

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

Wednesday, November 4, 2015

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

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

STAFF: Mark R. Palesh, City Manager; Darien Alcorn, Interim City Attorney; Melanie Briggs, City Clerk; David Oka, Economic and Community Development Director; Brian Clegg, Parks Director; Ryan Bradshaw, Finance Manager; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Scott Langford, City Planner; Larry Gardner, Senior Planner; Justin Stoker, Deputy Public Works Director; Dave Murphy, CIP Engineering Manager; Tim Heyrend, Utilities Engineer, and Roger Payne, Engineering Utilities Manager.

CALL TO ORDER

Mayor Pro-Tempore Hansen called the meeting to order at 5:32 p.m.

I. 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 Pro-Tempore Hansen and Council Members Jeff Haaga, Judy Hansen, Chris M. McConnehey, Chad Nichols, Sophie Rice, and Ben Southworth. Mayor Kim V. Rolfe was excused.

STAFF: Mark R. Palesh, City Manager; Darien Alcorn, Acting City Attorney, and Tracy Cowdell, Contracted Attorney.

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

A roll call vote was taken

Councilmember Haaga	Yes
Mayor Pro-Tem Hansen	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Councilmember Southworth	Yes
Mayor Rolfe	Absent

The motion passed 6-0.

The Council convened into a Closed Session to discuss the character professional competence or physical or mental health of an individual; Strategy Session to discuss pending or reasonably imminent litigation, and a Strategy Session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares at 5:30 p.m.

The Council recessed the Closed Session at 5:59 p.m.

The meeting reconvened at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance and Flag Ceremony was led by members of the Weebelo Scouts, Troop #4206.

III. COMMUNICATIONS

CITY MANAGER COMMENTS/REPORTS STAFF COMMENTS/REPORTS

Brian Clegg –

- Bond money for the parks project – nine of the 24 playground systems had been completed and installed
- Jordan Meadows and Teton Estates tennis courts had been resurfaced. Striping would be done in the spring.

Ryan Bradshaw –

- Staff anticipated moving forward with the Storm Water bond
- Parameters resolutions would be brought to the City Council on December 2, 2015

Wendell Rigby –

- A full Storm Water System Management Plan audit would be conducted on December 2 and 3, 2015

CITY COUNCIL COMMENTS/REPORTS

Councilmember Southworth –

- Western Stampede work had begun for the 2016 events in July
- January 2016, he would no longer be the Western Stampede Liaison

Councilmember Haaga –

- Questions regarding the Code Enforcement process

Darien Alcorn gave a brief report on how code violations were handled by Code Enforcement Officers. She said West Jordan utilized the Administrative Enforcement process. Fines were described in the City Code.

Councilmember Southworth suggested Councilmember Haaga get the graphic showing the process from the Attorney's office.

Councilmember Haaga indicated that he had recently received a lot of calls regarding code enforcement. He requested the City Code and State Law regarding the Administrative process.

- Request for Proposals – LED Lights
 - Where are the funds
 - Amount of the rebate

Wendell Rigby indicated that staff was in the process of preparing a purchase order. Staff was looking at encumbering approximately \$3.2 million for equipment and retaining \$300,000 for installation. Rebate amounts were still be worked on.

Councilmember McConnehey –

- Expressed his appreciation to the scouts for the flag ceremony
- Code Enforcement – West Jordan Municipal Code Title 1-14C (would address Councilmember Haaga's questions)

Mayor Pro-Tem Hansen –

- Congratulated Sophie Rice, Dirk Burton, and Chris McConnehey on their success at the last election
- Increase the number of Code Enforcement and Animal Control Officers in the new year

Councilmember Southworth suggested adding the discussion of additional Code Enforcement and Animal Control Officers positions to the Strategic Planning Session calendar.

Mark Palesh –

- Asked the Council to let him know if there were items they would like to discuss during the Strategic Planning session in January.

IV. CITIZEN COMMENTS

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

She also commented on the following:

- Reported that she was still waiting for an apology from one specific Councilmember to the Mayor, City Council, and West Jordan residents.
- West Jordan Journal not being delivered to all residents of West Jordan
- She also briefly commented on the alleged sexual discrimination accusations

Councilmember Haaga suggested that staff look into; Why the West Jordan Journal was not being delivered to all West Jordan residents.

Kristie Johnson, West Jordan resident, West Jordan Little League Youth Program, requested a variance for Constitution Park on November 14, 2015, in order to hold playoff games.

Councilmember McConnehey asked clarifying questions.

Kristie Johnson said the adult flag football team had been contacted to see if the variance was granted would they would be willing to move to Constitution Park, thus enabling the play-offs to be held at West Jordan Middle School and Majestic Elementary.

Brian Clegg indicated that he had spoken with Travis Johnson from West Jordan football, and the problem was the variance. Variances were usually presented to the Council and in this case there was no time.

Darien Alcorn indicated that no ‘waiver of fees’ were being considered, so a public hearing was not necessary.

Councilmember Southworth suggested the City Manager and staff work together to see if this was feasible, and then report back to Council.

Betty Naylor, West Jordan resident, commented on Business Item 7.a, allowing swine (pigs) in Rural Residential zones; she felt this change would benefit 4-H and Future Farmers of American (FFA). She encouraged the Council to approve the proposed text amendment.

Mayor Rolfe arrived at 6:32 p.m.

Jaylynn Thomas, West Jordan resident, commented on West Jordan Municipal Code Title 1-3-8 regarding Fidelity Bonds.

Dirk Burton, West Jordan resident, commented on Business Item 7.a, allowing swine (pigs) in Rural Residential zones. He had recently been at a pig farm and reported that it took a week for the odor to leave his vehicle. He suggested contacting the neighbors who might be influenced by the proposed text amendment allowing swine, to receive their input.

Councilmember Haaga stepped down from the dais, and spoke as a resident.

Jeff Haaga, West Jordan resident, reported that he had a document to hand out to the Council, and some staff members.

Councilmember Southworth asked for a legal opinion.

Darien Alcorn reported that service to the City was done through the City Clerk; however, service to individuals must be done upon the individual to be effective.

Councilmember Southworth said he was unsure as to what just happened, but it was highly irregular.

Councilmember McConnehey said for the record, that although Councilmember Haaga did drop some documents in front of him on the dais, he did not accept them and they had been returned to his area.

Councilmember Hansen stated, "As did I."

Councilmember Southworth stated, "So did I."

Councilmember Rice stated, "I as well."

Jeff Haaga said, know that I addressed this Council as a resident of West Jordan, and now I am back in my official capacity.

There was no one else who wished to speak.

V. CONSENT ITEMS

- a. Approve Resolution 15-200, authorizing the Mayor to execute Amendment No. 4 to the Professional Service Agreement with Stanley Consultants, Inc. for a secondary water pipeline design along 7000 South from the South Valley Water Reclamation Facility to Bangerter Highway, not to exceed \$141,568.00**

- b. Approve Resolution 15-201, authorizing the Mayor to execute a Memorandum of Agreement with Salt Lake City Corporation and the City of West Jordan for shared costs for construction of the sewer and storm drain pipeline crossing the South Valley Regional Airport**
- c. Approve Resolution 15-202, authorizing staff to increase the storm water bond issue from \$5,000,000 to \$6,500,000 for the 7800 South 4000 West Slip Lining Project**

Mayor Rolfe pulled Consent Item 5.c. for further discussion.

All of the Consent Items were moved until after the end of the Business Items.

VI. PUBLIC HEARINGS

CONTINUE UNTIL NOVEMBER 17, 2015 – MOTION REQUIRED - RECEIVE PUBLIC INPUT AND CONSIDER FOR AN ORDINANCE AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 13, ‘ZONING REGULATIONS,’ ADDING 13-8-24 ‘MURAL OR WALL ART,’ CITY OF WEST JORDAN, APPLICANT

MOTION: Councilmember Southworth moved to continue the Public Hearing item and Ordinance amending the 2009 West Jordan Municipal Code, Title 13, ‘Zoning Regulations,’ adding 13-8-24 ‘Mural or Wall Art,’ until December 2, 2015. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

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

The motion passed 7-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 15-203, ADOPTING THE STORM DRAINAGE MASTER
PLAN**

Wendell Rigby said the Storm Drainage Master Plan (Master Plan) was last undated in 2007, which included the assessment and recommendations for future detention basins, pipelines, road culverts, system modeling, and a capital projects list. Since that time, the

City contracted with Hansen, Allen, and Luce, to complete a new Storm Drainage Master Plan.

The new Master Plan used more robust modeling software to evaluate every inlet, channel, and pipeline in the City's infrastructure, and to determine deficiencies and propose solutions. Standard rainfall curves over a 10-year and 100-year storm probability were used in the model to estimate storm water flows. The City's operations and engineering staff provided input on any problem areas within the City, which area were included in the deficiencies list.

The Master Plan identified 50 separate deficiencies in the drainage system as shown in Table 4-1. These deficiencies included areas of flooding, pipes that were under capacity to carry the storm, detention ponds that were undersized, areas where additional piping or basins were needed. Future growth and development necessitates new piping and basins that are impact fee related.

The Capital Improvement Plan (CIP) was shown in Chapter 5, Table 5-1 and Figure 5.1. The CIP identified 78 separate projects to correct the deficiencies of the storm drainage system. The CIP table included a breakdown of which projects were eligible for user fees and the percentage of the project cost which was eligible for impact fee reimbursement. Cost estimates were based on unit construction costs indices (ENR 2015), the engineer's experience, and communication with suppliers and construction data references. The total cost for the Storm Drainage System improvements was \$44,339,000 of which \$21,709,000 was eligible for impact fee reimbursement.

The City held a public open house on October 13, 2015 to discuss the proposed Master Plan. The comments received commended the City for the manner in which they were operating the system, and indicated a location where a home was currently being flooded at 6876 South 3235 West. The residents were relieved that a new pipeline was under construction across from Constitution Park and that the new 7000 South pipeline was proceeding this year. Residents asked about the user fee for storm water and understood that the fee needed to increase for the needed infrastructure.

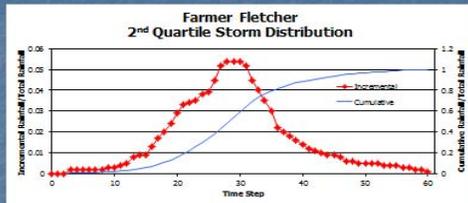
Wendell Rigby said the report addressed recommended future Storm Drainage projects which would impact the Storm Drainage budget.

Staff recommended the City Council adopt the 2015 Storm Drainage Master Plan.

Greg Poole, Hansen, Allen & Luce, provided the following presentation:



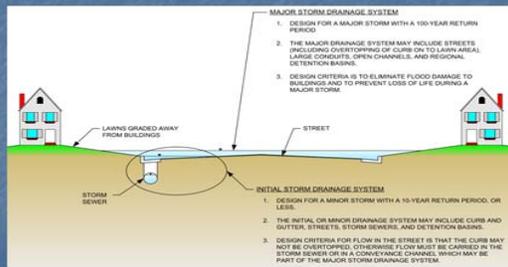
Methodology



Modeled Rainfall Depths				
Storm Frequency	1 yr.	5 yr.	10 yr.	24 hr.
10-yr. Rainfall Amount (in.)	0.86	1.06	1.28	1.87
100-yr. Rainfall Amount (in.)	1.70	1.88	2.02	2.38

*All rainfall amounts are from NOAA Atlas 14.

Criteria



The Council and staff discussed clarifying questions.

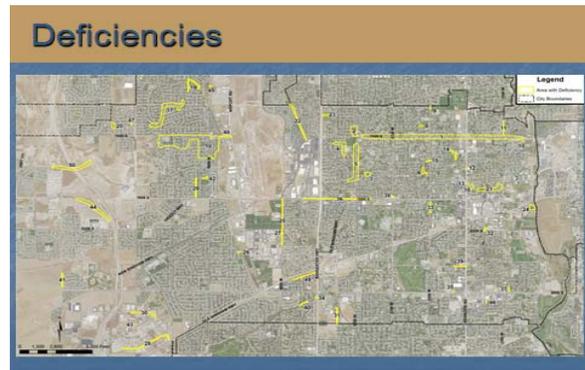
Mayor Rolfe asked Mr. Poole whether he had the amount of water Cubic Feet per Second (CFS) that enters West Jordan's system from Taylorsville City and Kearns/Salt Lake County.

Mr. Poole reported that he had those amounts.

Mayor Rolfe requested that information.

Mayor Rolfe opened the public hearing.

Barbara Backman, West Jordan resident, reported that her son's home was in an area of flooding. This past spring, she appreciated the City's assistance in keeping the water from her son's home. She spoke in favor of the proposed Storm Drainage Master Plan.



Alexandra Eframo, West Jordan resident, commented on the cities in the news that had been flooded; and how lucky West Jordan was that the city had minimal flooding.

June Christiansen, West Jordan resident, said water was a big issue. She said this was not just about controlling the flooding it was about containing the water in a more usable place. She felt the proposed Storm Drainage Master Plan would be a benefit to the City.

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

Councilmember Haaga said he was impressed with the plan, but felt it should be expedited.

MOTION: Councilmember Nichols moved to adopt Resolution 15-203, to adopt the 2015 Storm Drainage Master Plan and have staff prepare an updated Capital Facility Plan. The motion was seconded by Councilmember McConnehey.

Mayor Rolfe supported the motion; however, he was looking forward to the discussion in January regarding some of the impact fee eligible items in the study; and the other entities water that enter West Jordan's storm drain system.

A roll call vote was taken

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

The motion passed 7-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 15-204, ADOPTING THE SECONDARY WATER MASTER
PLAN**

Wendell Rigby said in 2006, the City of West Jordan performed an update to the Secondary Water Master Plan for the City. At that time, the 2006 Secondary Water Plan was approved, it was decided by the City Council not to implement the plan. In the years since, concerns with population growth, along with long term availability of culinary water, and increased costs to culinary water have merited an update to the City's Secondary Water Master Plan.

Late last year, the City contracted with the engineering firm Hansen, Allen and Luce (HAL) to perform the 2015 update to the Secondary Water Master Plan. The draft was

recently completed and presented to the City Council for preliminary acceptance. On September 30, 2015, the approved draft was presented at a public open house.

The plan had been finalized, incorporating all comments, and was presented to Council for final adoption.

Currently, City staff was actively working on identifying secondary water sources and testing the viability of the existing dry pipe systems in various parts of the City. It might take several months to finalize this information. City Council may choose to either begin implementation of the Secondary Water Master Plan or wait until further information was available.

Regarding the fiscal and/or asset impact, the staff report included in the Council's agenda packet addressed recommended service areas and provided two alternatives for implementation. Impacts were related to level of implementation with cost estimates provided in the Master Plan document.

Staff recommended the City Council adopt the 2015 Secondary Water Master Plan. Staff was not asking for the Council to move forward with implementation at this point.

Richard Noble, Hansen, Allen & Luce, said the scope of the Master Plan was limited to the areas west of 4800 West. No implementation was concerned to the east of 4800 West in this proposed Master Plan. He provided maps along with the following information:

**TABLE III-1
 SECONDARY WATER SYSTEM SERVICE AREA AND IRRIGABLE ACRES BY
 LAND USE TYPE**

LAND USE TYPE	TOTAL ACRES	PERCENT IRRIGATED	IRRIGABLE ACRES
High Density Residential	89	50%	44
Medium Density Residential	424	60%	255
Low Density Residential	2,036	75%	1,527
Very Low Density Residential	335	90%	302
Park	366	90%	330
School	258	50%	129
Total	3,508		2,586

**TABLE III-2
 SECONDARY WATER SYSTEM POTENTIAL
 NUMBER OF CONNECTIONS (ESTIMATED)**

LAND USE TYPE	TOTAL ACRES	DENSITY (CONNECTIONS/AC.)	POTENTIAL CONNECTIONS
High Density Residential	89	10	887
Medium Density Residential	424	5	2,121
Low Density Residential	2,036	3	6,107
Very Low Density	335	2	671
Park	366		25
School	258		11
Total	3,508		9,822

**TABLE VI-1
 ALTERNATIVE 1 SUMMARY OF ESTIMATED CAPITAL COSTS**

Phase	Capital Cost
Phase 1	\$ 2,790,000
Phase 2	\$ 14,400,000
Phase 3	\$ 7,600,000
Phase 4	\$ 4,400,000
Phase 5	\$ 5,300,000
Phase 6	\$ 3,500,000
Phase 7	\$ 13,200,000
Phase 8	\$ 16,000,000
Water Rights Purchase (2,551 acre-feet)	\$ 5,100,000
Total Capital Cost	\$ 72,290,000

CIP - Alternative 1	
2015	\$500,000
2016	\$7,396,670
2017	\$7,192,000
2018	\$7,192,000
2019	\$7,622,509
2020	\$4,399,704
2021	\$7,999,688
2022	\$7,999,687
2023	\$5,303,070
2024	\$3,496,722
2025	\$6,601,949
2026	\$6,601,949
TOTAL	\$72,305,948

He said the assumed schedule showed the projected revenues that needed to be received through user fees starting next year with two components: 1) a per connection charge, used to take care of fixed costs of the system, and 2) A use charge per acre foot that would be used to recover the veritable costs.

He said several policy decisions needed to be made, a rate study, and impact fee study was needed to determine the user rates.

Councilmember Haaga asked clarifying questions regarding water rights, buying acreage of water, and water contamination.

Greg Poole responded to Councilmember Haaga questions.

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

MOTION: Councilmember Southworth moved to approve Resolution 15-204, to adopt the Secondary Water Master Plan and have staff prepare an updated Capital Facility Plan. The motion was seconded by Councilmember Nichols.

Councilmember Haaga would like staff to determine water rights in all of West Jordan. He said some of the rights were still owned by major landowners in the City.

Mayor Rolfe clarified that water rights would need to be purchased from willing sellers.

A roll call vote was taken

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

The motion passed 7-0.

VII. BUSINESS ITEM

RECONSIDERATION OF ORDINANCE 15-32, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE 13-5B-7, TO ALLOW SWINE (PIGS) IN RURAL RESIDENTIAL ZONES SUBJECT TO THE LIMITATIONS OF THE ANIMAL POINT SYSTEM, CITY-WIDE APPLICABILITY; CITY OF WEST JORDAN, APPLICANT

Scott Langford said in 2011, the City Council requested that City staff review and reanalyze the point system related to the number of farm animals permitted within the Rural Residential zoning districts. Staff compared the City codes of eight cities along the Wasatch Front, 4H regulations, and other pertinent animal husbandry programs to West Jordan's 2009 City Code. Based on this information and discussions held at public hearing, the City's code was amended to reflect the current requirements.

During the August 12, 2015 City Council meeting, the City Council directed staff to look into the possibility of amending the code to allow for swine in the Rural Residential zones.

The specific request from the City Council was, "an addition to the Animal Ordinance for Rural Residential only, pigs equal to the number of points of that of a horse or cow.

General Information and Analysis:

The West Jordan 2009 City Code only permitted "farm animals in the Rural Residential and Agricultural zones. However, the Agricultural zones were not regulated by the animal point system, but rather were regulated (in some cases) for animal type and quantity through the conditional use permit process.

For example, in the Agricultural zones, a property owner may, as a permitted use, keep livestock and fowl without city restrictions on type and quantity. However, in the case of potentially more impactful animal uses, such as the keeping of swine or operating a dairy, the property owner must obtain a conditional use permit (Section 113-5A-2).

Listed below were the following currently adopted code requirements for animal allowances in the Rural Residential zones:

Section 13-5B-7:

B. Animal Limitations: The maintenance and keeping of animals and fowl on a lot in a rural residential zone, where such use is permitted, shall be limited to a total of twenty (20) animal points per ten thousand (10,000) square feet, as determined from the chart in this section. A minimum of twenty thousand (20,000) square feet is required for the keeping of animals or fowl. Legally created lots in rural residential zones that are between eighteen thousand (18,000) square feet and twenty thousand (20,000) square feet shall be deemed to meet the twenty thousand (20,000) square feet minimum and point qualifications. All animals located on a lot of land shall be contained upon said lot. The number of animals determined from the chart below for a particular property does not include the offspring of any large or medium sized animal which offspring is

less than twelve (12) months of age; and also does not include one litter, kindle or clutch of offspring of a small animal up to the twelve (12) months of age; provided that all offspring of a small animal mother born within the same twelve (12) month period as the excluded single litter, clutch or kindle shall be counted toward the limitation number in the chart below.

Type Of Animal	Number Of Points Per Animal
Large animals, such as horses and cows	17
Medium animals, such as sheep and goats, but not including standard size pigs	8
Small animals, such as chickens, ducks, geese, pigeons, rabbits, chinchillas	1

Text Amendment Request:

In general terms, zoning ordinances must be developed in such a way that they provide balance between the sanctity of private property use verses the potential negative impact those uses may have on the rights and enjoyment of other property owners. In addition, zoning regulations should be clear, straight forward, and enforceable.

Given these parameters and Council direction, staff had concluded research (both online and in the field) to present the facts that should be measured by the Planning Commission and the City Council when considering this potential code amendment.

Since the initial Council direction was to put swine on par with horses and cows, the following table had been prepared as a comparison of these animals. Please note that the numbers provided were an average of various breeds:

	Avg. Animal Weight	Manure / Day	Annual Offspring Potential
Cows	1,000 lbs.	65 lbs.	1
Horses	1,000 lbs.	50 lbs.	1
Swine	220 lbs.	14 lbs.	23

As shown in the table, swine can reproduce at a considerably higher rate than cows and horses; however, the general size of swine and the amount of manure produced was significantly less than cows and horses.

With that said, the amount of space needed to raise swine arguably was less than what was needed to raise cattle and horses, therefore swine arguably could be kept at higher densities (head/acre) than cows or horses. Many of the negative connotations, both real and perceived, that were associated with swine had to do with odor, which were caused or exacerbated by large numbers swine that were often kept together in small areas.

Per the information collected, it appeared that much of the potential impact of swine could be mitigated by placing additional restrictions on the keeping of this animal; such as capping the total number of animals on a property and prohibiting breeding/birthing and rearing of swine in the Rural Residential zones.

Based on the information present at the Planning Commission meeting, it appeared that placing swine on par with horses and cows (in terms of animal points) was incongruent with potential impacts. Therefore, after much discussion at the Planning Commission public hearing, staff and the Planning Commission agreed to make a slight modification to the proposed text amendment and propose an amendment that categorized swine as a medium size animal; subject to a few more restrictions to mitigate potential safety and odor concerns. Categorizing swine as a medium size animal would consume less animal points, thereby giving property owners the ability to have a greater variety of animals on their property.

The following was the proposed code amendment:

Section 13-5B-7:

B. Animal Limitations: The maintenance and keeping of animals and fowl on a lot in a rural residential zone, where such use is permitted, shall be limited to a total of twenty (20) animal points per ten thousand (10,000) square feet, as determined from the chart in this section. A minimum of twenty thousand (20,000) square feet is required for the keeping of animals or fowl. Legally created lots in rural residential zones that are between eighteen thousand (18,000) square feet and twenty thousand (20,000) square feet shall be deemed to meet the twenty thousand (20,000) square feet minimum and point qualifications. All animals located on a lot of land shall be contained upon said lot. The number of animals determined from the chart below for a particular property does not include the offspring of any large or medium sized animal which offspring is less than twelve (12) months of age; and also does not include one litter, kindle or clutch of offspring of a small animal up to the twelve (12) months of age; provided that all offspring of a small animal mother born within the same twelve (12) month period as the excluded single litter, clutch or kindle shall be counted toward the limitation number in the chart below.

Type Of Animal	Number Of Points Per Animal
Large animals, such as horses and cows	17
Medium animals, such as sheep and goats, but not including standard size pigs, and swine. ¹	8
Small animals, such as chickens, ducks, geese, pigeons, rabbits, chinchillas	1

Note:

1. Notwithstanding the number of points per animal and the size of property, there shall be no more than 2 swine per lot, including offspring. Breeding and/or birthing of swine is expressly prohibited.

Additional Code:

Please note, that regardless of what the current or future city code allows in terms of animal rights, the City and its citizens have additional ordinances that have been adapted to directly or indirectly provide protection from the potentially irresponsible care of animals.

Section 5-3-1 (Nuisances Ordinance) of the City Code gives the city the ability to restrict, up to the removal of, animals and other uses if such uses are deemed to be a nuisance.

Section 1.3-8-3D (Accessory Structures in Agricultural and Rural Residential Zones) of the City Code states, "*Accessory buildings used for housing or shelter of animals shall be located a minimum forty feet (40') from any dwelling.*"

Title 6, Chapter 3 (Animal Control) of the City Code provided additional protective rights to the City and its citizens by prohibiting potentially hazardous situations arising from irresponsible animal care.

Findings of Fact:

Section 13-7-D-7B, required that prior to making a positive recommendation to the City Council for a Zoning Code text amendment, the Planning Commission shall make the following findings:

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

Discussion: The general plan briefly mentioned farm animals when it characterized the Very Low Density land use designation. This designation included the Rural Residential zoning district. The general plan further seeks to preserve established Rural Residential zoning district from encroachment of incompatible uses. The animal allowance system, as it was currently constituted, had served to preserve that character of the Rural Residential zones. The proposed amendment to expand these animal rights of the Rural Residential zone.

Finding: The proposed amendments conform to the general plan and are consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to these titles.*

Discussion: As noted earlier in this report, allowing swine in the Rural Residential zones had the potential to negatively impact surrounding properties; however, limiting the total number of swine regardless of property size and placing additional restrictions on the breeding/birthing of swine will greatly reduce the potential impact these animals could have on other properties.

The current code could allow the following animals (or any combination of animals totaling 44 animal points) on a half-acre property in the Rural Residential zone:

- 2.6 Large Animals (Cows/Horses); or
- 5.5 Medium Animals (Goats/Sheep); or
- 44 Small Animals (chickens, ducks, geese, pigeons, rabbits, chinchillas)

Finding: The proposed amendments are appropriate given the context and allowances currently given in the code, and there is sufficient justification for a modification of these titles.

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

Discussion: These amendments appear to be symbiotic to the existing animal allowances currently permitted in the Rural Residential zone. If the keeping of any farm or domesticated animal (i.e. dog/cat) becomes a nuisance, then the existing provisions in the code provide the City with the necessary authority to correct the violation and preserve the health, safety, and general welfare of its citizens.

Finding: The proposed amendments will not create a conflict with any other section or part of this title or of the general plan.

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

Discussion: These amendments are part of a City-wide effort to provide a City Code which can be effectively used and searched.

Finding: The proposed amendments do not relieve a particular hardship, nor do they confer any special privileges to a single property owner or

cause, and the proposed amendments make necessary modifications to these titles in the light of correction and expansion of public policy.

In conclusion, the proposed amendments met all of the criteria for City Code amendments set forth above. They serve to include an animal use, that when properly restricted, would function to enhance animal rights for property in the Rural Residential zones.

Staff recommended that based on the analysis and findings contained in the staff report, that the City Council amends the 2009 City Code for all Rural Residential Zones (R-R) to permit “swine” as an allowed animal type subject to the restrictions outlined in the proposed amendment.

On September 15, 2015, the Planning Commission in a 7 to 0 vote recommended that the City Council approve the requested text amendment, with a few modifications to the original amendment presented in their staff report.

Councilmember Southworth said he placed this item on the City Council agenda for reconsideration. Should it pass, direction would be given to the City Clerk to place it on the next City Council agenda. He reminded the Council this was for FFA, 4-H, and dinner table projects. He agreed that adding a pig farm to the City would not be a good thing.

MOTION: Councilmember Southworth moved to reconsider Ordinance 15-32, amending the text of Title 13 of the 2009 City Code to permit, with specific restrictions, “swine” in all Rural Residential (R-R) Zoning Districts and bring it back at the next meeting. The motion was seconded by Councilmember Rice.

Councilmember Haaga commented on the farms that were still active in his neighborhood. He questioned how this could be regulated. He felt a lot of residents would complain. He opposed the motion.

Councilmember Hansen agreed this was a great project for FFA and 4-H; however, she was still concerned with neighbors who might be dealing with swine being raised next to them in one of the permitted areas. She felt for Rural Residential areas, a Conditional Use permit should be required.

Councilmember Rice would be willing to discuss this at the next City Council meeting.

Councilmember Haaga asked since this item was being brought back as a reconsideration, could be it brought back again.

Darien Alcorn indicated that she believed this item could be heard at the next City Council meeting.

Councilmember Southworth clarified that this text amendment was to allow a limit, no more than two pigs under the points system, with the exclusion of breeding and birthing. He reminded the Council of the Nuisance Ordinance already in effect.

Councilmember Southworth withdrew his motion.

MOTION: Councilmember Southworth moved to take a five-minute recess. The motion was seconded by Councilmember McConnehey.

A roll call vote was taken

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

The motion passed 4-3.

The Council recessed at 7:21 p.m. and reconvened at 7:27 p.m.

MOTION: Councilmember Southworth moved to reconsider Ordinance 15-32, amending the text of Title 13 of the 2009 City Code to permit, with specific restrictions, “swine” in all Rural Residential (R-R) Zoning Districts. The motion was seconded by Councilmember McConnehey.

MOTION: Councilmember Rice called the previous question. The motion was seconded by Councilmember Southworth and passed 5-2 in favor, with Mayor Rolfe and Councilmember Haaga casting the negative votes.

A roll call vote was taken

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

The motion passed 6-1.

MOTION: Councilmember Southworth moved to approve Ordinance 15-32, amending the text of Title 13 of the 2009 City Code to permit, with specific restrictions, “swine” in all Rural Residential (R-R) Zoning Districts. The motion was seconded by Councilmember Rice.

Mayor Rolfe indicated that if this were to be approved it would be a nightmare for Code Enforcement to enforce.

A roll call vote was taken

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

The motion passed 5-2.

Councilmember Rice left the meeting at 7:33 p.m.

DISCUSSION AND REVIEW OF DRAFT 7000 SOUTH FEASIBILITY STUDY, BY HALES ENGINEERING, REGARDING THE WIDENING OF 7000 SOUTH

Dave Murphy said the City had hired Hales Engineering, with the help of Federal Funds through the Wasatch Front Regional Council, to study various alternatives for the widening of 7000 South Street from 1300 West to Bangerter Highway (SR 154). Traffic counts were taken, turning movements at intersections studied, pedestrian counts taken, advanced traffic modeling was conducted for multiple widths, limited surveying completed, right-of-way investigations were completed, and environmental scoping was conducted as well. The report detailed all of these efforts and information was compiled on five alternatives that gave the City of West Jordan and its’ citizens ideas about the possible scope and scale of the widening project along 7000 South. These alternatives gave details about the outcome to move traffic through this corridor once these widening efforts were completed, and some of the extra efforts required doing so, such as a pedestrian bridge at 1500 West and 7000 South.

The report was conducted and was given to allow the City to move forward toward an Environmental Impact Statement (EIS) that would allow the City to gain federal funding for the project. An EIS results in a Finding of No Significant Impact (FONSI) and Record of Decision (ROD), that releases awarded funding to be spent on a Federal Aid project. The City had not yet received any award of Federal Funds or State grants for this project, other than the money spent for this study.

He said the report was 508 pages. Highlights of the report were provided as a presentation during the City Council meeting.

Five different alignment widths were modeled to determine the traffic volume that could travel on each new width, and how intersections would perform. The existing width was used, but striped for five lanes, five wider lanes both to the north and south were examined, seven lanes to the north was reviewed, and a hybrid of five and seven lanes were studied. All of the right of way impacted by each width was examined in detail with the help of both PEC and Meridian Engineering under direction of Hales Engineering. The full monetary scale of each of these widening efforts was detailed in the cost analysis for each alternative in present day dollars.

No alignment selection was required at the time due to more information that would be required inside the future EIS process.

Dave Murphy gave a presentation which contained the following information with graphics:

7000 South Corridor Feasibility Study

Hales Engineering

- Alt #1 – 5-Lane in Existing ROW
- Alt #1 – 5-Lane in Existing ROW (PM)
- Alt #2, 3 – 5- Lane Facility
- Alt #2 – 5-Lane North
- Alt #3 – 5-Lane South
- Alt #3 – 5-Lane LOS (PM)
- Alt #4 – 7-Lane North
- Alt #4 – 7-Lane North (PM)
- Alt #5 – Hybrid Cross Section
- Alt #5 – Hybrid Cross Section (PM)

He noted that the A.M./P.M. peak was essentially 1-1½ hours per day.

Pedestrian and Bicycle Improvements:

Pedestrian and Bicycle observations and recommendations:

- Due to the low number of observed pedestrians, and the expected increase in future traffic, along with the probability of 7000 South being widened, it is recommended that the marked pedestrian crosswalk at Camelot Way be removed.
- The safety improvements (crossing guard, RSSZ and OSSLA) at the Bromley Road and 2400 West school crossings appear to be adequate, considering the number pedestrians at that location.
- Due to the high pedestrian volume, the expected increase in traffic, and the possibility that this section of 7000 South could be widened to a 7-lane cross section, it is recommended that a pedestrian bridge be considered at this location.

- It is recommended that bicycle lanes be constructed as part of the improvements to 7000 South to be consistent with the West Jordan TMP.
- Bicycle lanes and connections to other pedestrian and bicycle facilities and trails will help to encourage active transportation in a safe manner

Safety Analysis:

Mitigation Measures:

- Widening 7000 South to provide two travel lanes in the eastbound direction will help to ease congestion and reduce front to rear crashes on the corridor. This will also eliminate the merge lane just east of Bangerter Highway (SR-154) that causes backing into the intersection after the signal has changed.
- Install dilemma zone detection at the signals along the 7000 South corridor to reduce front to rear crashes (this may already be in place).
- Construct raised medians on 7000 South within 500 – 600 feet of the Redwood Road (SR-68) intersection to reduce left-turn conflicts at accesses.
- Consider a pedestrian bridge at the 1500 West school crossing to increase pedestrian safety for school children. – Very important
- Reconstruct sidewalks and park strips, and construct bicycle lanes to improve safety and accessibility for pedestrians and bicyclists.
- Add turn pockets as recommended previously at the study intersections to reduce conflicts at signalized intersection. This will help to reduce angle crashes.
- Evaluate protected or protected / permissive left-turn phasing at the signalized intersections along the corridor to help reduce angle crashes.

7000 South Feasibility Study - Alternative Comparison Matrix										
Alternative	Acceptable Level of Service						Right-of-Way		Cost	
	1300 W / 7000 S	Redwood Rd / 7000 S	2200 W / 7000 S	2700 W / 7000 S	3200 W / 7000 S	Bangerter Hwy / 7000 S	Plaza Ctr Dr / 7000 S	ROW Cost	ROW - Total Takes	Total Cost
Existing 2015 Conditions	x	x	√	√	√	x	√	n/a	n/a	n/a
Future 2040 No-Action	x	x	√	√	x	x	√	n/a	n/a	n/a
Alt #1: 5-Lane in Existing ROW	x	x	√	√	√	√	√	\$ 2,258,000	0	\$19,507,000
Alt #2: 5-Lane North	x	x	√	√	√	√	√	\$27,592,000	88	\$49,044,000
Alt #3: 5-Lane South	x	x	√	√	√	√	√	\$27,136,000	91	\$48,485,000
Alt #4: 7-Lane North	√	x	√	√	√	√	√	\$32,147,000	113	\$59,040,000
Alt #5 Hybrid	√	x	√	√	√	√	√	\$28,848,000	92	\$53,618,000
Access Management w/ Alt 5	√	x	√	√	√	√	√	\$29,861,000	93	\$54,714,000
Grade Separated w/ Alt 5	√	√	√	√	√	√	√	\$34,646,000	93	\$76,914,000

Hales Engineering, October 2015

Councilmember McConnehey requested a copy of the presentation.

Dave Murphy said it was available online and he would send the presentation to the Council.

CONSENT ITEM 5.C.

APPROVE RESOLUTION 15-202, AUTHORIZING STAFF TO INCREASE THE STORM WATER BOND ISSUE FROM \$5,000,000 TO \$6,500,000 FOR THE 7800 SOUTH 4000 WEST SLIP LINING PROJECT

Dave Murphy said this item was concerning the repair of an existing 27-inch corrugated metal pipe (CMP) with a new PVC style liner to rehabilitate the failed pipeline. In the last month the pipeline had failed twice resulting in sinkholes being created in the westbound lane, north lane of 7000 South. The City was very lucky no one was injured during these two incidents.

In the summer of 1980 (35 plus years ago), the City undertook a project to place a storm drain line from the intersection of 4000 West and 7800 South to the Utah and Salt Lake Distribution Canal at 2900 West and 7800 South. Then, in 1985, an extension of this storm drain collection system was added as a 21-inch corrugated metal pipe from 4000 West and 7800 South to the south along 4000 west to 8400 South. These pipes have had irrigation and storm waters running in them almost constantly since their original dates of installation and both pipelines were presently in a failed condition. Several sections were replaced during the 7800 South Phase 3 project in 2008 and 2009, expending more than \$82,000, but there was not enough funding to fully replace the entire system at that time.

Moreover, it should be noted that the water quality running through this pipe during the irrigation season of April 15 through October 15 was of a corrosive nature and harmful to a metal pipe. The replacement pipe was expected to be of a PVC material, which would withstand this corrosion issue into the future. The normal life expectancy for any CMP was typically 50 years, but not when flowing constantly. When flowing constantly, this life expectancy would be reduced by abrasion (sand loads and gravel loads) and natural corrosion.

Recent internal video review of the pipeline demonstrated the failure mechanism for this pipe. Bed loads (sand and gravel), as well as corrosion, had eroded the pipe invert (bottom of pipe). This condition had caused structural failure of the pipe in at least two instances in the past month, requiring immediate repair. UDOT had asked the City when the rest of this pipeline could be rehabilitated due to the threat of potential imminent failure for other portions of this pipeline.

The current situation must be corrected, as the pipeline was still used and required for ultimate storm drain capacity along 4000 West and 7800 South. The sooner this work was accomplished, the sooner the reduction of potential hazard to the public would be removed. Photos were included in the Council's agenda packet.

Staff had already expended time, materials, and labor to repair the pipe and replace the failed portions of the pipe with a pipe that would withstand the rigors of the water corrosion and weight of the vehicles traveling over the top of this pipeline. The 7800 South Phase 3 work expended approximately \$82,000 to replace 500 feet that was too badly damaged in 2008 to remain in service, and Public Works storm drain crews had replaced another 30 feet for \$20,000.

Dave Murphy said to be able to repair this pipeline before any further failures, which may cause injury or loss of life; it was proposed that the bond for the Storm Drain Enterprise Fund be increased from \$5,000,000 to \$6,500,000, a \$1,500,000 increase to the bond to cover the expense of this pipeline rehabilitation project. Any funds remaining from this amount would be used on other storm drain projects on a priority basis. No increase in the storm water user fee was required for this proposal.

Dave Murphy said the design and construction money was included within the \$1,500,000 budget.

The fiscal and/or asset impact was an additional \$1,500,000 from an increase in the bond issue from \$5,000,000 to \$6,500,000.

Staff recommended the additional allocation based upon project needs.

Mayor Rolfe supported the project; however, he felt in January a larger bond would be necessary to take care of the issues.

MOTION: Mayor Rolfe moved to table this item until the Strategic Plan to look at the entire plan. The motion was seconded by Councilmember McConnehey.

Councilmember Southworth asked the necessity of approved this amendment at this time.

Wendell Rigby indicated that recently there had been two failures of this pipeline in 7800 South. Staff would like to perform a slip lining to the pipeline as soon as possible.

Councilmember McConnehey asked the concerns with a delay.

Wendell Rigby said additional sinkholes could develop. He felt this could be a safety issue.

Dave Murphy said staff's concern would be the design timeframe. He said it was one to two months minimum for the design time and bidding time frame. He reported that the pipeline was failed and water was leaking on the outside.

Mayor Rolfe spoke in favor of the motion. He said there were other deficits and failures all over the City. He felt this should be dealt with globally.

Councilmember Southworth did not feel the City could not address all of the deficits and failures around the City at once. He suggested moving ahead with the \$1.5 million bonding.

Mark Palesh said public works prioritized all of the projects. He said he had reviewed the TV line and felt it was of concern. Staff priority was getting this pipeline fixed.

Mayor Rolfe said less than five years ago, \$9 million was spent on this very roadway. At that time the businesses along 7800 South were greatly impacted

Mayor Rolfe withdrew his motion.

MOTION: Councilmember Southworth moved to approve Consent 5.c to adopt Resolution 15-202, authorizing staff increase the storm water bond issue from \$5,000,000 to \$6,500,000 for the 7800 South 4000 West Slip Lining Project. The motion was seconded by Councilmember Rolfe.

A roll call vote was taken

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

The motion passed 6-0.

CONSENT ITEMS -

5.a. APPROVE RESOLUTION 15-200, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICE AGREEMENT WITH STANLEY CONSULTANTS, INC. FOR A SECONDARY WATER PIPELINE DESIGN ALONG 7000 SOUTH FROM THE SOUTH VALLEY WATER RECLAMATION FACILITY TO BANGERTER HIGHWAY, NOT TO EXCEED \$141,568.00

5.b. APPROVE RESOLUTION 15-201, AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH SALT LAKE CITY CORPORATION AND THE CITY OF WEST JORDAN FOR SHARED COSTS FOR CONSTRUCTION OF THE SEWER AND STORM DRAIN PIPELINE CROSSING THE SOUTH VALLEY REGIONAL AIRPORT

MOTION: Councilmember Southworth moved to approve Consent Items 5.a. and 5.b. The motion was seconded by Councilmember Nichols.

Councilmember Haaga asked clarifying questions regarding Consent Item 5.b., buying right-of-way property through the airport.

Wendell Rigby said there were two utilities across the airport, a sewer line, and storm drain line. He responded to Councilmember Haaga questions.

Councilmember Haaga asked who negotiated the Interlocal Agreement and whether it was a good agreement.

Mark Palesh had a discussion early in the day regarding what services the City was giving to the Salt Lake Airport. He indicated that there were several the City would be asking for reimbursable funds from. He said the airport property was something the City really needed to take charge of.

A roll call vote was taken

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

The motion passed 6-0.

BUSINESS ITEM 7.C.

DISCUSSION AND POSSIBLE ACTION REGARDING DIRECTING STAFF TO DRAFT A TEMPLATE EMPLOYEE AGREEMENT FOR VARIOUS CITY EMPLOYEES, WITH AN EXAMPLE FROM A NEIGHBORING CITY

Councilmember Haaga commented on at-will employees and their demands to the City. He hoped to avoid this by having an employee agreement in the future.

Mark Palesh reported that he did have an opinion on this item that might help clear any fears or concerns Councilmember Haaga might have.

VIII. REMARKS

There were no remarks.

IX. ADJOURN

MOTION: Councilmember Southworth moved to adjourn. The motion was seconded by Councilmember Hansen and passed 6-0 in favor.

The meeting adjourned at 8:05 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 17th day of November 2015