



**MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL WORK SESSION**

Wednesday, June 9, 2021 - 5:30 pm
Approved July 14, 2021

West Jordan City Council Chambers • 8000 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Zach Jacob, Vice-Chair Kelvin Green, Chad Lamb, Christopher McConnehey, David Pack, Kayleen Whitelock, and Melissa Worthen

STAFF: IT Director Robert Allred, Council Office Director Alan R. Anderson, Community Engagement & Government Affairs Director Tauni Barker, Police Lieutenant Richard Bell, Police Lieutenant James Bigelow, Mayor Dirk Burton, Public Works Director Brian Clegg, City Planner/Zoning Administrator Larry Gardner, Community Development Director Scott Langford, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Fire Chief Derek Maxfield, Economic Development Director Chris Pengra, Assistant City Attorney David Quealy, Council Office Clerk Cindy Quick, Deputy Police Chief Jeremy Robertson, Administrative Services Director Danyce Steck, Assistant City Attorney Jared Tingey, Police Lieutenant Brandon Turner, Police Chief Ken Wallentine, and City Attorney Robert Wall

CALL TO ORDER

Chair Jacob called the work session to order at 5:30 p.m., and noted the meeting was open to the public in Council Chambers, available remotely via Zoom, and streamed live on YouTube.

A. Amendments to the Budget for Fiscal Year 2021

Administrative Services Director Danyce Steck presented final amendments to the FY2021 Budget and answered questions from the Council. Referring to a donation from Pet Smart to fund bulletproof vests for the Police Department K-9s, Council Member Whitelock suggested a system should be in place to ensure donations were publicly recognized and Mayor Burton agreed. Ms. Steck said the FY2021 Budget amendments were scheduled for final review by the Council at the June 23, 2021 meeting.

B. Budget for Fiscal Year 2022 and possible Truth-in-Taxation

Ms. Steck asked the Council for direction regarding agenda management software and the FY2022 Budget. Agenda management software was included in the Mayor's proposed Tentative Budget and removed by the Council at a subsequent meeting, with further Council discussion regarding whether or not agenda management software should be included at the May 26 meeting. Responding to a question from Vice Chair Green, Ms. Steck explained the expense could be included as an expenditure in the IT Reserve Fund with an amendment to the FY2022 Final Budget.

Council Member Whitelock asked City Administrator Korban Lee if he believed agenda management software would allow employees to more efficiently use their time and save the City money in the long-run. Mr. Lee responded that administrative processes for departments responding to Council requests had been significantly streamlined in the last year. He explained that agenda management software tended to serve citizens, council offices, and recorder's offices by earmarking and speeding up time to find items within agendas and past recordings. He stated the electronic process already in

place worked efficiently for his purposes, and emphasized he could not speak to efficiencies that would be provided within the Council Office. Responding to a question from Council Member Whitelock, Mr. Lee explained differences between services provided by the new City website and the proposed agenda management software.

Vice Chair Green stated agenda management software could improve efficiency in the Recorder's Office by saving time when responding to GRAMA requests. He expressed the opinion that agenda management software would make the government of West Jordan more transparent and emphasized the importance of utilizing technology.

Community Engagement and Government Affairs Director Tauni Barker further explained differences between services that would be provided by the City website and agenda management software. She expressed the opinion that agenda management software would save significant time for citizens and for the City Recorder's Office. Council Member Worthen said it sounded like agenda management software would improve overall searchability for citizens and all City departments.

Council Office Director Alan Anderson said he had researched two agenda management software providers, Granicus and PrimeGov. He explained that meeting recordings, agendas, and minutes would be available with a simple click through agenda management software, with all information hosted by the software provider. He added that PrimeGov would interface with the Laserfiche document archive system. He said he had requested agenda management software as a Council Office expense so that the Council Office could design what was needed and shape how the software would interface with the Planning Commission and Recorder's Office. Mr. Anderson recognized that the software was a big ask, and stated he believed the software would save time for existing employees and reduce the need for additional future employees as the City grew.

Council Member Worthen said she was convinced agenda management software would save time for multiple City departments and said she would prefer funding to come from the IT Fund. Council Member Lamb commented that the expense was removed from the FY2022 Budget because the Council had seen expenses increase significantly and decided to fund either an additional employee in the Council Office or agenda management software, but not both in the coming fiscal year. He said he would prefer to approve an additional office employee in FY2022 and reevaluate the need for agenda management software next year.

Responding to a question from Council Member Pack, Ms. Steck explained that the IT Department did have plans to use the money in the IT Reserve Fund over time as technology replacement was necessary. She said the City had been fortunate in being able to fund replacement of some technology with one-time pandemic-related federal funds without dipping into reserves but pointed out that the City would eventually see a spike in technology replacement costs when the new equipment needed to be replaced (3-5 years).

Council Member McConnehey said he was in favor of putting agenda management software back into the FY2022 Budget. He spoke of efficiencies the software would provide to Council Office staff and believed the benefit of adding agenda management software now would be worth possibly needing to postpone hardware replacement in the future.

Council Chair Jacob requested that Staff put agenda management software back in the FY2022 Budget as an IT Fund expense for continued discussion at the next Council meeting. Ms. Steck confirmed she would prepare the FY2022 Final Budget with an amendment.

Ms. Steck updated the Council regarding new growth affecting property tax revenue (\$15.33 million to \$15.85 million). She proposed the following options to the City Council:

- Exercise a one-time judgement levy (1.5%) to recover funds lost when values were adjusted after the tax rate was adopted;
- Approve an inflationary property tax increase to recover the cost of inflation (2.5%);
- Utility transfer (17%)

Ms. Steck showed a property tax comparison of cities in Salt Lake County showing the impact of different property tax rate increases on an average homeowner in West Jordan, listed City needs that could potentially be funded by increased property tax revenue, and explained the timing of the truth-in-taxation process. She then asked for Council direction regarding adjustments to the budget.

Regarding the agenda management software, Council Member Worthen and Whitelock asked each Council Member to weigh in on the issue. Council Member Worthen would like it added in the budget and preferred funding it from the IT Fund. Council Member Whitelock felt the Council Office was growing too quickly without waiting to see what worked. She was okay to try the agenda management software without adding another employee for six months; she did not approve both at the same time.

Council Vice Chair Kelvin Green and Council Member David Pack were fine adding both an employee and agenda management software. Council Member Lamb was in favor of approving another employee but not in favor of approving agenda management software. Council Member McConnehey was comfortable budgeting for both expenses but did not want to authorize hiring at that point. Council Chair Zach Jacob summarized that the majority were for adding both the agenda management software and an employee and asked that it be finalized at the next meeting.

Council Member Whitelock commented that residents had expressed to her they preferred small incremental property tax increases. Council Member Worthen said she had received similar feedback. Council Member Whitelock stated State property tax law was written the way it was to force cities to go through truth-in-taxation every year to keep up with inflation and not lose money. She emphasized it was important to help citizens understand how property taxes worked. Council Member McConnehey said he agreed with the need to help citizens understand property taxes.

Council Member McConnehey was comfortable with a 1.5% or 2.5% increase for FY2022, but not comfortable with tying property tax increases to the Consumer Price Index (CPI). He said he had not spoken with any citizens who understood how property taxes worked and were against incremental increases. Council Member Pack said he was in favor of incremental increases.

Council Members unanimously indicated approval for moving forward with the truth-in-taxation process for a 2.5% increase, with the understanding that the percentage would be discussed and could be adjusted before final adoption.

C. Discussion on Fireworks Restrictions

Chair Jacob expressed the intention to discuss fireworks restrictions following the regular Council meeting.

D. New Business

The Council did not discuss new business items.

Council Chair Jacob adjourned the work session at 6:53 pm

I, Cindy Quick, hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on June 9, 2021. This document constitutes the official minutes for the West Jordan City Council Meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 14th day of July 2021



MINUTES OF THE CITY OF WEST JORDAN CITY COUNCIL MEETING

Wednesday, June 9, 2021 – 7:00 pm
Approved July 14, 2021

West Jordan City Council Chambers • 8000 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Zach Jacob, Vice-Chair Kelvin Green, Chad Lamb, Christopher McConnehey, David Pack, Kayleen Whitelock, and Melissa Worthen

STAFF: IT Director Robert Allred, Council Office Director Alan R. Anderson, Community Engagement & Government Affairs Director Tauni Barker, Police Lieutenant Richard Bell, Police Lieutenant James Bigelow, Mayor Dirk Burton, Public Works Director Brian Clegg, City Planner/Zoning Administrator Larry Gardner, Community Development Director Scott Langford, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Fire Chief Derek Maxfield, Economic Development Director Chris Pengra, Assistant City Attorney David Quealy, Council Office Clerk Cindy Quick, Deputy Police Chief Jeremy Robertson, Administrative Services Director Danyce Steck, Assistant City Attorney Jared Tingey, Police Lieutenant Brandon Turner, Police Chief Ken Wallentine, and City Attorney Robert Wall

1. CALL TO ORDER

Council Chair Jacob called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chief Wallentine led participants in the pledge of allegiance.

3. CITIZEN COMMENT

Council Chair Jacob opened the citizen comment period at 7:03 p.m.

Citizen Comments:

Judy Hanson, West Jordan resident, stated she was representing residents on her street and did not approve of charging \$50 for dumpster rentals. She reported that Sandy City allowed residents to put anything on the curb twice a year for pickup by the city. Ms. Hanson spoke of residents who did not have \$50 to rent a dumpster, and while she agreed that those who abused the free service should be charged, she said she did not believe it was fair to citizens to start charging for a service that had been free for a very long time. Ms. Hanson had served on the West Jordan Planning Commission and City Council. She believed that the Council needed to think of the condition of City roads as a safety issue.

Harold Brown referred to the proposed transfer of funds in the City budget and suggested that the City use emergency fund monies to cover the City's shortfall and replenish the fund when possible.

Charmaine Tarma said she was representing a group of people. She reportedly held 32 police reports between 2008 and July 2010. Ms. Tarma said she opposed her tax dollars being used to torment and persecute certain citizens. She said she looked forward to the day when the Lord Jesus Christ would be invited into City meetings to join the conversation, and said she prayed for freedom for everyone.

Rob Coburn expressed concern regarding the unoccupied Kmart building and the current state of disrepair of the property. He said he understood from a member of staff that a consortium had shown interest in the property and was looking forward to seeing the property cleaned up and become a usable tax base.

Bruce Cutler commented that from a citizen's perspective the City website was difficult to navigate; he thanked the Council for considering agenda management as part of the FY2022 Budget. He announced that he had registered to run for a City Council seat in the 2021 election. Mr. Cutler described past experience, and being relatively new to West Jordan City he felt he had a new perspective on how the City could improve.

David McClain commented that the Mountain View Bike Trail was a jewel of West Jordan and as a professional civil engineer, Mr. McClain was concerned about pavement maintenance on the trail. He asked the City Council to prioritize pavement maintenance on the trail.

Christy Mortensen, through an ASL interpreter, explained she had recently moved to West Jordan from Salt Lake City near East High School. She briefly introduced herself and her husband, and stated they were thrilled to be in West Jordan. Mrs. Mortensen held up a notice of landscaping violation they received, and voiced concern that the notice was very intimidating. She said neighbors had helped them figure the notice out but expressed that many deaf or hard-of-hearing residents would find the language difficult to understand and be frightened. Mrs. Mortensen suggested the notice could be revamped and suggested the City change their approach to be less frightening and intimidating. Council Chair Jacob responded that Staff would reach out to Mr. and Mrs. Mortensen.

David Belnap stated he loved living in West Jordan. He expressed concern about his water bill, which had increased from \$35 in 2007 to over \$200. Mr. Belnap questioned the proposed transfer of funds from the Water Fund to the General Fund stating that the City should hold the General Fund accountable and stop raiding the water utility.

Paul Warner referred to a notice he received regarding an enterprise fund being consolidated and put into the general budget. He spoke of inflation and that it had been a rough year. Mr. Warner stated utility fees should reflect the cost to run the utilities and suggested if the City had overcharged and had extra money in utility funds that the utility fees should be reduced to reflect the actual cost, and collect taxes on something else.

Alexandra Eframo asked for a moment of silence to allow everyone to count their blessings. She said she prayed schools would start having civic classes. Ms. Eframo quoted from the US Constitution noting that everyone should be aware of the Constitution.

Council Chair Jacob closed citizen comments at 7:38 p.m.

4. SPECIAL RECOGNITION

a. DARE America Award Presentation

Utah DARE Director Tibby Milne recognized Chief Ken Wallentine for receiving a DARE America Award for outstanding executive management. Kim Hawkes, Central Regional Director for DARE America, was pleased when he was informed that Chief Wallentine would receive the national award. Mr. Hawkes presented the 2021 DARE Law Enforcement Executive of the Year award to Chief Wallentine. Chief Wallentine said the DARE program brought him a lot of satisfaction. He commended the officers of the West Jordan Police Department and stated they sent the very best officers to the

schools as DARE officers. Chief Wallentine expressed appreciation for the recognition. Chief Jacob stated he was thankful for the West Jordan Police Department and the work they did.

5. AGENCY MEETINGS

At 7:45 p.m., Council Vice Chair Green moved to recess the regular Council meeting and convene a meeting of the Fairway Estates Special Service Recreation District.

Council Member McConnehey seconded the motion.

Council Member McConnehey explained the Council was responsible for the Fairway Estates Special Service Recreation District, Municipal Building Authority, and Redevelopment Agency. The motion passed by unanimous vote (7-0).

The Council returned to regular meeting at 8:08 p.m.

Council Member McConnehey motioned to jump ahead on the agenda to hold public hearings prior to executive reports. Council Vice Chair Green seconded the motion, which passed by unanimous vote (7-0).

7. PUBLIC HEARINGS

Council Member McConnehey moved to readjust the order of public hearing issues as the Chair saw fit.

Council Member Worthen seconded the motion, which passed by unanimous vote (7-0).

Council Chair Jacob asked those in attendance which public hearing issues they were attending to speak for, and reordered the issues: 7f, 7a, 7b, 7c, 7d, and 7e.

f. Transfer of Enterprise Funds

Administrative Services Director Danyce Steck explained that under Utah State Code Section 10-6-135.5, "...a city may transfer money in an enterprise fund to another fund to pay for a good, service, project, venture, or other purpose that is not directly related to the goods or services provided by the enterprise for which the enterprise fund was created." She explained noticing and public hearing requirements and explained that the funds proposed for transfer were charged to compensate the City for use of the City's property to provide a service. Ms. Steck explained that water, sewer, solid waste, storm water, and streetlight utilities were considered businesses. Those businesses used the City's space to provide their services. The proposed transfer would pay for the wear and tear on the City's roads and other open spaces. She explained that if the proposed transfer were removed, a 17% property tax increase would be needed to sustain a balanced budget. Ms. Steck stated the transfer was intended to become a stable revenue source for the General Fund. She presented accounting data for City enterprise funds, explained that the \$50 charge for a first-time dumpster rental significantly reduced the amount of the dumpster program subsidized by all customers, and explained use of the administrative services allocation.

Council Chair Jacob opened a public hearing at 8:33 pm

Citizen Comments:

Kevin Hemmet thanked Ms. Steck for her presentation. He said the enterprise transfer may be legal but he questioned whether it was ethical. He commented that many residents struggled to pay their water bills and added that his bill had increased 100% in the last four years. Mr. Hemmet suggested three possible options for the \$2.6 million surplus: return the money to the residents, keep the money in the Water Fund as a slush fund, or put the money toward existing debt.

Loren Watson stated he was representing several residents. He said he had lived in West Jordan for 43 years and had seen the water rates go up and never down. He spoke of the federal government pushing construction of mega-apartments in the suburbs to try to increase the number of liberal voters in the suburbs, and asked how much of the Water Fund was going toward that development. Mr. Watson asked the Council to let citizens know if the Council was being compromised by federal government blackmail to put in low-income housing. He expressed the opinion that the mega-apartments became slums after 20 years.

Kathie Masich said she paid a municipal city tax on all of her utilities and questioned where the money went. She said City utility fees were running the elderly and middle-class residents out of their homes, and said it felt as though only rich people could have any quality of life anymore. Ms. Masich stated West Jordan had a large majority of seniors and she was sure they were feeling the pain. She said the pockets of the middle-class were empty.

Dave Newton thanked the Council for Ron Wood Park. He commented there were many things cities could do that were legal, but should perhaps not be done. He expressed the opinion the City was heading in the wrong direction with the proposed enterprise transfer and should look at other methods.

Council Chair Jacob closed the public hearing at 8:50 pm

Council Member Worthen asked Ms. Steck to explain why water rates were increased two years ago and why they were adjusted last year. Ms. Steck explained that rates were increased to comply with a debt requirement and adjusted the following year after a water rate study was conducted. With the rate adjustment, the Council adopted water rates that were revenue neutral, with residential and commercial users paying their fair share. Ms. Steck stated Staff did not recommend a water rate change in FY2022.

Council Member Worthen recommended citizens who felt their water bill had gone up astronomically contact the City to try to identify the reason. She said she had personally seen a decrease in her water bill with a change to more water-wise landscaping.

Council Member Whitelock commented that without the proposed enterprise transfer and without a 17% property tax increase, services would need to be cut from the budget. She stated she would not consider cutting public safety, and would not want to cut parks because she knew citizens enjoyed the parks. She asked Ms. Steck the impact on citizens if the Council approved a 17% property tax increase and a refund to the citizens of the enterprise fund 5%. Ms. Steck shared how the rate restructure in 2020 individually affected Council Members, and said a refund of the enterprise fund 5% and a 17% property tax increase would affect the Council Members differently depending on the size of their property and the amount of water they used.

Council Member Lamb shared how his water rate changed from April to May and September to October because of water use and commented that the City offered the opportunity to pay the same amount year-round. He spoke of the City's Fund Balance, and explained the Council approved an enterprise fund transfer to the General Fund in FY2021 because of the economic uncertainty related to COVID-19. With sales tax revenue higher than anticipated in FY2021, the Fund Balance was higher than had been expected. Council Member Lamb stated he would oppose the proposed enterprise fund transfer because of the higher-than-expected fund balance. He said he believed there was a way to

find needed funds in FY2022 without the enterprise fund transfer and without a property tax increase. He pointed out that water would always be an issue, and water rates would continue to go up over time.

Council Member McConnehey spoke of water-conserving changes made in his yard. He said he was not a fan of the proposed enterprise fund transfer. He said the logic made sense, but he was not on board with the philosophy. Council Member McConnehey stated the structure of property tax was different from a utility tax, and briefly explained property taxes for his property. He said he would prefer a property tax increase to cover City revenue needs.

Council Member Pack said he appreciated the different perspectives. He spoke of deferred maintenance, and commented that the City was already mowing City parks every two weeks. He emphasized that Council Members lived in the City and would share in whatever decision was made. Council Member Pack stated the goal was highest and best use.

Council Vice Chair Green stated the last year was a budget fluke, and the Council needed to look at the long-term financial stability of the City, whether through a utility transfer or a change in property tax. He said the Council and public had not yet discussed the Cemetery Perpetual Fund and stated he would rather use the surplus for the Cemetery Perpetual Fund than use General Fund revenues for the cemetery. Regarding the dumpster program, Council Vice Chair Green pointed out the citizens were paying for the dumpsters whether the City charged for individual rentals or not. Without the \$50 charge for initial dumpster rental and \$200 for subsequent dumpster rentals, everyone's utility bill would increase by \$25 per year to pay for the free service. Referring to Ms. Steck, Council Vice Chair Green stated West Jordan had the best Finance Director in the State. He expressed the opinion that the Mayor, Council, and Staff were working hard and being responsible with the budget, and emphasized that if services needed to be cut, they would be core services the citizens wanted and considered important because the City was already running lean.

Council Member Worthen stated the Council lived in West Jordan and paid the same bills other citizens paid. She said she felt the enterprise fund transfer would even things out with entities that did not usually pay those fees. She spoke of cutting back the amount of water used and said she had noticed some businesses watering less than they had prior to the rate adjustment in 2020. Council Member Worthen said she believed Staff had done a great job balancing the budget and emphasized that taxes paid for services and the people behind those services.

Council Chair Jacob stated there was very little public comment on the same topic last year. He said he voted against the transfer last year. He said he understood the argument that the utility transfer would include funds from tax-exempt properties that paid utility fees but not property taxes and said his response last year had been that those entities were tax-exempt for a reason. Council Chair Jacob said the proposed transfer did not feel right to him from a policy standpoint. He explained to the public that the Council vote on this item would occur at the next Council meeting.

**MOTION: Council Vice Chair Green moved to continue the public hearing to June 23, 2021.
Council Member McConnehey seconded the motion.**

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	Yes

Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 7-0.

City Attorney Rob Wall commented that individuals who already spoke during the public hearing for this topic would not be allowed to speak again at the continued public hearing.

a. Continued from May 26, 2021 – Landscaping Requirement Amendments

City Planner/Zoning Administrator Larry Gardner thanked Council Members Whitelock, Green, and McConnehey for helping to work through the landscaping ordinance. He explained proposed amendments to landscaping requirements.

Council Chair Jacob opened a public hearing at 9:45 pm

Citizen Comments:

David McClain, West Jordan resident, said he knew there was not enough water in the valley for everyone and stated the Council was showing leadership by adopting the landscaping requirements. He expressed support for the proposed landscaping ordinance.

Paul Warner believed the City was moving in the right direction and commented that citizens could have beautiful yards without a lot of grass. He expressed support for the proposed ordinance.

Breanne Patterson, West Jordan resident, said she used to live in Arizona and supported the proposed ordinance. She suggested the City provide visual examples of what the landscaping requirements looked like.

Alexandra Eframo commented that Utah was the second driest state in the nation and water was precious. She said she prayed turf would not be allowed at all and suggested use of artificial turf, stone, and perennial plants.

Council Chair Jacob closed the public hearing at 9:55 p.m.

Council Vice Chair Green stated the proposed ordinance included a link to a visual example. He added that Jordan Valley Water Conservation District had great ideas on their website and at their garden (8275 South 1300 West). Council Member McConnehey commented that most of the legal language in the ordinance came from Jordan Valley Water Conservation District. He encouraged residents to read the code. Council Member Worthen stated the Jordan Valley Water Conservation Park was an awesome resource. Council Member Whitelock added that St. George had a conservation garden as well. Council Chair Jacob said he was in favor of the proposed ordinance and wanted to see the City lead out with flipping park strips and finding areas to eliminate unused turf.

MOTION: Council Member Whitelock moved to approve Ordinance No. 21-10 amending the 2009 City Code Chapter 13 Landscaping Requirements and Section 13-2-3 Definitions.
Council Member McConnehey seconded the motion.

Council Member Whitelock thanked Mr. Gardner for his work on the ordinance.

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	Yes
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 7-0.

At 10:02 pm, Council Member McConnehey moved for a five minutes recess.

Council Vice Chair Green seconded the motion, which passed by unanimous vote (7-0).

The Council reconvened at 10:10 pm

b. Accessory Dwelling Units

City Planner/Zoning Administrator Larry Gardner presented a proposed ordinance addressing Internal Accessory Dwelling Units (IACU) and External Accessory Dwelling Units (EADU). The proposed ordinance was the result of many months of work by Staff, the Planning Commission, and the City Council.

Council Chair Jacob opened a public hearing at 10:16 pm

Citizen Comments:

None

Council Chair Jacob closed the public hearing at 10:17 pm

Council Member McConnehey suggested removing reference to failing septic tanks from the proposed ordinance to avoid putting the City in the position of having to judge what constituted a failing septic tank. Council Vice Chair Green stated the language was taken from State law. He added that if the City did not specify that an ADU could not be placed on a property with a failing septic tank, the City would have to allow an ADU on a property with a failing septic tank.

Council Member McConnehey suggested changing language to state that a property owner with an ADU shall “maintain a valid business license” instead of “obtain a business license”. He asked why the proposed ordinance prohibited installation of separate utility meters for an ADU. Council Vice Chair Green responded the reason for prohibiting a separate meter was to preserve the nature of a single-family home. Staff confirmed the City prohibited installation of separate meters for home-based businesses. Council Member McConnehey stated he was not a fan of that restriction.

Council Member McConnehey referred to the restriction that EADUs were limited to rear yards only and said he did not believe the restriction would make sense for all properties. He suggested the

Council strike the language and rely on existing code that dictated where buildings could be placed. Council Chair Jacob and Council Vice Chair Green expressed agreement.

Council Member Lamb stated he felt ADUs were being pushed on all cities in Utah. He said he understood why ADUs were a topic of conversation, and could see the good, but mostly saw the negative impacts on neighbors who may suddenly find themselves essentially living next to a duplex or apartment complex.

Mr. Wall confirmed the language from the State was “failing septic tanks”. He suggested the City could define what “failing” meant. Responding to a question from Council Member Whitelock, Mr. Wall confirmed that if the City did not adopt an ADU ordinance specific to the City, the situation would default to current State parameters for IADUs.

Council Member Pack said he wished the City had a bit more autonomy with the issue. He suggested clarifying language regarding the allowance of only one ADU per property, whether internal or external. Council Member Pack said he agreed that limiting EADUs to only rear yards would not make sense for all properties.

Responding to a question from Council Chair Jacob, Mr. Gardner explained an ADU would fall under the rental business license category.

MOTION: Council Member McConnehey moved to approve Ordinance No. 21-18 amending the 2009 West Jordan City Code adding Accessory Dwelling Units to all R-1 Single-family Residential Zones with the following modifications:

- 13-5B-8A(2) should be changed to “only one accessory dwelling unit. . . (striking out the word internal)
- 13-5B-8A(4) should state “The property owner shall maintain (strike out obtain) a valid business license. . . “
- 13-5B-8B(4) should state “External Accessory Dwelling Units (strike out are permitted in rear yards only and) shall not cover more than twenty percent (20%).of the rear and side yard.

Council Member Worthen seconded the motion.

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	Yes
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 7-0.

c. Future Land Use Map Amendment and Rezone Request

Senior Planner Brian Berndt explained the request to amend the Future Land Use Map and rezone property located at 9000 South and Mountain View Corridor/5892 West Dannon Way from Planned Community Zone (P-C) to Light Manufacturing Zone (M-1).

Council Chair Jacob opened a public hearing at 10:38 pmCitizen Comments:

None.

Council Chair Jacob closed the public hearing at 10:38 pm

MOTION: Council Vice Chair Green moved to approve Ordinance No. 21-20 amending the General Plan Land Use Map at 9000 S and Mtn View Corridor / 5892 W Dannon Way redesignating approximately 4.5 acres from Regional Commercial to Light Industrial and rezoning the same property from P-C Zone to M-1 Zone. Council Member McConnehey seconded the motion.

Council Member Whitelock said she wished the City were looking at the larger piece of property rather than piecemealing the area.

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	Yes
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 7-0.

d. Final Budget for Fiscal Year 2022

Administrative Services Director Danyce Steck said she would include American Rescue Plan Act (ARPA) funds the City expected to receive in the FY2022 Budget for discussion by the Council at the work session scheduled for June 23, 2021. Council Member Whitelock requested the Council receive the information for review prior to the 23rd.

Council Chair Jacob opened a public hearing at 10:44 pmCitizen Comments:

None

Council Chair Jacob closed the public hearing at 10:44 pm

Council Member McConnehey said he wanted to find a way for the City to be able to provide a free first dumpster rental and suggested no rental fee if five neighbors signed a petition with the requesting resident. Council Chair Jacob said he wanted those who used the service to pay for the service. He said he liked the existing middle-ground. Council Member Whitelock said in her neighborhood, those who could afford the \$50 rental fee were ordering dumpster and inviting neighbors to use them. She said she was comfortable with the current program. Council Member Worthen said she agreed, and suggested members of a neighborhood could coordinate and share the

cost of a dumpster rental. Council Vice Chair Green said he would want to see numbers before approving something like Council Member McConnehey suggested.

Mayor Burton spoke of placing a dumpster in a common area with neighborhood financial cooperation for neighborhood use. Council Member McConnehey asked if the Council would be interested in approving neighborhood service-type events. Council Chair Jacob said he was in favor of leaving the program as it was, with the Mayor able to execute the program within the budget.

e. Budget Amendments for Fiscal Year 2021

Council Chair Jacob opened a public hearing at 10:52 pm

Citizen Comments:

Alexandra Eframo asked that the Council not approve the \$3 million to update City Hall. She believed an update was not necessary and suggested putting the issue to a vote to see if citizens were willing to pay for a City Hall renovation.

Council Chair Jacob closed the public hearing at 10:55 pm

MOTION: Council Member McConnehey moved to continue the public hearing to June 23, 2021.

Council Vice Chair Green seconded the motion.

The vote was recorded as follows:

Council Chair Jacob	Yes
Council Vice Chair Green	Yes
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes

The motion passed 7-0.

8. CONSENT ITEMS

a. Approve Meeting Minutes

- ***May 12, 2021 Work Session and Regular City Council Meeting***

MOTION: Council Vice Chair Green moved to approve Consent Item 8a.

Council Member Whitelock seconded the motion, which passed by unanimous vote (7-0).

6. EXECUTIVE REPORTS TO COUNCIL

a. Mayor's Report

Mayor Burton reported regarding meeting with Senator Harper. Referring to a public comment earlier in the meeting, the Mayor agreed that first-time code violations could be adjusted. He reported watering in City parks had been adjusted to reduce water consumption.

b. City Administrator's Report

City Administrator Korban Lee provided an update on construction of pickle ball courts in Ron Wood Park. He reported Cultural Art Society financial statements were forwarded to the Council, and Staff were proceeding with a CPA review of the financial statements. Funds had not yet been distributed to the Cultural Art Society.

9. CITY COUNCIL REPORTS/REMARKS**a. Council Office Report**

Council Office Director Alan Anderson stated the audio balancing in Council Chambers had been much better for that meeting. He asked if the Council wanted to return to holding work sessions in a separate room and moving to Council Chambers for Council meetings as was the practice before the pandemic. A majority of the Council indicated agreement.

b. City Council Reports / Remarks

Council Member McConnehey –

- Thanked Public Works personnel for responding to a raccoon incident in his neighborhood.

Council Member Worthen –

- Spoke of upcoming 4th of July events.
- Gave a shout-out to the family of Indie Lou and encouraged the Council to become familiar with the family's story.
- Gave a shout-out to Council Vice Chair Green for reminding them of the importance of recognizing Memorial Day and honoring those who served the country. She thanked Council Vice Chair Green for his service to the country.

c. Unfinished Business Reports

The Council briefly reviewed a list of unfinished business items from previous agendas, and a list of new business items expected to appear on future agendas.

WORK SESSION CONTINUED - FIREWORKS DISCUSSION

Chief Maxfield had reviewed fireworks restrictions with the Fire Marshal commenting that he was comfortable with fireworks restrictions adopted the previous year and did not believe changes were needed for 2021. Chief Maxfield stated precautions had been taken to mitigate risk and he was not any more concerned about the upcoming fireworks season than any other year.

Council Member Whitelock said she had noticed there were more dry lawns than in previous years, and she knew many citizens were concerned about fire risk. Council Member McConnehey suggested the City remind owners of undeveloped property of City Code regarding plant growth and let them know the Code would be enforced. Chief Maxfield commented it would be difficult to identify all private property areas that would be a threat and would be difficult to enforce on all the properties. Council Member McConnehey suggested identifying some of the larger properties that may pose a threat.

Responding to a question from Council Vice Chair Green, City Attorney Rob Wall described fireworks restrictions the City could legally enforce. The Council discussed restriction boundaries. Council Vice Chair Green pointed out the City did not have fireworks restrictions codified by ordinance and suggested putting something in Code for review in March every two years based on historical data provided by the Fire Department.

Council Vice Chair Green said he liked the idea of providing a designated space for citizens to safely and legally set off fireworks. Chief Maxfield described what were considered fireworks. Council Member Worthen asked that the information be shared with the community. Council Chair Jacob expressed a desire for the City to enforce the laws that were in place. Council Member Whitelock asked that the Mayor and Staff do some social media posts about the dangers. Mr. Wall suggested amending the portion of City Code that was clearly in violation of current State law.

10. CLOSED MEETING

The Council did not meet in a closed session.

11. ADJOURN

Council Vice Chair Green moved to adjourn the meeting, and Council Member McConnehey seconded the motion. All voted in favor and the motion passed unanimously (7-0).

The meeting adjourned at 11:41 p.m.

I, Cindy Quick, hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on June 9, 2021. This document constitutes the official minutes for the West Jordan City Council Meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 14th day of July 2021