

**MINUTES TO
BE APPROVED**

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

Wednesday, October 26, 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, Chris M. McConnehey, Chad Nichols, and Sophie Rice. Councilmember Zach Jacob arrived at 6:23 p.m.

STAFF: Mark Palesh, City Manager; David Brickey, City Attorney; Jamie Vincent, Deputy City Clerk; David Oka, Economic and Community Development Director; Brian Clegg, Parks Director; Bill Pyper, Acting Finance Director; Wendell Rigby, Engineering/Public Works Director; Marc McElreath, Fire Chief; Doug Diamond, Police Chief; David Murphy, Engineering Manager for Capital Improvement Projects; Jim Riding, Capital Improvement/Facilities Project Manager; Steve Glain, Management Assistant to the City Manager; Chris Kinzel, Fire Captain; Roy Todd, Firefighter/Paramedic, and several West Jordan Police Officers.

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 David Newton, former Mayor of West Jordan.

III. COMMUNICATIONS

STAFF COMMENTS/REPORTS

David Brickey-

- For the seventh time this year, Ed Berkovich, City Prosecutor, had obtained a jury trial conviction. He and the entire department continued to work to restore confidence in the City Attorney's office.

Wendell Rigby-

- In order to relocate the Jordan Valley Aqueduct, UDOT would be closing Bangerter Highway between 5400 South and 4700 South the following Friday night at 9:00 p.m. The roadway would reopen the following Monday morning at 5:00 a.m.

Marc McElreath-

- The previous evening, the Fire Department held the first of four merit badge training courses. Thirty-three boy scouts participated in the event and earned their safety merit badges.

Doug Diamond-

- Citizen's Academy graduation took place the previous Thursday and the session was quite successful.
- Due to a recent resignation, there was a police officer vacancy, which he hoped to fill soon.
- The Police Department had recently been recognized as a patriotic employer for "contributing to national security and protecting liberty and freedom by supporting employee participation in America's National Guard and Reserve Force." The recognition came from the Office of the Secretary of Defense, Employer Support of the Guard and Reserve.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Burton –

- Earlier in the week, he had attended a government action meeting with the Chamber of Commerce which included a conversation about the City of West Jordan possibly collecting their own solid waste in the future.
- Attended a Western Growth Coalition meeting. Conversation topics included working with Salt Lake County Mayor Ben McAdams on development on the west side of the valley.
- He would be holding a Town Hall meeting at Vista Park West the following Saturday, October 29th at 4:00 p.m.
- Reminded everyone that a Tree Planting party would take place Saturday, November 5 at 8:00 a.m. This was an effort to replace many of the trees that had recently been vandalized. A hot breakfast would be provided.

Councilmember McConnehey-

- Commended the staff at Fire Station #52 who responded to a recent dumpster fire and extinguished it quickly and efficiently. He also expressed his appreciation to the Public Works employees who responded very quickly to repair a broken fire hydrant.
- Perhaps during the 'remarks' portion of the meeting, he wished to discuss noticing for upcoming planning commission vacancies. He wanted to make sure that the Council had plenty of time in which to schedule interviews, and that the times were convenient for a majority of the Councilmembers'. Similarly, he wished to begin discussing possible dates for the January Strategic Planning meeting. He wished for the dates to be determined by the Council rather than staff.

Mayor Rolfe –

- On November 1, 2016 at 10:00 a.m., all west-side mayors (including Mayor Ben McAdams) would be meeting at West Jordan City Hall. They would be solidifying support for the Western Growth Coalition.

IV. PRESENTATION

UPDATE FROM MARK HOOYER, EXECUTIVE DIRECTOR, AND DAVE NEWTON, VICE CHAIRMAN, REGARDING THE TRANS-JORDAN LANDFILL

Dave Newton introduced Mark Hooyer, the landfill's new executive director made the following PowerPoint presentation. He provided information regarding West Jordan's solid waste statistics, Trans-Jordan's bicycle collective, their debris management plans, construction of their new waste cell and Northern Utah Environmental Resource Agency (NUERA).

Councilmember Jacob arrived at 6:23 p.m.

IV. CITIZEN COMMENTS

Steve Jones, West Jordan resident, felt that West Jordan currently had premier trash collection and he felt the City should settle not for anything less. Also, he felt that Public Safety personnel were one of the most vital resources in the City and he was very proud of them. He felt they deserved as much support as possible and should not lose benefits in order for the City to balance the budget. They should not be at the bottom of the food chain.

Dave Newton, West Jordan resident and former Mayor, urged the Council to be cautious when considering going into the business of collecting solid waste.

There was no one else who desired to speak.

V. CONSENT ITEMS

- a. Approve Resolution 16-153, approve the Moderate Income Housing Biennial Report**
- b. Approve Resolution 16-155, confirming the appointments of members to various City Committees**
- c. Approve Resolution 16-156, authorizing the Mayor to execute Amendment No. 1 to the Agreement with G. Brown Design, Inc. for additional design services for the Calsense Irrigation Central Control project, in an amount not-to-exceed \$7,825.00**

- d. Approve Resolution 16-157, authorizing the Mayor to execute Amendment No. 9 to the Professional Service Agreement with Stanley Consultants, Inc. for the 7000 S Utility Design project in an amount not to exceed \$64,979.00**
- e. Approve Resolution 16-158, authorizing the Mayor to execute the an Interlocal Cooperation Agreement between Salt Lake County and the City of West Jordan awarding the City \$80,600 in corridor preservation funds**
- f. Approve Resolution 16-159, authorizing the Mayor to execute Amendment No. 1 to the Agreement with VCBO Architecture to complete a market review & operations analysis for the West Jordan Aquatic & Recreation Center, in an amount not-to-exceed \$28,750.00**
- g. Approve Resolution 16-160, authorizing the Mayor to execute an Amendment to the Agreement for Residential Solid Waste Services with ACE Disposal, Inc.**
- h. Approve Resolution 16-161, authorizing the Mayor to execute the Limited Extension to the Agreement for 'Financial Advisor Services' with George K. Baum & Company**
- i. Approve Resolution 16-162, authorizing the Mayor to execute the Utility Agreement and Cooperative Agreement No. 2 with UDOT for the Mountain View Corridor project**
- j. Approve Resolution 16-163, authorizing the Mayor to execute Change Order #7 to Turf Sprinkler Company for work required for the Calsense Central Control Irrigation System, in an amount not to exceed \$151,815.00**
- k. Approve Resolution 16-164, authorizing the closure of 7000 South for up to 90 days for each of the following segments: Redwood Road to 2200 West, 2200 West to 2700 West, and 2700 West to 3200 West**
- l. Approve Resolution 16-165, authorizing the Mayor to execute Amendment No. 1 to the West Jordan City Master Utility Agreement**
- m. Approve Resolution 16-166, authorizing the Mayor to execute the Construction Reimbursement Agreement which authorizes the City to reimburse Whitaker Construction for asphalt repair work it completed in 2015**

Councilmember McConnehey pulled Consent Items 6f, 6g, and 6k for further discussion.

MOTION: Councilmember McConnehey moved to approve all Consent Items with the exception of 6f, 6g, and 6k. The motion was seconded by Councilmember Jacob.

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 6f

APPROVE RESOLUTION 16-159, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT WITH VCBO ARCHITECTURE TO COMPLETE A MARKET REVIEW AND OPERATIONS ANALYSIS FOR THE WEST JORDAN AQUATIC AND RECREATION CENTER, IN AN AMOUNT NOT-TO-EXCEED \$28,750.00

Councilmember McConnehey explained that he felt the research analysis should have taken place prior to the design phase and that since the design was already complete, it made no sense to now attempt to complete a market review.

Councilmember Jacob stated that he, too, had wanted this item pulled for discussion because he felt that at this point, it was unclear as to whether or not there would even *be* an aquatic and recreation center.

Councilmember McConnehey left the meeting at 6:38 p.m. but returned immediately at 6:39 p.m.

Councilmember Burton stated that if the center was going to be built at any point in the next couple of years, a market review and operations analysis was imperative.

MOTION: Mayor Rolfe moved to table the item until the Council's Strategic Planning session in January 2017. The motion was seconded by Councilmember Jacob.

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 6g

APPROVE RESOLUTION 16-160, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT FOR RESIDENTIAL SOLID WASTE SERVICES WITH ACE DISPOSAL, INC.

Councilmember McConnehey pointed out that the item had been discussed at a previous meeting. He indicated that although he might be in the minority, he was opposed to amending this particular agreement.

MOTION: Councilmember Nichols moved to approve Resolution 16-160, authorizing the Mayor to execute Amendment No. 1 to the agreement for Residential Solid Waste Services with Ace Disposal, Inc. The motion was seconded by Councilmember Jacob.

A roll call vote was taken

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

The motion passed 5-2.

CONSENT 6k

APPROVE RESOLUTION 16-164, AUTHORIZING THE CLOSURE OF 7000 SOUTH FOR UP TO 90 DAYS FOR EACH OF THE FOLLOWING SEGMENTS: REDWOOD ROAD TO 2200 WEST, 2200 WEST TO 2700 WEST, AND 2700 WEST TO 3200 WEST

Councilmember McConnehey asked why a full closure was necessary, particularly considering the fact that Bangerter Highway and 7000 South would be closed for a large part of the following year. Additionally, the plan for alternate routes did not address neighborhood access between Redwood Road and 2200 West. He pointed out that there were two subdivisions whose sole access was 7000 South.

Mayor Rolfe stated that he too, was opposed to the resolution until there was a full set of approved plans.

Wendell Rigby responded that full details would not be available until a contractor had been hired.

Dave Murphy stated that the plans were 95% ready. Final permitting was taking place and the project should be ready for bidding in November. The bid opening would be planned for December with a contract approved and notice to proceed sometime in January. The request for closure was to ensure that contractors would have a clear understanding of what would be required of them. Also, the need for local access would be made clear to the winning contractor. This project involved replacing utilities below three of the four lanes of travel and it was important to let potential contractors know how much time they would be able to close the streets so that they could solidify their traffic control plans. Finally, he admitted that there would be some overlap between this closure and the one scheduled for Bangerter Highway.

The Council discussed clarifying questions regarding the project, including possible contract language.

Councilmember McConnehey stated that rather than offering a maximum closure time of 90 days per road segment, he would prefer to see what each potential contractor requested for closure time.

Mayor Rolfe stated that he would not support any closure of the 7000 South intersections for more than three days.

Councilmember McConnehey wondered if the City could state a requirement for two-way traffic to be maintained, but also to invite potential contractors to suggest alternate proposals for the City to approve.

Mayor Rolfe indicated that he would agree to that.

Councilmember McConnehey suggested that staff be directed to proceed with a Request for Proposals that included maintaining two-way traffic but that also invited alternate traffic control methods for the City to consider. The Council agreed to give staff such direction.

VII. BUSINESS ITEMS

**REPORT AND UPDATE ON THE CITY OF WEST JORDAN'S FISCAL
YEAR 2016-2017 1ST QUARTERLY REPORT**

Bill Pyper presented the following information.

**City of West Jordan Quarterly Report
For the Quarter Ended September 30, 2016**

Purpose

The Quarterly Report was intended to give unaudited, summary information to the user about the City of West Jordan's revenue and expenses for the quarter ended September 2016. The report included information about the City's General Fund and Enterprise Funds. The report gave 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

The 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 numbers were not final and would 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)	September 2016 (Current Year)	September 2015 (Prior Year)	% Of YTD Budget	Available Budget	Forecast (Current Year)	% Budget to Forecast
Property Taxes	\$ 11,714,422.00	\$ 96,563.19	\$ 84,012.21	\$ 47,897.02	\$ 41,269.51	0.82%	\$ 11,617,858.81	\$ 11,714,422.00	100.0%
Sales Taxes	\$ 17,444,158.00	\$ 1,491,709.85	\$ 1,397,704.65	\$ 1,491,709.85	\$ 1,397,704.65	8.55%	\$ 15,952,448.15	\$ 17,444,158.00	100.0%
Franchise Taxes	\$ 6,912,900.00	\$ 1,117,037.97	\$ 1,124,015.35	\$ 607,299.23	\$ 543,638.11	16.16%	\$ 5,795,462.03	\$ 6,912,500.00	100.0%
Telecommunication Taxes	\$ 1,219,200.00	\$ 90,563.32	\$ -	\$ 90,563.32	\$ -	7.43%	\$ 1,128,636.68	\$ 1,219,200.00	100.0%
Fee in Lieu - Vehicles	\$ 1,150,000.00	\$ 197,986.67	\$ 196,710.71	\$ 109,107.89	\$ 91,956.85	17.22%	\$ 952,013.33	\$ 1,150,000.00	100.0%
Other Taxes	\$ 378,500.00	\$ 47,622.15	\$ 18,034.11	\$ 33,194.02	\$ 0,170.04	12.58%	\$ 330,877.85	\$ 378,500.00	100.0%
License and Permits	\$ 2,410,470.00	\$ 698,110.60	\$ 551,595.15	\$ 231,747.19	\$ 100,006.93	28.96%	\$ 1,712,359.40	\$ 2,410,470.00	100.0%
Intergovernmental	\$ 4,643,141.00	\$ 529,633.75	\$ 245,100.74	\$ 492,297.61	\$ 7,983.19	11.39%	\$ 4,114,507.25	\$ 4,643,141.00	100.0%
Ambulance Fees	\$ 2,700,000.00	\$ 337,040.69	\$ 493,127.08	\$ 92,442.51	\$ 264,432.69	17.48%	\$ 2,362,959.31	\$ 2,700,000.00	100.0%
Charges for Services	\$ 1,288,950.00	\$ 451,023.97	\$ 447,254.83	\$ 172,037.98	\$ 154,959.31	35.06%	\$ 837,024.63	\$ 1,288,950.00	100.0%
Interfund Charges	\$ 4,885,160.00	\$ 1,221,289.99	\$ 1,069,138.05	\$ 407,096.66	\$ 356,379.35	25.00%	\$ 3,663,870.02	\$ 4,885,160.00	100.0%
Fines and Forfeitures	\$ 1,500,000.00	\$ 289,148.61	\$ 348,082.90	\$ 118,319.03	\$ 110,148.64	19.01%	\$ 1,214,851.39	\$ 1,500,000.00	100.0%
Miscellaneous Income	\$ 591,411.00	\$ 89,304.14	\$ 124,910.93	\$ 18,443.34	\$ 30,090.98	14.93%	\$ 503,106.86	\$ 591,411.00	100.0%
Events	\$ 343,912.00	\$ 235,317.45	\$ 228,401.72	\$ 39,265.75	\$ 47,516.20	68.48%	\$ 109,399.55	\$ 343,912.00	100.0%
Total Revenues	\$ 57,181,824.00	\$ 6,887,446.74	\$ 6,325,488.33	\$ 3,946,968.52	\$ 3,254,316.96	12.04%	\$ 50,294,375.26	\$ 57,181,824.00	100.0%

General Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	September 2016 (Current Year)	September 2015 (Prior Year)	% Of YTD Budget	Available Budget	Forecast (Current Year)	% Budget to Forecast
Revenues	\$ 57,181,824.00	\$ 6,887,446.74	\$ 6,325,488.33	\$ 3,946,968.52	\$ 3,254,316.96			\$ 57,181,824.00	100.0%
Expenditures									
Personnel Expenses									
City Manager	\$ 1,293,343.00	\$ 378,769.43	\$ 383,511.00	\$ 58,002.96	\$ 96,300.71	29.29%	\$ 914,573.57	\$ 1,406,857.88	108.8%
Admin Services	\$ 1,244,492.00	\$ 188,313.97	\$ 353,680.13	\$ 82,216.27	\$ 101,124.47	23.17%	\$ 956,178.03	\$ 1,070,880.46	86.0%
Finance	\$ 1,878,960.00	\$ 467,077.65	\$ 429,637.13	\$ 132,104.06	\$ 120,003.28	24.88%	\$ 1,411,882.35	\$ 1,734,859.84	92.3%
City Attorney	\$ 1,210,424.00	\$ 324,531.83	\$ 427,864.85	\$ 89,633.07	\$ 111,896.97	26.79%	\$ 886,092.12	\$ 1,204,661.27	99.5%
Human Resources	\$ 763,881.00	\$ 90,534.55	\$ 112,215.56	\$ 21,458.31	\$ 31,573.80	24.83%	\$ 275,546.45	\$ 335,528.33	92.2%
Development	\$ 2,080,398.00	\$ 569,657.44	\$ 358,511.03	\$ 161,549.80	\$ 100,932.55	27.38%	\$ 1,510,740.56	\$ 2,115,870.49	101.7%
Economic Development	\$ 141,219.00	\$ 37,381.44	\$ 10,542.85	\$ 10,863.58	\$ 2,323.55	26.47%	\$ 103,837.56	\$ 138,845.35	98.3%
Courts	\$ 713,187.00	\$ 190,956.03	\$ 191,884.05	\$ 54,752.16	\$ 54,362.86	26.77%	\$ 522,225.97	\$ 709,190.97	99.4%
Police	\$ 14,994,998.00	\$ 3,920,754.00	\$ 3,669,388.38	\$ 1,142,652.18	\$ 1,061,346.58	26.15%	\$ 11,074,244.00	\$ 14,561,800.57	97.1%
Fire	\$ 9,356,925.00	\$ 2,339,749.59	\$ 2,402,297.71	\$ 713,331.78	\$ 672,097.17	27.14%	\$ 6,817,175.11	\$ 9,433,356.73	100.8%
Public Works	\$ 4,861,857.00	\$ 1,278,304.91	\$ 1,026,999.80	\$ 347,734.38	\$ 302,461.48	25.48%	\$ 3,622,950.09	\$ 4,601,654.24	94.6%
Parks	\$ 1,919,874.00	\$ 557,450.80	\$ 485,192.46	\$ 126,765.11	\$ 123,719.94	29.04%	\$ 1,362,413.20	\$ 2,070,531.94	107.8%
Total Personnel Expenses	\$ 40,059,533.00	\$ 10,603,603.99	\$ 9,831,845.41	\$ 2,972,043.46	\$ 2,778,143.36	26.47%	\$ 29,455,869.01	\$ 39,385,037.68	98.3%
Operating Expenses									
City Manager	\$ 985,736.00	\$ 170,045.12	\$ 399,472.16	\$ 64,217.24	\$ 143,719.25	30.49%	\$ 615,690.78	\$ 885,736.00	100.0%
Admin Services	\$ 2,521,054.00	\$ 630,242.79	\$ 756,712.13	\$ 215,667.43	\$ 280,985.27	25.00%	\$ 1,890,811.21	\$ 2,321,054.00	100.0%
Finance	\$ 424,648.00	\$ 76,982.69	\$ 71,278.64	\$ 28,799.56	\$ 24,492.40	18.13%	\$ 347,664.31	\$ 424,648.00	100.0%
City Attorney	\$ 346,110.00	\$ 12,321.90	\$ 51,776.53	\$ (5,317.83)	\$ 40,149.69	8.43%	\$ 133,788.10	\$ 33,394.90	36.5%
Human Resources	\$ 109,800.00	\$ 11,848.12	\$ 30,176.54	\$ 4,716.86	\$ 12,875.97	10.79%	\$ 97,981.88	\$ 109,800.00	100.0%
Development	\$ 121,965.00	\$ 31,111.79	\$ 13,497.07	\$ 16,730.99	\$ 5,730.58	25.59%	\$ 90,753.21	\$ 121,965.00	100.0%
Economic Development	\$ 119,019.00	\$ 42,587.49	\$ 9,713.69	\$ 15,110.76	\$ 5,075.40	19.44%	\$ 176,431.51	\$ 119,019.00	100.0%
Courts	\$ 54,150.00	\$ 11,686.03	\$ 10,979.04	\$ 4,701.99	\$ 4,337.54	22.13%	\$ 42,163.97	\$ 51,939.46	95.9%
Police	\$ 3,873,341.00	\$ 733,962.65	\$ 677,955.75	\$ 127,518.26	\$ 165,454.17	18.95%	\$ 3,139,378.35	\$ 3,873,341.00	100.0%
Fire	\$ 1,669,045.00	\$ 422,922.29	\$ 527,761.04	\$ 94,580.73	\$ 160,721.37	25.34%	\$ 1,246,122.71	\$ 1,669,045.00	100.0%
Public Works	\$ 2,682,525.00	\$ 439,801.87	\$ 489,160.27	\$ 112,701.89	\$ 257,742.72	16.40%	\$ 2,242,723.13	\$ 2,682,525.00	100.0%
Parks	\$ 2,670,270.00	\$ 615,924.61	\$ 243,358.76	\$ 170,245.05	\$ 59,875.77	23.07%	\$ 2,054,335.39	\$ 2,670,270.00	100.0%
Total Operating Expenses	\$ 15,377,663.00	\$ 3,299,848.45	\$ 3,328,851.64	\$ 1,149,673.43	\$ 1,171,159.93	21.46%	\$ 12,077,814.55	\$ 15,282,737.36	99.4%
Transfers Out									
Admin Services	\$ 4,957,811.00	\$ 1,239,452.73	\$ 187,900.00	\$ 413,150.91	\$ 62,500.00	25.00%	\$ 3,718,358.27	\$ 4,957,811.00	100.0%
Public Works	\$ 3,000,000.00	\$ 1,317,487.69	\$ 1,038,545.51	\$ 1,231,938.69	\$ 1,038,545.51	43.92%	\$ 1,682,512.31	\$ 3,000,000.00	100.0%
Total Transfers	\$ 7,957,811.00	\$ 2,556,940.42	\$ 1,246,045.51	\$ 1,445,089.60	\$ 1,221,045.51	32.13%	\$ 5,400,870.58	\$ 7,957,811.00	100.0%
Total Expenditures	\$ 63,995,007.00	\$ 16,460,432.86	\$ 14,400,742.56	\$ 5,566,806.49	\$ 5,070,348.80	25.96%	\$ 46,934,534.14	\$ 62,625,586.04	98.8%
Operating Surplus (Deficit)	\$ (6,213,183.00)	\$ (9,573,004.12)	\$ (8,081,254.23)	\$ (1,619,837.97)	\$ (1,816,031.84)	154.08%	\$ (3,559,821.12)	\$ (5,443,762.04)	

Water/Wastewater Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	September 2016 (Current Year)	September 2015 (Prior Year)	% Of YTD Budget	Available Budget	Forecast (Current Year)	% Budget to Forecast
Revenues									
Charges for Services	\$ 18,465,097.00	\$ 6,879,300.39	\$ 1,988,235.02	\$ 2,188,220.95	\$ 690,289.15	21.93%	\$ 6,562,656.61	\$ 8,406,497.00	100.0%
Impact Fees	\$ 1,500,000.00	\$ 293,854.20	\$ 160,648.00	\$ 962,000.00	\$ 50,582.00	16.31%	\$ 1,046,166.00	\$ 1,250,000.00	100.0%
Miscellaneous Revenue	\$ 442,000.00	\$ -	\$ -	\$ -	\$ -	0.00%	\$ 796,050.00	\$ 796,050.00	100.0%
Total Revenues	\$ 10,452,547.00	\$ 2,047,674.39	\$ 2,148,883.02	\$ 748,220.95	\$ 740,871.15	19.59%	\$ 8,404,872.61	\$ 10,452,547.00	100.0%
Expenses									
Personnel Expense	\$ 1,682,882.00	\$ 424,083.89	\$ 202,029.64	\$ 1,334,205.68	\$ 54,892.71	25.55%	\$ 640,746.23	\$ 860,630.00	100.0%
Operating Expense	\$ 14,959,796.00	\$ 4,322,934.62	\$ 1,573,079.54	\$ 2,360,380.20	\$ 526,164.94	25.72%	\$ 4,470,918.76	\$ 6,019,033.00	100.0%
Capital Projects	\$ 4,320,000.00	\$ 883,826.25	\$ 864,749.88	\$ 2,024,868.80	\$ 106,383.20	20.68%	\$ 3,337,163.75	\$ 4,207,000.00	100.0%
Transfers	\$ 1,345,265.00	\$ 237,228.25	\$ 6,249.99	\$ (145,894.54)	\$ 2,083.33	25.00%	\$ 411,753.77	\$ 549,005.00	100.0%
Total Expenses	\$ 11,635,668.00	\$ 2,775,085.49	\$ 2,646,109.05	\$ 834,701.78	\$ 689,524.18	23.85%	\$ 8,860,582.51	\$ 11,635,668.00	100.0%
Bond Interest	\$ 110,430.00	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Operating Surplus (Deficit)	\$ (1,183,121.00)	\$ (727,411.10)	\$ (497,226.03)	\$ (86,490.83)	\$ 51,346.97	61.48%	\$ 455,709.90	\$ (1,183,121.00)	
Total Expenses	\$ 22,494,473.00	\$ 5,852,111.10	\$ -	\$ 2,726,381.24	\$ -		\$ -	\$ -	
Operating Surplus (Deficit)	\$ (1,783,466.00)	\$ 518,052.97	\$ 3,192,700.65	\$ (466,520.28)	\$ 1,624,719.84	-29.05%	\$ 2,301,518.97	\$ (1,783,466.00)	

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. Municipal Energy and 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.

Solid Waste Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	September 2016 (Current Year)	September 2015 (Prior Year)	% Of YTD Budget	Available Budget	Forecast (Current Year)	% Budget to Forecast
Revenues									
Charges for Services	\$ 4,167,370.00	\$ 986,446.46	\$ 918,526.03	\$ 406,870.19	\$ 407,689.19	23.67%	\$ 3,180,923.54	\$ 4,167,370.00	100.0%
Miscellaneous Revenue	\$ 20,000.00	\$ -	\$ 204.00	\$ -	\$ -	0.00%	\$ 20,000.00	\$ 20,000.00	100.0%
Total Revenues	\$ 4,187,370.00	\$ 986,446.46	\$ 918,730.03	\$ 406,870.19	\$ 407,689.19	23.56%	\$ 3,200,923.54	\$ 4,187,370.00	100.0%
Expenses									
Personnel Expense	\$ 181,517.00	\$ 49,770.67	\$ 63,661.27	\$ 14,130.86	\$ 17,943.28	27.42%	\$ 131,746.33	\$ 181,517.00	100.0%
Operating Expense	\$ 4,524,210.00	\$ 759,182.56	\$ 653,900.69	\$ 384,658.41	\$ 254,223.51	16.78%	\$ 3,765,027.44	\$ 4,524,210.00	100.0%
Transfers	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	0.0%
Total Expenses	\$ 4,705,727.00	\$ 808,953.23	\$ 717,561.96	\$ 398,789.27	\$ 272,166.79	17.19%	\$ 3,896,773.77	\$ 4,705,727.00	100.0%
Operating Surplus (Deficit)	\$ (518,357.00)	\$ 177,493.23	\$ 201,168.07	\$ 8,080.92	\$ 135,522.40	-34.24%	\$ 695,850.23	\$ (518,357.00)	

Stormwater Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	September 2016 (Current Year)	September 2015 (Prior Year)	% Of YTD Budget	Available Budget	Forecast (Current Year)	% Budget to Forecast
Revenues									
Charges for Services	\$ 4,069,085.00	\$ 535,945.26	\$ 422,297.66	\$ 238,104.22	\$ 173,178.21	13.17%	\$ 3,533,139.72	\$ 4,069,085.00	100.0%
Impact Fees	\$ 1,000,000.00	\$ 594,043.63	\$ 266,262.51	\$ 185,399.69	\$ 33,524.22	50.40%	\$ 495,956.37	\$ 1,000,000.00	100.0%
Bond Proceeds	\$ 6,500,000.00	\$ -	\$ -	\$ -	\$ -	0.00%	\$ 6,500,000.00	\$ 6,500,000.00	100.0%
Miscellaneous Revenue	\$ 7,500.00	\$ 18.50	\$ -	\$ -	\$ -	0.25%	\$ 7,481.50	\$ 7,500.00	100.0%
Total Revenues	\$ 11,576,585.00	\$ 1,040,007.41	\$ 688,560.17	\$ 423,503.91	\$ 206,702.43	8.98%	\$ 10,536,577.59	\$ 11,576,585.00	100.0%
Expenses									
Personnel Expense	\$ 563,395.00	\$ 174,419.61	\$ 207,246.58	\$ 49,900.76	\$ 59,026.84	30.96%	\$ 388,975.39	\$ 563,395.00	100.0%
Operating Expense	\$ 1,628,793.00	\$ 288,172.88	\$ 162,835.40	\$ 81,432.79	\$ 65,622.03	17.69%	\$ 1,340,620.12	\$ 1,628,793.00	100.0%
Capital Projects	\$ 9,915,900.00	\$ 264,117.90	\$ 443,317.39	\$ 75,774.06	\$ 154,508.64	2.66%	\$ 9,650,882.10	\$ 9,915,000.00	100.0%
Transfers	\$ 524,005.00	\$ 131,001.24	\$ -	\$ 43,667.08	\$ -	25.00%	\$ 393,003.76	\$ 524,005.00	100.0%
Total Expenses	\$ 12,631,193.00	\$ 857,711.63	\$ 813,399.37	\$ 250,774.69	\$ 279,157.51	6.79%	\$ 11,773,481.37	\$ 12,631,193.00	100.0%
Operating Surplus (Deficit)	\$ (1,054,608.00)	\$ 182,295.78	\$ (124,839.20)	\$ 172,729.22	\$ (72,455.08)	-17.29%	\$ 1,236,903.78	\$ (1,054,608.00)	

Streetlight Fund Summary	Approved Annual Budget	Year to Date (Current)	Year to Date (Prior)	September 2016 (Current Year)	September 2015 (Prior Year)	% Of YTD Budget	Available Budget	Forecast (Current Year)	% Budget to Forecast
Revenues									
Charges for Services	\$ 700,000.00	\$ 162,620.44	\$ -	\$ 68,334.77	\$ -	23.23%	\$ 537,379.56	\$ 700,000.00	100.0%
Miscellaneous Revenue	\$ 55,000.00	\$ 13,749.99	\$ -	\$ 4,583.33	\$ -	25.00%	\$ 41,250.01	\$ 55,000.00	100.0%
Total Revenues	\$ 755,000.00	\$ 176,370.43	\$ -	\$ 72,918.10	\$ -	23.36%	\$ 578,629.57	\$ 755,000.00	100.0%
Expenses									
Personnel Expense	\$ 96,965.00	\$ 25,874.08	\$ -	\$ 7,516.34	\$ -	26.68%	\$ 71,090.92	\$ 96,965.00	100.0%
Operating Expense	\$ 655,321.00	\$ 66,764.19	\$ -	\$ 33,946.70	\$ -	10.19%	\$ 588,556.81	\$ 655,321.00	100.0%
Total Expenses	\$ 752,286.00	\$ 92,638.27	\$ -	\$ 41,463.04	\$ -	12.31%	\$ 659,647.73	\$ 752,286.00	100.0%
Operating Surplus (Deficit)	\$ 2,714.00	\$ 83,732.16	\$ -	\$ 31,455.06	\$ -	3085.19%	\$ 81,018.16	\$ 2,714.00	

Bill pointed out that the Enterprise Fund portion of the report included the proposed rate increases as well as the solid waste rate change that went into effect October 1. There was approximately 3 million dollars of revenue in the Enterprise Funds that had not yet been approved.

There was no formal action taken as this was an informational item only.

DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE 16-47, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 1, REGARDING AN ETHICS COMMISSION

David Brickey explained that the purpose of the Ordinance was to prevent improper influence, avoid the appearance of impropriety, and prohibit elected officials from receiving unjust financial gain from public service. The Ordinance also established a City of West Jordan Ethics Commission, as allowed by state law, and sought to increase public confidence by assuring that governmental actions were taken ethically.

City staff recommended approval of the Ordinance, which was recommended by some of the members of the City Council. The Ordinance was the second of two such ordinances to accomplish the referenced purposes.

MOTION: Mayor Rolfe moved to approve Ordinance 16-47, amending the 2009 West Jordan Municipal Code, Title 1, creating an Ethics Commission. The motion was seconded by Councilmember Rice.

Councilmember Nichols expressed his appreciation to the City Attorney and to other staff for their hard work on this issue. However, he indicated he would not support the motion for several reasons. He stated that he had been contacted by several constituents that expressed serious concerns about it. Second, he would not vote to create a commission without also addressing funding for operating such a commission. Additionally, there was already a similar commission at the State level and he was not sure it was a good idea to duplicate something already in existence. Finally, there was potential for such a commission to become extremely political in nature.

Mayor Rolfe stated his belief that local control was necessary since County and State officials were not necessarily willing to address ethical violations at the city level.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	No
Councilmember McConnehey	No
Councilmember Nichols	No

Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 4-3.

DISCUSSION AND POSSIBLE ACTION REGARDING NOTICING AND APPOINTMENT OF A DISTRICT 4 COUNCILMEMBER TO REPLACE COUNCILMEMBER RICE ON THE WEST JORDAN CITY COUNCIL

Councilmember Rice explained that she and her family were moving out of West Jordan, and that her last official day on the Council would be November 15. She had asked that the topic be added to the agenda so that the process of filling the vacancy could be discussed.

David Brickey explained that Councilmember Rice had signed an irrevocable release and confirmed the effective date was November 15. The two-week noticing period would commence the following day, on October 27, 2016. He suggested that the vacancy be advertised in the newspaper on the following two Sundays and confirmed that the Lt. Governor's office supported the process as he had just outlined it.

Councilmember Haaga inquired as to whether or not the candidates(s) who had run against Councilmember Rice in the previous election were entitled to special consideration in the process.

David Brickey responded that those individuals would be eligible to apply for the vacancy as would any other resident who met the legal criteria. He also explained that a new councilmember would be selected and appointed by the six remaining councilmembers during the regular Council meeting on November 16, 2016. Further, he made it clear that the Council could not discuss the applicant qualifications in a closed session.

Councilmember Haaga requested that the selection and voting process be documented in writing beforehand in order to ensure transparency.

David Brickey responded in the affirmative.

DISCUSSION AND POSSIBLE ACTION REGARDING HOLIDAY PAY AND LIMITED CAR USE FOR THE POLICE AND FIRE DEPARTMENTS.

Mayor Rolfe explained that there were some changes made in the most recent budget in order to save tax dollars. However, upon further consideration, he felt these two particular policies should be returned to their previous state.

Councilmember Nichols asked for the changes to be identified publicly for the benefit of those in attendance.

Marc McElreath responded that for the previous twenty years or so, City policy allowed employees who were required to work holidays, to be paid at time and one-half their regular rate. This affected primarily police and fire personnel; but at times, Public Works staff as well. The policy was eliminated this year, so that such employees only earned straight time.

Doug Diamond explained that the new take-home car policy reduced the distance within which a police officer was required to live in order to take his work vehicle home. Previously one needed to live within 35 miles of the Justice Center. This year that distance was reduced to 15 miles, with current police officers being grandfathered in.

Councilmember Jacob inquired as to the fiscal impact of this particular policy change.

Mark Palesh estimated it was approximately seventy or eighty thousand for an entire year.

Doug Diamond responded that for the Police Department it was approximately \$29 thousand dollars and roughly \$39 thousand for the fire department.

Mayor Rolfe stated that there were sufficient funds in the Police Department's fleet replacement budget to cover the costs related to this policy as well as the one to be addressed in the next agenda item.

Councilmember McConnehey indicated that he would be in support of using those funds for that purpose for the current year but would expect that recurring revenues would be used for it in future years. He stated that the policy changes had a significant effect on employee morale as well as the City's ability to recruit new firefighters and police officers. He was very much in favor of returning to the previous take-home car and holiday pay policies.

Mayor Rolfe stated that there was currently over \$5 million in the Fleet Fund and that West Jordan had the newest fleet in the entire region.

MOTION: Mayor Rolfe moved to direct staff to amend policies and return the holiday pay and car use pay to their previous status. The motion was seconded by Councilmember McConnehey.

Councilmember Jacob wished to clarify that this would be not just a budgetary issue, but a policy issue. Additionally, relative to a \$45-million-dollar recreation center for example, it was mere pennies in order to take care of what he felt was top priority of City government—public safety.

Councilmember Haaga indicated he was in favor of the motion but wondered if it might require a budget amendment.

Mayor Rolfe responded that it would be brought back for a budget amendment; but that currently the Council was merely giving direction to staff.

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 OVERTIME FOR THE POLICE AND FIRE DEPARTMENTS

Mayor Rolfe explained that just as with the previous agenda item, some changes were made that initially looked acceptable but which turned out to be unwise. He felt that the overtime policy should be returned to what it had been the previous fiscal year. In fact, he would be even willing to entertain an increase.

Councilmember McConnehey agreed wholeheartedly with the Mayor's remarks, and wondered if the policy should be extended beyond the Police and Fire departments. There were also public safety impacts made by other departments—specifically in Public Works. Tangentially, he wished to see the City modify its leave policy to include two weeks of paid military leave for those employees serving in the armed forces.

MOTION: Councilmember McConnehey moved to direct staff to return to the overtime policies that were in place during the previous budget year, and to bring back a short-term military leave policy that allowed for two weeks of paid leave for those employees in military training. The motion was seconded by Mayor Rolfe.

Councilmember Nichols was generally in support of the policy changes but wished to know the fiscal impact before voting for the changes.

Councilmember Burton asked if the change to overtime pay would apply to all employees, or just to the police and fire departments.

Councilmember McConnehey stated he did not intend for his motion to specify departments, but to return to the policy that was in effect for the previous budget year.

Councilmember Jacob asked if there should be a resolution in support of the policy change in order to avoid the possibility that administrative staff could change it back.

Councilmember McConnehey stated that the policies should be reflected in the employee handbook. That handbook, although owned by the City Manager, was typically ratified by the Council. Therefore, any changes to the handbook should be brought back to the Council for ratification. He asked David Brickey if, since these were policies that the Council wished to see in place, did they need to direct staff to bring back an ordinance and would the new policies need to be codified?

David Brickey responded that would be best since the City Manager was in charge of the handbook.

Mark Palesh pointed out that staff was in the process of re-writing the handbook. Since he agreed with providing leave for military training, he wished to bring some language back to the Council for approval, which could then be added to the handbook.

Councilmember McConnehey asked about the policies with regard to holiday and overtime pay.

Mark Palesh stated he would need to give that some thought, but would provide a written opinion at some point in the future.

Councilmember McConnehey indicated he was unsure how to proceed if the Council was giving staff direction and staff responded that he would provide a written opinion about that direction.

Mayor Rolfe indicated that discussion was for another day and pointed out that there was a motion on the table.

Councilmember McConnehey asked that Mr. Palesh provide his written response at the next City Council meeting.

A roll call vote was taken

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

The motion passed 6-1.

VIII. REMARKS

Councilmember McConnehey stated that he had received a letter from Gene Drake who was the City's Mosquito Abatement representative. He wished to be reappointed to the position on the Mosquito Abatement Board.

Councilmember McConnehey also stated that there would soon be several vacancies on the Planning Commission. He wondered if the Council wished to notice those vacancies at the same time that Councilmember Rice's council seat was being noticed. Also, was the Council interested in setting interview times for the commission vacancies?

Mayor Rolfe stated that he would prefer to fill the council vacancy first.

Councilmember McConnehey was concerned that the council vacancy would not be filled until mid-December, and the Planning Commission members needed to be appointed prior to the beginning of the New Year. The interviews would then need to take place between Christmas and the New Year's.

Councilmember Jacob pointed out that the Council would be interviewing and appointing the District 4 representative during the November 16 Council meeting. Therefore, there should not be any problem interviewing Planning Commission candidates between the two December Council meetings, making the selection at the second December meeting.

The Council and the City Attorney discussed the appointment process, specifically that neither the interview nor the deliberation process could take place behind closed doors but instead must take place in an open meeting. It was determined that further discussion about the appointment process would be agenzized and take place on November 2.

Councilmember McConnehey asked the Council if they would be willing to schedule January's Strategic Planning meeting on the same week as a regular City Council meeting in order to accommodate his work schedule. There was no objection; he stated that he would leave it to staff to determine if Strategic Planning would take place during the week of the January 11 Council meeting, or the one on January 25.

Councilmember Haaga responded that he would not be able to attend the Strategic Planning meeting, although he would be able to attend the regular Council meetings.

Returning to the topic of the appointment process, David Brickey stated that according to State Code, the Council could conduct interviews on November 16. The two applicants with the highest number of votes at that point would then face a second vote. He felt that the public should have as much notice as possible.

Mayor Rolfe indicated that he wished to make it clear that all interviews would take place in a public setting. The Council agreed to direct the City Attorney to plan for the entire interview and selection process to take place on November 16 and to prepare a written description of the process to be reviewed prior to that date.

Councilmember McConnehey then asked if December 7 could be the target date for solidifying appointments to the Planning Commission since the only other meeting that month would be December 21 which was too close to the holidays. There were no objections and staff was directed to plan for that.

IX. CLOSED SESSION

DISCUSSION OF THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION, AND STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES

MOTION: Councilmember Jacob moved that the Council move to a closed session to discuss the character, professional competence, or physical or mental health of an individual; strategy session to discuss pending or reasonably imminent litigation, and strategy session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, and adjourn from there. The motion was seconded by Mayor Rolfe.

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 City Council meeting recessed at 7:47 p.m. and reconvened in closed session at 8:00 p.m.

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

STAFF: Mark R. Palesh, City Manager, and David R. Brickey, City Attorney.

X. ADJOURN

The meeting adjourned at 8:45 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:

JAMIE VINCENT
Deputy City Clerk

Approved this 16th day of November 2016