

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

Wednesday, January 27, 2016

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

COUNCIL: Mayor Kim V. Rolfe, and Council Members Dirk Burton, Jeff Haaga, Zach Jacob, Chris M. McConnehey, Chad Nichols, and Sophie Rice.

STAFF: Mark Palesh, City Manager; Darien Alcorn, Acting City Attorney; Melanie Briggs, City Clerk; David Oka, Economic and Community Development Director; Dave Zobell, City Treasurer; Brian Clegg, Parks Director; Dave Murphy, Engineering Manager; Reed Scharman, Deputy Fire Chief; Richard Davis, Deputy Police Chief; Scott Langford, City Planner; Larry Gardner, Senior Planner, and Jon Gardner, Human Resources Director.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 5:45 p.m.

CLOSED SESSION

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

COUNCIL: Mayor Kim V. Rolfe and Council Members Dirk Burton, Jeff Haaga, Zach Jacob, Chris M. McConnehey, Chad Nichols, and Sophie Rice.

STAFF: Mark R. Palesh, City Manager; Darien Alcorn, Acting City Attorney, and Paul Dodd, Civil Litigator.

MOTION: Councilmember McConnehey moved to go into a Closed Session to discuss the character, professional competence, or physical or mental health of an individual. The motion was seconded by Councilmember Haaga.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

The Council convened into a Closed Session to discuss the character, professional competence or physical or mental health of an individual at 5:45 p.m.

The Council recessed the Closed Session at 6:02 p.m.

The City Council meeting reconvened at 6:03 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Josh Tipton of Troop 1056.

III. PRESENTATIONS

PRESENTATION FROM JORDAN SCHOOL DISTRICT BOARD MEMBER KAYLEEN WHITELOCK, REGARDING POTENTIAL SCHOOL DISTRICT BOND ELECTION IN NOVEMBER 2016

Kayleen Whitelock explained that overall enrollment in the District was projected to increase by 11.8% by 2021. Additionally, enrollment at the high school level was projected to increase by over 20%. She shared the District's five-year building plan and provided a handout to the Council. She requested the Council's input regarding whether or not the Board should focus their examination on the citizen's cost per year or on the overall amount of the bond. If the Council was not prepared to provide input immediately, she asked that they contact any board member.

PRESENTATION REGARDING THE PROPOSED BRIDGES TO BE CONSTRUCTED BY UDOT ON BANGERTER HIGHWAY.

Beau Hunter explained that UDOT had begun converting Bangerter Highway to be converted to more of an expressway. This included two intersections in West Jordan (7000 South and 9000 South). Plans were being made to convert the intersections to grade-separated interchanges similar to what was already in place at 7800 South. Construction at those sites was anticipated to begin the following spring. More information would be available in approximately 6-8 weeks.

Councilmember Nichols asked for further information regarding the status of the work being conducted on the Mountain View Corridor.

IV. COMMUNICATIONS

CITY MANAGER COMMENTS/REPORTS

Mark Palesh-

- Provided an update regarding bills currently being studied in the legislative session.

STAFF COMMENTS/REPORTS

Brian Clegg –

- Pointed out that if Consent Items 6.i and 6.k were approved, the associated work would begin immediately.

Dave Zobell-

- The Stormwater bond had closed the previous day.

Dave Murphy –

- Provided an update on UDOT projects that would have an effect on travel within the City.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Rice –

- Expressed her appreciation to Mark Palesh for keeping the Council apprised of legislative activities during the current session. She found it very helpful.

Councilmember Jacob –

- Expressed his appreciation to City staff for welcoming him and providing him with a great deal of information regarding various City facilities and functions.

Councilmember Nichols –

- Received a compliment from a resident of another city regarding the improved level of snow removal in West Jordan as opposed to that of other neighboring cities.

Councilmember Haaga-

- Western Growth Coalition would be meeting each Saturday at a variety of locations.

Councilmember Burton-

- Held a Town Hall meeting which was attended by eleven constituents. He would continue to hold such meetings on a quarterly basis. The next one would be held on April 13, 2016 at 7:00 p.m.
- Attended Local Officials Day during the legislative session. He pointed out that a great deal was taking place that would have an impact on the City.

Councilmember McConnehey-

- Expressed his appreciation to the Police Department and other members of City staff for assisting the Unified Police Department during the services for fallen police officer Doug Barney.

Mayor Rolfe –

- Wished to ensure that the Council was aware that there was a preliminary proposal to connect Tooele City to the Salt Lake Valley. He was on the committee that was involved in addressing the project and he indicated that if there was no objection, he would like staff from the engineering department to attend the next committee meeting.

Councilmembers McConnehey and Nichols voiced their support, explaining that such a connection with Tooele could have a huge impact on economic development on the west side of the Salt Lake Valley.

V. CITIZEN COMMENTS

The following West Jordan residents presented their concerns about plans to demolish the baseball field concessions stand at Veterans Memorial Park: Kathy Hilton, Donovan Raam, Travis Rowley, Jennifer Dinkelman, Ken Prescott, and Ryan Simmons. Among their points were:

- The Pony Baseball League would not be able to survive without a snack bar from which to bring in revenue (although they could make due with a temporary solution for a single season).
- Please consider sitting down with parents and Pony League representatives and coming up with a solution that met the needs of both the City and the League.
- For years, the Pony League had helped develop youth into better men and women with strong values. That should be allowed to continue.
- The City had known of the hazards present in the concession stand since a 2006 City Council meeting but had done nothing.
- Some had already begun seeking donations from local businesses to help fund the project
- It was very frustrating to receive conflicting information from the City regarding the status of the baseball fields.
- The league would prefer to put any available funds toward the concession stand rather than completely replacing all of the fencing.

The following West Jordan residents presented their concerns about the planned development at The View at 5600 West: Lex Bell, Nicole Barnett, Shellie Turnbow, Eric Hanna, Don Moss, Lanissa Bell and Ron Holt. Among their points were:

- The traffic study used was out of date and did not take into consideration the increased traffic that was a result of the recent commercial development in the area such as Smith's Marketplace.
- More police officers would be needed to handle the increase in crime that comes with high-density housing.
- The plan appeared to violate the City's 2012 General Plan. (Chapter 3 under Land Use Goal 2, Policy 1, #6 and Goal 4 Policy 2 were cited).
- Piping a wash could be very problematic

- The point system was being manipulated by using different labels for the same types of amenities. Builders were being given double and triple the buy-ups. For example, Addenbrook did not get the same credit for the same amenities that were proposed in this development.
- Flood plan issues
- There was inadequate buffer
- The project was incompatible with the surrounding neighborhood
- There was high density housing proposed in a medium density zone.

Gardner Crane and Dennis Hepworth with Uinta Land Company and Barrett Peterson of Peterson Development all spoke in favor of the development. They asserted that: no rezone was being sought; there was no study which had proven a direct correlation between crime and density level; the traffic study used was current and more rooftops were needed in order to increase economic development within the City.

Chad Barnett, a West Jordan resident felt it was unfair that the developer was given more time to address the Council than was a citizen.

Alexandra Eframo, West Jordan resident, still awaited an apology from a Councilmember, sought more transparency in government and expressed a desire to have further information about various City financial accounts.

Steve Jones, a West Jordan resident, felt it would be foolish for UDOT to simultaneously do work on two West Jordan roadways going east and west (7000 S and 9000 South). Additionally, although he had originally been in favor of the Parks fee, after speaking with Mayor Rolfe as well as several neighbors, he was changing his mind. The City already had the funds and should not institute a new fee.

There was no one else who desired to speak.

VI. CONSENT ITEMS

- a. Approve the minutes of January 13, 2016 as presented**
- b. Approve Resolution 16-06, authorizing a donation to the Exchange Club of an enclosed utility trailer declared surplus, for storage of flags displayed on City property**
- c. Approve Resolution 16-07, confirming the appointment of various City Committee members**
- d. Approve Ordinance 16-08, amending the 2009 West Jordan Municipal Code Title 3, Revenue, Finance, and Taxation, regarding 'Purchases, Resident Supplier'**

- e. Approve Resolution 16-08, authorizing the Mayor to execute a contract to Cervi Rodeo for the 2016 West Jordan Western Stampede PRCA Rodeo**
- f. Approve request for use of alcohol at Pioneer Hall for a reservation scheduled June 18, 2016**
- g. Approve request for use of alcohol at Pioneer Hall for a reservation scheduled March 12, 2016**
- h. Approve Resolution 16-09, authorizing the Mayor to execute an agreement with Intrepid Hybrid Communications to provide public information services for the 7000 South Utility Project, Phase 1, in an amount not to exceed \$41,461.72**
- i. Approve Resolution 16-10, authorizing Staff to proceed with a Purchase Order for Stalwart Development to provide and install baseball fencing at Veteran Memorial Park, in an amount not to exceed \$72,777.00**
- j. Approve Resolution 16-11, authorizing the Mayor to execute an Agreement for Services with Foxley & Pignanelli, LLC, for lobbying and consulting services**
- k. Approve Resolution 16-12, authorizing staff to proceed with a Purchase Order with Lucky Dog Recreation to provide and install playground equipment at four City parks, in an amount not to exceed \$164,598.00**
- l. Approve Resolution 16-13, authorizing the Mayor to execute an amendment to the Agreement for Services with Skeen & Robinson, LLC as West Jordan's Public Defender**
- m. Approve Resolution 16-14, authorizing the Mayor to execute a first amendment to an Interlocal Cooperation Agreement for Officer Involved Critical Incident (OICI) Task Force**

Councilmember Haaga pulled items 6.i and 6.k for further discussion.

MOTION: Councilmember McConnehey moved to approve all consent items with the exception of 6.i and 6.k. The motion was seconded by Councilmember Burton.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

CONSENT 7i

APPROVE RESOLUTION 16-10, AUTHORIZING STAFF TO PROCEED WITH A PURCHASE ORDER FOR STALWART DEVELOPMENT TO PROVIDE AND INSTALL BASEBALL FENCING AT VETERANS MEMORIAL PARK IN AN AMOUNT NOT TO EXCEED \$72,777.00.

Councilmember Haaga pointed out that a significant amount of money was being spent on replacing the fencing at baseball fields. He had visited the concession shack earlier in the day and felt it was unsafe to occupy

MOTION: Councilmember Haaga moved to adopt Resolution 16-10, authorizing staff to proceed with a Purchase Order for Stalwart Development to provide and install baseball fencing at Veterans Memorial Park, in an amount not to exceed \$72,777.00. The motion was seconded by Councilmember Jacob.

Councilmember McConnehey indicated that he was in favor of the motion and also wanted to point out that the City had spent approximately \$337,000 on athletic fields during the previous budget year. Additionally, there was over \$1,000,000 in projects slated for the park so he hoped that the citizens understood that the City was investing a significant amount in the youth.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

**CONSENT 6.k
APPROVE RESOLUTION 16-12, AUTHORIZING STAFF TO PROCEED
WITH A PURCHASE ORDER WITH LUCKY DOG RECREATION TO
PROVIDE AND INSTALL PLAYGROUND EQUIPMENT AT FOUR CITY
PARKS, IN AN AMOUNT NOT TO EXCEED \$164,598.00**

Councilmember Haaga asked Brian Clegg to provide an explanation as to where the money would be spent.

Brian Clegg explained that a total of 44 parks were receiving new playground equipment and that this particular item would replace the equipment at the last four of those parks—Brigadoon Park, Colonial Park, Country Squire Park and Handcart Park.

MOTION: Councilmember Haaga moved to adopt Resolution 16-12, authorizing staff to proceed with a Purchase Order for Lucky Dog Recreation to provide and install playground equipment at four City parks in an amount not to exceed \$164,598.000. The motion was seconded by Councilmember Rice.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

**VII. PUBLIC HEARINGS
RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 16-15, AMENDING THE FISCAL YEAR 2015-2016
SALARY SCHEDULE**

Mark Palesh explained that the City of West Jordan was constantly growing and that periodic changes must be made to keep personnel current with that growth. The changes in the salary schedule reflected those needs. Over the past few months as the City Manager had had the time to review the various departments, some changes had been made that he felt would allow for greater efficiency moving forward.

The approximate fiscal impact was \$10,000, depending on when positions were filled and at what step in the salary range; the additional cost was overshadowed by cost savings due to the fact that both the City Attorney and the Deputy City Manager positions had been unfilled for a number of months.

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

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

MOTION: Councilmember Nichols moved to adopt Resolution 16-15, amending the Fiscal Year 2015-2016 Salary Schedule. The motion was seconded by Councilmember McConnehey.

Councilmember Haaga spoke in opposition to the motion due to open positions such as Deputy City Manager.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	No
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 6-1.

PUBLIC HEARING CANCELED

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL CITY SPONSORSHIP/MONEY FOR THE PIONEER CELEBRATION WITH THE OLIVE OSMOND HEARING FUND

Mayor Rolfe explained that the event had been cancelled by the applicant.

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 16-09, AMENDING THE GENERAL PLAN LAND USE MAP FOR 15.30 ACRES FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REZONE FROM LSFR (LOW DENSITY SINGLE FAMILY RESIDENTIAL – WSPA) TO R-1-10E (SINGLE-FAMILY RESIDENTIAL 10,000 SQUARE FOOT MINIMUM LOTS) ZONE, COPPER VALLEY ESTATES WEST; LOCATED AT 5951 WEST 8502 SOUTH, MARILYN BAWDEN, ET AL, APPLICANT

David Oka turned the time over to Larry Gardner who explained that the applicant was requesting to amend the General Plan Future Land Use Map from Low Density Residential to Medium Density Residential and change the zoning from LSFR (Low Density Single Family Residential) to R-1-10E (Single Family Residential 10,000 square foot lots, “E” size homes) on 15.30 acres of property located at 5951 West 8502 South.

The changes were in preparation for a future single family development on the property. The property was currently open ground.

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

	Future Land Use	Zoning	Existing Land Use
North	Medium Density Residential	R-1-10C	Bloomfield Estates
South	Parks and Open Land	PF	City Park Land
East	Medium Density Residential	R-1-8D	Copper Valley Estates
West	Medium Density Residential	R-1-10E	Three Forks

The applicant had submitted a concept subdivision plan illustrating how the 15.30 acre piece of property *could possibly* be developed.

FINDINGS OF FACT

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

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

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

Discussion: The applicant is proposing to amend the Future Land Use Map from Low Density Residential to Medium Density Residential. The General Plan states:

LAND USE. *GOAL 3. Promote land use policies and standards that are economically feasible and orderly, which also protect desirable existing land uses and minimize impacts to existing neighborhoods.*

Policy 1. Adopt ordinances that incorporate the best-known land use practices. Implementation Measures; 1. The type, location, timing, and intensity of growth shall be managed. Premature and scattered development shall be discouraged. 2. Growth shall be limited to those areas of the city that can provide for adequate levels of service (i.e. water, sewer, fire and police protection, schooling, and transportation).

The applicant's intent is to construct single family homes on the property. The lot sizes and home sizes will be similar to the homes surrounding the property. The applicant's concept is to develop lots with a gross density of 2.9 lots per acre. The area has adequate levels of water, sanitary sewer and storm sewer to serve the proposed development. Adequate ingress by dedicated roads will continue to be developed as the project progresses.

RESIDENTIAL LAND USE. *Goal 4; Policy 2. Single-family housing should be the primary residential development type in the city.*

Implementation Measures; 2. Require the density of residential infill development to be similar to existing, adjacent, residential development.

The applicant's concept plan showed the intent to construct single family housing on the fifteen acres of property. R-1-10 zoning would allow 2.9 net units per acre. The surrounding properties had approximately the same gross density range.

Goal 3. Manage growth occurring within the city.

Policy 1. Plan and support an efficient residential development pattern that enhances established neighborhoods and creates new neighborhoods in identified (infill) growth areas.

Implementation Measures;

- 4. Without exception, utilize present utility infrastructure to its capacity before extending additional utilities to undeveloped land.*
- 5. Ensure the adequacy of present and future public services such as culinary water, sanitary sewer, storm drain, schools, parks/recreation, public safety, transportation facilities and other vital utilities prior to approval of a development.*
- 6. Prohibit "leap-frog" developments which necessitate high service and infrastructure costs.*

The development that could result from the land use map changes will utilize the existing infrastructure in the area. The development will be connected to a stub street to the north in Bloomfield Estates and will have an access onto 6000 West a collector street. The resulting development will not be a "leap frog" development.

Finding: The proposed amendment conformed to and was consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

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

Discussion: At present there is approximately 506 acres of undeveloped land designated as "Medium Density" residential west of 5600 West (excluding the Highlands). There is approximately 1516 acres of "Low Density" designated property west of 5600 West (excluding the Highlands).

The most appropriate optional site that is designated Medium Density is one half mile west of the proposed site, however the parcel is nearly 150 acres and is currently not for sale. The applicant has owned their property for several years. The remainder of medium density sites would require "leap frog"

development which is discouraged by the General Plan.

The applicant's desire is to develop within the maximum densities of the General Plan for "Medium Density" residential which is 3 to 5 units per acre.

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

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

Discussion: The proposed amendment will result in large lot single family residential and will be compatible with the other single family and park use surrounding the property.

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

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

Discussion: The applicant will directly benefit from approval of the proposed amendment; however, the amendment allows for a greater use of property. The land use amendment will match what is surrounding the property and matches the housing density range along the Rocky Mountain Power corridor in other parts of the City.

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

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

Discussion: The land use amendment will not alter the land use pattern that is occurring in the area. Adequate utility infrastructure is installed in the area to handle any proposed development. Any roadway improvements or infrastructure upgrades will be the responsibility of the developer, not the city. The conceptual plan for the development shows connectivity to existing neighborhoods.

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

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

Discussion: The amendment was reviewed for consistency against the City's General Plan, the zoning ordinance and adopted street design standards.

Finding: The Land Use Map amendment was consistent with the plans, ordinances and standards if the use was mitigated as outlined in Findings A,C and E of this report.

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

Prior to approving a Zoning Map amendment, the City Council shall make the following findings:

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City's General Plan.*

Discussion: See Future Land Use Map amendment Finding A.

Finding: The proposed amendment was consistent with the purposes, goals, objectives, and policies of the City's General Plan.

Criteria 2: *The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.*

Discussion: The current zoning of the property is LSFR (Low Density Single Family Residential) which is a West side Planning Area zone that has only been allowed to be used within the "Highlands" master planned development for the last few years. There are properties outside the "Highlands" that have WSPA zoning designation but the City has required the property to be rezoned before development can proceed. A zone change to R-1-10E is a comparable standard zone to LSFR and is the same zoning as the single family areas surrounding the site. The applicant's intent is to construct single family dwellings. The land use map amendment and rezone are compatible with this intent. The applicant's concept plan show roads interconnected with existing neighborhoods. These roads will likely create a more favorable traffic pattern for the existing neighborhoods as it will create an additional exit points for the existing development.

Finding: The proposed amendment would result in compatible land use relationships and did not adversely affect adjacent properties.

Criteria 3: *The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.*

Discussion: The proposed amendment would result in single family development that would be designed and developed according to city standards. The new development would channel storm water away from existing residents and would provide utilities to the new homes. The proposed amendment would also result in a development pattern that was more connected making it optimal for pedestrians and for public safety responses.

Finding: The proposed rezone furthered the public health, safety and general welfare of the citizens of the city.

Criteria 4: *The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.*

Discussion: See Future Land Use Map amendment Criterion A and E.

Finding: The proposed amendment would not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

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

Discussion: The property is not located within any overlay zone.

Finding: This criterion does not apply.

SUMMARY OR CONCLUSION:

The proposed Future Land Use Map amendment and rezone of approximately 15.30 acres of property to Medium Density Land use and to the R-1-10E zoning district was compatible with adjoining land uses, utilities and the transportation system.

There was no anticipated fiscal impact.

Based on the analysis and findings contained in the Staff Report, Staff recommended that the City Council amend the Future Land Use map from Low Density Residential to Medium Density Residential and Rezone from LSFR (Low Density Single Family Residential) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) on property generally located at 5951 West 8502 South.

Mayor Rolfe opened the public hearing.

Eric Hanna, West Jordan resident, stated his belief that many if not every Council member and Mayor had promised during their campaigns "no more density in West Jordan" yet every agenda in the last month had included an item to increase the density in the City.

Alexandra Eframo, West Jordan resident, agreed that low-density had been promised in local campaigns and she hoped those promises would be kept. She also called for increased transparency.

Bob Childers, West Jordan resident, lived directly north of the property in question. He wished that the property surrounding his subdivision would remain zoned as it was. He also expressed his appreciation to the Council for the work that they did and for their integrity.

Steve Jones, West Jordan resident, was under the impression that the proposed zoning did not allow for a significant increase in allowable units. If that was the case, he felt there was no justification to make the change. He also stated that he was in favor of low density development.

Don Moss, West Jordan resident, objected to the proposed change.

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

Councilmember Jacob pointed out that the proposal currently before the Council was not considered a "high-density" development. Additionally, the current zoning was no longer available so a change of *some* sort needed to be made. He stated that he voted for the change when he was on the Planning Commission and intended to vote in favor as a new member of the Council.

Councilmember Haaga spoke in favor of the zoning change.

Councilmember Nichols explained that the two public hearings taking place that evening involved completely different issues. He spoke in favor of the rezone as written, agreeing that it was not an issue of density.

Councilmember McConnehey concurred with Councilmembers Jacob and Nichols and agreed that the zoning needed to be updated.

MOTION: Councilmember Jacob moved to approve Ordinance No. 16-09, amending the Future Land Use map from Low Density Residential to Medium Density Residential and Rezone from LSFR (Low Density Single Family Residential) to R-1-10E (Single-family Residential 10,000 square foot lots, “E” size homes) on property generally located at 5951 West 8502 South. The motion was seconded by Councilmember Nichols.

Mayor Rolfe spoke in favor of the motion.

A roll call vote was taken

Councilmember Burton	No
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 6-1.

MOTION: Councilmember Nichols moved for a five minute recess. The motion was seconded by Councilmember Jacob and passed 7-0 in favor.

The Council recessed at 8:05 p.m. and reconvened at 8:13 pm.

VIII. BUSINESS ITEM

REPORT AND UPDATE ON THE CITY OF WEST JORDAN’S FISCAL YEAR 2015-2016 2ND QUARTERLY REPORT

David Zobell presented the following information:

West Jordan Quarterly Report For Period Ending December 31, 2015

Purpose

The Quarterly Report was intended to give unaudited, summary information to the user about West Jordan City’s revenue and expenses for the first quarter of fiscal year 2016, which will end June 30, 2016. The report included information about the City’s General Fund and Enterprise Funds. This report gives City Management and the City Council the opportunity to see the financial status of the City within its major funds and make decisions accordingly.

Content

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

General Fund Summary Revenues	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	December 2015 (Current Year)	December 2014 (Prior Year)	Forecast (Current Year)	% Budget to Forecast	Difference	% Difference
Property Taxes	\$ 11,770,868.00	\$ 10,917,539.22	\$ 10,403,012.27	\$ 2,305,617.12	\$ 3,663,873.58	\$ 11,770,868.00	100.0%	\$ -	0.0%
Sales Taxes	\$ 16,297,401.00	\$ 5,725,856.36	\$ 5,514,510.60	\$ 1,601,927.81	\$ 1,525,576.61	\$ 16,440,754.00	100.9%	\$ 143,353.00	0.9%
Franchise Taxes	\$ 5,939,513.00	\$ 2,707,789.86	\$ 2,688,355.80	\$ 567,295.83	\$ 479,763.82	\$ 6,769,474.65	114.0%	\$ 829,961.65	14.0%
Telecommunications Taxes	\$ 1,219,200.00	\$ 400,918.97	\$ 382,434.49	\$ 99,062.62	\$ 97,710.18	\$ 1,179,173.44	96.7%	\$ (40,026.56)	-3.3%
Fee in Lieu - Vehicles	\$ 1,150,000.00	\$ 445,491.47	\$ 432,937.15	\$ 82,929.53	\$ 82,975.51	\$ 1,036,026.67	90.1%	\$ (113,973.33)	-9.9%
Other Taxes	\$ 51,000.00	\$ 126,088.61	\$ 68,530.04	\$ 62,684.69	\$ 13,968.23	\$ 146,614.66	287.5%	\$ 95,614.66	187.5%
Licenses and Permits	\$ 1,708,400.00	\$ 1,017,792.76	\$ 822,921.25	\$ 116,526.10	\$ 109,437.86	\$ 2,120,401.58	124.1%	\$ 412,001.58	24.1%
Intergovernmental	\$ 4,535,781.00	\$ 1,855,310.13	\$ 846,573.24	\$ 952,564.55	\$ 713,416.93	\$ 4,535,781.00	100.0%	\$ -	0.0%
Ambulance Fees	\$ 1,526,265.00	\$ 941,168.93	\$ 758,514.79	\$ 144,165.29	\$ 116,953.76	\$ 1,882,337.86	123.3%	\$ 356,072.86	23.3%
Charges for Services	\$ 1,683,757.00	\$ 821,981.77	\$ 906,468.86	\$ 96,829.19	\$ 113,739.19	\$ 1,786,916.89	106.1%	\$ 103,159.89	6.1%
Interfund Charges	\$ 4,276,552.00	\$ 2,138,276.10	\$ 2,059,157.52	\$ 356,379.35	\$ 343,192.92	\$ 4,276,552.00	100.0%	\$ 0.20	0.0%
Fines and Forfeitures	\$ 1,500,000.00	\$ 642,405.13	\$ 672,286.28	\$ 98,204.91	\$ 88,933.31	\$ 1,427,566.96	95.2%	\$ (72,433.04)	-4.8%
Miscellaneous Income	\$ 511,634.00	\$ 201,779.13	\$ 620,269.52	\$ 33,659.92	\$ 21,706.40	\$ 448,398.07	87.6%	\$ (63,235.93)	-12.4%
Events	\$ 233,445.00	\$ 161,265.23	\$ 64,093.14	\$ 66.00	\$ -	\$ 230,378.90	98.7%	\$ (3,066.10)	-1.3%
Total Revenues	\$ 52,403,816.00	\$ 28,103,663.67	\$ 26,240,064.95	\$ 6,517,912.91	\$ 7,371,248.30	\$ 54,051,244.89	103.1%	\$ 1,647,428.89	3.1%

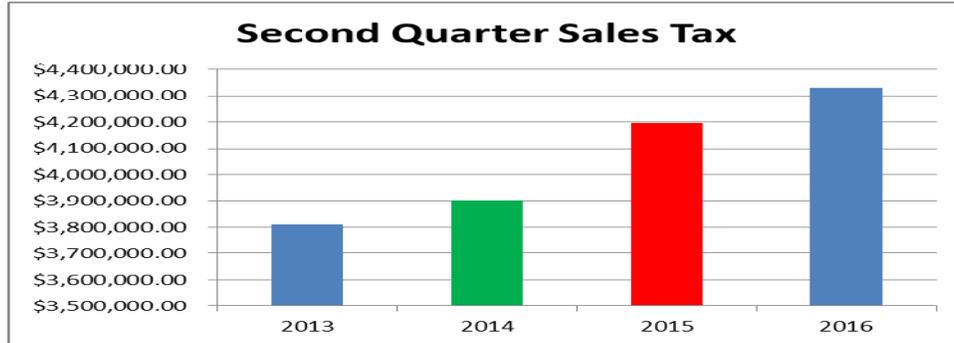
General Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	December 2015 (Current Year)	December 2014 (Prior Year)	Forecast (Current Year)	% Budget to Forecast	Difference	% Difference
Revenues	\$ 52,403,816.00	\$ 28,103,663.67	\$ 26,240,064.95	\$ 6,517,912.91	\$ 7,371,248.30	\$ 54,051,244.89	103.1%	\$ 1,647,428.89	3.1%
Expenditures									
<i>Personel Expenses</i>									
City Manager	\$ 1,506,617.00	\$ 763,469.28	\$ 737,345.34	\$ 165,794.65	\$ 135,745.20	\$ 1,417,871.52	94.1%	\$ 88,745.48	-5.9%
Admin Services	\$ 1,465,349.00	\$ 762,441.40	\$ 788,196.83	\$ 143,305.60	\$ 182,431.06	\$ 1,415,962.60	96.6%	\$ 49,386.40	-3.4%
Finance	\$ 1,676,275.00	\$ 875,820.85	\$ 756,561.56	\$ 195,279.81	\$ 172,774.64	\$ 1,626,524.44	97.0%	\$ 49,750.56	-3.0%
City Attorney	\$ 1,669,846.00	\$ 821,313.24	\$ 759,462.87	\$ 167,247.59	\$ 172,522.47	\$ 1,525,296.02	91.3%	\$ 144,549.98	-8.7%
Human Resources	\$ 394,023.00	\$ 208,334.61	\$ 200,451.47	\$ 40,280.86	\$ 43,210.77	\$ 386,907.13	98.2%	\$ 7,115.87	-1.8%
Development	\$ 1,519,308.00	\$ 712,198.45	\$ 725,838.91	\$ 158,660.41	\$ 154,358.40	\$ 1,322,654.26	87.1%	\$ 196,653.74	-12.9%
Economic Development	\$ 142,509.00	\$ 19,509.66	\$ 68,184.39	\$ 3,793.32	\$ 17,564.15	\$ 36,232.23	25.4%	\$ 106,276.77	-74.6%
Courts	\$ 740,468.00	\$ 368,558.11	\$ 357,420.23	\$ 77,387.99	\$ 76,425.39	\$ 684,465.06	92.4%	\$ 56,002.94	-7.6%
Police	\$ 14,145,171.00	\$ 7,393,967.33	\$ 6,667,079.50	\$ 1,620,729.35	\$ 1,445,468.80	\$ 13,731,653.61	97.1%	\$ 413,517.39	-2.9%
Fire	\$ 8,747,756.00	\$ 4,798,737.74	\$ 4,261,183.45	\$ 1,043,249.57	\$ 917,450.73	\$ 8,911,941.52	101.9%	\$ (164,185.52)	1.9%
Public Works	\$ 3,816,823.00	\$ 2,093,063.37	\$ 1,941,733.25	\$ 481,486.48	\$ 429,102.39	\$ 3,887,117.69	101.8%	\$ (70,294.69)	-1.8%
Parks	\$ 1,678,610.00	\$ 862,978.49	\$ 827,141.85	\$ 136,199.59	\$ 126,811.81	\$ 1,602,674.34	95.5%	\$ 75,935.66	-4.5%
Total Personel Expenses	\$ 37,502,755.00	\$ 19,680,392.53	\$ 18,090,599.65	\$ 4,233,415.22	\$ 3,873,865.81	\$ 36,549,300.41	97.5%	\$ 953,454.59	-2.5%
<i>Operating Expenses</i>									
City Manager	\$ 1,931,194.00	\$ 808,321.83	\$ 676,978.39	\$ 204,359.03	\$ 125,992.63	\$ 1,616,643.66	83.7%	\$ 314,550.34	-16.3%
Admin Services	\$ 2,667,798.00	\$ 1,086,513.62	\$ 1,038,598.46	\$ 158,273.57	\$ 246,628.53	\$ 2,263,570.04	84.8%	\$ 404,227.96	-15.2%
Finance	\$ 462,685.00	\$ 206,079.83	\$ 142,286.19	\$ 25,216.47	\$ 30,228.80	\$ 429,332.98	92.8%	\$ 33,352.02	-7.2%
City Attorney	\$ 302,368.00	\$ 152,978.82	\$ 101,908.84	\$ 40,566.74	\$ 16,988.72	\$ 318,705.88	105.4%	\$ (16,337.88)	5.4%
Human Resources	\$ 161,220.00	\$ 49,148.10	\$ 49,398.92	\$ 1,210.26	\$ 6,052.74	\$ 102,391.88	63.5%	\$ 58,828.13	-36.5%
Development	\$ 137,253.00	\$ 31,249.12	\$ 39,765.13	\$ 3,004.42	\$ 5,888.40	\$ 65,102.33	47.4%	\$ 72,150.67	-52.6%
Economic Development	\$ 192,909.00	\$ 125,595.58	\$ 69,853.11	\$ 15,067.92	\$ 20,647.02	\$ 174,438.31	90.4%	\$ 18,470.69	-9.6%
Courts	\$ 56,825.00	\$ 23,431.12	\$ 18,191.68	\$ 2,982.62	\$ 4,286.54	\$ 48,814.83	85.9%	\$ 8,010.17	-14.1%
Police	\$ 3,403,073.00	\$ 1,156,808.01	\$ 1,748,560.47	\$ 146,637.79	\$ 306,504.23	\$ 3,213,355.58	94.4%	\$ 189,717.42	-5.6%
Fire	\$ 1,989,664.00	\$ 935,154.67	\$ 986,276.57	\$ 112,973.32	\$ 146,127.49	\$ 1,948,238.90	97.9%	\$ 41,425.10	-2.1%
Public Works	\$ 3,713,555.00	\$ 1,082,595.94	\$ 1,061,798.04	\$ 201,836.79	\$ 209,977.98	\$ 3,007,210.94	81.0%	\$ 706,344.06	-19.0%
Parks	\$ 2,030,579.00	\$ 524,509.15	\$ 590,340.25	\$ 62,741.83	\$ 110,207.87	\$ 1,856,969.86	91.5%	\$ 173,609.14	-8.5%
Total Operating Expenses	\$ 17,049,123.00	\$ 6,182,385.79	\$ 6,523,956.05	\$ 974,870.76	\$ 1,229,530.95	\$ 15,044,775.19	88.2%	\$ 2,004,347.81	-11.8%
<i>Transfers Out</i>									
Admin Services	\$ 750,000.00	\$ 375,000.00	\$ 375,000.00	\$ 62,500.00	\$ 62,500.00	\$ 750,000.00	100.0%	\$ -	0.0%
Public Works	\$ 2,250,000.00	\$ 1,711,646.19	\$ 1,283,281.50	\$ 22,762.49	\$ -	\$ 2,250,000.00	100.0%	\$ -	0.0%
Total Transfers	\$ 3,000,000.00	\$ 2,086,646.19	\$ 1,658,281.50	\$ 85,262.49	\$ 1,470,781.50	\$ 3,000,000.00	100.0%	\$ -	0.0%
Total Expenditures	\$ 57,551,878.00	\$ 27,949,424.51	\$ 26,272,837.20	\$ 5,293,548.47	\$ 6,574,178.26	\$ 54,594,075.60	94.9%	\$ 2,957,802.40	-5.1%
Operating Surplus (Deficit)	\$ (5,148,062.00)	\$ 154,239.16	\$ (32,772.25)	\$ 1,224,364.44	\$ 797,070.04	\$ (542,830.72)			

General Fund

Notes to the General Fund

1. The City received sales tax revenues 60 days after collection by the retailers.
2. November and December were the primary months for property tax collections.

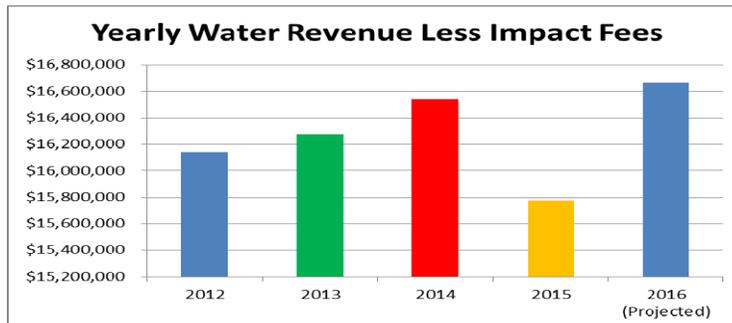
3. MET & Telecommunication taxes were received 45-60 days after they were billed to the customer.
4. Class C Road revenues were paid bi-monthly and were received 60 to 90 days after collection.



Water Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	December 2015 (Current Year)	December 2014 (Prior Year)	Forecast (Current Year)	% Budget to Forecast	Difference	% Difference
Revenues									
Charges for Services	\$ 17,518,062.00	\$ 9,500,987.13	\$ 9,066,944.79	\$ 921,283.97	\$ 1,059,126.07	\$ 16,668,398.47	95.1%	\$ (849,663.53)	-4.9%
Impact Fees	\$ 1,000,000.00	\$ 395,623.00	\$ 280,288.00	\$ 51,930.00	\$ 53,796.00	\$ 989,057.50	98.9%	\$ (10,942.50)	-1.1%
Total Revenues	\$ 18,518,062.00	\$ 9,896,610.13	\$ 9,347,232.79	\$ 973,213.97	\$ 1,112,922.07	\$ 17,657,455.97	95.4%	\$ (860,606.03)	-4.6%
Expenses									
Personel Expense	\$ 1,739,596.00	\$ 875,190.33	\$ 762,446.20	\$ 186,107.09	\$ 165,951.18	\$ 1,625,353.47	93.4%	\$ 114,242.53	-6.6%
Operating Expense	\$ 14,129,151.00	\$ 7,083,032.89	\$ 6,577,083.16	\$ 650,876.13	\$ 1,226,783.83	\$ 13,116,727.57	92.8%	\$ 1,012,423.43	-7.2%
Capital Projects	\$ 6,100,786.00	\$ 1,163,064.59	\$ 3,795,764.17	\$ 97,849.41	\$ 1,390,407.14	\$ 6,100,786.00	100.0%	\$ -	0.0%
Transfer	\$ 25,000.00	\$ 12,499.98	\$ 12,499.98	\$ 2,083.33	\$ 2,083.33	\$ 24,999.96	100.0%	\$ 0.04	0.0%
Bond Fee	\$ 3,500.00	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00	\$ 3,500.00	100.0%	\$ -	0.0%
Bond Interest	\$ 126,060.00	\$ 62,979.56	\$ 69,958.54	\$ -	\$ -	\$ 126,060.00	100.0%	\$ -	0.0%
Bond Principle	\$ 665,000.00	\$ -	\$ -	\$ -	\$ -	\$ 665,000.00	100.0%	\$ -	0.0%
Total Expenses	\$ 22,789,093.00	\$ 9,198,767.35	\$ 11,219,752.05	\$ 936,915.96	\$ 2,787,225.48	\$ 21,662,427.00	95.1%	\$ 1,126,666.00	-4.9%
Operating Surplus (Deficit)	\$ (4,271,031.00)	\$ 697,842.78	\$ (1,872,519.26)	\$ 36,298.01	\$ (1,674,303.41)	\$ (4,004,971.03)	0.3%	\$ (1,987,272.02)	0.3%

Water Fund

1. Impact Fees were projected to be near \$989,057.50
2. Water Revenue less Impact Fees was projected to be the highest in five years.

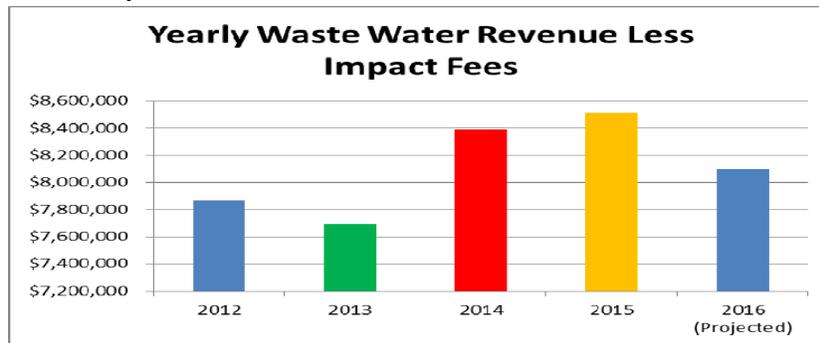


3. \$1,200,000 to \$1,300,000 in Water Fees collected had been designated by the City Council each year for Capital Replacement.

Waste Water Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	December 2015 (Current Year)	December 2014 (Prior Year)	Forecast (Current Year)	% Budget to Forecast	Difference	% Difference
Revenues									
Charges for Services	\$ 8,539,822.00	\$ 4,048,724.66	\$ 4,236,921.40	\$ 685,275.66	\$ 904,071.02	\$ 8,097,449.32	94.8%	\$ (442,372.68)	-5.2%
Impact Fees	\$ 650,000.00	\$ 264,191.00	\$ 193,060.17	\$ 33,350.00	\$ 37,310.00	\$ 660,477.50	101.6%	\$ 10,477.50	1.6%
Total Revenues	\$ 9,189,822.00	\$ 4,312,915.66	\$ 4,429,981.57	\$ 718,625.66	\$ 941,381.02	\$ 8,757,926.82	95.3%	\$ (431,895.18)	-4.7%
Expenses									
Personel Expense	\$ 966,839.00	\$ 410,429.72	\$ 313,554.50	\$ 88,544.50	\$ 71,416.18	\$ 762,226.62	78.8%	\$ 204,612.38	-21.2%
Operating Expense	\$ 6,249,791.00	\$ 3,152,957.54	\$ 2,648,824.55	\$ 940,214.18	\$ 770,231.85	\$ 6,708,420.30	107.3%	\$ (458,629.30)	7.3%
Capital Projects	\$ 4,970,884.00	\$ 1,198,524.28	\$ 1,852,903.63	\$ 227,391.20	\$ 129,960.18	\$ 4,970,884.00	100.0%	\$ -	0.0%
Transfer	\$ 25,000.00	\$ 12,499.98	\$ 12,499.98	\$ 2,083.33	\$ 2,083.33	\$ 24,999.96	100.0%	\$ 0.04	0.0%
Total Expenses	\$ 12,212,514.00	\$ 4,774,411.52	\$ 4,827,782.66	\$ 1,258,233.21	\$ 973,691.54	\$ 12,466,530.88	102.1%	\$ (254,016.88)	2.1%
Operating Surplus (Deficit)	\$ (3,022,692.00)	\$ (461,495.86)	\$ (397,801.09)	\$ (539,607.55)	\$ (32,310.52)	\$ (3,708,604.06)	-6.8%	\$ (177,878.30)	-6.8%

Waste Water Fund

1. Impact Fees were projected to be over \$660,477.50. This was higher than budgeted
2. Waste Water Revenue less Impact Fees was projected to be the lowest in the previous three years.



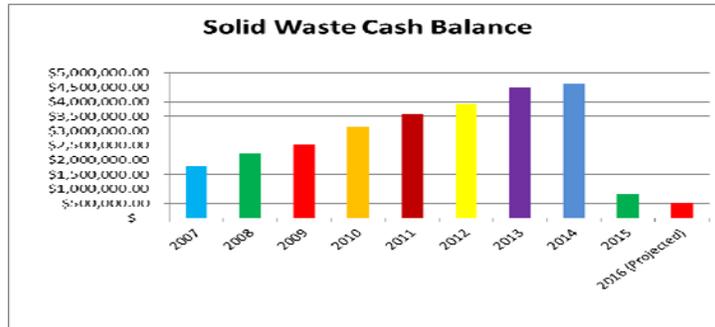
3. \$750,000 in Waste Water Fees collected had been designated by the City Council each year for Capital Replacement.

Solid Waste Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	December 2015 (Current Year)	December 2014 (Prior Year)	Forecast (Current Year)	% Budget to Forecast	Difference	% Difference
Revenues									
Charges for Services	\$ 3,596,157.00	\$ 1,899,029.79	\$ 1,943,799.44	\$ 407,730.96	\$ 403,409.14	\$ 3,798,059.58	105.6%	\$ 201,902.58	5.6%
Miscellaneous	\$ -	\$ 204.00	\$ 408.00	\$ -	\$ -	\$ 816.00		\$ 816.00	
Total Revenues	\$ 3,596,157.00	\$ 1,899,233.79	\$ 1,944,207.44	\$ 407,730.96	\$ 403,409.14	\$ 3,798,875.58	105.6%	\$ 202,718.58	5.6%
Expenses									
Personel Expense	\$ 125,805.00	\$ 127,900.39	\$ 70,328.64	\$ 26,724.44	\$ 14,396.63	\$ 237,529.30	188.8%	\$ (111,724.30)	88.8%
Operating Expense	\$ 4,223,978.00	\$ 1,666,010.11	\$ 1,579,252.03	\$ 345,365.52	\$ 328,023.35	\$ 3,874,442.12	91.7%	\$ 349,535.88	-8.3%
Transfer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	
Total Expenses	\$ 4,349,783.00	\$ 1,793,910.50	\$ 1,649,580.67	\$ 372,089.96	\$ 342,419.98	\$ 4,111,971.41	94.5%	\$ 237,811.59	-5.5%
Operating Surplus (Deficit)	\$ (753,626.00)	\$ 105,323.29	\$ 294,626.77	\$ 35,641.00	\$ 60,989.16	\$ (313,095.83)	11.1%	\$ (35,093.01)	11.1%

Solid Waste Fund

1. The Solid Waste Fund had been growing over the last 10 years in order to save for a Transfer Station. Trans-Jordan Landfill had informed the City that they would be paying for the Transfer Station. It was the Council's decision to move \$4,000,000 from the Solid Waste Fund to the Storm Water Fund for Capital

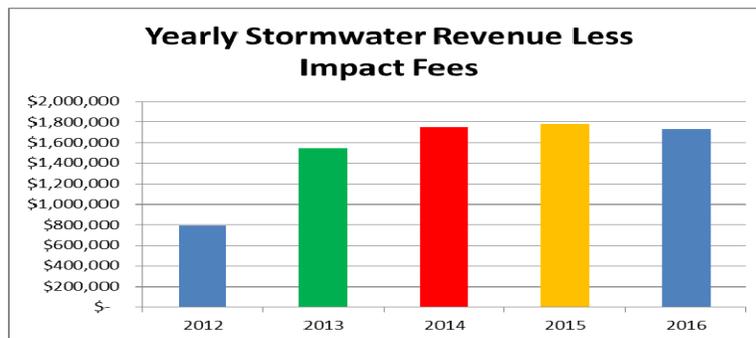
Project Funding. At this point projections showed that the Solid Waste Fund would be near \$500,000 cash at the end of this fiscal year.



Stormwater Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	December 2015 (Current Year)	December 2014 (Prior Year)	Forecast (Current Year)	% Budget to Forecast	Difference	% Difference
Revenues									
Charges for Services	\$ 1,775,693.00	\$ 863,793.82	\$ 877,464.10	\$ 173,744.60	\$ 217,132.19	\$ 1,727,587.64	97.3%	\$ (48,105.36)	-2.7%
Impact Fees	\$ 500,000.00	\$ 371,906.88	\$ 725,814.57	\$ 93,563.37	\$ 77,332.78	\$ 743,813.76	148.8%	\$ 243,813.76	48.8%
Total Revenues	\$ 2,275,693.00	\$ 1,235,700.70	\$ 1,603,278.67	\$ 267,307.97	\$ 294,464.97	\$ 2,471,401.40	108.6%	\$ 195,708.40	8.6%
Expenses									
Personel Expense	\$ 807,749.00	\$ 413,345.90	\$ 321,230.10	\$ 84,942.66	\$ 64,228.86	\$ 767,642.39	95.0%	\$ 40,106.61	-5.0%
Operating Expense	\$ 510,294.00	\$ 345,622.43	\$ 304,111.45	\$ 67,692.92	\$ 45,759.41	\$ 705,351.90	138.2%	\$ (195,057.90)	38.2%
Capital Projects	\$ 1,559,161.00	\$ 1,216,566.62	\$ 392,311.33	\$ 75,847.92	\$ 240,059.53	\$ 1,559,161.00	100.0%	\$ -	0.0%
Total Expenses	\$ 2,877,204.00	\$ 1,975,534.95	\$ 1,017,652.88	\$ 228,483.50	\$ 350,047.80	\$ 3,032,155.28	105.4%	\$ (154,951.28)	5.4%
Operating Surplus (Deficit)	\$ (601,511.00)	\$ (739,834.25)	\$ 585,625.79	\$ 38,824.47	\$ (55,582.83)	\$ (560,753.88)	3.2%	\$ 350,659.68	3.2%

Storm Water Fund

1. Impact Fees were projected to be over \$700,000.
2. Storm Water Revenue less Impact Fees was projected to be down from the previous two years. However, this would increase as the City Council had approved an increase to Commercial Billing to take effect in January.



3. \$4,000,000 in cash was transferred in Fiscal Year 2015 from the Solid Waste Fund to the Storm Water Fund to increase the Capital Project funding.

The Council and staff addressed questions regarding the report.

DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE 16-10, REGARDING 5600 WEST 8200 SOUTH; RATIFICATION OF PLANNING COMMISSION APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN ESTABLISHING DENSITY; MFR AND HFR ZONES; THE VIEW AT 5600, LLC/UINTA LAND COMPANY, APPLICANT

David Oka turned the time over to Larry Gardner who explained that the City Council had remanded this item back to the Planning Commission on December 2, 2015 with the direction to review the density buy-ups associated with this project. The Planning Commission on January 5, 2016 reviewed the density buy-ups for the second time, and with some minor modifications granted preliminary approval of the development plan for The View at 5600 located at 8200 South 5600 West in the MFR Zone, 51 units on 6.01 acres with a residential density of 8.50 units per acre, and in the HFR Zone, 480 units on 28.79 acres with a residential density of 16.7 units per acre, subject to the following conditions:

1. The Final Development Plan shall be updated to reflect the buy up points and densities approved by the Planning Commission and City Council.
2. The Final Development Plan shall be updated to show all other requirements as approved by the Planning Commission.
3. Approval of the Preliminary Subdivision plan and Preliminary Site Plan shall be subject to City Council ratification of the Preliminary Development Plan. The project density shall be ratified by the City Council as part of the Preliminary Development Plan.
4. Update the Final Development Plan to address all existing and future planning, engineering, fire, Design Review Committee, and all other City redline corrections pertaining to The View at 5600 Development Plan.
5. Before the final plat, site plan and development plan are stamped for construction purposes by the West Jordan Engineering Department, all redline comments shall be completely addressed.
6. The development shall be designed according to City Standards and shall have the approval of the City Engineer before final approval is granted; notwithstanding the design concepts as shown in the preliminary development plan.
7. A HAWK signal shall be required at the location where the trail crosses 5600 West to protect the health, safety and welfare of residents.

The Planning Commission reviewed the density buy-up and made some minor modifications. The only category where the Planning Commission found that density buy-ups were granted excessively or inappropriately was in the "Trails and Open Space" category where the Commission chose to remove the "Courtyard" amenity for a 1% reduction and reduce the "Multiple Playing Fields" from 4% to 3%. The reductions did not change the density of the project. With those changes the Planning Commission

granted approval, with conditions, of the preliminary development plan for The View at 5600 located at 8200 South 5600 West in the MFR Zone, 51 units on 6.01 acres with a residential density of 8.50 units per acre, and in the HFR Zone, 480 units on 28.79 acres with a residential density of 16.7 units per acre.

FINDINGS OF FACT PRELIMINARY DEVELOPMENT PLAN

There were no specific findings of fact for development plans.

The WSPA zoning districts allowed density increases subject to providing certain required amenities or design elements that were intended to improve the overall project. The density range in the MFR zoning district was between 4.51 and 9.0 dwelling units per acre. In this zone, the applicants were entitled to 4.51 dwelling units per acre (which was considered the base density) but could “buy up” to 9.0 dwelling units per acre if all optional bonus density elements were provided and integrated into the development. The density range in the HFR zoning district was between 9.01 and 18 dwelling units per acre. In this zone, applicants were entitled to 9.01 dwelling units per acre (which was considered the base density) but could “buy up” to 18.0 dwelling units per acre if all optional bonus density elements were provided and integrated into the development. The density “buy up” was determined using the table contained in the 2009 City Code, Section 13-5J-5C and Section 13-5J-6 which further clarified how percentage points were achieved.

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

WSPA STANDARDS AND INCENTIVE CHART

Table 1.0

Amenity/Improvement	Weighted Value	Required vs. Optional	Applicant Score	Staff Score
Trails and open space:				
<i>Improvement: Dedication of open space, trail (drainage) corridors or "in lieu fees" and installation of trails in accordance with the comprehensive general plan and the "Parks, Recreation, Trails And Open Space Handbook"</i>		Required	0%	0%
<p>Discussion: The area along Clay Hollow wash will be a dedicated open space area that will remain open and usable to residents and non-residents of The View. The Parks, Recreation, Trails And Open Space Handbook</p>				

requires fifty feet of open area on each side of the wash for a total of one hundred feet. Because the wash will be piped, as approved by the City Engineer, the one hundred feet will be from the center line of the wash. To be consistent, the one hundred feet of wash will be averaged as has been done in other projects within the Highlands master plan. The open area will be installed and maintained by the project owners through a development agreement. The two open space areas along the wash will be connected by a trail and bridge and will appear as one large open area when constructed. The applicant will dedicate an open space easement to the City through the wash area and will then landscape and maintain the open space. The applicant will also install a trail through the open space area and a bridge across the wash. This part of the plan meets the intent of the WSPA ordinance.

Table 2.0

Amenity/Improvement	Weighted Value	Required vs. Optional	Applicant Score	Staff Score
Trails and open space:				
<i>Improvement: Installation of enhanced open space/recreational amenities and/or landscaping/irrigation in excess of that required per city standards.</i>	Up to 22%	Optional	22%	22%
<p>Discussion: Swimming Pool (2%) Lazy River (1%) Two Basketball Courts (2%) Fitness Center (2%) Three playgrounds with equipment (2%) Three Tot Lots (2%) Forecourts with seating (2%) Parkour Course (2%) Multiple Playing Fields (4%) (3%) Picnic area (2%) Common Greens (1%) Courtyard (1%) Landscape Buffers (2%) Landscaped Tree Colonnade (2%) The applicant has installed more amenities than the maximum 22% allowed under the ordinance. <i>The total in this category exceeded the 22% and can only be granted buy-ups to 22%.</i></p>				

Each amenity from the discussion list would be evaluated individually. There was a sentiment at the City Council meeting that an amenity regardless of how many were installed throughout a project should only be granted the maximum percentage points in the WSPA Amenity table. This attitude was both inconsistent with what had been done in other WSPA projects, i.e. Loneview, where percentage points were given for each installed amenity; and contrary to the WSPA ordinance which states: “Percentage points (or partial points) shall be awarded based on the type and size of amenity being provided. The tables below shall be used to determine the value of each installed amenity within a development:”

Moreover, if this logic was followed then a large project, such as the View at 5600, would have no incentive to install more than one of each type of amenity, such as several playgrounds, because they would not get any additional density buy up for installing more than one playground. Several Playgrounds, for example, scattered throughout the project result in a better project than just one centrally located playground. Staff felt that

awarding density buy-up points for each amenity, regardless if it was the same type, resulted in a better project and was meeting the intent of the ordinance.

Members of the City Council concluded that the Lazy River should not be granted additional buy up points because it was part of the swimming pool. Staff’s conclusion was that the Lazy River was an additional amenity that was not commonly installed in multi-family developments and should be granted additional points. It was true that it was connected to the swimming pool but that was for convenience of using the same water treatment system and facilities installed for the pool. The ordinance allowed for amenities not specifically identified on the amenities list stating: *“The active and passive amenity tables listed herein are not all inclusive. There may be open space amenities not listed in the chart that meets the intent of this subsection. A developer may propose substitute amenities in the development plan, and if approved, the city council shall award bonus points to the substituted amenity. The bonus points awarded shall be based on the amenity in the chart that bears the closest resemblance to the substitute amenity.”*

Basketball courts are not specifically mentioned in the amenities list but staff felt they closely resemble Tennis Courts as an amenity and should be awarded the same points.

A Fitness Center is contained in the Clubhouse of the development.

Table 3.0

Amenity/Improvement	Weighted Value	Required vs. Optional	Applicant Score	Staff Score
Trails and open space:				
<i>Improvement: Improvement of trail corridors and installation of trail amenities in excess of that required per city standards.</i>	Up to 15%	Optional	15%	15%
Discussion: The plan shows the installation of 1.81 acres of active open space (5%). The applicant will be installing the benches and trash receptacles every 1000 feet as outlined in the development plan. (4%). The applicant will be installing fences along the trail corridor (4%) as described in the development plan and will be installing landscaping and irrigation along the trail corridor (4%).				

Installation of landscaping/vegetation and irrigation within dedicated trail corridors. Acceptable landscaping includes the installation of one tree every twenty five (25) linear feet of trail, and one shrub, bush or perennial flower every two (2) linear feet of trail (grouping or clustering is permissible and encouraged).

Table 4.0

Improvement: <i>Dedication of additional property for trails beyond that required per city standards along creeks/washes.</i>	Up to 15%	Optional	Applicant 15%	Staff 15%
Discussion: The code requires a minimum 100 feet of dedicated open space (50 feet open space dedication on both sides of drainage corridors.) The applicant will also be piping the wash to make the area usable and to be able to install landscaping. The open area beyond the wash is greater than the required 100 feet. The open area will give additional common open area for 709 feet. (Entire length of the wash) times by the width of the wash. The applicant will also construct the trail system through the project that will connect to the City's trail system. This amenity meets the intent of the WSPA ordinance.				

Table 5.0

Amenity/Improvement	Weighted Value	Required vs. Optional	Applicant Score	Staff Score
Street Design				
Improvement: <i>Pedestrian scale development and consistent, architectural street lighting</i>		Required	0%	0%
Discussion: All street lights will conform to West Jordan City standards for residential street lights. The street lights will be no taller than 12 feet tall with aluminum shaft with fluted finish direct burial pole with 3 inch tenon top and will be consistent with other lighting throughout the Highlands. The lighting within the project will be installed to provide safety for the residents. The lighting will be an attractive theme base design for the development.				
Traffic calming		Required	0%	0%
<i>Discussion: Traffic calming measures will be incorporated into the project and will be reviewed during the final subdivision and site plan review.</i>				
Street design <i>The project has internal drives accessing parking areas.</i>		Required	0%	0%
Improvement: <i>Entryway monument or gateway feature.</i>	Up to 10%	Optional	10%	10%
Discussion: The development plan shows three entryway monuments.				

Table 7.0

Improvement: <i>Provision of a landscape buffer on major rights of way</i>	Up to 22%	Optional	<u>Applicant</u> 8%	<u>Staff</u> 8%
Discussion: The development will have a 32 foot wide 758 foot landscape buffer along 5600 West and will incorporate berms, plantings and a 3 foot split rail fence.				

Table 8.0

Smart growth:			<u>Applicant</u>	<u>Staff</u>
Improvement: <i>Pedestrian friendly and walkable neighborhood design.</i>		Required	0%	0%
Discussion: Five foot sidewalks are placed along all exterior streets and adjacent to buildings. There will also be three trail connections for pedestrian access.				
Improvement: <i>Alternative load garage configuration (if single-family)</i>	Up to 18%	Optional	4%	0%
Discussion: Not applicable to this design.				
Improvement: <i>Clustered subdivision design</i>	Up to 10%	Optional	0%	0%
Discussion: Not applicable to this design.				
Building design:			<u>Applicant</u>	<u>Staff</u>
Improvement: <i>Attractive, theme based and consistent architecture on all structures.</i>		Required	0%	0%
Discussion: The Design Review Committee recommends approval of building architecture. (See attached minutes of meeting)				
Improvement: <i>Installation of covered porches throughout 50% of subdivision</i>	Up to 14%	Optional	14%	0%
Discussion: Not applicable to this design.				
Improvement: <i>Enhanced door, window, eave and roofing treatment</i>	Up to 12%	Optional	<u>Applicant</u> 12%	<u>Staff</u> 12%
Discussion: The applicant has installed enhanced door and window and roof treatments throughout as required by the ordinance which states: As an optional development improvement worth up to twelve (12) percentage points, all residential developments should be designed with enhanced door and window				

treatment and effort should be made to select door and window types that present a pleasing facade arrangement to the public. No partial percentage points will be allotted for the installation of any single item listed herein.

a. Window Placement: Windows should be installed on all facades of a residential structure and shall be proportionate in size to the wall face in which the window is located. Residential building design should avoid long, monotonous, uninterrupted and windowless walls. The maximum unbroken distance between any corner of the structure and a window and/or windows on any side of a residential structure is eight feet (8'). ***The project meets this requirement. See page 65 of the Development Plan.***

b. Window Treatment: All windows should have framed in wood, brick, stone or stucco trim that is at least four inches (4") in width. Windows set in vinyl or stucco without any trim is not permitted. ***The project meets this requirement. See page 65 of the Development Plan.***

c. Window Style: Identifiable window mullion patterns should be installed on at least seventy five percent (75%) of the windows to meet this criterion. ***The project meets this requirement. See page 65 of the Development Plan.***

d. Window Types: Encouraged window types include:

- (1) Bay or bow windows;
- (2) Oval, octagon or wrapping corner windows;
- (3) Arched windows;
- (4) Clustered windows.

The project meets this requirement. See page 65 of the Development Plan.

e. Door Treatment: All front doors should be complemented with at least one sidelight, transom window or double door. ***Balcony doors meet this requirement.***

<i>Improvement:</i> Equal dispersion and use of high quality building materials	Up to 12%	Optional	<u>Applicant</u> 12%	<u>Staff</u> 12%
<i>Discussion:</i> The development will incorporate stucco, stone, brick, composite board siding and shingles and other high grade materials. Interior upgrades include 9 foot ceilings, granite counter tops, stainless steel appliances, high quality windows and doors. <i>The project meets this requirement. See page 65 of the Development Plan.</i>				
<i>Improvement:</i> Discretionary buy up	Up to 12%	Optional	0%	4%
<i>Discussion:</i> The installation of 144 detached garages will be included in the development. <i>See page 53 of the Development Plan.</i>				

*(for a complete view of the individual areas, Refer to exhibit A)

Based on the total percentage referenced above, the following calculation was used to find out the maximum allowed density of a project: [(Base Density) x (Bonus Density Percent)] + (Base Density) = Max Allowed Net Density

As staff calculated the maximum allowed net density in the MFR zone, $(4.51 \times .98) = 4.42$; $4.42 + 4.51 = 8.93$ du/ac; therefore, 8.93 dwelling units per net acre were possible. The proposed development included 51 units on 6.01 acres for a proposed residential density of 8.48 dwelling units per acre (gross). This compared to a maximum net density of 6.01 acres X 9.0 units per acre = 54 units.

The maximum allowed net density in the HFR zone, $(9.01 \times .98) = 8.83$; $8.83 + 9.01 = 17.84$ du/ac; therefore, 17.84 dwelling units per net acre were possible. The proposed development included 480 units on 28.79 acres for a proposed residential density of 16.67 dwelling units per acre (gross). ($16.67 \times 28.79 = 479.929$ units rounding up give 480 units total.) This compared to a maximum net density of 28.79 acres X 18.0 units per acre = 518 units

Based on the information submitted and the conditions of approval recommended by staff, The View at 5600 Sub-area Preliminary Development Plan had sufficient amenities to achieve the requested 531 multi-family residential dwelling units.

Councilmember Rice spoke against the proposal, quoted several areas of the City's General Plan and expressed concerns about the following:

- Building a three-story apartment building directly across from owner-occupied low density homes without the required buffering
- Piping the wash through a 48" pipe rather than a natural wash
- What was approved in the Highlands Development Master Plan was considerably different than what was proposed here.

Councilmember Jacob expressed concern about the fact that the project seemed to straddle two separate zones. He went through the various buy-ups and ended up with a total of 48% for medium density zone and 64% for the high density zone. He indicated that he could not support the proposal.

Councilmember Haaga pointed out that rooftops in the City would result in increased economic development. This project would provide a great deal of tax revenue to the City so he therefore was a proponent of it.

Councilmember Nichols explained that he could see both sides of the argument and had not yet made up his mind.

Mayor Rolfe stated that the area was already zoned and that the developer had met the required criteria.

Councilmember McConnehey indicated that he, too, was torn. He agreed with much of what had been shared by both Councilmembers Nichols and Rice. He also expressed his appreciation to the City Clerk for ensuring that the public could access the development plan on-line so they could see the details of what was being proposed.

Councilmember Rice pointed out that the Highlands Development Master Plan had indicated that a medium-density zone would be developed. Today's agenda packet depicted something very different.

Councilmember Jacob expressed agreement with Councilmember Rice and indicated that the current proposal did not meet the intent of a medium-density zone. He saw it as primarily a high-density project bleeding over into a medium-density zone.

Councilmember Haaga felt the development would enhance the City and that the developer had done everything possible to add value to the property of residents in the area and that it would result in increased growth.

MOTION: Councilmember Haaga moved that based on the information set forth in the staff report and the design shown in The View at 5600 Development Plan, and upon the evidence and explanations received today, that the City Council ratify through ordinance the Planning Commission's approval of The View at 5600 Preliminary Development Plan located at approximately 8200 South 5600 West with a residential density of 8.5 units per acre in the MFR zone and 16.7 units per acre in the HFR zone; for a total of 531 multi-family units on 34.8 acres, subject to the conditions of approval. The motion was seconded by Mayor Rolfe.

Councilmember Jacob spoke against the motion, expressing concern that there would be insufficient medium-density buffer.

Councilmember Nichols pointed out that there was a medium density area adjacent to a low-density area which showed proper planning. For this reason and others, he was leaning towards supporting the motion.

A roll call vote was taken

Councilmember Burton	No
Councilmember Haaga	Yes
Councilmember Jacob	No
Councilmember McConnehey	No
Councilmember Nichols	Yes
Councilmember Rice	No
Mayor Rolfe	Yes

The motion failed 3-4.

Mayor Rolfe asked for a legal opinion regarding whether the plan could be altered and re-submitted in less than one year.

Acting City Attorney Darien Alcorn responded that it was her understanding that in this case, the Council could either ratify the Planning Commission's approval or remand it back to that body. She did not believe there was a restriction on when the item could be returned to the Council again for their consideration.

Councilmember Jacob asked if he could move to approve with a different density.

Ms. Alcorn again stated that the Council's authority in this situation was limited to either ratification of the plan as submitted or remand the item back to the Planning Commission.

MOTION: Councilmember Jacob moved to remand the item back to the Planning Commission. The motion was seconded by Councilmember Rice.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	No

The motion passed 6-1.

DISCUSSION AND POSSIBLE ACTION TO RESCIND RESOLUTION 15-217, REMOVING THE \$1.90 UTILITY FEE SUSTAINABLE FUNDING FOR THE PERPETUAL MAINTENANCE OF PARKS, TRAILS AND OPEN SPACE

Mayor Rolfe explained that he had brought this item back for re-consideration, stating that the Council had seen the City's finances and should understand them. With Resolution 15-217 it would take approximately 1-2 years for the Parks Department to become fully staffed and equipment would then need to be purchased. He did not believe that such a delay was in the City's best interest.

MOTION: Mayor Rolfe moved to rescind Resolution 15-217, removing the \$1.90 utility fee sustainable funding for the perpetual maintenance of parks, trails and open space. The motion was seconded by Councilmember Haaga.

Councilmember McConnehey spoke in favor of the motion. However, he understood that the residents sought assurance that Parks funding could not be usurped and applied to another area within the City budget. He supported doing away with the fee but was in

favor of creating a separate line item specifically for Parks within the property tax so that what went into the general fund was offset by what was applied to the Parks Department.

Councilmember Jacob spoke in opposition to the motion, believing that the Council elected by the People had already made a decision on the matter and that it should accept the decision made and move on.

Councilmember Haaga pointed out the hundreds of neighbors who were on a fixed income and who may not be able to afford the increased fee.

Councilmember Burton wished to discuss the definition of **fee**. He believed a fee was something that people had control over. Conversely, a **tax** was something out of one's control and must be paid regardless of whether or not a service was utilized. He felt that the new Parks fee should actually be referred to as a tax and he agreed with Councilmember Haaga that it should not be levied. He was in favor of the motion.

Councilmember Nichols explained that like any other department, Parks needed an ongoing annual source of income. He had reviewed the previous adopted final budgets over the years (not the actuals) and seen what he believed to be a dangerous trend. With the exception of 2012-2013, the City's budget was never balanced. He believed that the fee would have a more immediate impact than what the Mayor suggested so he would therefore be voting against the motion.

Mayor Rolfe pointed out that the numbers presented by Councilmember Nichols had no effect on what had actually happened in the last four budget cycles.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	No
Councilmember McConnehey	Yes
Councilmember Nichols	No
Councilmember Rice	No
Mayor Rolfe	Yes

The motion passed 4-3.

MOTION: Councilmember McConnehey moved to suspend the rules to extend the meeting beyond 9:00 p.m. The motion was seconded by Councilmember Burton and the Council voted 7-0 in favor.

Mayor Rolfe proposed that the Council direct staff to move \$495,000 by April 15, 2016 from the Surplus Fund Balance, and \$200,000 from the Fleet Fund to equip Parks staff and

then add one quarter of that amount to the budget for FY 2016-2017 and bring forth a budget the following year.

Councilmember Haaga was in agreement with Mayor Rolfe.

Councilmember Nichols liked the idea of taking care of the parks. However, with the future expenses discussed recently in strategic planning (such as more police officers), he questioned whether or not it was feasible.

Mayor Rolfe expressed that he was very confident that there would be sufficient revenue to fund the police department's needs, the park's needs and the bond payments for the other things discussed during strategic planning.

Councilmember Jacob was concerned about counting on increased income that may or may not be realized.

Councilmember McConnehey wondered if the Council would consider creating a separate line item on property tax for the Parks Department. The majority of the Council was in favor of exploring such a thing, provided that the overall tax amount was not increased in order to make it happen.

Mayor Rolfe again stated a desire for the Council to agree to direct staff to move the funds that he had mentioned.

Mark Palesh mentioned that he would have a difficult time hiring staff based on a one-time infusion of funds.

Regardless, the Council was in agreement to move the funds as suggested by Mayor Rolfe (following the required public hearing) and also look at the property tax option.

IX. REMARKS

Councilmember Nichols suggested that the Council allow staff to administratively approve the use of liquor at Pioneer Hall and the arena for non-City functions. The Council was in agreement and indicated that the Municipal Code should be changed if that was found to be necessary. He also asked if closed sessions on the second Wednesday of each month could either be shortened or avoided altogether in order to allow him to fully participate in the meetings of the Jordan Valley Water Conservancy District. The Council had recommended that the Governor appoint him to the Board of Trustees and he wanted to do everything possible to meet his responsibilities there.

X. ADJOURN

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

The meeting adjourned at 9:20 p.m.

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

KIM V ROLFE
Mayor

ATTEST:

MELANIE BRIGGS, MMC
City Clerk

Approved this 24th day of February 2016