

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

Wednesday, June 8, 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 McConnehey, Chad Nichols, and Sophie Rice.

STAFF: Mark Palesh, City Manager; David R. Brickey, City Attorney; Melanie Briggs, City Clerk; David Oka, Economic and Community Development Director; Brian Clegg, Parks Director; Bill Pyper, Deputy Finance Director; Wendell Rigby, Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; Scott Langford, City Planner; Larry Gardner, Senior Planner; Eric Okerlund, Budget Officer; Jim Riding, CIP/Facilities Project Manager; Steve Glain, Assistant to the City Manager; Paul Dodd, Civil Litigator, and Eric Berkovich, City Prosecutor.

I. CALL TO ORDER

Mayor Rolfe called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rodeo Queen, Dakota Huber.

III. PRESENTATION

**PRESENTATION BY NATHAN GEDGE, CHAIRMAN, WESTERN
STAMPEDE AND INTRODUCTION OF 2016 ROYALTY**

Nathan Gedge, Western Stampede Chairman, invited all of the Council and those in attendance to attend the 2016 Western Stampede Rodeo. He reviewed the events that were scheduled. He anticipated a sell-out on all three nights of the rodeo. He recognized the Stampede Committee members and then introduced the 2016 Western Stampede Royalty:

- Queen – Dakota Huber
- 1st Attendant – Kelsey Mills
- 2nd Attendant – Sierra Goodman

Nathan Gedge expressed his appreciation to the City Council for their support.

**RECOGNIZING WEST JORDAN CITIZEN, RUTH GONZALEZ AS
'FOSTER MOTHER OF THE YEAR 2016'**

Mayor Rolfe said he had the privilege to honor Ruth Gonzalez as 'Foster Mother of the Year 2016.'

He stated that in Salt Lake County alone, nearly 800 children were in foster care because of abuse or neglect in their biological homes. Foster families provide a meaningful connection to caring adults who can be a stable, lasting presence in their lives.

West Jordan residents Ruth Gonzalez and her husband Jose Luis embody the essence of what it means to be foster parents. They have welcomed more than one-hundred children into their home, and have added rooms in that home, so they could accommodate even more children.

They have fostered two sibling groups of 5-children each. And when those children were not able to be reunited with their biological families, Ruth and Jose Luis adopted them as permanent members of their family.

Ruth Gonzalez had received this award before; however, as a City Council we also wanted to also honor her as Salt Lake '2016 Foster Mother of the Year.'

The Council congratulated Ruth Gonzalez and presented her with a plaque.

IV. COMMUNICATIONS
CITY MANAGER COMMENTS/REPORTS
STAFF COMMENTS/REPORTS

David Brickey –

- Announced that Darien Alcorn's last day would be Monday, June 13, 2016

Brian Clegg –

- Parks Department was now fully staffed with seasonal employees

Marc McElreath –

- Fire Department was also fully staffed

Doug Diamond –

- Police Department participated in the 'Library Reading Kickoff'
- Two new Police Officers would be starting June 27, 2016

CITY COUNCIL COMMENTS/REPORTS

Councilmember Jacob –

- Commented on the concerns of residents regarding the number of traffic accidents on Mountain View Corridor 7800 South & 9000 South. He suggested having staff bring options on how to improve traffic safety.

Councilmember Nichols –

- Updated the Council regarding Jordan Valley Water Conservancy District water usage from March for West Jordan City.

Councilmember Haaga –

- Recognized the passing of previous Council Member Jim Lems.

Councilmember Burton –

- Commented on the events that he recently attended:
 - Business to Business
 - Library Reading Kickoff
 - Copper Hill and West Jordan High School graduations
 - West Jordan Memorial Day Celebration

Councilmember McConnehey –

- Residents' concerned regarding the potential overpass on 7000 South Bangerter Highway

Mayor Rolfe stated that on Wednesday, June 15, 2016, there would be a special meeting at City Hall with Utah Department of Transportation (UDOT), and Jordan School District regarding the upcoming construction at 7000 South and Bangerter Highway.

Mayor Rolfe –

- Both he and Councilmember Burton attended a meeting regarding the 9000 South Bangerter Highway over/underpass. He said possible options would be brought back to the City Council at a later date.
- Reported that this year's 2016 West Jordan 'Memorial Day Celebration' was the best ever

V. CITIZEN COMMENTS

Paul Emmett, West Jordan resident, commented on his concerns regarding a public hearing held on December 23, 2015, regarding Resolution 15-229, which included parcel 21-33-300-029-0000. He felt when public hearings were held during the holidays, the Council was essentially dictating to the people that they (the people) must conduct business during holidays. He said this scheduling error was most likely an unfortunate oversight. He asked each of the Council to state on the record, if the scheduling of a public hearing two days prior to Christmas was appropriate. He addressed the parcel earlier mentioned stating it was designated buffer-land, but not included or discussed during deliberations. He said the oversight was buried in an old development agreement. He read language from the agreement. He asked the City Manager if the omission of the buffer-land status was an oversight and if not had the City staff mitigated the risk of the National Guard Base and Airport. He asked that responses be made as part of the public record.

Jason Pehrson, West Jordan resident, wanted to cast his vote to keep the field referred to by Mr. Emmett open of any buildings or housing. He said during his youth he grew up next to similar open space, which provided him with valuable lessons in life. He voiced his safety concerns regarding buildings or structures being placed in the field. He said the Air

Field Base and Army Base both housed dangerous materials that must have a buffer zone. He felt if the decision to build on the property was passed West Jordan residents would be put at risk.

Arnol de Florez, West Valley City, said he wanted to hold a rodeo in West Jordan on July 17.

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

She commented on the following items:

- She reported that she was still waiting for an apology since April 29, 2015, from one specific Councilmember to the Mayor, City Council, and West Jordan residents.
- Her attendance at the Memorial Day Celebration, which she considered one of the best.
- Disappointed that four Councilmembers were not in attendance at the Memorial Day Celebration.

John and Joani Jordan, West Jordan residents, voiced their concerns regarding Resolution 15-229. John Johnson said when they moved in a few years ago, they were told that a City park would be built in the future; however, they now learned that the property might be sold. He briefly commented on the possibility of buying the land just to the east of them. He asked the future plans of the field.

David Udaol, Lindon, Utah, reported that having 12,000 square foot lots made housing more affordable for people to buy in West Jordan.

Steven Hunt, West Jordan resident, living in the Wheatland Estates, voiced his and others concerns regarding the property immediately to the east between their homes, the railroad tracks, and the Army National Guard Base.

He said Mr. Emmett asked earlier if the Council felt it was appropriate to hold a public hearing two days before Christmas. He would like an answer to that question. He also commented on the development agreement signed in 1998, and the buffer it addressed. He said the developer told the homeowners that that area would be developed as a City park. He encouraged the Council to keep the land as a buffer.

Tamara Nelson, Salt Lake City, Utah, said on January 16, 2016, West Jordan Cemetery became the final resting place for her son. Since then belongings have been stolen from his gravesite three times. She said the West Jordan Cemetery Sexton said he had recently received several calls regarding stolen items. She hoped that there was some way that West Jordan could address this problem.

Jeremy Poulson, West Jordan resident, commented on the proposed sky bridge being built at 7000 South by UDOT. He said this would affect his property, students, and the neighborhood greatly. He asked the Council to help the residents find a better resolution.

Greg Lieb, West Jordan resident, also voiced his concerns regarding Resolution 15-229. He said that they were told this was going to be a park, which was a factor when they were purchasing their home. He said this open space area was valuable to the surrounding residents. He felt the timing of the public hearing on December 23, 2015 was inappropriate, and important details regarding the buffering were omitted from the staff report.

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

Councilmember McConnehey commented on the appropriateness of the public hearing on December 23, 2015. He said the City was on a certain time frame and the City could either notice the public hearing in advance and then hold the hearing prior to the holiday or send out the noticing during the holidays between Christmas and the New Year where residents most likely would not hear it and then hold the public hearing shortly thereafter. His personal preference was to notice the public hearing early, thus making the public aware early. Citizen comments could be made at any time, many people are unable to make it to City Council meetings; however, they can still reach out to the Council. He reported that the public hearing was held on December 23, 2015; however, this item was also discussed and passed on January 13, 2016, giving residents two opportunities to speak on this item.

He also replied to Alexandra Eframo comments. He felt attendance at the Memorial Celebration with two small children might have been disruptive to the Memorial Celebration. He did stay home and share pictures and stories with his boys of what their grandfathers did while serving for this country.

Councilmember Haaga recalled the meeting was to expedite changes because of the legislature. He thought there was cause to re-evaluate the parcel. He said the main reason was because the parcel was not properly sub-divided and approved by the City Council. He said looking at the County records the parcel was still 51.79 acres, so that meant in a sense the City surplused that whole parcel from his perspective. So, he would propose and go public in saying, "it would be to our advantage to do this right, I am a process person, I believe in going through process listening to our residents and making solutions. Now I do believe this parcel that's being in question was something that was not open space, what we believe is open space is the part we need to subdivide." He would express to the City Manager that arbitrarily they made a decision to subdivide it, after discussing with the City Manager about this, but he never voted on that, he voted on parcel 213-03-000-29-0000, and I'm willing to reconsider this and bring it back to another Council meeting, so we can have a public hearing. We are in no hurry in selling this property, if our residents want to speak to this, especially since we haven't subdivided this property.

He also responded to Alexandra Eframo comments. He stated that this was the first Memorial Day Celebration that he had missed in seven years, and his absence was due to the passing of a best friend.

Mayor Rolfe stated that typically there were only two meetings a month and whether there were holidays during that month or not we must do the City's business. Also for the record, on this particular piece of property there was nothing that would fall under Section 404 Permit of the US Army Corp of Engineers, as wetlands.

VI. CONSENT ITEMS

- a. Approve the minutes of May 25, 2016 as presented**

- b. Approve Resolution 16-77, authorizing the Mayor to execute Amendment No. 8 to the Professional Service Agreement with Stanley Consultants, Inc. for the 7000 S Phase 2 Utility Design project in an amount not to exceed \$496,403.00**

- c. Approve Resolution 16-82, authorizing the Mayor to execute a contract with Holbrook Asphalt LLC for the 2016 Surface Seal Project, for an amount not to exceed \$591,186.30**

- d. Approve Resolution 16-83, authorizing the Mayor to execute a contract with A to Z Landscaping, Inc. for City-owned park strip landscape and planter bed maintenance services for July 2016 thru June 2017, in an amount not to exceed \$108,374.00**

- e. Approve Resolution 16-84, authorizing the Mayor to execute the Federal Aid Agreement between the UDOT and West Jordan City for the 5600 West 7800 – 8600 South Widening Project in an amount not to exceed \$340,056.00**

Councilmember Haaga pulled Consent Item 6.e. for further discussion.

MOTION: Councilmember Nichols moved to approve Consent Items 6.a through 6.d. The motion was seconded by Councilmember McConnehey.

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 HEARING

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 16-26 AND ORDINANCE 16-27, AMENDING THE FUTURE LAND USE MAP AMENDMENT FOR 5.01 ACRES FROM VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL; AND REZONE FROM RR-1D (RURAL RESIDENTIAL 1-ACRE LOTS) TO R-1-12F (SINGLE-FAMILY RESIDENTIAL 12,000 SQUARE FOOT LOTS); FOR PROPERTY LOCATED AT 7551 SOUTH 5490 WEST, BOWLER PROPERTIES LC/RANDY BOWLER, APPLICANT

BACKGROUND:

Larry Gardner said the applicant was requesting to amend the General Plan Future Land Use Map from Very Low Density Residential to Low Density Residential and change the zoning from RR-1D (Rural Residential 1 acre lots) to R-1-12F (Single Family Residential 12,000 square foot lots, “F” size homes) on 5.01 acres of property located at 7551 South 5490 West. The intent of the changes is in preparation for a future single family development on the property. The property was currently a residential lot in a Rural Residential zone.

GENERAL INFORMATION & ANALYSIS

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

	Future Land Use	Zoning	Existing Land Use
North	Low Density Residential	R-1-12F	One Single Family Home
South	Low Density Residential	RE-30F	Single Family Residential
East	Medium Density Residential	R-1-10D	Single-family Residential
West	Very Low Density Residential and Parks and Open Land	RR-1D	Vacant

The applicant had submitted a concept subdivision plan that showed how the 5.01-acre piece of property could possibly be developed.

If the City Council approved the amendments, the applicant must also receive preliminary subdivision approval from the Planning Commission prior to the development of the property.

FINDINGS OF FACT

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

Prior to approval for 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 was proposing to amend the Future Land Use Map from Very Low Density Residential to Low Density Residential. The General Plan stated:

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 low density single family homes on the property. The lot sizes and home sizes would be similar to the homes to the east. The applicant's concept was to develop lots with a gross density range of 1.4 to 2.9 net lots per acre. The area had adequate levels of water provided by a 16-inch pipe in 5490 West. Sanitary sewer line would need to be upsized for 175 feet in 4950 West from a 10" to a 12" line, without the upgrade the sewer lines are at capacity and the project would have to install a new line in 5490 West to 7800 South. Transportation into the area currently was via the private 5490 West. The access to the new subdivision would change and the applicant showed on the concept plan a connection to 7530 South, in the existing subdivision to the east. Adequate ingress by dedicated roads would 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 intent to construct single family housing on the five acres of property. The conceptual plan showed a density of approximately 2.4 units per acre. The properties surrounding this property have a gross density range of 1 to 4.3 units per acre.

Finding: The proposed amendment conforms to and was consistent with the adopted goals, objectives, and policies set forth in the City General Plan. The applicant would be required to upsize the sewer line in 4950 west.

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: There are not any available infill “Low Density Residential” sites east of and between 5600 West and Redwood road in the City. The properties that were “Low Density Residential” are west of 5600 West and are “greenfield” development parcels and not infill as the applicant was proposing. The properties in the 5490 area were all “Very Low Density” residential with a maximum density of 2 units per acre. The applicant’s desire was to develop within the maximum densities of the General Plan for “Low Density” residential which was 1 to 3 units per acre.

Finding: 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.

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

Discussion: The proposed amendment would result in large lot single family residential and would be compatible with the other single family, rural residential and agricultural uses 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 would directly benefit from approval of the proposed amendment; however, the amendment allowed for a greater use of property. Currently the properties on 5490 West were used as small farms and large lot pastures. There is no irrigation water available so the area was not prime agriculture land. A change in the land use map would not affect those surrounding the sites who wish to keep using the properties for farming or animal husbandry. The change would however allow more intense use of the property along 5490.

Finding: The proposed amendment constitutes 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 would not alter the land use pattern that is occurring in the area. Adequate water infrastructure was installed in 5490 West to handle any proposed development. Sanitary sewer would need to be upsized from 10” to 12” for 175 feet in 4950 West before any subdivision could be approved. Any roadway improvements or infrastructure upgrades would be the responsibility of the developer, not the city. The conceptual plan for the development showed connectivity to existing and future 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 is 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: See Future Land Use Map amendment Finding A.

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

Discussion: The applicant's intent was to construct single family dwellings. The land use map amendment and rezone were compatible with this intent. The applicant's concept plan showed a cul-de-sac road exactly as was approved with the subdivision to the South that was not stubbed to the vacant parcel to the north. The conceptual plan showed a connection across a parcel dedicated to the City which was currently landscaped area. The dedicated parcel was not to a stub street that is normally installed into vacant ground as development occurs so the residents in the area may not be expecting new development or existing traffic through their area; however, twelve new single family lots would not create a traffic impact in the area.

Finding: The proposed rezone would result in compatible land use relationships and does not adversely affect adjacent properties because of the future road connection.

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.

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.

In conclusion the proposed Future Land Use Map amendment and rezone of approximately 5.01 acres of property to Low density land use and to the R-1-12 zoning district was compatible with adjoining land uses, utilities and the transportation system.

Staff recommended that based on the analysis and findings contained in the staff report, that the City Council amend the Future Land Use map from Very Low Density Residential to Low Density Residential and Rezone 5.01 acres from RR-1D (Rural Residential 1 acre lots) to R-1-12F (Single-family Residential 12,000 square foot lots, "F" size homes) Zone on property located at 7551 South 5490 West.

On May 17, 2016, the Planning Commission in a 5-1 vote, recommended that the City Council amend the Future Land Use Map from Very Low Density Residential to Low Density Residential and in a 4-2 vote recommended that the City Council Rezone 5.01 acres from RR-1D (Rural Residential 1 acre lots) to R-1-12F (Single-family Residential 12,000 square foot lots, "F" size homes) Zone on property located at 7551 South 5490 West.

The Council and staff discussed clarifying questions.

Larry Gardner said our Ordinance prohibited going from a public street to a private street to another public street. Two public streets are not allowed to connect by a private street.

Mayor Rolfe opened the public hearing.

Amy Martz, West Jordan resident, said anything could happen when you move in next to an open lot; however, the property in question was a single-family residence. She objected to rezoning the property to allow for 12 homes. She asked the Council to deny the proposed rezone.

Janet Holdaway, West Jordan resident, stated that when they moved in two years ago, they thought they were buying in a rural area. She felt the addition of 12 homes would remove their privacy and increase the traffic.

Jeremy Fitzgerald, West Jordan resident, said all the traffic should come through 5490 West. He said the developer was already being provided a favor by allowing him to use the sewer system already in place. He said the residents were told that the original property just to the north was going to be one circle with nine lots; however, now he heard 21 lots with all of that being pushed into his home. He said if traffic was forced to use 5490 West, no one would be affected. He was against piece-mill development. He asked the Council to vote against this item.

Tracy Rose, West Jordan resident, spoke against the proposed rezone. She said Bridle Vista along with four other cul-de-sacs had only five to seven homes. She opposed placing 12 homes in this location. She was concerned with this many additional homes their homes would be devalued. She asked the Council to oppose the rezone.

Lacy Wasasha, West Jordan resident, agreed with Mr. Fitzgerald comments. She voiced her concerns regarding safety. She felt 5490 West should be considered as the main access point.

Alexandra Eframo, West Jordan resident, asked why the developer was trying to rezone this area when there was plenty of land out west. She opposed the rezone.

Carol Maea, Taylorsville resident, brought up physical health. She said the Council could do whatever they want as long as it does not affect her family. She commented on legal issues mistakenly made against her family in the court house.

David Udaol, West Jordan resident, representing his mother, said it would be nice if she could make a profit on the sale of some of the lots she owned. He spoke in favor the proposed rezone.

Randy Bowler, Applicant, responded to a few of the remarks made by residents regarding the property to the north, they filed it with 11 lots, not 21 lots. He felt Mr. Gardner explained why 5490 West could not be used as previously suggested by residents. He believed the proposed zoning and house size was compatible with the existing area.

David Barber, West Jordan resident, indicated that he did not object to the rezoning of the lot size. He commented on the following:

- Sewer system unable to connect to 7800 South
- Must have two access points
- Previously the City indicated that once 5600 West was in, that the City would be interested in turning 5490 West into a public street. (He recommended this happen).

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

The Council and staff discussed clarifying questions regarding:

- 5490 West was a private lane. Most of the property lines go to the center, it was actually an easement type road
- Sewer system capacity
- R-12 zoning appropriate

MOTION: Councilmember Burton moved that the City Council approve Ordinance 16-26 and Ordinance 16-27, amending the Future Land Use Map from Very Low Density Residential to Low Density Residential and Rezone 5.01 acres from RR-1D (Rural Residential 1 acre lots) to R-1-12F (Single-family Residential 12,000 square foot lots, “F” size homes) Zone on property located at 7551 South 5490 West. The motion was seconded by Councilmember Nichols.

Councilmember Haaga opposed the motion. He felt everyone had property rights even the surrounding property owners.

Councilmember McConnehey commented on fair transitions. He did not see that this conflicted with the General Plan. He spoke in favor of the motion.

Councilmember Nichols spoke in favor of the motion. He said all zoning changes infringe on someone’s property rights.

A roll call vote was taken

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

The motion passed 6-1.

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

The Council recessed at 7:36 p.m. and reconvened at 7:47 p.m.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
RESOLUTION 16-85, APPROVING THE FINAL BUDGETS FOR THE
GENERAL FUND, THE SPECIAL REVENUE FUNDS, THE CAPITAL
PROJECTS FUNDS, THE ENTERPRISE FUNDS, AND THE INTERNAL
SERVICE FUNDS FOR FISCAL YEAR 2016-2017**

On April 27, 2016, the City Manager delivered the proposed budget to the City Council. The City Council adopted the tentative budgets on May 11, 2016. Utah state law required that the final budgets be adopted before June 22, 2016. The tentative budgets can be reviewed, discussed, and amended as necessary up through the public hearing and final adoption.

The fiscal and/or asset impact:

Total budget for these funds was \$212,509,943.

Staff recommended approval of Resolution 16-85, adopting the Fiscal Year 2016-2017 Final Budgets for the General Fund, the Special Revenue Funds, the Capital Projects Funds, the Enterprise Funds, and the Internal Service Funds.

Mayor Rolfe called on the City Manager to speak.

Mark Palesh, thank you Mayor. A few weeks ago the Council did approve this tentatively as their budget to work with; and then two weeks ago as the workshop session and made some changes, and since then I've incorporated those changes into the budget and rebalanced it. You should have a sheet with all those changes that we put in there, by rebalancing I mean that the only thing that we've taken from the reserve fund were the green sheets, which are one time only purchases and money for the new DPW facility, no O & M was taken out of there in years past, so it's balanced appropriately.

Mayor Rolfe questions from Council on the budget, any one of the budget items. Seeing no one, I will now open the public hearing for Item 7.b., if you are here to speak on this item now would be the time, please.

Mayor, Councilmembers, my name is Paul Emett, I live at 7511 South 4730 West, I my first comment is about the, the public hearing today, it was difficult for me to figure out what to comment on when it came to the City budget. What I mean specifically is that the City Manager his tentative budget was available online and I saw that and was able to look into detail, but when it came to the changes that had been made subsequent to the tentative budget in your workshop I wasn't able to see any of those changes online. So I did go to talk to the City Clerk, Ms. Briggs, and she was able to help me there and I thank her for that. So my request to the City Council and the City staff is a from the perspective of the public comment, what kind of comments do you want from the public, and if you want comments that are informed, if you want comments that can help the process along I encouraged you to share information as it comes about, to publish the working document in some way in a timely manner, so that's my first comment.

The second is I guess I want to ask the City Council where the changes to the tentative budget currently stand specifically to the revenue item of sale of the airport property, is it still in the revenue side of the budget, and that's my request for information, thank you. And I'll entertain any questions you have for me.

Mayor Rolfe questions from Council. Councilmember McConnehey.

Councilmember McConnehey, not a question Mayor just a comment, you'd asked about the revenues out of the sale of the property, it was indeed removed from the budget. ... if you look final budget changes rev. 1, there's a \$5.5-million-dollar reduction of revenues due to removal of the airport property south. That has been pulled.

Paul Emett, Thank you.

Mayor Rolfe, we have one more question Councilmember Haaga.

Paul Emett, yes.

Councilmember Haaga, I just wanted to inform this resident that you know one time we had a Budget Committee and I was elected and what ended up happening, of course I voted against it is it was combined with the Sustainability Committee, now I'm not a member of that committee any I haven't had a report from any of the Councilmembers here that are on that, but that's where apparently were supposed to study the specifics of the budget, but like again year's prior to I think it was last year we actually we use to have a committee residents were invited and we did go through each line item. My personally, myself, I've read the whole budget, I'm not, I don't think, I'm prepared to accept this kind of budget, but anyway I just want you to know, maybe you can lobby some of the other Councilmembers and let's get that budget committee back. Thanks.

Paul Emett, Thank you.

Mayor Rolfe anyone else wishing, please.

Alexandra Eframo, 3735 Judd Circle, I am livid, Sandy has a population of 91,000; West Jordan has a population 20,000 more people 111,000 and yet are you aware that Sandy has the same number of Police Officers as West Jordan. It's abominable! You people safety is number one; we have to get more policeman for Chief Diamond. It's just unbelievable. I'll bet if people are going to buy a house in West Jordan, I'll bet if they knew how you have so few people in the police force here in West Jordan, you wouldn't by a house here. I know I wouldn't, I'm already here 21 years, but I think it is despicable, 20,000 more in Sandy and they have exactly 110 policemen the same as we do, does that make sense to anybody, I mean do you'll, can you add, can any of you add. Does it make sense to me it's telling me you don't care about our safety you care more about other things. We have \$54 million in the bank somewhere and here we are and we are tightening our safety, we should have at least in this budget instead of one policemen or is it two, I don't know we should have at least ten; in January you'll said then 12 officers to help Chief Diamond what in the world happened from January till now? What happened, what pills are you on? I don't understand it, I really don't because I live alone I mean, but I lock my door believe me when I open my door even in daytime I ask who it is because there are people robbing, do you know somebody came on my property I had a statute of a little angel they

got a hammer and knocked off the head of the angel. There is a lot of vandalism around there's a lot and I have to tell the Chief, I did a road rage, I know all of a sudden...I followed the guy in front me because he ran a red light, if I had gone through I would have hit him on the side and guess what I followed him, I finally got a hold of a policeman and the guy looked at me and said to me, are you on drugs, I mean all of a sudden the rage is there, it's not right, it is absolute not right and this budget we have to adjust that and we have, do not, we have to get 12 more officers to help Chief Diamond, please thank you.

Mayor Rolfe, thank you. Anyone else wishing to speak during this public hearing. I will close the public hearing for Item 7.b., and return to the Council now for discussion and/or a motion.

Councilmember Haaga so I don't know who's going to be answering questions Mayor on these line items.

Mayor Rolfe said the City Manager or Eric I assume.

Councilmember Haaga on Item Number, it's called 'Additional City Manager Approved Green Sheets' could you list those for me, so I'm pretty sure I know what they are its two officers without cars, is that right? What else?

Mark Palesh said we had a recent one for the camera system and security for City Hall that we just got it, so I didn't have it at the time and that's in here now too as well.

Councilmember Haaga said I'm a little discouraged I know this something that we can't really say, but did we lose the inter-facility transport funding or program that we were working on?

Mark Palesh that's a good question we're trying to work through it, it's a bit more complicated than we thought because Gold Cross is going to fight us on it. So we're working with the City of West Valley doing it at the same time, so it took out some of the projected revenue,took six months of worth instead of a full year's worth just to be safe.

Councilmember Haaga just reference, just so you know our fire department actually has a plus balance in their fund, they actually collect \$1.5 million in revenue..... ambulance fee this was just a program that the Chief was working on that obviously we didn't get at least this year, I hope so, but one of the question so, on the \$5.5 million could you give us a public reason why that's being pulled.

Mark Palesh said we could have gone either way when we first put that in, we put it in because we felt we would be selling it and we still are moving in that direction, but we don't know when it's going to come in. So instead we took the \$5.5 out of the reserve and so when we make profit then it goes into the Reserve fund.

Councilmember Haaga, thanks Mayor.

Mayor Rolfe acknowledged Councilmember Jacob.

Councilmember Jacob, thank you Mayor. There's a lot about the budget that I like and there's a little bit about the budget that I don't like this time around. We've talked again in January about police officers, my question at that time was: How are we going to pay for them? Well it looks like we're not, so we're not getting them, well we were getting two because we found some money in the O & M Fund, so I was curious then and my curiosity was satisfied kind of in the opposite direction that I was looking for. I kind of thought we were going to find some funding for these 12 police officers and it turns out we just decided not to, and I don't know what happened between point A and point B. So, that out there, one other thing is the thing that I keep hearing from Economic Development, from residents, from business community, from all over, from the Council, is that we don't look good, well to look good we would need more Parks funding, and Code Enforcement funding, and we don't have either one of those here either. This is the time, this is the one mechanism that we have this is the only level we can pull to change things like that it's the budget, we ask our staff to do more with less and they do and they do more with less and they continue to do more and they continue to get less and eventually there's a limit to how much we can ask them to do and I understand that for the things that I'm kind of wishing we had in here we would probably need a tax increase and I'm not willing to propose that tonight or maybe ever I don't know we'll see, but at least not until it's been talked about for a little while, but I would just like to see I think we talked about some things at the Strategic Planning session, I think we talked about several things and the only two things that really came out of it were a Public Works building and Rec. Center that's the only ones that really made it from that meeting to this point in my opinion. Thanks.

Mayor Rolfe acknowledged Councilmember McConnehey.

Councilmember McConnehey, thank you Mayor, compared some of my other comments this will be relatively quick and to the point. I am going to speak in favor of the budget that's been proposed primarily because of the point that we're at today. Our last meeting where we, or the prior meeting where we adopted the tentative budget I voiced concerns about a couple items that were in there and at that point I voted against it, today we are at a point that if the budget fails we revert to what we had at that point in time. I feel better with the changes that have been made than I do with that original budget and I do not want to go back to the original budget; that said I hope my stance in favor of the current budget does not get misconstrued as an endorsement to everything that's there rather it's really the budget processing is a collaborative exercise, I don't think anybody's completely happy with it at the end other than the fact that ok it's done for now, but going back to where we're at today if we don't approve the budget and we can't find consensus we fall back on what we had and where we didn't have career ladder, we included some of these additional items there was a lot that was missing from the prior that has been included I don't want to go back to that, so I will be in favor of the budget today. Thank you Mayor.

Mayor, thank you. Other comments.

Mayor Rolfe acknowledged Councilmember Nichols.

Councilmember Nichols, thank you. It will be very brief. Just echo what we just heard from Councilmember McConnehey that would be my position.

Mayor Rolfe acknowledged Councilmember Burton.

Councilmember Burton my comments are I also, I'm glad to see two police officers instead of zero police officers, zero where we were before and two is better than that twelve is where I would like to be, so I'm in favor of this budget at this point I will be voting for it; however, I'm going to continue to be working on finding some more funding to get that changed instead of waiting until next year's budget ...maybe we can come back and add that in at an earlier time and keep that ball rolling, I don't want to wait until next year's budget to do that, so I will continue to be involved to see if I can do something to amend that at one point in the near future.

Mayor Rolfe acknowledged Councilmember Rice.

Councilmember Rice, thank you. I appreciate the changes that have been made since we approved the tentative budget, looking over career ladders is huge, that was very important for me to make sure it got back on there. There's quite a few things on there that I'm very appreciative of that have been changed, so I will also be voting in favor of the budget.

Mayor Rolfe acknowledged Councilmember Nichols.

Councilmember Nichols, thank you Mayor. I'm prepared for a motion if there's no other comment. I think we've heard.

Mayor Rolfe said I actually have a couple comments if I'm unable to support the budget as proposed unless we balance the \$5.5 million in the revenue side with cash on hand that's sits either in the many checking accounts we have and/or the State Treasury Fund. I know that the property is surplused and I understand why we pulled it out of the budget, but I want the budget balanced with that \$5.5 million in there with cash from either place; and there were fee increases on I believe four Enterprise Funds and I am not in support of any fee increases until such time as the surplus fund balance in each of those Enterprises reaches 10 percent of annual budget and they're way over that now, so that would be my opinion. I'm hoping that I can vote yes on one budget, I haven't been able to yet, so I just hope that any motion would include something close to what I've proposed, I also would still like to consider the public safety who we rely on keeping us safe and our residents have spoken loud and clear they're forced to work 365 days a year and a taking the holiday portion out I don't know that we can fund the entire thing, but I'd like to see if

we couldn't reach for some funding a towards that. So those are my comments I'll wait to hear other comments and/or a motion.

Mayor Rolfe acknowledged Councilmember Haaga.

Councilmember Haaga, Thanks Mayor, I too can't vote for an unbalanced budget, yes were going to withdraw money from the fund balance, which I believe to be higher be \$19 million according to our accounting system. If I don't frankly think that we would be a negative like we are now as a City we're allowed to have (just for reference of the public) a percentage of our General Fund and what they call fund balance, what you and I would call savings and I'm not opposed to using savings for the things that we need this year because our City is growing, but what I would like to see we do not have to pass a budget tonight we have until next Council meeting I'm not opposed to any of the changes I would just like to see the budget, not the tentative budget with all these changes printed or digitally imprinted into the budget as of right now we have a two page document, oh one page that shows all the changes but not in the different funds, again like the Mayor I am opposed to any fee increases in any of the Enterprise funds, I think those funds are healthy and why that's been put in there will again be a reason I'll oppose the budget. Thank you.

Mayor Rolfe acknowledged Councilmember Burton.

Councilmember Burton, thank you Mayor, and I appreciate you bringing those items up I think those are some good legitimate things that you'rein, I would also be in favor of using the fund balance to bring that over to balance out so that we come in there and I agree with the other that you mentioned as well, I don't know why I didn't think of it. I'm glad you brought that up. So, I'm also don't see the need for the fee increases while we have that money sitting in there in surplus I don't think we need to collect more money from our citizens when we have their money sitting in the bank.

Mayor Rolfe do you have a motion?

Councilmember Nichols I'm thinking. Thank you Mayor.

Mayor Rolfe said I'm not trying to push you.

Councilmember Nichols said I had some thoughts going through based on the comments I just heard, and I do some good comments from the last, Chief Diamond knows this I've been saying more officers, more officers every time we talk about the budget and I love the number 32 that we talked about four years ago, that's the number I'm shooting for it's not eight, it's not six, 32 is what I'm after it's we got a few of those a couple years back, but the issue for me is where we get our revenue and I don't know, I mentioned earlier that I side with Councilmember McConnehey in that I prefer this over the other budget and that's why I support it, it's not that it's what I really want it's just more that, that I much prefer it to what it was. Additionally, I want to make a comment that I've always disagreed with the concept of using savings as it's been said for ongoing expenses,

you don't go out to get a loan for a car based on the fact that you have a couple hundred bucks in saving that's just not what you do, you go buy a car or loan a car because you have a salary that supports it that there's income that's ongoing over a long amount of time, it's just that simple principle and so as much as I'd love to use one time money to hire a bunch of police officers, the problem is what do I do next year when I don't have that income because I just used it all. So, I don't know I'm kind of in the middle of do I come up with that half motion or not, but I think I'll just take a stab at it.

MOTION: Councilmember Nichols moved to approve Resolution 16-85, adopting the Final Budget with the amendments that were proposed tonight in the packet. The motion was seconded by Councilmember Rice.

Mayor Rolfe said we have a motion by Councilmember Nichols and a second by Councilmember Rice. Discussion to the motion.

Mayor Rolfe acknowledged Councilmember McConnehey.

Councilmember McConnehey, thank you Mayor. First of all, I want to echo the comments that were brought up by Mr. Emmett about transparency and the public's ability to see what's happening with the budget as it progresses, frankly as a Council I feel like we were lacking a lot that, that transparency as well, and I think there's plenty of room for improvement in next year's budget for that. One of the other things I liked that we did in prior years that we didn't do this year is when it came to the Enterprise funds those were handled separately in advance, so it would be March, April, May, timeframe when we would look at those and determine what the final rate would be and then pass those so that we can focus on rest of the budget rather than tackling everything all at once. This year when we went through the budget it was difficult because none of those changes to the fees were really called out it was only the changes to the total revenue in the fund, so I would like to go back to how we did it before, that said when we talk about not needing changes to some of the fees there are a couple that I think that fee change is appropriate specifically storm water where some of those fee changes are needed to meet the mandate of the EPA they seem to enjoy unfunded mandates that fall into citizens and having to find a way to pay for that, additionally for culinary water where the Conservancy District regularly raises their rates, if we don't pass that through we end up having to fund from the difference. So, I'm supportive of those changes. Mayor you made the comment about the \$5.5 million I would not be in objection to funding that from something that's out there right now, really when it came to removing it from the budget to start with the principal that I based that request on was I don't want to balance the budget on the sale of an asset before this materializes, before there was a contract there, before it even got out, so that's why I wanted that one pulled I would not be in opposition if there were an amendment to change how the funding for that would happen. I agree with the principle Councilmember Nichols brought up of not funding ongoing expenses from savings, I think in this case the overriding principle that I'm going to go back to though is I think with what's been proposed here is better than what the tentative budget is, so I will still be in support of this. Thank you Mayor.

Mark Palesh asked the Mayor to speak.

Mayor Rolfe acknowledged Mark Palesh.

Mark Palesh said some of the issues that came up are the increase in costs to the Enterprise Funds. What you have before you is not what was recommended by staff or by the report that was arduously put together it's half in most cases in one instance I didn't approve it at all, and one was actually more than what was requested because we had requests from the state basically in our storm water, it was very emphatic and basically came with the threat, if you don't do it then we'll just fine you and you'll do it next time. So it's not what the staff asked for but I think I'm will to go with the smaller increase and try to cut as we go and make it happen I think it's worthwhile to put this in now.

Mayor Rolfe said well my comment (just to be clear for the record) is with the I hope you've all looked at the reserve funds for each of the Enterprises and to base fees on those Enterprise funds with the fund balances that exist in each one of those fees and I disagree whole-heartedly with the report and I want to be clear on that, but to erase fees on each of those Enterprise funds that have been proposed is the wrong thing to do. Each one of those funds have large surplus fund balances most of them in excess of \$10 million and when they get down to \$1 million or \$2 million then talk about raising fees to me, but don't talk about it with a surplus fund balance in each of the Enterprise funds in excess of at least \$9 million in each of those funds. I know they were raised significantly 2 years to 2½ years ago, and because of that we have large surplus fund balances in each of those, I think it's not appropriate to raise the funds and if you like me I got the whole entire stuff here, if you want that time we'll go through each one of them and we'll give you the exact amounts of each one of the Enterprise funds, I brought them with me. That's not our job this is hard earned tax dollars, I understand the Enterprise funds are funds that are called fees instead of taxes, but the residents don't have a choice whether they pay it or not. It's the same as a tax in my opinion.

Mark Palesh asked the Mayor to comment on that one.

Mayor Rolfe said yes.

Mark Palesh said thank you, the fee increases are for O & M, a lot of the funds that you've brought up are for large projects and therefore the impacts fees that are building up ready for projects so we have to look at it both ways it's the same way you look at the General fund we would like to have more police officers but we don't have the ongoing fees to pay for them but we have plenty in the reserve to get their equipment which we did this year.

Mayor Rolfe said we didn't use, we did not use 30 percent of the funds that were dedicated last year in the budget for projects, not even 30 percent in any one of the these Enterprise funds and in my opinion the number is ballooned, I don't want to get argumentative about this I just want to state fact, the fact is you're not going to spend over

\$6 million in any fund even including the storm drain fund in the next fiscal year, and yet each one of them is in excess of that and in fact I would state that you'll spend more like \$3 million in each of those funds and it's all here in the book you can read the project, you can read last year's expenditures and we just haven't historically done that. So, the numbers are inflated in my opinion and the fund balance is tremendous I'm not saying, I love having \$10 million in each of those funds, but I'm certainly not prepared to raise \$3 a month fee for each individual in the City on an average to balloon that up more, that's all I want to be clear on that.

Mark Palesh said each of those funds have a five and ten-year cycle of projects and what we can do with the staff we have and contracting some of those out, so we're not spending it all in one-year some of those funds are being built-up for a larger project that will happen in five years from now, and that's what we do in an Enterprise fund.

Mayor Rolfe said I understand all that, I don't need to be told that.

Mark Palesh said I know you do.

Mayor Rolfe acknowledged Councilmember Haaga.

Councilmember Haaga said so I'm 100 percent in agreement cause I read it and studied it myself, we have already said it once our Enterprise funds are healthy we need no increases, and then since we have a new Deputy Finance Director, which I met today, on O & M which is construction our impact fees that go to building out our City are those not collect on a different system than our residents water bill.

He was told yes.

Councilmember Haaga said yes, so money we collect impact fees we collect from builders our future homeowners are actually going into a different fund for construction, my opinion this has nothing to do if we have a waterline to put in that should be paid for by future residents and if we haven't adjusted that rate yet we should, that's the rate we should change not the residents that live here already and if we need to build new sewer lines we need to get impact fees from those residents coming into our City, if we, if all the infrastructure in Enterprise funds the construction we need should be coming from impact fees from our future residents and/or our developers. So anyway I would like to make a substitute motion, so we can make this work because I believe this year we have an opportunity to really come out with a balance budget and we've already heard from one Councilman that and I was shocked to have to say he's ok with using the fund balance, but I would like this postponed the decision till next Council meeting on adopting the final budget, so that we can read I don't know how many pages that is Mayor, the final budget with all these changes in it including the fees that you are proposing on our Enterprise fund, so that's a motion, substitute motion.

SUBSTITUTE

MOTION: Councilmember Haaga moved to postpone the decision till next Council meeting on adopting the final budget.

Mayor Rolfe said I have a substitute motion. It will die for lack of a second.

Mayor Rolfe said we are back to the original motion.

Councilmember Haaga called the question.

Councilmember Nichols said just a point of order. You can only call the question when you have the floor.

Councilmember Haaga said sorry I apologize.

Mayor Rolfe said I have the floor.

Mayor Rolfe acknowledged Councilmember Jacob.

Councilmember Jacob said thank you Mayor, I just had a procedural question and that is do we have two more weeks to approve this, or do we have to approve this tonight or it falls back to the tentative budget from before?

Melanie Briggs said State law, I actually looked at it today it has to be approved the 22nd of June and our next business meeting is the 22nd of June.

Councilmember Jacob said ok, thank you.

Mayor Rolfe said he just wanted to be clear on the whether or not.

Mayor Rolfe acknowledged Councilmember Burton.

Councilmember Burton said I would like to make a comment about the fund balance in a normal family you have a set income you know what you'd be getting each time, so it's tuff to live off of that because that is a fixed number and you take away from that it may not be replenished except at a slower rate, whereas the City depending on what happens to us this summer and this next year that balance could increase dramatically or decrease dramatically, so I look at this like an accordion and I think if we've got assets in there an accordion beyond what as a backup just in case the bottom falls out I think those are most appropriate to be used and that's what's accordions for because even though you've not putting some things in our revenues that we don't know were putting out but were working on very likely something could be coming in before that and if it doesn't then we would have to reduce some expenditures... because we should have that flexibility to look at that and know you'll have those flexibilities happening throughout this next year. So I'm ok using the fund balance because of that.

Melanie Briggs said may I make a clarification.

Mayor Rolfe said yes, please.

Melanie Briggs said State Code, Title 10, Chapter 6, Section 118, Uniform Fiscal Procedures – talks about the adoption of the Final Budget; it does state that before the last June 22nd of each fiscal period. So, because it says before June 22nd, then we would have to have it the 21st or before, that little key word there.

Councilmember Jacob said thank you.

Mayor Rolfe said so does that mean it needs to be adopted tonight or.

Melanie Briggs said or a special meeting by the 21st.

Mayor Rolfe said then it goes back to the tentative budget.

Mayor Rolfe acknowledged Councilmember Jacob.

Councilmember Jacob said thank you, Mayor, with that clarification I'll speak in support of the budget for the reasons that Councilmember McConnehey and Councilmember Nichols both mentioned and that this one is better than the other one, I think this one, if you did have two more weeks I think a couple of tweaks and we'd be there; however, since we've got this or we have to have another meeting and my wife doesn't like those, I'll speak in favor of the motion on the table.

Mayor Rolfe said I'll make one final comment if no one else is, to be clear as of May 31, 2016 we had \$45,270,486.61 in unrestricted funds in our City that includes all funds the unrestricted. The restricted is \$34,712,412.44, which totals \$79,982,908.05 of hard earned tax dollars sitting in various accounts, I just got this yesterday, so I know it's up to date as we can be and I will be opposed to the motion if it doesn't rectify the \$5.5 million and doesn't take the Enterprise fee increases out. Let's vote.

A roll call vote was taken

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

The motion passed 4-3.

VIII. BUSINESS ITEMS

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-86, SETTING THE 2016 PROPERTY TAX RATE FOR THE CITY OF WEST JORDAN

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

As for the fiscal and/or asset impact for the 2016-2017 fiscal year, the General Purposes Property Tax was projected to be \$11,585,692 and the Interest & Sinking Fund (Debt Service) Property Tax was projected to be \$755,542.

He said there were no tax increases except for new properties valuation.

Staff recommended adoption of Resolution 16-86, setting the 2016 property tax rate at a rate not to exceed the certified rate to be determined by Salt Lake County.

MOTION: Councilmember Haaga moved to adopt Resolution 16-86, setting the 2016 property tax rate at a rate not to exceed the certified rate to be determined by Salt Lake County. The motion was seconded by Councilmember McConnehey.

Councilmember Rice said in the future, she would like a discussion regarding park fees placed on an agenda.

Councilmember McConnehey said back in January the same request was made. He said the Council was requesting ramifications and the possibility of breaking out a separate property tax item to be dedicated to parks. He said transferring between funds could be an issue.

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.

**DISCUSSION AND POSSIBLE ACTION REGARDING ACE DISPOSAL
REQUESTED CONTRACT REVISION**

Wendell Rigby said March 2013, ACE Disposal received a contract from the City to haul and dispose of solid waste across the City. At the time the contract was drafted the recyclables market was strong and resulted in revenue generated by the sale of recyclable materials.

According to recent updates from the recyclables industry, there no longer appeared to be a payback, but instead a disposal results in charges of the materials.

On April 29, 2016 ACE Disposal delivered a letter to the City formally requesting a contract revision to accommodate the changes in the market for recyclables and in their letter they provided three bullet points on items they were asking to change.

Staff was requesting direction regarding this issue.

- Is it the Council's desire to work with ACE Disposal?
- Would the Council like staff to prepare the appropriate contract revisions addressing the items in the ACE Disposal letter? If so, the appropriate contract amendments would be presented to Council at a future date for official ratification.

The fiscal and/or asset impact in accepting the requested modifications would increase expenses to the solid waste fund by approximately \$4,200 per month.

In light of the recent downturn in the global recyclables market, the City was no longer receiving money for recyclable materials. ACE Disposal, the contracted hauler for waste was paying to dispose of recyclable materials. ACE had presented the City with a proposed revision to their contract to accommodate these unforeseen expenses.

Wendell Rigby said this item was continued from the May 25, 2016 City Council meeting. He reported that on Thursday, City staff had met with ACE Disposal where a letter was presented to them dated June 1, 2016, which revised their original request eliminating the 50/50 cost sharing. Should the Council be unwilling to approve the June 1, proposal then they would like the City to terminate the contract and go back out to bid.

Then just today, he was provided with an additional letter from Rocky Mountain Recycling, which had not been seen by the Council.

MOTION: Councilmember Burton moved to table this item until August 10, 2016. The motion was seconded by Councilmember Haaga.

Councilmember McConnehey said with the changes that could be made to the contract, he felt this should be tabled or re-bid.

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.

DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTING A COMMITTEE ALTERNATE TO REPLACE COUNCILMEMBER NICHOLS ON THE WEST JORDAN SUSTAINABILITY COMMITTEE

Councilmember Nichols reported that he was unable to attend the Sustainability Committee meetings on the third Thursday of each month.

The Council agreed to have Councilmember Burton replaced Councilmember Nichols on the Sustainability Committee.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-87, CREATING AN AD HOC SUBCOMMITTEE TO STUDY VARIOUS FORMS OF GOVERNMENT AND TO MAKE A RECOMMENDATION TO THE CITY COUNCIL

Councilmember Haaga recused himself from the discussion and stepped down from the dais at 8:43 p.m.

David Brickey said the proposed resolution was broad and allowed by City Ordinances; however, he did have concerns that any kind of subcommittee that appeared to be endorsing one form of change of government or another could be seen as a perception of violation of the Utah Public Issue Committee (PIC) laws. He said that he would counsel any committee that they were only to give advice to the Council to make a final decision. The committee would not be the entity making the final decision; a final decision would be made by the City Council.

Mayor Rolfe stated that he would not be involved in this discussion; he would only be serving as the moderator.

The Council and staff discussed clarifying questions regarding the following:

- Why this was placed on the agenda
- Whether a missed opportunity of placing this on a ballot for a ‘Change in the form of government’ had passed
- Possibility of creating a subcommittee and then ignoring them
- Utah State Legislature made it impossible to return to this form of government

MOTION: Councilmember Jacob moved to table this item to a date uncertain. The motion was seconded by Councilmember Rice.

Councilmember Jacob withdrew his motion.

Councilmember Haaga returned to the dais at 8:57 p.m.

CONSENT ITEM 6.E.

RESOLUTION 16-84, AUTHORIZING THE MAYOR TO EXECUTE THE FEDERAL AID AGREEMENT BETWEEN THE UDOT AND WEST JORDAN CITY FOR THE 5600 WEST 7800 – 8600 SOUTH WIDENING PROJECT IN AN AMOUNT NOT TO EXCEED \$340,056.00

Wendell Rigby said in 2012, the City requested Federal Aid through the Wasatch Front Regional Council to reconstruct and widen 5600 West from 7800 South to 8600 South. This agreement formalizes the City's responsibility as project sponsor and allows the funds to be released for the project. Utah Department of Transportation (UDOT) would act in an oversight role on the project and final design would begin immediately after the agreement was complete.

The project would add three lanes, shoulders, and reconstruct the two lanes that already exist. Additional storm drain work for roadway drainage would be part of the project. A new traffic signal may be installed at 8200 South and 5600 West as part of the project. Work should commence in the spring of 2017 and be completed that year.

Fiscal and/or Asset Impact:

The City was responsible for 6.77% funding for the total project, not to exceed \$340,056.00. Total project funds were \$5,022,984.00 (\$4,682,928 UDOT, \$340,056 WJC).

Staff recommended approval of the Federal Aid Agreement between the UDOT and West Jordan City for the 5600 West 7800 – 8600 South Widening Project in an amount not to exceed \$340,056.00.

Councilmember Haaga asked a clarifying question.

MOTION: Councilmember Haaga moved to adopt Resolution 16-84, authorizing the Mayor to execute the Federal Aid Agreement between the UDOT and West Jordan City for the 5600 West 7800 – 8600 South Widening Project in an amount not to exceed \$340,056.00. The motion was seconded by Councilmember McConnehey.

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.

IX. REMARKS

DECEMBER 23, 2015 MEETING

Councilmember Rice commented on being upset with having a special meeting on December 23, 2015. She felt the public hearing items should have been held during a future meeting.

MEMORIAL DAY

Councilmember Rice said she spent Memorial Day with a Veteran who had trouble attending public events. She also commented on how she spent the rest of the holiday weekend. She reported that she attended the City's '2015 Memorial Day Celebration' last year with previous Council Member Judy Hansen.

CITY HALL AIR CONDITIONING

Councilmember McConnehey said after spending funds to have the air conditioning fixed at City Hall, why was the building so hot.

Mayor Rolfe said the issue was not with the chiller, it was the communication between the north and south side of the building. It should be fixed tomorrow.

There were no further remarks.

X. ADJOURN

MOTION: Councilmember McConnehey moved to adjourn the West Jordan City Council meeting and convene the Redevelopment Agency meeting. The motion was seconded by Councilmember Nichols.

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 meeting adjourned at 9:02 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 22nd day of June 2016