 5,150,564.09
Operating Surplus (Deficit)	\$ (5,664,996.00)	\$ (488,933.62)	\$ (1,004,294.40)	\$ (165,746.21)	\$ (1,268,032.91)	\$ (165,746.21)	
Encumbered Contracts						\$ (1,300,000.00)	
Beginning Cash Balance				\$	\$ 6,654,896.00	\$ 6,654,896.00	
Estimated Total Cash Balance 6/30/15						\$ 5,189,149.79	

Storm Water Fund

1. Impact Fees are projected to be over \$1,000,000. This would be a four-year high for impact fees in the Storm Water Fund.
2. Storm Water Revenue less Impact Fees is projected to be the highest in the previous four years. This is because of the Capital Replacement rate increase that happened in Fiscal Year 2014.



3. \$4,000,000 in cash has been transferred from the Solid Waste Fund to the Storm Water Fund to increase the Capital Project funding.

Councilmember Haaga inquired as to projected sales tax and water fund revenue for the City. He was also interested in the projected revenue stemming from the recently increased storm water fee.

Ryan Bradshaw responded that he expected approximately \$1.5 million in sales tax revenue, approximately \$10 million in restricted and unrestricted cash (\$5 million below the same point last year), and approximately \$1 million dollars more due to the change in storm water fee.

Mayor Rolfe asked for clarification regarding the Restricted Fund Balance.

Ryan Bradshaw indicated that it was approximately \$65 million.

Councilmember Haaga inquired about the status of the audit and the ERP.

Mayor Rolfe expressed appreciation regarding the improved quality of financial reports.

No action was taken as this item was informational only.

DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY OF WEST JORDAN POSITION REGARDING THE TRANSPORTION TAX PROPOSITION ON THE 2015 GENERAL ELECTION (HB362)

Bryce Haderlie explained that the Salt Lake County Council had authorized the question for HB362 to be put on the 2015 ballot. The attached information had been provided by the Utah League of Cities and Towns regarding the involvement that the City could have in the process if it chose to. He was seeking input from the Council so that staff was following their direction on how much information the Council wanted to make available to the West Jordan City voters on the subject. A list of projects that the money (if approved by the voters) would be used for was also provided. More information on the subject was available on the Utah League of Cities and Towns website: www.ulct.org.

Councilmember Haaga pointed out that this was a decision for the public to make and that he intended to stay neutral. He hoped that the rest of the Council would remain neutral as well.

Councilmember Nichols stated that he would not remain neutral. He was glad that the voters would have the opportunity to vote on the matter but felt that the proposed tax was wrong and he hoped that the Council would oppose it.

Councilmember Southworth spoke in opposition to HB362 and asked that the Council do the same. He felt strongly that the individual needs of the City, the County and UTA should not be bundled together in the same plan.

Councilmember McConnehey shared some of Councilmember Southworth's concerns but did not feel the Council should take any official action.

Mayor Rolfe felt the Council should remain completely neutral and let the citizens decide.

Councilmember McConnehey suggested that the City's position should be that it had no position.

Councilmember Haaga repeated his belief that the Council should not take an official position and that if it chose to do so, he would recuse himself.

Bryce Haderlie confirmed with the Council that they wished to have no statement prepared on their behalf or to place any information on the City website.

DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE 15-21, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 1, 'ADMINISTRATION,' CHAPTER 7, REGARDING MAYOR, COUNCIL, CITY MANAGER AND DEPARTMENT HEADS RESPONSIBILITIES; RESOLUTION 15-162, AMENDING THE CITY COUNCIL RULES, POLICIES, AND PROCEDURES

Councilmember Nichols continued this item until September 9, 2015.

DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE 15-26, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 1,

'ADMINISTRATION,' CHAPTER 7, REGARDING MAYOR SALARY AND DUTIES

Councilmember Southworth tabled this item to a date uncertain.

DISCUSSION AND POSSIBLE ACTION REGARDING CLOSED SESSION RECORDINGS

Mayor Rolfe explained that he had a recording of the Closed Session that took place on April 17, 2015, and it was his understanding that it could be released only pursuant to a majority vote of those Councilmembers in attendance at the meeting or in response to a court order. He felt that the recording should be released to the public and wished to know the Council's position.

Councilmember Haaga indicated that as an advocate of transparency he was in support of releasing the recording. He felt the tape would show that the Council unanimously directed the Mayor to do what he did.

Councilmember Southworth pointed out that he had not been present at the meeting in question. He also stated that although he felt the recording should ultimately be released, it might be better to get a legal opinion regarding how its release might affect pending investigations and/or a settlement.

Mayor Rolfe turned his copy of the recording over to City Clerk Melanie S. Briggs for safekeeping, pending a decision about its possible release.

Councilmember Rice indicated a desire to hear the recording prior to its release to the public, stating that she was not confident it had not been altered.

Councilmember McConnehey concurred with the suggestion that the recording should not be released until the conclusion of any investigations. Once those were complete, he stated he would have no objection to the release of the recording.

Councilmember Nichols indicated that he, too, felt the Council should first seek legal advice regarding potential ramifications of the release.

Bryce Haderlie clarified that the Council was in agreement that the three contract attorneys could listen to the recording in order to then provide their legal opinions.

Councilmember Hansen stated her agreement that although the recording should ultimately be released, the matter should first be reviewed by legal counsel.

Councilmember Haaga stated he would at least like to release one portion of the recording sooner rather than later—the portion that would show that the Mayor was given direction by a majority of the Council.

Mayor Rolfe then stated that he was willing to wait another month for it to be released.

CONSENT 7B

APPROVE ORDINANCE 15-22, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE TITLE 4, 'BUSINESS LICENSE REGULATIONS' AND TITLE 6, 'POLICE AND PUBLIC SAFETY,' REGARDING BUSINESS LICENSE FEES AND RENEWALS

Councilmember Haaga inquired if any fees were being increased and Ryan Bradshaw explained that none had been increased.

MOTION: Councilmember Haaga moved to adopt Ordinance 15-22, amending the 2009 West Jordan Municipal Code Title 4, 'Business License Regulations' and Title 6, 'Police and Public Safety,' regarding business license fees and renewals. 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 Rice	Yes
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

CONSENT 7C

APPROVE RESOLUTION 15-164, CONFIRMING THE APPOINTMENT OF COUNCILMEMBER SOPHIE RICE TO SERVE ON THE SALT LAKE COUNTY ASSOCIATION OF MUNICIPAL COUNCILS

Councilmember Haaga stated that he had been appointed by Mayor Rolfe to fill this vacancy since he had been the alternate when Justin Stoker had stepped down. He felt that by recommending Councilmember Rice to fill this vacancy, he had been excluded. He also indicated that when considering a Councilmember for an appointment, perhaps the Council should consider a person's experience, has he/she been in a Council before, has he/she served on a board, etc...?

Councilmember Southworth raised a point of order, stating that Councilmember Haaga had indicated that he would not say anything against anyone specifically and then he proceeded to do so.

Councilmember Haaga went on to say that he felt the Council should reconsider appointing Councilmember Rice and thought that perhaps this was a time when they should come together.

Councilmember Hansen pointed out that she herself had previously been appointed to the County Association of Municipal Councils without any prior experience. Additionally, she stated this was a non-voting but very informative association that met monthly in the middle of the day. Most Councilmembers had full-time jobs that would conflict with that meeting but Councilmember Rice did not.

MOTION: Mayor Rolfe moved to approve Consent item 6c, approving Resolution 15-164, confirming the appointment of Councilmember Sophie Rice to serve on the Salt Lake County Association of Municipal Councils. The motion was seconded by Councilmember Southworth.

A roll call vote was taken

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

The motion passed 6-1.

CONSENT 6I

APPROVE ORDINANCE 15-23, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE TITLE 1, 'ADMINISTRATION,' TITLE 9, 'PUBLIC WORKS, PUBLIC WAYS AND PROPERTY,' REGARDING PARKS DEPARTMENT

Councilmember Haaga stated that he wished to know what the item was about.

Bryce Haderlie explained that the City Council's previous decision to create a Parks Department separate from the Public Works Department and their decision to realign the Administrative Services Department with identifiable divisions under the Assistant City Manager, all required changes to the 2009 City Code. These changes were drafted at or about the time of the actual decisions, but were lost on the desk of the City Attorney because of the press of litigation demands and then the loss of the City Attorney. The proposals included changes to the Public Works Department to strip out the functions being assigned to the new Parks Department. These things were intended to memorialize changes that had previously been made.

Councilmember Haaga expressed a desire to bring the issue back on a future agenda as he had many questions and the meeting had already gone beyond 9:00 p.m.

MOTION: Councilmember Southworth moved to approve Ordinance 15-23, amending the 2009 West Jordan Municipal Code Title 1,

'Administration,' title 9, 'Public Works, Public Ways and Property,' regarding Parks Department. The motion was seconded by Councilmember McConnehey.

Councilmember Haaga asked why Section 1-8A-4 was being deleted from the Code.

Bryce Haderlie responded that the reference to 'Director of Finance' had been eliminated since there was no longer any such position within the City. Instead, there was a Finance Manager. The Finance Department as a whole was under the Administrative Services Department.

Councilmember Haaga asked Deputy City Attorney Robert Thorup if he concurred with Mr. Haderlie's response and he indicated that he did.

Councilmember Haaga asked Bryce to explain what he meant when he used the term *memorialize*.

Bryce Haderlie responded that he meant that the City had already been functioning in a particular capacity. For example, regarding Section 1-8A-3, the Administrative Services Department was created back when Mayor Rolfe took office but the language had never been added to the City Code.

Councilmember Haaga asked Brian Clegg, Parks Director, if he was comfortable with the changes and he responded that he was.

A roll call vote was taken

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

The motion passed 7-0.

X. REMARKS

Councilmember Southworth pointed out that with two small exceptions, the Council had primarily been in agreement during this meeting.

XI. ADJOURN

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

A roll call vote was taken

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

The motion passed 7-0.

The meeting adjourned at 9:10 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 14th day of October 2015

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

Wednesday, September 9, 2015

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

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

STAFF: Mark Palesh, City Manager; Bryce Haderlie, Interim City Manager; Darien Alcorn, Acting City Attorney; Melanie Briggs, City Clerk; David Oka, Economic and Community Development Director; Brian Clegg, Parks Director; Ryan Bradshaw, Finance Manager; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief, Robert Thorup, Deputy City Attorney; Kim Wells, Public Information Officer, and Julie Brown, Events Coordinator.

I. CALL TO ORDER

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

II. 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 Kim V. Rolfe, and Council Members Judy Hansen, Chris McConnehey, Sophie Rice, and Ben Southworth. Council Member Chad Nichols arrived at 5:14 p.m. Council Member Jeff Haaga was excused.

STAFF: Bryce Haderlie, Interim City Manager; Dave Clemence, Real Property Agent; Chad Wooley, Contracted Attorney; Eric Johnson, Contracted Attorney, and Matthew Durham, Attorney with Stoel Rives, LLP.

MOTION: Councilmember Hansen 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. The motion was seconded by Councilmember Southworth and passed 5-0 in favor.

A roll call vote was taken

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

The motion passed 5-0.

The Council convened 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 at 5:01 p.m.

Councilmember Nichols arrived at 5:14 p.m.

The Council recessed the Closed Session at 6:06 p.m.

The meeting reconvened at 6:09 p.m.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Andrew Peterson, Copper Hills High School Vice President.

IV. COMMUNICATIONS

INTERIM CITY MANAGER COMMENTS/REPORTS

Bryce Haderlie –

- Budget books would be placed on the City's website tomorrow and hard copies would be available next week for the Council.

STAFF COMMENTS/REPORTS

Brian Clegg –

- First round of Calsense Irrigation Controllers scheduled to arrive September 21 – 25, 2015, with installation to follow.

Marc McElreath –

- Fire Department Hazmat Team participated in the Salt Lake Valley Olympics with West Jordan winning the trophy.

Doug Diamond –

- Reported that the Police Department had five (5) vacancies.
- Recent testing provided for lateral officers with experience.
- West Jordan Exchange Club to hold ceremony in the City Council Chambers at 8:00 a.m., Friday, September 11, 2015 to remember and honor those who lost their lives on 9/11 ‘Patriot Day.’

CITY COUNCIL COMMENTS/REPORTS

Councilmember Southworth –

- Reminded everyone to attend the Demolition Derby, Saturday, September 10, 2015, in the West Jordan Arena.

Councilmember Nichols –

- Water usage for West Jordan City was up 6.3% in July from the prior year. He asked everyone to conserve water.

Councilmember Hansen –

- Received calls from residents regarding ‘Food Truck Round-up’s’ happenings in other cities. She said this could mean possible sales tax for West Jordan. She requested that staff research this idea to see if this was something that West Jordan City might want to do.
- Joyful Welcome – Hocus Pocus 5K and Stroller Run, October 24, 2015, Jordan Landing, looking for sponsors from the City or individuals. Joyful Welcome provided necessities to new mothers at the hospital, who were unable on their own to provide those necessities.
- Shared her concerns regarding a Council Member addressing the West Jordan Chamber of Commerce with improper behavior and informing them they must follow an agenda item. West Jordan Chamber of Commerce deserved respect from all of their members including City Council Members.

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 items:

- Reported that she was still waiting for an apology from one specific Councilmember to the Mayor, City Council and West Jordan residents.
- Addressed the issue of a rock being brought by a Councilmember to the City Council meeting, which she believed was a lethal weapon.

Councilmember Southworth called a point of order to remind those in attendance that the Council maintains the decorum of the meeting. He asked that Ms. Eframo to be kind with her comments.

Alexandra Eframo

- Commented on the Chamber of Commerce being ineffective, and felt the City Council had the authority to voice their comments.

Steven Jones, West Jordan resident, voiced his concerns regarding the proposed City Manager's agreement concerning the section on Conflict of Interest. He wanted the City's full-time manager to be focused on West Jordan, not outside endeavors. He also felt the proposed executive leave for the City Manager was excessive.

He also commented on the construction work being done on the 7000 South Stormdrain project, he felt the contractor's safety and housekeeping was poor. He appreciated City staff following up on his concerns.

Mr. Jones agreed with the current form of government in West Jordan, and supported Mayor Rolfe.

Hayden Lowry, Copper Hills High School, Student Body President, Griffin Bolton, Public Relations Officer, and Andrew Peterson, Vice Student President invited the Mayor and City Council to Copper Hills High Homecoming festivities:

- Thursday, September 24, 2015, at 7:00 p.m.
 - Parade
 - Burning of the CH
- Friday, September 25, 2015, at 5:00 p.m.
 - Tailgate Party
 - Football game

They requested the Mayor present the game ball.

Mayor Rolfe could not be in attendance to present the game ball; however, Mayor Pro-tem Hansen would be in attendance.

Jerry Ong, West Jordan resident, State Director for Youth Sports for softball and basketball, proposed bringing softball back to West Jordan. He said their organization was under United State Specialty Sports Association (USSSA). He provided the following information:

- Who is USSSA
 - Stands for United State Specialty Sports Association
 - Membership of 4 Million participants in 13 sports
 - Owns the Professional Fastpitch team the PRIDE, with 4 USA Olympians on the roster
 - The largest men's Slowpitch organization in the world
 - Manages their own magazine the USSSA Today

- Owns the online streaming system USSSA Live
- Headquarters based in Kissimmee, Florida
- Utah's Booming City – West Jordan
 - We have a growing need for softball/baseball facilities
 - Maximize current diamonds in the City
 - Positive revenues for support businesses
 - Showcase West Jordan's new facilities – Regional park, new library, Commercial/manufacturing center
 - Opportunities to bring more hotel growth
 - Changing perceptions of the 'west' side
- Built it and They Will Come
 - USSSA currently was expanding at double digit rates across the country, the West was our new Gold Rush
 - Utah alone grew 46% in 2015 without a complex
 - West Jordan had more park space which could become a sports mecca to rival the Soccer Complex
 - We currently have 185 plus youth competition teams and 3 unstoppable Copper Hills High School teams
- USSSA Visions
 - Community, Competition and Education
 - Field of Dreams support
 - Gene Fullmer, Ron Wood and Veteran's Park Clinics
 - College Preparation for Recruiting
 - 1-3 tournaments per month
 - Early single-day Spring events (March) Full Summer Multi-day events June-Aug, Fall Ball events Sept/Oct.
 - Worlds/National Invitation Site possibility
- Going Forward
 - Work out rental budgets for October
 - Establish relationships with Cal Ripken
 - Create dates for 2016 season
 - Establish and support a maintenance program
 - USSSA support for field improvements
 - Establish multi-year agreement for complexes
 - Social media coverage for West Jordan's return to Softball

Councilmember Southworth supported bringing softball to West Jordan. He said West Jordan residents were tired of going to other cities to support softball.

Kathy Edwards, Joyful Welcome secretary, followed-up on comments made earlier regarding the 'Joyful Welcome 5K and Stroller run.' She said the City required a permit and police personnel to hold this kind of event. She said Joyful Welcome was a non-profit group and asked West Jordan City to sponsor this event.

The Council agreed to have this item placed on next week's agenda as a consent item.

Clive Killpack, West Jordan resident, spoke in favor of sporting events in West Jordan. However, he spoke against the parking associated with sporting events especially in his neighborhood. He questioned whether parking along the east and west side of 4000 West in his neighborhood was still permitted.

Mike Kellermeyer, West Jordan resident, extended his appreciation to Councilmember Southworth for his service to the City. He announced that he was a candidate in the upcoming election and would be listed on the ballot as a write-in.

Dirk Burton, West Jordan resident, said that Kathy Edwards, who spoke earlier, was hoping the Council would make a decision on her request during this meeting.

Councilmember McConnehey reported that in order for the Council to take action on an item which affects the budget, it must be agenized.

There was no one else who wished to speak.

VI. CONSENT ITEMS

- a. Approve the minutes of August 12, 2015, and August 26, 2015 as presented**
- b. Approve a request for alcohol at Pioneer Hall for renters of Pioneer Hall on December 18, 2015, and direct staff to complete the Pioneer Hall reservation**
- c. Approve a request for alcohol at Pioneer Hall for renters of Pioneer Hall on April 23, 2015, and direct staff to complete the Pioneer Hall reservation**
- d. Approve Resolution 15-172, authorizing the Mayor to execute a Memorandum of Understanding (MOU) with the United States Secret Services for the reimbursement of certain overtime costs and other expenses pursuant to 31 USC 9703**
- e. Approve Resolution 15-173, authorizing the Mayor to execute a contract with Counterpoint Construction Company, Inc. to construct a Pressure Reducing Station at 8600 South 6120 West in an amount not to exceed \$138,297.00**
- f. Approve Resolution 15-174, authorizing the Mayor to execute a contract with C & C Contractors, dba Parkin Tennis Courts, for the construction of two tennis courts, in an amount not to exceed \$109,000.00**

- g. Approve Ordinance 15-27, amending the 2009 West Jordan Municipal Code Title 1, 'Administration,' Chapter 12 'Employee Discharge Appeal Board,' regarding membership**
- h. Approve Resolution 15-175, authorizing the Mayor to execute Amendment No. 2 to the Professional Services Agreement with JRCA Architects for additional design services requested by the Planning Department, in the amount of \$1,660.00**
- i. Approve Resolution 15-176, authorizing the Mayor to execute an Agreement with Active Network, LLC, for Reservation Software, in an amount not to exceed \$12,000 per year**
- j. Approve Resolution 15-177, authorizing the Mayor to execute a letter amending the Development Agreement for Loneview North Subdivision**

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

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

A roll call vote was taken

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

The motion passed 6-0.

VII. PUBLIC HEARINGS

CONTINUED FROM AUGUST 25, 2015 – RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL RESOLUTION 15-146, AMENDING THE FISCAL YEAR 2015-2016 SALARY SCHEDULE

Bryce Haderlie said the changes on the salary schedule were mostly a reflection of past decisions of the Council and had been broken down to five different sections.

On June 10, 2015, the Mayor and Council approved changes to some positions in order to keep them in line with the Competitive Plus Advantage Strategy that the City was following. Each year Human Resources would continue to review jobs and make recommendations in order to ensure that the City remained competitive with the market.

Also on June 10, 2015, the Mayor and Council approved changes to consolidate some positions that no longer qualify under the City Career Ladder Program. Some new positions were also added under the Career Ladder Program.

Various job reclassifications had been discussed with and approved by the Mayor and Council throughout the year as the needs of departments grow and change.

The miscellaneous changes were other "housekeeping" type issues reflecting minor changes that become necessary throughout the year.

Staff reported that none of the proposed changes would have any fiscal impact that had not been previously approved by the Mayor and Council for fiscal year 2015-2016.

Staff recommended approval of the proposed Resolution amending the Salary Schedule for City employees for fiscal year 2015-2016.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, spoke against the proposed Interim/Assistance City Manager's increase. She asked the Council to reduce or eliminate the requested increase of \$44,000.

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

Councilmember McConnehey recused himself due to a conflict of interest.

MOTION: Councilmember Southworth moved to approve Resolution 15-146, amending the Salary Schedule for fiscal year 2015-2016. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Haaga	Absent
Councilmember Hansen	Yes
Councilmember McConnehey	Abstain
Councilmember Nichols	Yes
Councilmember Rice	Yes
Councilmember Southworth	Yes
Mayor Rolfe	No

The motion passed 4-1.

VIII. BUSINESS ITEM

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-178, CONFIRMING THE CITY COUNCIL'S APPOINTMENT OF MARK R. PALESH AS THE CITY MANAGER; AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT, AND ADMINISTER THE OATH OF OFFICE

It was reported in the Council's agenda packet that the City Council completed an extensive search for an individual to serve as City Manager for West Jordan. On Wednesday, August 26, 2015, the City Council held a public meeting to interview the top four candidates. After conducting the hour-long public interview for each candidate, and then one-on-one interviews with Councilmembers', the Council held a closed session to deliberate.

The City Council desired to appoint Mark R. Palesh as the City Manager, and approve the employment agreement between the City of West Jordan and Mark R. Palesh.

MOTION: Councilmember Southworth moved to approve Resolution 15-178, confirming the appointment of Mark R. Palesh as City Manager; and authorizing the Mayor to execute an Employment Agreement between the City of West Jordan and Mark R. Palesh; and administer the Oath of Office. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

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

The motion passed 6-0.

Melanie Briggs, City Clerk, administered the Oath of Office. The City Council welcomed Mark R. Palesh as the new City Manager.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-179, DIRECTING STAFF TO SET THE EFFECTIVE DATE FOR THE STORMWATER ERU THAT WAS APPROVED AUGUST 12, 2015

Wendell Rigby said on August 12, 2015, the City Council approved changes to the way that the stormwater ERU was calculated. During that discussion, no direction was given regarding an effective date for implementation. Without specific guidance, City staff took the steps to implement the change immediately. The soonest that the change would be made was on the September commercial utility bill. As a matter of customer service, a

bill insert was prepared and sent with the August commercial utility bills informing people of the change and providing them a contact for questions.

Need:

City Councilmembers had suggested that it would be better to give businesses more time to understand the change and be able to better plan and budget for the change starting at the next calendar year.

Impact:

Revenue from the ERU change was intended to be used to cover bonding for the 7000 South storm drain project and deepening of Constitution Park. Authorization was given by the City Council on August 26, 2015 to proceed with design of the project that was scheduled to go out to bid in January and to begin as soon as weather permits. Typically, going out to bid on large projects in the winter, receive lower bid amounts as contractors look to fill their construction schedule. Projects that get bid later in the spring or summer risk higher costs from contractors that were already busy. The bonding for the construction costs for Phase 1 of the 7000 South improvements would take place approximately 120-days after implementation of the ERU change. Bonding companies expect two months of data for evaluation with an additional 45-days for bond processing. That would push the bidding of the 7000 South project into the middle of the spring. There may be an option to estimate revenue for bonding purposes, but there was a level of risk with the bonding company if the estimated values deviate too much from actual.

Staff reported that the fiscal impact to the City was the estimated loss of about \$320,000 revenue into the stormwater enterprise account by deferring implementation by four months until January of 2016. Potentially, there would be increased construction costs by delaying bidding of 7000 South project.

Staff had no recommendation.

Councilmember McConnehey said earlier when this was discussed he wanted to make sure everyone was paying their fair share. He felt those effected by the increase should be provided time to adjust. He suggested waiting until January 1, 2016, for implementation.

Councilmember Southworth agreed with Councilmember McConnehey to wait until January 1, 2016. He felt this would provide businesses time to adjust to the change.

Mayor Rolfe supported making the implementation date January 1, 2016. However, he asked staff to bring back a bond structure that would start January 1, 2016, so the project already designed could move forward.

MOTION: Councilmember Nichols moved to adopt Resolution 15-179, directing staff to set the effective date for the stormwater ERU change to January 1, 2016; and direct staff to proceed with a bonding design and

process prior to January 1, 2016. The motion was seconded by Councilmember Rice.

A roll call vote was taken

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

The motion passed 6-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 15-180, AUTHORIZING THE MAYOR TO EXECUTE A MUTUAL SETTLEMENT AND RELEASE OF ALL CLAIMS AGREEMENT WITH JEFFERY ROBINSON, IN AN AMOUNT NOT TO EXCEED \$103,000

MOTION: Councilmember Southworth moved to table this item to a date to be determined by City Manager and legal staff. The motion was seconded by Councilmember Hansen.

Councilmember Nichols spoke against the motion. He was ready to move forward with the proposed settlement and agreement.

A roll call vote was taken

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

The motion passed 4-2.

CONSENT ITEM 6.G

APPROVE ORDINANCE 15-27, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE TITLE 1, 'ADMINISTRATION,' CHAPTER 12 'EMPLOYEE DISCHARGE APPEAL BOARD,' REGARDING MEMBERSHIP

Robert Thorup provided the following information:

The Employee Discharge Appeal Board

Title 1, Chapter 12 of the 2009 City Code created the City's Employee Discharge Appeal Board. This Board hears employee appeals of discharge, suspension or involuntary transfer decisions of their department heads. In addition to employee discharges resulting from the employee discipline process outlined in the Employee Handbook, discharges resulting from reductions in force (RIF) can also be appealed to the Board. The Board heard appeals *de novo*, which means "anew" and without regard to the decision of the department heard. Witnesses were heard and documentary evidence was presented and received.

Importantly the Board's decision can be appealed to the Utah Court of Appeals. This was the only agency of the City with a direct appeal to the courts without a first stop at the City Council. This was pursuant to the requirements of the Utah Code.

Membership

Currently two employees were elected to serve on the Board, one Department Head was appointed by the City Manager, and two members of the City Council were appointed by the City Council. It was proposed that the City Council members be removed from the Board, and that the employee members and the Department Head members each get one more seat.

The recent experience in the Finlayson case showed the wisdom of these changes. Of the two Council Members appointed to the Board, only one was able to consistently attend the hearings. The one Council Member who regularly attended required that the hearings take place after regular business hours to accommodate his full time job. This "after hours" hearing process resulted in hearings lasting well into the early morning hours, which was a physical burden on witnesses, the employee and the staff, as well as the other members of the Board.

Council Members have great demands on their time and, in most cases, were holding down full time jobs at the same time. Staff believed that Council Members should be spared from Board service for their sake as well as for the sake of the other participants. Moreover having more employees on the Board gave a better sense of review by peers, and a feeling of participation by the employees generally, while also increasing the roles and participation of management. These changes would also reduce the compensatory time and overtime costs of these hearings, given that all hearings could be scheduled during the business day.

Speeding Up the Process

Currently the City Code allowed the Board appeals to take an undetermined amount of time. The recent Finlayson appeal covered a six-month period, and was full of delays and surprises with respect to witness lists and exhibits. The proposed amendments create a 120-day maximum period between the start of the appeal and the date of the hearing. This could happen as quickly as 90 days. There were specific dates provided for the sharing of witness lists and exhibits.

In connection with reductions in force (RIF) actions, times were shortened even more, allowing the City to have a rapid resolution of a RIF appeal, and limiting the RIF appeal to only certain issues.

Empowering the Board

The amendments empower the Board to conduct its hearings efficiently. The Board would now have the ability to limit the amount of time the hearing would take, within reason, and thus limiting the amount of time allowed for each witness.

Increasing the Scope of Review

In addition to the current scope of review, whether the discharge, suspension or involuntary transfer was supported by a justifiable cause, the amendments allow an employee to appeal if the discharge, suspension or involuntary transfer was not proportional to the offenses charged and to appeal if the discharge, suspension or involuntary transfer was harsher than discipline meted out to other employees for the same or similar offense. This change empowers employees to seek review on all issues now being reviewed by the Court of Appeals.

Allowing the City to Go First

The Finlayson case showed how a hearing could be made more complicated and lengthy if the appealing employee was allowed to go first in presenting evidence. The amendments change the order to call upon the City to go first. The employee still had the burden of proof, and would be allowed to give opening and closing statements first and to follow for rebuttal time. These changes would streamline the hearing and aid the Board in understanding the issues in the case.

Outside Legal Counsel for the Board

In the Finlayson appeal, the City Attorney undertook to obtain an attorney to advise the Board during the hearing. This was important given the large amount of legal wrangling that took place, and this decision freed the City Attorney's office to represent the City at the hearing. The amendments require the City Attorney to arrange for such legal help for the Board.

Staff believed that there would be no adverse fiscal impact for the proposed text amendments. If the changes were made, savings could be expected in overtime compensation.

Staff recommended approval of the proposed 2009 City Code amendments.

Councilmember Southworth voiced his concerns regarding removing the City Council Members and replacing them with City employees. He asked if there was precedence of, or the ability, or would it make sense to have someone from a neighboring city be involved with this Board for these types of reviews.

Robert Thorup felt it would not be an issue having someone from a different city on the Board, if it was the will of the City Council. He said with Council Members holding full-time jobs, hearings were continuing late into the night. He reported that Board Hearings were an executive function of the City. He felt the current Board employees were extremely diligent and fair.

Councilmember McConnehey struggled with changing an ordinance due to scheduling issues. He commented on the various assignments happening during the daytime hours where Councilmembers were in attendance. He opposed the change.

Councilmember Nichols said with the appeal process the importance was having several people involved in order to get different opinions.

MOTION: Councilmember Nichols moved to approve Consent Item 6.g., approving Ordinance 15-27, amending the 2009 West Jordan Municipal Code Title 1, 'Administration,' Chapter 12 'Employee Discharge Appeal Board,' regarding membership with an amendment to have one Council Member on the Appeal Board. The motion was seconded by Councilmember Southworth.

Mayor Rolfe spoke against the motion. He suggested a friendly amendment of placing at least one Council Member on the Appeal Board.

The friendly amendment was accepted.

A roll call vote was taken

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

The motion passed 5-1.

IX. REMARKS

There were no remarks.

X. ADJOURN

MOTION: Councilmember Hansen moved to reconvene the 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, after a 5 to 10 minute recess; and adjourn from there. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

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

The motion passed 6-0.

The Council recessed the meeting at 7:09 p.m.

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

STAFF: Mark R. Palesh, City Manager; Bryce Haderlie, Assistance City Manager, and Chad Wooley, Contracted Attorney.

The Closed Session reconvened at 7:20 p.m. 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.

The meeting adjourned at 8:00 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 14th day of October 2015

DRAFT

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

Wednesday, September 23, 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, Sophie Rice. Council Member Ben Southworth arrived at 6:23 p.m.

STAFF: Mark R. Palesh, City Manager, Bryce Haderlie, Assistant City Manager; Darien Alcorn, Acting City Attorney; Melanie Briggs, City Clerk; David Oka, Economic Development Director; Brian Clegg, Parks Director; Ryan Bradshaw, Finance Manager; Justin Stoker, Deputy Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Scott Langford, City Planner; Ray McCandless, Senior Planner; Jim Riding, CIP/Facilities Project Manager; Julie Brown, Events Coordinator; Tim Heyrend, Engineer; Kyle Shepherd, Deputy Police Chief; Richard Davis, Deputy Police Chief, and Betty Naylor, Utilities.

I. CALL TO ORDER

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

II. CLOSED SESSION

STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION; STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES.

COUNCIL: Mayor Kim V. Rolfe, and Council Members Jeff Haaga, Chris M. McConnehey, and Sophie Rice. Council Member Judy Hansen arrived at 5:05 p.m., Council Member Nichols arrived at 5:14 p.m., and Ben Southworth arrived at 6:23 p.m.

STAFF: Mark R. Palesh, City Manager, Bryce Haderlie, Assistant City Manager, Tracy Cowdell, Contracted Attorney, and Chad Woolley, Contracted Attorney.

MOTION: Councilmember Rice moved to go into a Closed 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. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

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

The motion passed 4-0.

The Council convened into a Closed Session to discuss pending or reasonably imminent litigation and the purchase, exchange, or lease of real property, including any form of a water right or water shares at 5:02 p.m.

Councilmember Hansen arrived at 5:05 p.m.

Councilmember Nichols arrived at 5:14 p.m.

The Council recessed the Closed Session at 6:01 p.m.

The meeting reconvened at 6:03 p.m.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kevin Mertin.

IV. PRESENTATION

UPDATE REGARDING THE OSMOND'S PIONEER DAY CELEBRATION HELD JULY 23-24, 2015.

Justin Osmond provided a brief update on the Celebration that was held over the summer. He expressed his families' appreciation for the City allowing the event to take place in the City Park. He presented a brief video to those in attendance.

V. COMMUNICATIONS

CITY MANAGER COMMENTS/REPORTS

Mark R Palesh –

- Addressed the final budget and what the Council could expect it to contain in the future.

- Stated there would be both monthly and quarterly financial reports to the Council in a different format.
- Addressed the proposed parking changes at City Hall as well as plans to replant trees in the area. He stated that he would be bringing forth a budget amendment with further details.

STAFF COMMENTS/REPORTS

Bryce Haderlie –

- Addressed upcoming City events
- Announced that he would be leaving West Jordan as he had accepted a position with Cottonwood Heights. He expressed his appreciation to the Council, staff, and the residents of the City.

Brian Clegg-

- Work had begun on the first of nine playgrounds that would be replaced in the City.
- Tennis courts at Teton Estates and Jordan Meadows Park were being resurfaced.

Ryan Bradshaw-

- Annual audit would be starting on October 5.
- Hoped to have the Comprehensive Annual Financial Report (CAFR) to the Council sooner than in the past.

Justin Stoker-

- Close out on 5600 West had begun (between 7000 South and 6300 South). Budget preparations were underway for the next phase of the project—between 7800 South and 5600 South.
- Sink hole problems had recently developed in the area of 7800 South 3200 West. A pipe in the area was found to be in very poor condition. They would soon be bringing forth a request for an expedited repair project.
- A leak had been found in Bateman Pond. Staff had been drawing down the dam in order to investigate the cause of the leak.
- Regarding the LED street lights project, there had been a number of unforeseen delays. A selection committee would be meeting the following week to review the final proposals.

Councilmember McConnehey inquired when the dam at Bateman Pond had been constructed. He also wished to know the cost of repair.

Justin Stoker explained that the dam had been built in 2012 and that without understanding what caused the failure, it was not yet possible to estimate repair costs. An investigation was set to begin the following week.

Marc McElreath –

- He was recently elected to serve on the executive board of the Utah State Fire Chiefs Association. Therefore he would have the opportunity to represent the City at the state level.

Doug Diamond-

- Utah Police Officers Association recently held K-9 trials. West Jordan was represented by three teams at the competition and won a total of sixteen trophies.

Councilmember Southworth arrived at 6:23 p.m.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Hansen –

- Was recently honored to attend an award ceremony at West Jordan Elementary as they received the Lighthouse Award for excellence. She had been very impressed with the students and teachers that she met
- Had been contacted by several staff regarding the recent I.T. problems. Suggested it might be time to hire a consultant to help identify the problem

Councilmember Nichols –

- Stated he would save his comments until the end of the meeting

Councilmember Rice –

- Had heard from citizens who felt there was a need for additional traffic signaling or signage at the intersections of 5600 W 8200 South and also where Jordan Landing Boulevard met Center View Way.
- Wished to renew discussions regarding open space and improvements in the Stone Creek area
- Residents of Loneview had inquired as to what options they had in order to bring about improved amenities in their special assessment area.

Mayor Rolfe-

- He and the City Manager had made a presentation earlier in the day to the Salt Lake Board of Realtors. He expressed his appreciation to the many staff members, specifically Kim Wells and Michael Oliver, who made the presentation possible. He indicated that it was far superior to presentations made by other cities.

VI. CITIZEN COMMENTS

Alexandra Eframo, West Jordan resident, asked the group to pause to reflect upon common goals before beginning the business of the meeting. Indicated she continued to wait for an apology from a particular councilmember. A psychologist had told her that perhaps the person had such a big ego...

Councilmember Nichols raised a point of order, stating that the Council had heard this speech repeatedly and that it had become a personal attack. If it was brought up again he would make a motion to have Ms. Eframo removed from the meeting.

Councilmember Haaga expressed his disagreement and stated that Ms. Eframo had a right to speak.

Councilmember Nichols responded that she was free to speak but could not personally attack others.

Alexandra Eframo continued by saying it was how she felt and that she would continue. If she was dismissed, so be it. She spoke in opposition to political candidates posting signs in an illegal manner.

Betty Naylor, West Jordan resident, stated that she was recently appointed by the Governor to serve as Vice Chairperson on the Utah Safe Drinking Water Board. She indicated that she was pleased to serve both the City of West Jordan and Utah as a whole.

Hugie Lugen, a Salt Lake resident and former employee of Jordan School District felt he had been wrongfully terminated by the district. He requested that the Council use their influence with the district and the Utah Board of Education on his behalf.

There was no one else who wished to speak.

VII. CONSENT ITEMS

- a. Approve Resolution 15-181, authorizing the Mayor to execute an Interlocal Cooperation Agreement with Salt Lake County for the Way Finding Signage project along the Jordan River**
- b. Approve Resolution 15-182, authorizing the Mayor to execute an Interlocal Cooperation Agreement between the City of West Jordan and the Jordan River Commission, amending the 2010 agreement**
- c. Approve Resolution 15-183, authorizing the Mayor to execute an Amendment to the Historical Museum Lease Agreement**
- d. Approve Resolution 15-184, authorizing the Mayor to execute an Interlocal Cooperation Agreement regarding a Mutual Aid Agreement**
- e. Approve Resolution 15-185, authorizing the Mayor to execute an Interlocal Cooperation Agreement regarding the formation of a Task Force for officer-involved critical incidents**

Councilmember Rice pulled Consent Item 7b to a future date.

MOTION: Councilmember Southworth moved to approve all the Consent Items except 7b. The motion was seconded by Councilmember Rice.

A roll call vote was taken

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

The motion passed 7-0.

VIII. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 15-28, REGARDING A REZONE OF APPROXIMATELY 738.694 ACRES FROM P-F (PUBLIC FACILITIES) TO A-SP (AIRPORT – SPECIAL PURPOSE) ZONE, FOR SOUTH VALLEY REGIONAL AIRPORT PROPERTY LOCATED AT 6200 SOUTH – 7800 SOUTH AIRPORT ROAD, CITY OF WEST JORDAN, APPLICANT

David Oka explained that on October 22, 2014, the City Council adopted the Airport Special Purpose (A-SP) zoning district in anticipation of rezoning the South Valley Regional Airport from its current Public Facilities (P-F) zoning to a zoning district specific to airport operations and related facilities. The A-SP zoning district was designed to accommodate airport related support and service industries.

The Salt Lake Department of Airports Planning division worked with West Jordan City in developing the A-SP ordinance and supported rezoning the property to the A-SP zoning district as noted in the attached letter (Exhibit D).

On August 18, 2015, the Planning Commission reviewed this item and in a 5-0 vote, recommended approval of the rezoning request.

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

Prior to approving an amendment to the Zoning Map, the City Council should 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 2012 Comprehensive General Plan contains several goals and polices that support the request as follows:

Policy 1. Work in close cooperation with the Salt Lake Airport Authority to develop South Valley Regional Airport to its highest potential and establish an environment surrounding the airport that is attractive to airport related service and support industries. Public Facilities: (page 52)

Opportunities for increasing employment in the city are located near transit stations, interchanges along the Mountain View Corridor, Redwood Road, and the South Valley Regional Airport. Economic Development: (page 148)

The General Plan is supportive of developing the airport to its highest potential and zoning the airport to an A-SP zoning district facilitates this goal.

Finding: The proposed amendment is 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: The proposed amendment will not adversely affect adjacent properties. It simply changes the zoning on the property that is more consistent with the existing land use.

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 amendment does not adversely affect public health or safety. General welfare of the citizens of the city is improved as the proposed rezone supports development of the airport to its highest potential which benefits the city.

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: Police, fire, water, sewer and roadway public services and infrastructure will not be affected by the proposed Zoning Map Amendment.

Finding: 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.

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

Discussion: The property is located within the Airport Overlay zone which will not be affected by rezoning the property.

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

The proposed Zoning Map Amendment to rezone the South Valley Regional Airport property to the A-SP zoning district was warranted and was not contrary to any current goals and policies in the General Plan or conflicting with Title 13 (Zoning Ordinance) of the Municipal Code.

There was no anticipated fiscal impact.

Staff recommended that the City Council approve the proposed rezone as recommended by the Planning Commission.

Mayor Rolfe opened the public hearing.

Madison Taylor, West Jordan resident, inquired as to how residents on the east side of the airport would be affected.

David Oka explained that there should be no effect to area residents.

Mark Panos, West Jordan resident, asked for the reasoning behind the rezone.

Scott Langford, City Planner, gave a brief synopsis of the information contained in the staff report.

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

MOTION: Councilmember McConnehey moved to approve Ordinance 15-28, rezoning the South Valley Regional Airport property located at approximately 7001 South Airport Road from a P-F (Public Facilities) Zone to an A-SP (Airport Special Purpose) Zone. The motion was seconded by Councilmember Rice.

A roll call vote was taken

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

The motion passed 7-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
 ORDINANCE 15-29, REGARDING A REZONE OF APPROXIMATELY 0.3
 ACRES FROM RR-1A (RURAL RESIDENTIAL) TO SC-1
 (NEIGHBORHOOD COMMERCIAL) AND 0.7 ACRES FROM RR-1A TO
 R-1-10D (SINGLE FAMILY RESIDENTIAL, 10,000 SQUARE FOOT
 MINIMUM LOTS), KIT ERICKSON, APPLICANT**

David Oka turned the time over to Ray McCandless who explained that the subject property was currently zoned RR-1A, Rural Residential 1 acre minimum lot size. It was also in the RWO, Redwood Road Overlay which allowed limited commercial land uses. There was an existing single-family dwelling on the property that the applicant was in the process of converting to an insurance office. The applicant was requesting to rezone the front portion of the property (approximately 175') to SC-1 (Neighborhood Commercial) and the rear portion of the lot (approximately 434') to R-1-10D to make the property consistent with the Future Land Use Map of the General Plan. The rezoning was also being requested in part to accommodate a larger monument sign in front of the insurance office than would be allowed in the RR-1A zone.

Surrounding zoning and land uses:

	Existing Land Use	Zoning	Land Use Designation
North	Residential	R-1-10D/SC-1	Medium Density Residential/Neighborhood Commercial
South	Residential	R-1-10F	Medium Density Residential

East	Professional Office	P-O	Professional Office
West	Residential	R-1-10F	Medium Density Residential

On September 1, 2015, the Planning Commission reviewed this item and in a 6-1 vote, recommended approval of the rezoning request (Exhibit E).

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

Prior to amending the Zoning Map, 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: The 2012 Comprehensive General Plan contains goals and polices that support the request as follows:

Goal 2. Continually and consistently update the Future Land Use Map, Zoning Map and Zoning Ordinance for ease of reference and administration. (page 19)

Policy 2. The Zoning Map should accurately depict actual or intended land uses and the Zoning Ordinance shall incorporate any new or modified zoning classifications and the requirements therein when they are proposed. (page 19)

Rezoning the property will make the zoning consistent with the land use designation shown on the Future Land Use Map and will better reflect the proposed use of the property as a business.

Finding: The proposed amendment is 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: The proposed rezoning will not adversely affect adjacent properties. The R-1-10D zoning will be consistent with the R-1-10F zoning to the south and the R-1-10D zoning to the north. The SC-1 zoning on Redwood Road will be consistent with the SC-1 zoning on the property to the north as shown on the attached Proposed Zoning map (Exhibit D).

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 amendment does not adversely affect public health, safety, or general welfare of the citizens of the City.

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: Police, fire, water, sewer and roadway public services and infrastructure will not be affected by the proposed Zoning Map Amendment.

Finding: 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.

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

Discussion: The property is located within the Redwood Road Corridor Overlay (RWO). The area to be zoned R-1-10D is currently vacant but may be developed as single-family residential or another allowed use as permitted by the RWO overlay sometime in the future.

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

The proposed Zoning Map Amendment to rezone the property from RR-1D to the SC-1 and R-1-10D zoning districts was warranted and was not contrary to any current goals and policies in the General Plan or conflicting with Title 13 (Zoning Ordinance) of the Municipal Code.

There was no anticipated fiscal impact.

Staff recommended that the City Council approve the proposed rezone as recommended by the Planning Commission.

Councilmember Haaga disclosed that the property in question was adjacent to his home and that he would be voting on the issue.

Councilmember Nichols disclosed that he was a friend of the applicant but felt he would have no difficulty remaining objective on the issue.

Councilmember Hansen explained that although she initially had some concerns about this rezone, she had since met with Mr. McCandless who explained that the property would remain vacant until it was combined with other parcels and then subdivided.

Mayor Rolfe opened the public hearing.

Kit Erickson, applicant, explained that when he purchased the property, he was told that it was zoned for commercial. Also, the Future Land Use map listed it as commercially zoned. They set up their business with that understanding and their business license was currently pending.

Councilmember Nichols confirmed with Mr. Erickson that he had a West Jordan business license for the previous twelve years at a different address within the City.

Councilmember Haaga expressed a concern about what Mr. Erickson might do to the rear portion of the property.

Mr. Erickson indicated that he had no plans for that portion and expected to leave it alone for the foreseeable future.

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

MOTION: Councilmember Southworth moved to approve Ordinance 15-29, amending the Zoning map for property located at approximately 8732 South Redwood Road from a RR-1A (Rural Residential 1-acre lots) zone to a SC-1 (Neighborhood Commercial) and R-1-10D (Single family residential 10,000 square foot minimum lots) zone. The motion was seconded by Councilmember Hansen.

Councilmember Haaga wished to attach a conditional use amendment as it pertained to future use of the property.

Councilmember Southworth declined to amend his motion, stating this property was a residential island amid a commercial zone and the rezone made sense. He also pointed out that there was an extensive public process in place should the property-owner wish to further develop the land.

Councilmember Haaga spoke against the motion.

Mayor Rolfe pointed out to the public that the Council was unable to make a change that was immune from modification by a future Council.

A roll call vote was taken

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

The motion passed 6-1.

IX. BUSINESS ITEM
DISCUSSION AND POSSIBLE ACTION REGARDING THE
STORMWATER DRAINAGE MASTER PLAN

Justin Stoker turned the time over to Greg Poole of the engineering firm Hansen, Allen & Luce, Inc. He explained that the Annual Stormwater Report for the 2014-2015 Fiscal Year showed continuing efforts by staff to comply with the City's Utah Pollution Discharge and Elimination System (UPDES) permit. The City sought to remain in compliance with the UPDES permit by maintaining and cleaning pipes, detention basin inspections and cleaning, inspections of construction sites, review of new developments for hydrology and hydraulic compliance, and dry weather screening of storm drains for illicit discharge detection. The City was required to implement increased inspections of permanent Stormwater facilities such as detention basins, and separators including those privately operated. In addition, system cleaning and maintenance of pipelines was required yearly.

Recent additions of a TV video truck, Vactor truck, and additional operators had helped operations to clean additional pipelines this year. There was also an increase in contractor compliance with Stormwater pollution prevention plans, and reductions in sediment discharges to the Stormwater system. Also, a project was completed by the construction division and the capital projects group to install storm pipe in a neighborhood that experienced flooding in the past. This project had alleviated the flooding to date. Additional capital storm projects were currently underway to address shortcomings of the existing storm drainage system.

Councilmember Haaga left the meeting at 6:57 p.m.

The Council asked clarifying questions.

Councilmember Haaga returned at 7:04 p.m.

MOTION: Councilmember McConnehey moved to direct staff to prepare for the public open house to receive public comments on the Draft Storm Drainage Master Plan and to have staff work with the consultant to prepare an updated Storm Drain Capital Facility Plan. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

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

The motion passed 7-0.

DISCUSSION AND POSSIBLE ACTION REGARDING THE SECONDARY WATER MASTER PLAN UPDATE

Justin Stoker explained that in 2006, the City prepared a Secondary Water Master Plan and evaluated the feasibility of a secondary water system. To date, the City only operated a system that provided secondary water to residential or commercial areas of the City. Some residential developments located west of 4800 West contained secondary water system piping throughout the development (dry pipes). The engineering consulting firm of Hansen, Allen and Luce, Inc. (HAL) was contracted to update the City's Secondary Water Master Plan, outline several options to provide secondary water to portions of the City and evaluate the feasibility of implementing a secondary water system that would serve undeveloped, low-density areas, parks and schools west of 5600 West including existing subdivisions west of 4800 West that had existing "dry pipe" systems installed.

This presentation was for informational purposes and for preliminary acceptance of the Master Plan. As part of the master planning process, following Council acceptance the plan must be presented to the public in an open house to receive comments. Currently the open house was scheduled to happen between the end of September and the beginning of October at Sunset Ridge Middle School. We were waiting for the school district to give final approval on one of several proposed dates.

Following the open house, the Master Plan would be brought back to Council for final discussion, approval and implementation.

A hard copy of the Secondary Water Master Plan Update was available for review at the City Clerk's office or digitally on the Global drive – G:\Free Space\Council PPT Presentations\Secondary Water MP.

Councilmember McConnehey inquired about whether or not there could be some cost savings by coordinating the 7000 South work since it was already torn up for Stormwater improvements.

Councilmember Hansen left the meeting at 7:10 p.m.

Justin Stoker responded that the plan included such a coordination of work. To do otherwise would add approximately \$20 million to the cost.

Mayor Rolfe expressed his belief that Option 1/Alternate 1 should *not* be an option and that a hybrid of Option 2 would be best. He also stated that all new construction on the upper west side should be addressed in the plan.

Councilmember Nichols pointed out that Utah's population—and therefore our water usage-- was projected to double by the year 2060. It was also projected that by 2035, Jordan Valley Water Conservancy District would need a new water supply beyond what was currently available. The District and the State had come up with a solution that would cost \$1.7 billion and the communities on the west side of Salt Lake County—including West Jordan-- would be responsible for \$386 million of that. The cost of Option 1 was comparable to that figure. Therefore it might be unwise to dismiss that Option completely.

Councilmember Hansen returned to the meeting at 7:15 p.m.

MOTION: Councilmember Nichols moved to accept the draft version of the West Jordan Secondary Water Master Plan and direct staff to hold the necessary public open house, to finalize the plan, and return the final Master Plan for Council approval and adoption. 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 Rice	Yes
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

DISCUSSION AND POSSIBLE ACTION REGARDING THE “OLD LIBRARY”

The Old Library Facility (OLF) that the City owned at approximately 1950 West 7800 South was being used by a number of groups affiliated with the City. They had asked if the building could be given a name and if the sign in front of the building could be fit with a sign to assist people in finding it and putting the name on documents, etc.

Some names that had been suggested include:

- West Jordan Community Arts Center
- West Jordan Community Center
- West Jordan Theater and Orchestra Facility
- West Jordan Arts Facility

The Council was encouraged to select a name to assist with wayfinding.

The second item was to confirm that the facility was being used in accordance with the Council's intent and recommendations of the staff by the provisions in the Fire and Building Codes. The attached plan review provided parameters of the use per the code.

Mark Palesh suggested that this item should be tabled as it appeared that there was still a question as to how the building would be used and by whom. Additionally it was not currently in compliance with all fire codes. A funding source for the necessary improvements had yet to be identified.

Councilmember Haaga stated it was important to give the facility a new name which would be helpful in the pursuit of grant funds. He recommended that the building be known as the West Jordan Cultural Center.

Councilmember McConnehey spoke in favor of tabling the issue since it had not been the Council's intent to permanently retain the building. He also did not wish to limit use strictly to the arts.

Councilmember Southworth agreed that the plan had been to raise money for a future facility—not specific to any existing building. He asked for further clarification.

Councilmember Haaga explained that Salt Lake County had grant funds available for the cultural arts and that it was necessary to have a “cultural facility” in order to obtain those funds.

Councilmember McConnehey pointed out that the City's grant request was for funding to design a *new* facility. There were other grants available for existing facilities but it seemed to him that they were not so much awarded to buildings as they were to groups.

Councilmember Southworth cautioned that any signage should identify the facility as “**temporary** home of...”

Councilmember Haaga explained that a city the size of West Jordan needed to have a cultural facility. He felt that the City needed to have better use policies and do a better job of enforcing them.

Councilmember Hansen agreed that it should be made very clear to residents that this was only a temporary facility.

MOTION: Mayor Rolfe moved to table the item to a date uncertain but to direct staff to immediately address the fire code violations with the Council contingency funds if needed. The motion was seconded by Councilmember Haaga.

Councilmember Nichols pointed out that although he had previously indicated that he did not wish to have any funds spent on this temporary facility, he would vote in favor of this motion due to public safety issues.

Councilmember Southworth inquired of Chief McElreath if there were other issues that had not yet been listed.

Chief McElreath pointed out that the building had most recently been inspected the previous day and that information from that inspection was still enroute to the Council. He indicated that some of the small issues had already been addressed but the biggest question was how the building was to be used.

Mayor Rolfe stated that the Council had clearly stated previously that the building was to be used for storage and practicing only—there were not to be performances at this point. That decision stood. He wished to have further discussion at the January Council retreat but felt the issue should be tabled for now.

Councilmember Haaga pointed out that the groups currently using the building needed direction.

A roll call vote was taken

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

The motion passed 7-0.

X. REMARKS

Councilmember Nichols extended his congratulations to Bryce Haderlie for his new opportunity and wished him the best. He felt that West Jordan had lost a good leader.

Mark Palesh expressed a similar sentiment.

Councilmember Southworth also thanked Bryce for his service to the City, saying his absence would certainly be felt.

There were no additional remarks.

XI. ADJOURN

MOTION: Councilmember Hansen moved to reconvene the closed session and adjourn from there. 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 Rice	Yes
Councilmember Southworth	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

The closed session reconvened at 7:40 p.m.

The meeting adjourned at 9:15 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

KIM V ROLFE
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Approved this 14th day of October 2015

DRAFT