

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

Wednesday, June 14, 2017

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

COUNCIL: Mayor Kim V. Rolfe, and Council Members Alan Anderson, Dirk Burton, Zach Jacob, Chris McConnehey, and David Newton. Councilmember Chad Nichols was excused.

STAFF: Mark Palesh, City Manager; David R. Brickey, City Attorney; Melanie Briggs, City Clerk; Ray McCandless, Senior Planner; Brian Clegg, Parks Director; Bill Pyper, Finance Director; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Eric Okerlund, Budget Officer; Clint Peterson, Deputy Fire Chief; Reed Scharman, Deputy Fire Chief; Jim Riding, CIP/Facilities Project Manager; Nate Nelson, City Engineer; several Fire Fighters, and several Police Officers.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 6:11 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ty Nielsen, Urban Forester.

III. PRESENTATION

**PRESENTATION FROM THE UTAH STATE FORESTER REGARDING
TREE CITY UTAH FOR WEST JORDAN**

Brian Clegg addressed the vandalism of 81 trees during 2016. He announced that the City was awarded \$8,000 by the Community Forestry Grant to assist in replacing the trees, which needed to be removed.

Jeram Farley, State Coordinator for State Forester's Office, addressed the process for the City to receive the grant funds. He recognized the City for receiving the Tree City USA for the last 21 years in a row.

He presented the Urban and Community Forestry Grant check to the City in the amount of \$8,000.

BADGE PINNING FOR PROMOTION OF JOY STEARNS AS FIRE CAPTAIN

Marc McElreath expressed his appreciation to the Council and the City Manager for allowing him the time to recognize some of the Fire employees.

He provided gave a brief background on Joy Stearns stating she had been with the West Jordan Fire Department for over 15 years. He listed her accomplishments. He stated that Joy Stearns was the first female Fire Captain in the 40-year history of the West Jordan Fire Department.

Joy Stearns father Casey Brown, pinned on her Fire Captain badge.

OATH OF OFFICE AND BADGE PINNING FOR FIRE FIGHTER JACOB SORENSON

Marc McElreath gave a brief background for Fire Fighter Jacob Sorenson, who had completed his one-year probationary period.

Melanie Briggs administered the Oath of Office to Jacob Sorenson.

Jacob Sorensen's wife pinned on his badge.

Marc McElreath reported that with the elimination of a fire captain position, two full-time positions were hired Terron Bowen and Thomas (Woody) Smith. He provided a brief background on Terron Bowen, who handles logistics for the Fire Department, and Thomas (Woody) Smith, who handles prevention and public education.

PRESENTATION BY BRAD BARKER, WEST JORDAN EXCHANGE CLUB, AWARDING A FIRE FIGHTER, POLICE OFFICER, AND CROSSING GUARD OF THE YEAR

Brad Barker, President, West Jordan Exchange Club, said the West Jordan Exchange Club had nominated a Fire Fighter, Police Officer, and Crossing Guard of the Year.

A short bio was read for the following recipients; they were presented with a plaque.

- Sergeant Travis Brower, Exchange Club 'Police Officer of the Year'
- Captain Joy Stearns, Exchange Club 'Fire Fighter of the Year'
- Angela Westernman, Exchange Club 'Crossing Guard of the Year'

PRESENTATION BY NATHAN GEDGE, CHAIRMAN, WESTERN STAMPEDE AND INTRODUCTION OF 2017 WESTERN STAMPEDE ROYALTY

Nathan Gedge, Western Stampede Chair, invited the Council and all of West Jordan to the 2017 Western Stampede Events. He encouraged volunteers to become involved. He also expressed his appreciation to the City staff for their assistance with this event.

He introduced the 2017 Western Stampede Royalty:

- Grace Green, Queen
- Lindsey Peterson, 1st Attendant
- Savannah Ogden, 2nd Attendant

IV. COMMUNICATIONS
CITY MANAGER COMMENTS/REPORTS

Mark Palesh –

- Commented on the facelift to the landscaping at City Hall being done by City staff.

STAFF COMMENTS/REPORTS

David Brickey –

- Reported that another jury trial was held last Friday, and the City received another conviction. Sentencing would be forthcoming.

Brian Clegg –

- Parks Department was gearing up for the Western Stampede Celebration

Marc McElreath –

- Jordan Valley Hospital received their Gold Level Certificate for stroke care.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Anderson –

- Reported on his various activities over the last two weeks
 - Boy Scout tour
 - Trees on 4000 West
 - Construction on 9000 South; 7000 West

Councilmember Jacob –

- Welcomed the first female Fire Captain to the City of West Jordan

Councilmember Burton –

- Expressed his appreciation to staff regarding the Memorial Day Celebration
- Attended UTA event; Growth in Salt Lake Valley by 2050 to double

V. CITIZEN COMMENTS

Stephanie Wright, West Jordan resident, voiced her concerns regarding the damaged trees on 4000 West and her desire to have them replaced. She asked that a water line for the trees also be installed.

Rick Leuluai, West Jordan Chamber of Commerce, Vice President of Operations, addressed the renewal of the Chamber of Commerce contract. He said the West Jordan Chamber of Commerce was actively engaged in promoting the interests of the business

community in West Jordan. He reported on the number of meetings their staff and volunteers coordinated and attended.

Ramona Wilson, West Jordan resident commented on the area of Sugar Factory Road and approximately 2200 West and wanted to see the landscaping improved. Pictures of the area were provided. She proposed that funds be allotted to make landscaping improvements.

There was no one else who desired to speak.

VI. CONSENT ITEMS

- a. Approve the minutes of April 27, 2017, and May 30, 2017 as presented**
- b. Approve Resolution 17-91, confirming the appointment of various members to serve on City Committees**
- c. Approve Resolution 17-92, authorizing the Mayor to execute the Fireworks Display Agreement between the City of West Jordan and Vortex Production, Inc., in an amount not to exceed \$15,000.00**
- d. Approve Ordinance 17-30, amending the 2009 West Jordan Municipal Code, Title 8, 'Public Works, Public Ways, and Property', Chapter 14, Sections 1 through 20, regarding the Cemetery**
- e. Approve Resolution 17-93, authorizing Amendment No. 2 to the Professional Services Agreement with Hogan Construction Inc., for Phases 1, 2 & 3 of the Public Works Complex in an amount not to exceed \$21,583,538.00**
- f. Approve Resolution 17-94, authorizing the Mayor to execute a Letter of Concurrence and Match Agreement with the Wasatch Front Regional Council for assistance through the Transportation and Land Use Connection program, in an amount not to exceed \$120,000.00**
- g. Approve Resolution 17-95, approving an agreement with RBM Building Services for custodial services in an amount not to exceed \$178,433.72**
- h. Approve Resolution 17-96, authorizing the Mayor to execute Agreement with Browns Amusement to conduct a Carnival in the City of West Jordan July 30, July 1, 3, and 4, in an amount not to exceed \$30,000**
- i. Approve Resolution 17-97, authorizing the Mayor to execute the Agreement for Services with Stirrin' Dirt Racing LLC for the production of the 2017 West Jordan Demolition Derby, in the amount of \$46,000.00**

- j. Approve Resolution 17-98, authorizing the Mayor to execute a Real Property Lease Agreement with Ronald E Kunz for 3.4 acres of property located at 850 West 9000 South**
- k. Approve Resolution 17-99, authorizing the Mayor to execute a contract with Beck Construction and Excavation, Inc. for the Dannon Way Zone 4 Water Pressure Reducing Station Project, for an amount not to exceed \$267,675**
- l. Approve Resolution 17-100, authorizing the Mayor to execute a contract with ACE Landscaping for the Sunset Cove, Oaks West, Teton Estates, and Shadow Mountain Park Improvement Project, for an amount not to exceed \$428,448.00**
- m. Approve Resolution 17-101, authorizing the Mayor to execute Amendment #2 with JRCA Architects for the Public Works Building, in the amount of \$172,760.00**
- n. Approve Resolution 17-102, authorizing the Mayor to execute an Agreement with A to Z Landscaping, Inc. for landscape maintenance at City Wide Well Sites, Reservoirs & Tank Sites, in an amount not to exceed \$29,512.59**
- o. Approve Resolution 17-103, authorizing the Mayor to execute a contract with Hills Construction, Inc. for the supply and installation of a 500 kw Generator for Well No. 6 along with related electrical systems upgrades, in an amount not to exceed \$208,453.00**
- p. Approve Resolution 17-104, authorizing the Mayor to execute the Membership and Service Agreement between the City of West Jordan and the West Jordan Chamber of Commerce**
- q. Approve Resolution 17-110, authorizing Eminent Domain Action against real property owned by Marlin H Jones Family and M H Jones Family LLC, a Utah Limited Liability Company, to acquire 9.487 acres of real property located at approximately 6700 West New Bingham Highway, West Jordan, Utah, necessary for the City to construct a 4-million-gallon water storage reservoir and a storm drainage detention basin, in accordance with the City's Capital Facilities Plan**
- r. Approve Resolution 17-111, authorizing the purchase of water rights from Randy and Laura Timm to acquire approximately 22 acre feet of water from property assigned at approximately 7151 South 5490 West, West Jordan, Utah, in an amount not to exceed \$77,000**

- s. Approve Resolution 17-112, authorizing the Mayor to execute an agreement with Trane Building Services for the installation of new HVAC equipment at the Animal Shelter in an amount not-to-exceed \$98,955.00**

The Council pulled Consent items 6.p. and 6.s. for further discussion. Councilmember Anderson asked for a personal privilege regarding item 6.b.

Councilmember Anderson introduced Altair Kaminski a new member who volunteered to be on the Stainability Committee.

MOTION: Councilmember McConnehey moved to approve all Consent Items except 6.p. and 6.s. The motion was seconded by Councilmember Newton.

A roll call vote was taken

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

The motion passed 6-0.

CONSENT ITEM 6.P.

APPROVE RESOLUTION 17-104, AUTHORIZING THE MAYOR TO EXECUTE THE MEMBERSHIP AND SERVICE AGREEMENT BETWEEN THE CITY OF WEST JORDAN AND THE WEST JORDAN CHAMBER OF COMMERCE

Approve Membership and Service Agreement between City of West Jordan and West Jordan Chamber of Commerce.

The cost would be \$48,000 inclusive of the membership fees and enhanced membership fees, paid in monthly installments.

Staff recommended adoption of the proposed resolution authorizing the execution by the Mayor of an Agreement between the City of West Jordan and the West Jordan Chamber of Commerce.

Councilmember Burton said the Chamber of Commerce was requesting payment in lieu of services provided to the City of West Jordan. He said in the past their payment had been lower. Since then, there had been several changes and he felt they had been excelling and

were worthy of receiving an increase of \$17,000 above the proposed amount. This would place them back at their previous payment amount.

Councilmember Jacob asked if this would be discussed during the budget meeting.

Councilmember Burton said yes.

Councilmember Jacob requested this item be tabled until after the budget meeting.

Councilmember Burton suggested approving the proposed resolution and then making a budget adjustment, if necessary.

MOTION: Mayor Rolfe moved to approve Resolution 17-104, authorizing the Mayor to execute the Membership and Service Agreement between the City of West Jordan and the West Jordan Chamber of Commerce in the amount of \$48,000. The motion was seconded by Councilmember Burton.

A roll call vote was taken

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

The motion passed 6-0.

CONSENT ITEM 6.S.

APPROVE RESOLUTION 17-112, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TRANE BUILDING SERVICES FOR THE INSTALLATION OF NEW HVAC EQUIPMENT AT THE ANIMAL SHELTER IN AN AMOUNT NOT-TO-EXCEED \$98,955.00

Jim Riding reported that when the Animal Shelter was originally constructed, there was an evaporative cooler installed in the attic space to provide cooling for the kennel area. Over time, additional duct work and heating was added to accommodate the needs of the kennel. The evaporative cooling had subsequently failed and had caused rusting of metals in the possibility of mold in the area around it. Installing HVAC equipment will resolve leaks that have happened over the years with the evaporative cooler. Trane Building Services was on State Contract, included in their scope work for a further description of the work to be accomplished.

Funding for this project would come from Facilities Minor Projects account 1904-474144.

Staff recommended approval of an agreement with Trane Building Services for the installation of new HVAC equipment at the Animal Shelter in an amount not to exceed \$98,955.00.

Mayor Rolfe asked the square footage of the area.

Jim Riding was unsure; however, he could provide it to the Council in the future. He said the area without cooling was just the kennel area.

Members of the Council felt the dollar amount seemed excessive.

The Council and staff discussed clarifying questions.

MOTION: Councilmember Newton moved to reject the contract and send the project out for proposal. The motion was seconded Mayor Rolfe.

Councilmember Anderson asked if this option was suitable for the animals.

Doug Diamond explained that currently they were working with the portable evaporative coolers. A certain temperature must be maintained. He said the dog and cat areas were both affected.

A roll call vote was taken

Councilmember Anderson	No
Councilmember Burton	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Newton	Yes
Councilmember Nichols	Absent
Mayor Rolfe	Yes

The motion passed 5-1.

VII. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR ADOPTION OF THE REDWOOD ROAD STREETScape STUDY, CITY OF WEST JORDAN, APPLICANT

Ray McCandless said the City of West Jordan General Plan contained several goals and polices that directed towards making improvements along Redwood Road to improve the aesthetics, appearance, safety and functionality of the street in a way that attracts businesses and residents to the area and sets the corridor apart from other cities along the street. Examples of these goals included the following:

“Parkways and Boulevards - Streets like Redwood Road and the other major arterials should be organizing spines. These streets should have wide parks strips, large street trees, consistent, coordinated lighting fixtures and street furniture, and should incorporate separated bicycle and pedestrian paths. Parkways and boulevards may also have landscaped medians. Because these streets are often wide and difficult for pedestrians to comfortably cross, medians should be used to provide a “safe island” while crossing, as well as to beautify the street, reduce its perception of width, and make it more welcoming and comfortable for pedestrians.” (Page 129)

“Visually reinforce gateways into the City Center to heighten the sense of downtown as a significant district in the city. Strengthen the sense of arrival into the City Center by providing urban design enhancements along 7800 South east and west of Redwood Road, along Redwood Road north and south of the City Center, and the intersection of 7800 South and Redwood Road.” (Page 142)

“In cooperation with UDOT, redesign Redwood Road as a “boulevard” running through the City Center. This should include creation of a landscaped median, pedestrian-scale lighting, underground placement of utility lines, special signage, a grade-separated pedestrian crossing in the vicinity of City Hall, and other traffic calming measures that do not inhibit the street’s use as a through route, while still allowing it to support business and accommodate pedestrians within the City Center.” (Page 142)

In 2015, the City retained the services of consultants MGB&A and Fehr / Peers to evaluate the existing conditions along the roadway and develop alternatives consistent with the city’s goals. The main objectives of the study, which were included in the Council’s agenda packet, were as follows:

- Develop right-of-way design options that maintain a balance between land use and access needs, property and business owner’s interests, meet General Plan objectives, and develop the roadway as a functional transportation facility.
- Bolster economic development by way of roadway enhancement.
- Add traffic signals at key locations to improve pedestrian circulation/safety.
- Accommodate pedestrian, cycling and transit modes of transportation within the corridor
- Improve the aesthetic value of the corridor attracting pedestrian use and activities.

The consultants evaluated many factors including land use, physical conditions, street access, bicycle and pedestrian facilities and had developed several general design alternatives which were based on their analysis.

Redwood Road is a State road meaning that any improvements within the right-of-way must be approved by UDOT. UDOT had reviewed the draft study and its comments had been incorporated into the text.

On March 22, 2017, this item was brought before the City Council as a discussion item. The City Council was interested in proceeding with adoption of the study and directed staff to forward it to the Planning Commission for consideration and recommendation. No formal Council action was taken.

On May 2, 2017, the Planning Commission unanimously voted (7-0) to forward a positive recommendation to the City Council to adopt the study.

A copy of the draft study was provided for City Council consideration in their agenda packet. The actual design and funding of any improvements would occur at a later date. At this time, Staff was requesting that the City Council adopt the study as presented.

At this time there was no fiscal and/or asset impact; however, it was anticipated that the project would be implemented in phases over time. Actual project costs and funding sources would be determined with each phase of the project. Included with the study was a rough estimate of project costs that are subject to change. It is important to note that the installation and perpetual maintenance of any street improvements within UDOT's property will be the City's responsibility.

Staff recommended that the City Council adopt the Redwood Road Streetscape Study as recommended by the Planning Commission.

On May 2, 2017, the Planning Commission in a 7-0 vote recommended that the City Council adopt the Redwood Road Streetscape study.

Ray McCandless said funding and phasing still needed to be done.

Jay Bollwinkel, from MGB+A, reviewed the plans and cost estimates. He said improving the streets was a great economic tool. He commented on some of the following points:

- UDOT fewer curb cuts
- Possible project areas
- UTA bus pull-outs
- Presenting this to the State Legislature

The Council and staff addressed the following:

- Copies of the presentation
- Tree micro-climate
- Bus cut-outs
- Bicycle lanes (dangerous on Redwood Road)

Mayor Rolfe requested the Council authorize the Mayor and the City Manager to go to Utah Transit Authority (UTA), and Utah Department of Transportation (UDOT), to look at a third, a third, and a third funding for the intersection of 7800 South and Redwood all the way to the TRAX.

Councilmember Burton wanted to include an area just north of 7800 South to help continue the flow of continuity to the road.

Councilmember Jacob felt that most of the funding should come from UDOT. He wanted to see the proposed funding prior to dividing it between the three entities.

Councilmember Anderson questioned whether State funding was available.

Mayor Rolfe suggested starting on a very small portion of the overall project. He hoped to negotiate with UDOT and get this project moved up the priority list.

Mayor Rolfe opened the public hearing.

Janet Erickson, resident, wanted to make sure that the trees being proposed did not block the view of pedestrians waiting for buses.

Steve Jones, West Jordan resident, wanted to see the modification being proposed. He voiced his concerns and hoped that any improvement/changes would not impede the traffic on the current lanes of traffic. He felt that trees in the center of roadways affected visibility. He commented on the need for police and fire personnel.

Mayor Rolfe reported that two Police Officers were added last year, and if the budget was approved, additional officers would be added this year.

He also explained that the funds being discussed must be used for roads.

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

Councilmember Anderson asked if options other than trees could be considered for the center of the roadway.

Jay Bollwinkel said with trees they would make sure the trees were high branching, so traffic visibility would not be affected.

MOTION: Councilmember McConnehey moved to approve the Redwood Road Streetscape Study. The motion was seconded by Councilmember Jacob.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes

Councilmember Newton	Yes
Councilmember Nichols	Absent
Mayor Rolfe	Yes

The motion passed 6-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 17-105, APPROVING THE FINAL BUDGETS FOR THE
GENERAL FUND, THE SPECIAL REVENUE FUNDS, THE CAPITAL
PROJECTS FUNDS, THE ENTERPRISE FUNDS, AND THE INTERNAL
SERVICE FUNDS FOR FISCAL YEAR 2017-2018**

Mark Palesh delivered the proposed budgets to the City Council on April 26, 2017. The City Council adopted the tentative budgets on May 10, 2017. Utah state law requires final budgets to be adopted before June 22. The tentative budget can be reviewed, discussed, and amended as necessary up through the public hearing and final adoption.

The total budget for these funds was \$146,641.167.

Staff recommended approval of Resolution 17-105, adopting the Fiscal Year 2017-2018 Final Budgets for the General Fund, the Special Revenue Funds, the Capital Projects Funds, the Enterprise Funds, and the Internal Service Funds.

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

Mayor Rolfe continued this item to the end of the meeting.

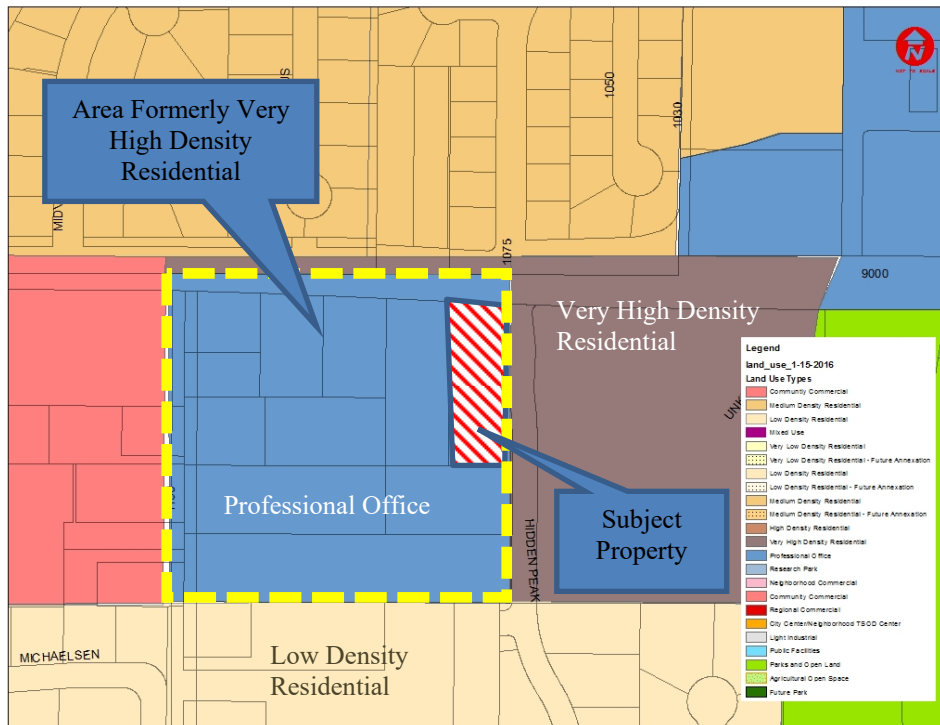
VIII. BUSINESS ITEM

DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE 17-11, AMENDING THE GENERAL LAND FUTURE LAND USE MAP AMENDMENT FOR .88 ACRES FOR PROPERTY LOCATED AT 1085 WEST 9000 SOUTH FROM PROFESSIONAL OFFICE TO LOW DENSITY RESIDENTIAL AND REZONE FROM A-5 (AGRICULTURAL 5-ACRE LOTS) TO R-1-12 (SINGLE FAMILY RESIDENTIAL 12,000 SQUARE FOOT MINIMUM LOTS) ZONE; RIVER OAKS ESTATES L.C./ROBERT BARRUS, APPLICANT

Ray McCandless said that the subject property was located at 1085 West 9000 South and is approximately 0.88 acres in size. There is a single-family dwelling on the northern portion of the property that had been vacant for several years.

This property, including adjoining properties to the west and south, were currently zoned A-5 (Agricultural 5-acre lots). The General Plan Future Land Use Map designated this property as Professional Office as shown in Exhibit B in the Council's agenda packet.

In 2013, the City Council directed staff to evaluate the Future Land Use Map to determine if any areas shown on the map as High or Very High Density Residential should be assigned a lower land use type. Per the Council's request, The Future Land Use Map was analyzed identifying two areas where very high density residential development might not be an appropriate land use type. One of these areas was located at Drake Lane just west of Redwood Road and the other area was located between 1050 and 1175 West on 9000 South which included the subject property. This area was shown on the following diagram:



This area was formerly designated as Very High Density Residential on the Future Land Use Map, but was changed to Professional Office in 2014 with the adoption of Ordinance 14-98. At that time, the City Council determined that the Professional Office designation was consistent with the goals and policies of the General Plan and was the most appropriate land use for the property.

On February 8, 2017, the City Council held a public hearing on this item and voted to continue the item to allow time to determine if it would be appropriate to expand the low density residential on this and the adjoining property to the west northward to 9000 South.

On March 9, 2017, the City received a separate rezoning application to rezone adjoining property to the west and south from A-5 to Professional Office (D. Smith Rezone). On April 26, 2017, this adjoining property was zoned Professional Office by the City Council

establishing that the low density residential should not be expanded northward to 9000 South.

This item was brought back at this time to the City Council as a business item to make a formal decision on the Cobbley rezoning request.

The applicant was proposing to rezone the property from A-5 (Agricultural 5-acre lots) to R-1-12F (Single Family Residential 12,000 square foot minimum lots) to facilitate development of the property as a 3-lot single-family residential subdivision. The applicant was also requesting to amend the Future Land Use Map from Professional Office to Low Density Residential to match the proposed zoning district boundary.

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

	Future Land Use	Zoning	Existing Land Use
North	Medium Density Residential	R-1-8A (PS), North of 9000 South	Single-Family Residential
South	Professional Office	A-5	Agricultural
West	Professional Office	A-5	Agricultural
East	Very High Density Residential	PC	Apartments

FINDINGS OF FACT:

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

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

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

Discussion: The General Plan States the following:

“Land use decisions shall, as much as possible, be guided by the maps, goals, and policies of the General Plan.” Page 18.

“The type, location, timing, and intensity of growth shall be managed. Premature and scattered development shall be discouraged.” Page 22

“Infill development shall be compatible with surrounding land uses and development.” Page 22

The appropriate land use and consistency with the General Plan was established in 2014 with the adoption of Ordinance 14-98 which changed

the land use designation on this property from Very High Density Residential to Professional Office. A significant deviation such as changing the land use from Professional Office to Single-Family Residential would be contrary to the adopted General Plan and would be inconsistent with the previous City Council action.

Finding: The proposed amendment does not conform to nor is it consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

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

Discussion: The existing development pattern in the area west of Hidden Peak Drive is generally single-family dwellings on large agricultural lots. The City's long range vision for this area is for Professional Office as it is one of the City's gateways and it is located on 9000 South which is a major arterial street. There are numerous other available sites for single family residential development in the vicinity and for this reason, staff does not believe this finding can be met. The Land Use Map adequately provides other optional sites for single-family residential development in the vicinity of this property.

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

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

Discussion: Single-family residential zoning on this property might work if the zoning connected through to the residentially zoned area to the south; however, the property owner to the south is not interested in participating in the rezoning request meaning a zoning connection is not possible at this time. In fact, the property owner to the south participated in the D. Smith rezoning request to Professional Office.

Although single-family residential is generally compatible with the existing agriculturally zoned single-family development, staff is concerned that rezoning this property will create an isolated pocket of single-family residential when the neighboring property to the south and west develops as professional office or commercial in the future.

Finding: The proposed amendment will not be compatible with other land uses, existing or planned, in the vicinity.

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

Discussion: The City Council determined that Professional Office is the most appropriate land use for this property in 2014 and the proposed amendment does not appear to be consistent with the goals and policies of the General Plan which were established by Council action. Although developing the site as residential would make use of property that is underutilized, it appears that the proposed amendment will benefit the applicant and not the long-term needs of the City.

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

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

Discussion: Again, a stronger case could be made to rezone the property if it were part of or connected to a larger area with the same zoning. The proposed amendment will not alter the land use pattern in the area at this time as the adjoining properties are residential, but it would do so as the property redevelops in the future.

The Engineering Division has reviewed the proposed amendment and has indicated that water, sewer and storm drain infrastructure is available to service the proposed development.

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

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

Discussion: No other adopted plans, codes or ordinances are applicable to this request.

Finding: This criterion does not apply.

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

Prior to approving 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: See Future Land Use Map Amendment Finding A.

Finding: The proposed amendment is not 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: See Future Land Use Map Amendment Finding C.

Finding: The proposed amendment will not result in compatible land use relationships and may 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 necessarily further or improve the general welfare of the citizens of the city. Although the proposal would facilitate development of a vacant piece of property, staff is of the opinion that it would be better to improve this area as a cohesive single land use rather than an island of single-family residential surrounded by office or commercial and high-density multi-family development.

Finding: The proposed amendment does not further the public health, safety or 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: See Future Land Use Map Amendment Finding E.

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: There are no overlay districts that apply to this property.

Finding: This criterion does not apply.

Staff does not support the proposed Future Land Use Map and Zoning Map amendments associated with this request.

Staff recommended that based on the findings set forth in this staff report that the City Council deny the proposed Future Land Use Map amendment for 0.88 acres from Professional Office to Low Density Residential and deny the proposed rezoning request from A-5 (Agricultural 5-acre lots) to R-1-12F (Single Family Residential 12,000 square foot minimum lots) on property generally located at 1085 West 9000 South.

On December 20, 2016, the Planning Commission in a 6-1 vote, recommended to deny the request to amend the Future Land Use Map for 0.88 acres from Professional Office to Low Density Residential and deny the request to rezone 0.88 acres from A-5 (Agricultural 5-acre lots) to R-1-12F (Single Family Residential 12,000 square foot minimum lots) on property generally located at 1085 West 9000 South.

Robert Barrus, Applicant, commented on the past history of the River Oaks development and road issues. He reported that \$1.1 million had been spent on road improvements, wall, etc., which had been bonded for by the River Oaks apartments.

He said four water meters and sewer laterals had been placed on this property for future development. He was told by staff that if he changed his request from four lots to three, then staff would give a favorable recommendation.

He wanted the eyesore off of the property and to get some of his investment back, which he felt was not his responsibility in the first place.

He said over the last few months, the neighbors had got together and in the process of less than 60 days, had the zoning changed to P-O. He said he received no notice and it was disconcerting to him the way he had been treated.

He asked the Council to table this item for between 6-12 months. So should a buyer decide to buy the property, he would sell.

David Brickey acknowledged that all of the appropriate notices were sent to the property owners as well as the applicant on the statement. Records show that Mr. Barrus was noticed.

Councilmember McConnehey felt that three of the criteria had not been met to justify the rezone. He was willing to table this item.

MOTION: Councilmember McConnehey moved that this item be tabled until no later than the second meeting in June 2018. The motion was seconded by Councilmember Newton.

A roll call vote was taken

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

The motion passed 6-0.

DISCUSSION AND POSSIBLE RESOLUTION 17-106, SETTING THE 2017 PROPERTY TAX RATE FOR THE CITY OF WEST JORDAN

Mark Palesh reported that Utah state law required that annual property tax levy to be set before June 22 of each year. As of the time of preparation of this document, the City had not received the certified tax information from Salt Lake County. The City traditionally received the certified tax rate information from Salt Lake County in the June 10-15 timeframe and also traditionally sets its property tax rate at a rate not to exceed the rate that was determined by Salt Lake County.

As for the fiscal and/or asset impact for the 2017-2018 fiscal year, the General Purposes Property Tax is projected to be \$12,317,283 and the Interest & Sinking Fund (Debt Service) Property Tax was projected to be \$758,468.

Staff recommended adoption of Resolution 17-106, setting the 2017 property tax rate at a rate not to exceed the certified rate to be determined by Salt Lake County.

MOTION: Councilmember McConnehey moved to approve Resolution 17-106, setting the 2017 property tax rate at a rate not to exceed the certified rate to be determined by Salt Lake County. The motion was seconded by Councilmember Burton.

Councilmember Jacob said a motion to schedule a Truth and Taxation hearing passed, not long ago.

Councilmember Burton said he still planned on having a Truth and Taxation hearing, but was unsure as to when to hold it.

Melanie Briggs reported that when or if the Council decides to hold a Truth and Taxation hearing, they must make a motion during their June meeting, stating that they would move forward with the tentative budget from the City Manager and schedule a Truth and Taxation hearing sometime in August, as required by State law. Then the hearing would be scheduled by Salt Lake County. A motion must be made before June 22, if a Truth and Taxation hearing was to be held.

Councilmember Burton reported that he would not be making a motion this year to hold a Truth and Taxation hearing.

Mayor Rolfe spoke against the motion. He would like to consider lowering the property tax rate by 1%, which the Council supported a few months ago.

Councilmember Jacob asked with new rules was the City concerned with facing a budget shortfall.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	No
Councilmember Jacob	No
Councilmember McConnehey	Yes
Councilmember Newton	Yes
Councilmember Nichols	Absent
Mayor Rolfe	No

The motion failed 3-3.

Mayor Rolfe said action regarding this item must be taken by June 22, 2017. He addressed the reason(s) for proposing a reduction in property tax.

MOTION: Councilmember Anderson moved to take a five-minute recess, then moving to Business item 8.c; and back to the budget Item 7.b, and then the certified tax rate. The motion was seconded by Councilmember Jacob.

Mayor Rolfe said he would like to see the tax rate set and then end with the budget item.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	No
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Newton	No
Councilmember Nichols	Absent
Mayor Rolfe	No

The motion failed 3-3.

MOTION: Mayor Rolfe moved to set the property tax rate for the City of West Jordan 2017 at 1% below the proposed rate set by Salt Lake County. The motion was seconded by Councilmember Burton.

A roll call vote was taken

Councilmember Anderson	No
Councilmember Burton	Yes
Councilmember Jacob	No
Councilmember McConnehey	No
Councilmember Newton	Yes
Councilmember Nichols	Absent
Mayor Rolfe	Yes

The motion failed 3-3.

MOTION: Councilmember McConnehey moved to take a five-minute recess. The motion was seconded by Councilmember Jacob and 6-0 in favor.

The Council recessed 8:09 p.m. and reconvened at 8:18 p.m.

MOTION: Councilmember Newton moved to approve Resolution 17-106, setting the 2017 property tax rate at a rate not to exceed the certified rate to be determined by Salt Lake County. The motion was seconded by Councilmember McConnehey.

The Council and staff discussed clarifying questions.

A roll call vote was taken

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

The motion passed 7-0.

**DISCUSSION AND POSSIBLE ACTION ORDINANCE 17-31, AMENDING
THE 2009 WEST JORDAN ROUND-A-BOUNTS IN THE CITY OF WEST
JORDAN**

In 2012, the City of West Jordan adopted the West Jordan General Plan. Utah Code Annotated § 10-9a-401 requires each municipality prepare and adopt a comprehensive, long-range general plan for the present and future needs of the municipality and growth and development of all or any part of the land within the municipality. The City's General Plan included roundabouts on arterial streets. Since adopting the Plan, the City had proceeded to install some of these roundabouts on arterial streets. The City Public Works Department had done so without further consultation or approval of the City Council.

The proposed ordinance would amend Title 8 Street Design and Installation to require City Council approval of roundabouts on arterial streets of the City prior to their construction. Passing of such an ordinance was allowed under the authority of the City of West Jordan as conferred to it by the State of Utah in Utah Code Annotated § 10-3-701, *et seq.*

There was no fiscal impact associated with the approval of this proposed Ordinance.

This Ordinance had been recommended by City Council Member Alan Anderson. Staff, including the Legal Department, did not make any recommendation as to whether or not to adopt this Ordinance. The placement of the limitations on the construction of roundabouts was a policy decision for the City Council. Staff does certify, however, that this Ordinance, as presently constituted, meets all of the existing requirements of State law and City ordinances.

As this was a policy ordinance at the discretion of the City Council, it may be amended by the Council in accordance with law as it determines is in the best interest of the City of West Jordan.

Councilmember Anderson commented on what some other cities do. He said the proposed Ordinance would eliminate all approved round-a-bouts on the General Plan and would require round-a-bouts be brought before the City Council on a case-by-case basis to place them on arterial streets. He said this was brought about by the round-a-bouts placed on 7800 South. This proposed Ordinance shall not apply to roundabouts on arterial streets whose construction had begun prior to October 1, 2017.

Councilmember McConnehey proposed two changes in Section H to read as follows:

- 1) Roundabouts on arterial streets that have been included in the City's adopted General Plan must receive approval by the Council *in the form of a Resolution* as ~~outlined in this section prior to their construction.~~
- 2) Section 3(H) herein shall not apply to roundabouts on arterial streets whose construction has begun prior to ~~October 1, 2017~~ June 14, 2017.

Councilmember Burton asked if Council approved the round-a-bouts on 7800 South and others.

Councilmember Anderson said when the Council adopted the General Plan it would include round-a-bouts. He also addressed the purchase of a pick-up truck, so the round-a-bout on 4800 West could be plowed.

Councilmember Jacob responded to Councilmember Burton's question. He supported the proposal.

Mayor Rolfe urged the Council to use caution in overriding the professionals with the Engineering degree in traffic.

MOTION: Councilmember Anderson moved to approve Ordinance 17-31, amending Title 8, "Public Works, Public Ways and Property" by adding regulations to the construction of roundabouts on City arterial streets; with a change to the second paragraph Section H to read as follows: 'Roundabouts on arterial streets that have been included in the City's adopted General Plan must still receive approval by the Council *in the form of a Resolution*; and changing the effective date to *June 14, 2017.*' The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Newton	Yes
Councilmember Nichols	Absent

Mayor Rolfe

No

The motion passed 5-1.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 17-105, APPROVING THE FINAL BUDGETS FOR THE
GENERAL FUND, THE SPECIAL REVENUE FUNDS, THE CAPITAL
PROJECTS FUNDS, THE ENTERPRISE FUNDS, AND THE INTERNAL
SERVICE FUNDS FOR FISCAL YEAR 2017-2018**

This item was continued from earlier in the meeting. The Council returned to the budget item at 8:47 p.m.

Councilmember McConnehey discussed revenues. He was not in alignment with the projected revenues. He had reviewed and discussed the budget with Councilmember Newton both figuring out the numbers separately.

General fund summary tab:

He reviewed his columns. He provided a column which showed the dollar variance and percent variance compared to those of the City Manager and prior year. His changed items were highlighted in yellow. The expense side had not been touched at this time.

Taxes tab:

Bottom: Total General Fund Revenues –

City Managers Estimated Budget - \$62 million

Councilmember's McConnehey and Newton's best guess - \$59 million

Difference \$2.9 million

He highlighted some of the bigger items where there were concerns:

- Sales tax
- Cable Franchise tax
- Transient Room tax
- Business Licenses
- Rental Application Dwelling
- Building Permits
- Site Plan Review
- Ambulance Fees
- Court Fines
- Ticket Sales
- Demolition Derby
- Sponsors

He felt there was \$2.8 million in Revenues they were unsure as to whether it would materialize.

Mayor Rolfe expressed his appreciation for the work done by Councilmember McConnehey and Councilmember Newton.

Councilmember Burton also expressed his appreciation for the work done by both Councilmember's McConnehey and Newton. He asked if research had been done to see why the budget numbers were increasing and/or decreasing. Was staff contacted? He commented on the various items that he expected would grow.

- Permits
- Solar opportunities
- Property tax (possible attracting businesses)

MOTION: Councilmember McConnehey moved to extend the meeting past 9:00 p.m. The motion was seconded by Mayor Rolfe and passed 6-0 in favor.

Councilmember McConnehey was open to finding what numbers would be reasonable.

Councilmember Newton said he and Councilmember McConnehey both arrived with similar numbers, even though they were reviewing the budget separately. Using last year's budget, what had already been received, and the projected differences, it appeared some of them were out of line. He felt the revenue projections should be lower, not over. He felt the Council should reduce the revenues by the amount suggested.

Councilmember Jacob commented on sales tax revenues associated with Amazon. He questioned whether the City would be receiving funds from the State regarding Amazon. He was fine with the sales tax revenue numbers projected by the City Manager.

He said the City was not on track for making up the budget deficient over the last year. He reported that the City had a \$4.5 million shortfall projected for the current fiscal year.

Marc McElreath commented on the ambulance fees. He felt the ambulance fee numbers would be closer to \$1.6 million come year-end.

The Council and staff went through the budget list provided by Councilmember McConnehey reviewing and updated revenue dollar amounts.

Mayor Rolfe reported that the \$64 million was not the actual number in the budget. He asked staff to report on the reason.

Eric Okerlund explained that in the original plans for the public works building, all of the various funds that were affected by the building, primarily the General Fund and Enterprise Funds were going to contribute approximately a total of \$7.5 million, and then bond for the other \$7.5 million. Since the adoption of the budget, the plans changed and the whole public works building was bonded for. The costs increased because the parameters of the building changed. But, the transfers had not been done of which the

General Fund was slated approximately \$4 million and use fund reverses unbalanced to do that. He also reported that that did not happen.

MOTION: Councilmember Newton moved to change the revenues to \$60,313.260, a reduction of \$1,596,612. The motion was seconded by Councilmember McConnehey.

Councilmember Burton was uncomfortable with the size of reduction.

The Council and staff discussed clarifying questions.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	No
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Newton	Yes
Councilmember Nichols	Absent
Mayor Rolfe	Yes

The motion passed 5-1.

MOTION: Mayor Rolfe moved to continue this discussion until next Wednesday, June 21, 2017 at 6:00 p.m. The motion was seconded by Councilmember Burton.

Mayor Rolfe clarifying this would be an informal meeting to discuss the budget in the Community Room. The attendance of Department Heads would be necessary.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	No
Councilmember McConnehey	Yes
Councilmember Newton	Yes
Councilmember Nichols	Absent
Mayor Rolfe	Yes

The motion passed 5-1.

IX. REMARKS

There were no remarks.

X. CLOSED SESSION

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

COUNCIL: Mayor Kim V. Rolfe and Council Members Alan Anderson, Dirk Burton, Zach Jacob, Chris M. McConnehey, and David Newton. Councilmember Chad Nichols was excused.

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

MOTION: Councilmember Newton 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, and adjourn from there. The motion was seconded was seconded by Councilmember Burton.

A roll call vote was taken

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

The motion passed 6-0.

The Council recessed at 9:48 p.m. and convened the Closed Session at 9:50 p.m.

XI. ADJOURN

The meeting adjourned at 11:20 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 12th day of July, 2017