MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING

Wednesday, January 23, 2019
5:30 p.m.
Council Chambers
8000 South Redwood Road
West Jordan, Utah 84088


STAFF: David Brickey, City Attorney; Korbán Lee, Assistant City Manager; Rob Wall, City Attorney; Melanie Briggs, City Clerk; Scott Langford, Community Development Director; Dave Naylor, Interim Parks Director; Dave Zobell, City Treasurer; Brian Clegg, Public Works Director; Derek Maxfield, Fire Chief, and Ken Wallentine, Police Chief.

I. CALL TO ORDER
Mayor Riding called the meeting to order at 6:00 p.m.

II. WORKSHOP
The Council and Staff discussed the process regarding the Strategic Planning Session scheduled for Friday, January 25, 2019.
- Change the name of the meeting (Vision meeting/Planning meeting)
- Separate into two meetings (October/January)
- The discussion must be set in the right order (Council setting policy, and then staff implementing)

The Council made minor modifications to the timing of specific items.

III. PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was led by Rob Bennett

IV. COMMUNICATIONS
STAFF COMMENTS/REPORTS
Brian Clegg –
- Update Council on snow removal from the massive storm on Monday, January 21, 2019

CITY COUNCIL COMMENTS/REPORTS
Councilmember Anderson –
- Expressed appreciation to staff for their efforts with the snow removal
Councilmember Whitelock –
  • Expressed appreciation to West Jordan High School. They raised $79,000 for charity. They have also increased their math scores tremendously.

V. CITIZEN COMMENTS
Rob Bennett, West Jordan resident, stated he had been a resident of the City for over 25 years. He expressed appreciation to the Council for how they had improved their interaction with each other and staff. The citizens were noticing the difference

John Buckson, West Jordan resident, noticed there was an increase on his garbage and water bill. He would like to see some of the money from the increase go towards sweeping the bike lanes throughout the city.

Councilmember McConnehey asked that Public Works (Brian Clegg) follow up with staff to see what streets were causing the issues.

There was no one else who wished to speak.

VI. CONSENT ITEMS
a. Adopt Resolution.19-12, authorizing the Mayor to approve a contract with Rhino Pumps to refurbish the 4 pumps and motors at the Airport Booster Station in an amount not to exceed $92,854.36

b. Adopt Resolution 19-13, authorizing the Mayor to approve Amendment 2 to the Professional Services Agreement with Bowen Collins and Associates to provide additional engineering design services for the Zone 4 NBH Reservoir in an amount not to exceed $13,630.00

c. Adopt Ordinance 19-02 amending the 2009 City of West Jordan Municipal Code, Title 1, Chapter 3, Section 2 of the 2009 City Code (Administration Definitions)

d. Adopt Ordinance 19-03 amending the 2009 City of West Jordan Municipal Code, Title 6, Chapters 1, 2, 3 and 5 (Police and Public Safety)

e. Adopt Ordinance 19-04 amending the 2009 City of West Jordan Municipal Code, Title 7, Chapters 1, 3 and 4 (Motor Vehicles and Traffic)

f. Adopt Ordinance 19-05 amending the 2009 City of West Jordan Municipal Code, Title 9, Chapters 1 - 8 (Utilities)

g. Adopt Resolution 19-14, confirming the appointment of members to various City Committees

h. Adopt Resolution 19-15 authorizing the Mayor to execute Amendment 1 to the Consulting Agreement with Legislative Insight Consulting, LLC
i. Adopt Resolution 19-16 accepting the Annual Summary Report of the West Jordan Ethics Commission for the 2018 Calendar Year and declaring The Annual Summary Report to be a public record

j. Adopt Resolution 19-17, declaring items from the IT Department that are no longer of any value or use as surplus property, and authorize the disposition

k. Adopt Resolution 19-18, authorizing the Mayor to approve an Annual License Enterprise Agreement, Enterprise Enrollment, and Annual License Renewal with CDW-G for email services

The Council pulled Consent Items c, d, and f for discussion

MOTION: Councilmember McConnehey moved to approve all Consent Items except for 6 c, d, and f. Councilmember Burton seconded the motion.

A roll call vote was taken

Councilmember Anderson  Yes
Councilmember Burton  Yes
Councilmember Jacob  Yes
Councilmember Lamb  Yes
Councilmember McConnehey  Yes
Councilmember Whitelock  Yes
Mayor Riding  Yes

The motion passed 7-0.

VII. CONSENT ITEMS

DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT ITEM(S) PULLED BY CITY COUNCIL

CONSENT ITEM 6C
ADOPT ORDINANCE 19-02 AMENDING THE 2009 CITY OF WEST JORDAN MUNICIPAL CODE, TITLE 1, CHAPTER 3, SECTION 2 OF THE 2009 CITY CODE (ADMINISTRATION DEFINITIONS)

Duncan Murray provided staff with an explanation of the proposed changes.

MOTION: Councilmember Anderson moved to approve Ordinance 19-02, amending the 2009 City of West Jordan Municipal Code, Title 1, Chapter 3, as presented. Councilmember Whitelock seconded the motion.

A roll call vote was taken

Councilmember Anderson  Yes
Councilmember Burton  Yes
Councilmember Jacob  Yes
Councilmember Lamb  Yes
Councilmember McConnehey  Yes
CONSENT ITEM 6d
ADOPT ORDINANCE 19-03 AMENDING THE 2009 CITY OF WEST JORDAN MUNICIPAL CODE, TITLE 6, CHAPTERS 1, 2, 3 AND 5 (POLICE AND PUBLIC SAFETY)
Duncan Murray provided staff with an explanation of the proposed changes.

MOTION: Councilmember Burton moved to approve Ordinance 19-03, amending the 2009 City of West Jordan Municipal Code, Title 6, Chapters 1, 2, 3 and 5 (Police and Public Safety). Councilmember Whitelock seconded the motion.

A roll call vote was taken

Councilmember Anderson  Yes
Councilmember Burton  Yes
Councilmember Jacob  Yes
Councilmember Lamb  Yes
Councilmember McConnehey  Yes
Councilmember Whitelock  Yes
Mayor Riding  Yes

The motion passed 7-0.

CONSENT ITEM 6f
ADOPT ORDINANCE 19-05 AMENDING THE 2009 CITY OF WEST JORDAN MUNICIPAL CODE, TITLE 9, CHAPTERS 1 - 8 (UTILITIES)
Duncan Murray provided staff with an explanation of the proposed changes.

MOTION: Councilmember Burton moved to approve Ordinance 19-05, amending the 2009 City of West Jordan Municipal Code, Title 9, Chapters 1 - 8 (Utilities); with the amendment of ‘his/her’ to the word “the.” Councilmember McConnehey seconded the motion.

A roll call vote was taken

Councilmember Anderson  Yes
Councilmember Burton  Yes
Councilmember Jacob  Yes
Councilmember Lamb  Yes
Councilmember McConnehey  Yes
Councilmember Whitelock  Yes
Mayor Riding  Yes

The motion passed 7-0.
VII. **PUBLIC HEARINGS**

RECEIVE PUBLIC COMMENT AND CONSIDER FOR APPROVAL

**RESOLUTION 19-19, REGARDING A LEASE AGREEMENT BETWEEN THE CITY OF WEST JORDAN AND SOUTH VALLEY SANCTUARY, INC. FOR OFFICE SPACE IN THE WEST JORDAN CITY HALL AS A NON-MONETARY CONTRIBUTION OF $425.00 PER MONTH TO THE SOUTH VALLEY SANCTUARY INC.**

Rob Wall went over the new South Valley Sanctuary Lease Agreement with Council and staff.

The Council and staff discussed clarifying questions.

Mayor Riding opened the public hearing.

Jen Campbell, the Executive Director of South Valley Services addressed Council and staff. She stated that she appreciated the chance to serve the citizens of West Jordan. She also stated that in the past year they have provided services to 227 West Jordan residents.

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

MOTION: Councilmember Burton moved to approve Resolution 19-19 authorizing the mayor to execute a lease agreement between the City of West Jordan and South Valley Sanctuary, Inc. Councilmember McConnehey seconded the motion.

Councilmember McConnehey stated that he was excited to see this lease agreement. He stated that South Valley Sanctuary had provided some necessary and beneficial services. He thanked South Valley Services/Jen Campbell for all their services.

A roll call vote was taken

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The motion passed 7-0.

**RECEIVE PUBLIC COMMENT AND CONSIDER FOR APPROVAL RESOLUTION 19-20, REGARDING A WAIVER OF FEES FOR THE JORDAN EDUCATION FOUNDATION, REGARDING USE OF VETERANS MEMORIAL PARK AND THE WEST JORDAN ARENA, IN AN AMOUNT NOT TO EXCEED $5989.00**

Dave Naylor stated West Jordan City and the Jordan Education Foundation have worked together for the past four years to put on an obstacle race. The Challenge Obstacle Race is a family, community event for all ages, particularly serving those in boundaries of the Jordan School District. We would like to do it again in 2019.
Based on the growth pattern of the last four years, and the level of commitment by administrators, teachers, and students in Jordan School District attendance and participation in The Challenge Obstacle Race is expected to grow to 1,000 participants in 2019. This has become an annual ‘must-attend’ year-end event for the district and JEF would love to have it permanently “home based” in West Jordan City.

100% of all proceeds from The Challenge Obstacle Race go to the Foundation’s program called Cash for Classrooms. All full-time teachers can apply for up to $500 for an innovative, classroom project that will directly enhance learning opportunities for students. Over 270 grants exceeding $225,000 were awarded to teachers in the district in 2018.

Jordan Education Foundation (JEF) is a non-profit organization dedicated to supporting your children, their education and our collective future. The foundation's mission is to generate and guide philanthropic resources to promote excellence in education in Jordan School District.

Foundation board members and friends encourage private support from individuals, businesses, corporations, foundations and events. JEF is unique because:

- ALL donations (100%) go directly to promote excellence in education and to benefit teachers and students
- No administrative costs are taken from private donations

Jordan Education Foundation requests approval from the City Council for similar support that has been generously granted in the past. Such as the continued exception for the finish line inflatable obstacle, the waiver of certain fees, and staff support (as outlined below).

**Cost/Value**

The Jordan Education Foundation is requesting nonmonetary contributions for the obstacle run on May 11, 2019 valued at $5,989 as follows:

<table>
<thead>
<tr>
<th>Requested Item</th>
<th>Cost/Value</th>
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<tr>
<td>Mayor or designee to help with award presentation</td>
<td>$0</td>
</tr>
<tr>
<td>EMS onsite ($174 per hour for 6-hour estimate)</td>
<td>$1,044</td>
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<tr>
<td>Posting event information on City Website and lobby kiosk</td>
<td>$0</td>
</tr>
<tr>
<td>Park fees</td>
<td></td>
</tr>
<tr>
<td>o Arena Deposit (refundable)</td>
<td>$500</td>
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<tr>
<td>o Arena rental</td>
<td>$400</td>
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<tr>
<td>o Misc. Arena Rental Fee ($65/hr for 5-hour estimate)</td>
<td>$325</td>
</tr>
<tr>
<td>o Park Deposit (refundable)</td>
<td>$500</td>
</tr>
<tr>
<td>o Set up/Cleaning</td>
<td>$150</td>
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<tr>
<td>o Park Rental (Lrg Pav=$450 Sm Pav = $150)</td>
<td>$600</td>
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<tr>
<td>o Staff support (estimate 60hrs) 60 hrs x $25</td>
<td>$1,500</td>
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<tr>
<td>Encroachment permit</td>
<td>$260</td>
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<tr>
<td>Use of Vertical Panel road signs for course layout/marking</td>
<td>$0</td>
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<tr>
<td>Water from Hydrants in Obstacle Areas</td>
<td>$50</td>
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<tr>
<td>PD Support ($55/officer/hr - 2 officers for 6-hour estimate)</td>
<td>$660</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$5,989</strong></td>
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The Council and staff discussed clarifying questions.

Councilmember Whitelock would like to see a cost analysis when fees are waived to see if anything comes back to the city.
Mayor Riding opened the public hearing.

Jason Caso, Volunteer Board Member on the Jordan Education Foundation. He wanted to update the Council on the event. They have been holding this event in West Jordan City for 5 years. It has gone from 75 participants to 750 participants. They are expecting over a 1000 this year. This program helps fund the following programs:

- The Principal’s Pantry program. In the Jordan School District there are approximately 3000 students that are designated homeless. Funds from this program go towards food and hygiene items for every school in the Jordan School District.

- The Cash for Classroom program. Teachers can put in a request for a grant for their classroom to get such items as Ipad’s or supplies. 300 grants were presented last year.

There was no one present who desired to speak. Mayor Riding closed the public hearing.

MOTION: Councilmember Burton moved to approve Resolution 19-20, regarding a waiver of fees for the Jordan Education Foundation, regarding use of Veterans Memorial Park and the West Jordan arena. Councilmember Lamb seconded the motion.

A roll call vote was taken

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The motion passed 5-2.

Councilmember McConnehey wanted to explain his reason for voting no to waiver of fees. It was not because of any opposition to Jordan Educations Foundation rather out of frustration. For the past 3 years, no one from Jordan Educations Foundation were present while asking the Council for a waiver of fees. Last year it was his recommendation that they apply for Service in Lieu of Fees and to team up with one of the committee’s such as Healthy West Jordan Committee.

VIII. BUSINESS ITEMS
DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE 19-06, REGARDING A REZONE OF 1.641 ACRES LOCATED AT APPROXIMATELY 5701 WEST 7800 SOUTH FROM SC-2 (COMMUNITY SHOPPING CENTER) ZONE TO M-1 (LIGHT MANUFACTURING) ZONE, THINK STORAGE, LLC, WARREN KIRK, APPLICANT
Larry Gardner stated, the rezone request is for a 1.6-acre parcel of property located along 7800 South and is north of an 8.3-acre parcel that was rezoned from SC-2 to M-1 in May, 2017. The applicant is proposing to amend the zoning map to a zone that allows for the construction of self-storage units on property that is sandwich between the Mountain View Corridor and two major utility transmission corridors. The property in question was proposed to remain commercial, by
the applicant, when the rest of the property was rezoned in 2017. The applicant felt at that time that with the frontage and access to 7800 South that the property would be a viable commercial piece. However, after discussing access points with UDOT and the City the decision was made to only allow one access into the storage unit and commercial piece 600 feet to the east from Mountain View Corridor. The applicant now feels that the property has poor vehicle access and because of this decision the property would have very little chance of success as a commercial property. The map amendment is in preparation for site plan applications. Staff feels that through proper design and materials that the storage unit façade along 7800 South can be made attractive and compatible with the other commercial projects in the area. If the zone change is approved the applicant will apply to amend the land use map in January.

Councilmember Whitelock said at the last meeting the applicant stated that they were not allowed to have a right in, right out that they originally thought they would have. Where did that information come from? City staff or UDOT?

Larry Gardner stated it was a little bit of both. There was a UDOT distance requirement and the City Traffic Engineer did not think it was in the best interest of the city because the intersection would be busy.

Paul Stringham, applicant, stated that in the beginning the city stated they would allow the right in right out but then after a period of time city staff pulled that back and said, the intersection is too busy. He stated they made a business decision not proceed with commercial building in that location.

Councilmember Anderson stated his frustration is with the city process and not the developer. If he would have had all of the information, he probably would have voted differently on the M-1 vote.

The Council, staff and applicant discussed at great length the proposed rezone, specifically the right in and right out egress.

**MOTION:** Councilmember Anderson moved to approve Ordinance 19-06, approving a Rezone of 1.641 acres located at approximately 5701 West 7800 South from SC-2 (Community Shopping Center) Zone to M-1 (Light Manufacturing) Zone, Think Storage, LLC. Councilmember Lamb seconded the motion.

A roll call vote was taken

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The motion passed 6-1
ADOPT RESOLUTION 19-21, UPDATING THE COUNCIL RULES, POLICIES AND PROCEDURES TO REQUIRE: (1) TWO COUNCIL MEMBER SPONSORS TO INITIATE PLACING AN ITEM ON A COUNCIL AGENDA; AND (2) A TWO WEEK (ONE MEETING) “WAITING PERIOD” TO TAKE ACTION ON AN AGENDA ITEM AFTER A PUBLIC HEARING IS HELD

The Mayor and Council discussed at great length the process to have items added to the Council agenda.

David Brickey suggested that with the new form of government that would begin January 2020, the Council should have guidelines in the Code for this process.

MOTION: Mayor Riding moved to adopt Resolution 19-21, updating the council rules, policies and procedures to require: (1) two council member sponsors to initiate placing an item on a council agenda with the following changes. Keep item #1 authorize to approve a contract for. seconded the motion.

A roll call vote was taken

Councilmember Anderson  Yes
Councilmember Burton     Yes
Councilmember Jacob      Yes
Councilmember Lamb       Yes
Councilmember McConnehey Yes
Councilmember Whitelock  Yes
Mayor Riding             Yes

The motion passed 7-0

IX. REMARKS
Councilmember Anderson stated that in Council District 4 there are some odors that happen from time to time. He felt it was not sourced from where many think it is from. He would like to put out a survey that citizens can use on their phone. Citizens can enter in their location and where the smell is located.

Councilmember McConnehey said he would like to see an online app for residents to see where City snowplows have been.

Councilmember McConnehey also wanted to address an email exchange he had with the head of the West Jordan Chamber and have the Mayor and Council members input. He indicated that Aisza pointed to a discussion that Councilmember Burton had with several businesses in the community regarding water rates. She stated, “That in order to make real progress there needed to be accurate data.” She thinks that the best data to use is a spreadsheet that he created.

His response was that since this wasn’t his District or Town Meeting let him bring this up with the City Council next week.

Councilmember Burton stated he was in favor of Councilmember McConnehey addressing the email from the West Jordan Chamber.
Councilmember Whitelock would like to propose a different scenario. She would like to have a study session and invite the heavy water users.

Councilmember McConnehey stated since he doesn’t have the support of four Councilmembers he will decline meeting with the West Jordan Chamber. He will bring up Councilmember Whitelock the idea of a study session.

Councilmember Burton would like residents to be able to purchase city flags.

David Brickey is concerned about using City resources to acquire a certain good then re-selling it.

Councilmember Whitelock is concerned about winter parking. If it is not enforced, it shouldn’t be in the code.

X. CLOSED SESSION
STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES


STAFF: David R. Brickey, City Manager, and Rob Wall, City Attorney.

MOTION: Councilmember Lamb moved to go into a Closed Session for a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, and adjourn from there. Councilmember Whitelock seconded the motion.

A roll call vote was taken

- Councilmember Anderson: Yes
- Councilmember Burton: Yes
- Councilmember Jacob: Yes
- Councilmember Lamb: Yes
- Councilmember McConnehey: Yes
- Councilmember Whitelock: Yes
- Mayor Riding: Yes

The motion passed 7-0.

The meeting recessed at 8:30 p.m. and convened into a Closed Session at 8:40 p.m.

STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION
- B&B Thomas at 8:40 p.m.
- Writ of Mandamus at 8:40 p.m.
- BEMS Scheduled at 8:41 p.m.
- Water Claim at 8:47 p.m.
STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARE

- New parcel discussed at 8:53 p.m.
- Tenant update at 8:56 p.m.

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

- Employee #1 8:57 p.m.
- Employee #2 9:12 p.m.
- Employee #3 9:24 p.m.

The Closed Session recessed at 9:40 p.m.

XI. ADJOURN

The meeting adjourned at 9:40 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.

JIM RIDING
Mayor

ATTEST:

MELANIE BRIGGS, MMC
City Clerk

Approved this 10th April day of 2019