

6.a

**MINUTES TO  
BE APPROVED**

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

**Wednesday, September 7, 2016**

**6:00 p.m.**

**Council Chambers**

**8000 South Redwood Road**

**West Jordan, Utah 84088**

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

**STAFF:** Mark Palesh, City Manager; David R. Brickey, City Attorney; Carol Herman, Deputy 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; Justin Stoker, Deputy Public Works Director; Dave Murphy, CIP Engineering Manager, and Steve Glain, Assistant to the City Manager.

***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 Al Richards.

***III. PRESENTATION***

**RECOGNIZE MEMBERS OF THE WORLD MISSION SOCIETY  
CHURCH OF GOD WHO HELPED SPREAD BARK MULCH AND  
CLEAN UP BATEMAN POND. A TOTAL OF 65 VOLUNTEERS  
CONTRIBUTED A TOTAL OF 130 HOURS OF VOLUNTEER LABOR**

Mayor Rolfe said on August 21, 2016, local volunteers rolled up their sleeves and preformed a great service to spruce up Bateman Pond Park. Members of the World Mission Society Church of God, along with local residents who volunteered, mulched all along the pond and cleaned up the area. A total of 65 volunteers joined, working from 10 a.m. to noon. This provided the 130 hours of volunteer labor.

The Church also provided lunch, drinks, and dessert from 12:30 p.m. to 2:00 p.m. for all who participated in the event and their families. The Church collaborated with the West Jordan Mayor's Office for the project. The City provided 40 yards of mulch, wheel barrows, rakes, shovels, and water.

Mayor Rolfe hoped this would inspire more volunteer enthusiasm in various areas of need. The City of West Jordan expressed their appreciation for the efforts made by the volunteers of the World Mission Society Church of God.

A short presentation was provided by the World Mission Society Church of God.

Mayor Rolfe presented a Certificate of Appreciation to the World Mission Society Church of God.

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

David Brickey –

- Last six months the City Attorney’s Office had conducted six jury trials with four convictions.

Brian Clegg –

- Reminder - Demolition Derby Saturday, September 10, 2016 at 7:00 p.m.

Wendell Rigby –

- Salt Lake County of Governments awarded West Jordan \$80,600 for property requested under the Corridor Preservation Fund.

**CITY COUNCIL COMMENTS/REPORTS**

Councilmember Burton –

- Looking forward to the Demolition Derby

**V. CITIZEN COMMENTS**

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

- She 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.

David Brickey reported that under the Citizen Comment section of the agenda, it stated that we would not engage in verbal attacks, or be disrespectful during the proceedings of the meeting. He felt Alexandra Eframo’s comments were inappropriate.

Alexandra Eframo indicated that she was stating the facts.

Councilmember Nichols called a point of order. He said this was nothing short of harassment and should stop.

Alexandra Eframo made a request for an apology.

Hyrum Matthews, West Jordan resident, said he would be interested in applying for the Parks and Open Space Committee.

Councilmember McConnehey informed Mr. Matthews of the process.

There was no one else who desired to speak.

**VI. CONSENT ITEMS**

- a. Approve the minutes of August 10, 2016 as presented (Melanie Briggs)**
- b. Approve Resolution 16-139, authorizing the Mayor to execute Amendment #1 to the Agreement with WaterSmart Software Inc., in an amount not to exceed \$15,200.00**
- c. Approve Resolution 16-140, authorizing the Mayor to execute Amendment No. 3 to the Professional Service Agreement with Bowen Collins & Associates, Inc. for the Veteran's Irrigation Pond Reconstruction & Road project in an amount not to exceed \$24,750.00**
- d. Approve Resolution 16-141, authorizing the Mayor to execute a Local Government Contract between the UDOT, West Jordan City and Parsons Transportation Group for preconstruction engineering for the 5600 West 7800 South to 8600 South project, in an amount not to exceed \$397,929.51**
- e. Approve Resolution 16-142, authorizing the Mayor to execute a contract with Skeen & Robinson to provide legal defender services to the City of West Jordan, in an amount not to exceed \$115,000.00**

**MOTION:** Councilmember McConnehey moved to approve Consent Items 6.a through 6.e. with the minor change to the minutes to show that Councilmember McConnehey arrived at 8:06 p.m. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 6-0.**

**VII. BUSINESS ITEM**

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-143, APPROVING THE REQUEST FOR A REFUND TO 'MITCH THE SUN GLASSES GUY' OF VENDOR FEES PAID FOR THE WESTERN STAMPEDE CELEBRATION, IN AN AMOUNT OF \$1,000**

Brian Clegg said this request was for a reimbursement to 'Mitch the Sun Glasses Guy' for the purchase of a 20 X 20 vendor booth space at the 2016 Western Stampede Rodeo. The vendor decided to leave after only having \$80.00 in sales the first night of the event.

The following email was received from the West Jordan Western Stampede Committee:  
"During the first evening of the rodeo I kept checking on all my vendors. Each time I checked with Mitch he hadn't made one sale. By the end of the evening he made a total of \$80.00. Doing a rodeo was something new for them, which turned out not to be good.

We charged Mitch \$1,200 because of the size of his trailer, it took two spots. After the first night Mitch said they were going to pull out due to the low sales. I tried to talk him into saying at least one more night, but selling only \$80.00 I could understand his frustration. I had no idea that any type of reimbursement had to be okayed by someone else. So I asked Mitch if we kept \$200 of the \$1,200 and reimbursed him the \$1,000 would he think that was fare, he agreed.

I don't feel it's fair to Mitch for us to keep the \$1,000. In my eyes it makes the committee look bad as well as West Jordan. Word will get out quickly if we're not fair with our Vendor's. Whoever this needs to go to, it would be greatly appreciated to please reimburse Mitch the \$1,000.

Thank you."

The Western Stampede Committee felt that it would be appropriate to refund to Mitch Larsen sunglasses and accessories due to lack of sales.

Brian Clegg said the payment made for the vendor booth rental was for a total of \$1,200.00. The reimbursement of \$1,000.00 would come from the rodeo account in which the \$1,200.00 was allocated to.

The Council and staff discussed the location of Mitch the Sunglasses Guy booth and how it was unsuitable for other vendors due to the proximity of the restrooms.

**MOTION: Councilmember McConnehey moved to suspend rules to allow Al Richards to speak on this item. The motion was seconded by Councilmember Burton and passed 6-0 in favor.**

Al Richards, Chairman for the vendors over the 2016 Western Stampede Rodeo, report that the location of Mitch the Sunglasses Guy booth was unsuitable for other vendors, such as food

vendors due to the proximity of the restrooms. Mitch the Sunglasses Guy was charged for two spaces due to the size of his trailer. He had checked on this vendor several times during the evening, and was told how poor sales were (\$80.00). The vendor explained that the Demolition Derby venue was not a good fit for this type of sales. Al Richards said since Mitch Larsen had participated one of the evenings, he would be charged at least \$200.00. Al Richards said he was unaware that any type of refund needed to go through City Council approval.

The Council discussed the following:

- Possible poor/improper placement
- Non-food vendors
- 20% down payment non-refundable / 80% balance due
- Refundable clause
- Setting a precedent
- Possible \$800.00 refund based on improper placement (not sales)

David Brickey suggested that rather than defining this as a refund, the evidence could establish that a mistake was made by agreeing to two spaces and then entering into a rescission of the contract agreeing to refund the different of that rescission, based on the fact that the space was only used one evening.

The Council and staff discussed the following:

- Contract(s) were in force upon the start of any event
- Setting a good precedent would be to work with the applicant
- Being charged for the one-night only
- Sales not guaranteed
- Staff direction to make sure in the future the contract had very definite provisions moving forward (20% down payment none refundable, 100% non-refundable as of, etc.)
- Charging 1/3 and refunding 2/3, might be in order only because of placement

**MOTION:** Councilmember Jacob moved to approve Resolution 16-143, with a refund of \$800.00 to Mitch Larsen Sunglasses & Accessories for vendor fees with the following stipulation, to direct staff to amend the contract so that future nonperformance on the part of the vendor would be explicitly addressed moving forward at all City events, making sure Parks, Legal and the Committee provide insight. The motion was seconded by Councilmember Burton.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>

<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 6-0.**

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-144, APPROVING AN OPTION FOR THE CLOSURE OF 7000 SOUTH FOR THE RECONSTRUCTION OF BANGERTER HIGHWAY**

Wendell Rigby said UDOT staff, Horrocks Engineers, Inc., and City staff had been working for approximately one-year to complete a State Environmental Clearance document, and preliminary engineering for the intersection of 7000 South and Bangerter Highway. As part of this process, and from the City master plans, City utilities (sewer and water) had been identified and would need to be upgraded. In order to accommodate those upgrades as part of the project, UDOT was requesting that 7000 South, a City controlled street, be closed for short durations to accomplish both the City betterment work, and the bridge work as well.

Horrocks Engineers, Inc., provided a presentation which included three options. Of these options, staff recommended Option A be selected. This was the shortest closure time of 60 days. The contractor could divide the 60 days into short closure blocks of time, anywhere from one day up to the full 60, until the full 60 days were used up. This would be up to the contractor's discretion. UDOT's goal was to have the intersection open by November 22, 2017.

Brian Atkinson, Horrocks Engineers, in preparation for this construction project UDOT had acquired some right-of-way, and there would be demolition of some homes.

He provided the following presentation:

**Bangerter – UDOT - 7000 South Closure Request  
7000 South Construction Phasing**

**Bangerter Hwy 7000 South MOT Phase 1**

**Traffic**

- Remove CFI (reconfigures as conventional intersection)
- All lanes and movements to be maintained

**Construction**

- Build NB On- & Off-Ramps
- Construct new Pedestrian Bridge
- Remove existing Pedestrian Bridge (Pedestrian bridge to remain open until new bridge is complete)

**Bangerter Hwy 7000 South MOT Phase 2**

**Traffic**

- Shift Intersection East
- Put NB traffic on new NB Ramps
- All lanes and movements to be maintained

**Construction**

- Build SB On- & Off Ramps
- Relocate Aqueduct Vault

**Phase 3 Options:**

- Option A – Close 7000 South at Bangerter Hwy (maintain right-turns to & from Bangerter Hwy)
- Option B – Eliminate all left-turns
- Option C – Reduce capacity on 7000 South & close left turns from Bangerter Hwy (maintain all movements on 7000 South)

**Bangerter Hwy 7000 South MOT Phase 3 (Option A)**

**Traffic**

- Put SB traffic on new SB ramps
- Close NB/SB left turns at intersection
- Close 7000 South at Bangerter Hwy (up to 60 days – one closure for City betterment & bridge construction and one closure for cross-street construction)
- Maintain right-turns to & from Bangerter Hwy

**Construction**

- Build embankment for interchange bridge
- Build 7000 South (closing 7000 S eliminates at least 6 sub-phases/shifts needed to construct the intersection, significantly reducing the overall duration of construction)

**Proposed Detour Routes**

**Phase 3 Option A – Full Closure (Estimated Completion October 2017)**

**Pros:**

- Significantly reduces overall duration by as much as 3 to 6 weeks (a full closure of up to 60-days can be used at the Contractor's discretion)
- Maintains all right-turns to & from Bangerter Hwy
- Coincides with anticipated full closures of 7000 South for City's water line project to the east
- Eliminates conflicts & enhances safety for workers and the general public
- Benefits the City's proposed betterment improvements by minimizing costs and construction impacts

**Cons:**

- Increases traffic on the surrounding area (Center Park Dr., 6200 South, 7800 South, etc.)
- Increases emergency response times by approximately 3 minutes for area east of Bangerter Hwy

### **Bangerter Hwy 7000 South MOT Phase 3 (Option B)**

#### **Traffic**

- Shift SB traffic on to new SB ramps
- Close left-turns at intersection
- Maintain 2 thru lanes and 1 right-turn lane in each direction on 7000 S
- Requires full closure to complete betterment improvements

#### **Construction**

- Build embankment for interchange bridge
- Build 7000 South (closing left-turns on 7000 S results in at least 6 sub-phases/shifts needed to construct the intersection)

### **Phase 3 Option B – Left Closures (Estimated Completion November 2017)**

#### **Pros:**

- Maintains through & right-turn movements on 7000 South
- Provides the most capacity within the intersection during construction
- Eliminates the left-turn phasing within the intersection will allow the intersection to operate at a more acceptable level of congestion (LOS E)

#### **Cons:**

- Requires detour for left-turn movements
- Necessitates at least 6 different sub-phases/traffic shifts to reconstruct pavement through the intersection
- Increases duration of construction by 3 to 6 weeks
- Results in work zones between traffic movements
- Full closure is necessary to provide adequate space for bore pits needed to install City betterments
- Requires construction 24/7 to meet schedule

### **Bangerter Hwy 7000 South MOT Phase 3 (Option C)**

#### **Traffic**

- Shift SB traffic on to new SB ramps
- Close NB/SB left-turns at intersection
- Maintain 1 left-turn lane and a shared thru/right-turn lane in each direction on 7000 South
- Requires full closure to complete betterment improvements

#### **Construction**

- Build embankment for interchange bridge
- Build 7000 South (closing multiple lanes on 7000 S results in at least 4 sub-phases/shifts needed to construct the intersection)

### **Phase 3 Option C – 7000 South Reduced Capacity (Estimated Completion November 2017)**

#### **Pros:**

- Maintains all movements on 7000 South
- Detours only necessary for the northbound & southbound left-turn closures
- Results in fewer sub-phases (4 vs. 6) compared to Option B
- Results in heavy congestion on 7000 South (Level of Service F) during construction

**Cons:**

- Requires at least 4 different sub-phases/traffic shifts to reconstruct pavement through the intersection compared to Option A
- Increases duration of construction by 3 to 6 weeks
- Requires construction 24/7 to meet schedule
- Full closure is necessary to provide adequate space for bore pits needed to install City betterments

Closure Option	Closure Duration	Anticipated Completion Date	Movements Closed	Max Detour Length (Extra Travel Time)
Option A – Full Closure	60 Days Total (at contractor’s discretion)	October 2017	NB & SB Lefts EB & WB Thru & Left (Rights Open)	EB Thru – 3 Miles (~7 Minutes)
Option B – Left-Turn Closures	Approx. 120 Days	November 2017	All Left-turns*	SB Left – 2 Miles (~4 Minutes)
Option C – 7000 S Reduced Capacity	Approx. 120 Days	November 2017	NB & SB Lefts (Reduced Capacity on 7000 S – LOS F)*	SB Left – 2 Miles (~4 Minutes) WB Thru – (5+ Minutes)

\*Options B & C require a full closure to construct City betterments.

A reminder, significant time and money savings had been garnered during the 9000 South reconstruction project and 5600 West widening project when limited closure time windows had been made available to the bidding contractors.

Staff recommended approval of UDOT’s request for closing 7000 South.

The Council and Brian Atkinson discussed the following:

- Response time increased
- Option A - betterment cost better
- Notice would be provided regarding the utility work and interchange work

- Closures on all options
- 60-days closure firm going out to bid with stiff penalty
- Some night work just less with Option A
- Previous construction on 7800 South; accidents at least one per day

Councilmember Nichols asked if the Council or staff had received any feedback.

Dave Murphy reported that Four Square Properties preferred the shorter schedule.

**MOTION:** Councilmember Nichols moved to adopt Resolution 16-144 approving Option A – Close 7000 South at Bangerter Highway, allowing right-turns to and from Bangerter Highway. The motion was seconded by Councilmember McConnehey.

Councilmember Jacob preferred to wait to hear public input.

Councilmember McConnehey expressed his appreciation to Horrocks Engineering Inc., UDOT, and staff for their level of engagement regarding this project.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>No</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 5-1.**

Councilmember Jacob said he was not against the closure; he just wanted to hear public input first.

#### **DISCUSSION AND POSSIBLE ACTION A SECONDARY WATER FEASIBILITY STUDY**

Mark Palesh said sometimes projects force the City to come up with a process of changing projects to accommodate a secondary water system that we were not accommodating. He felt a decision need to be made.

In October 2015, the City Council approved the West Jordan Secondary Water Master Plan which identified \$16 million in infrastructure for Option 1 (dry pipe systems only) or \$72 million in infrastructure for Option 2 (full build out). To supplement the fiscal study that was done as part of the Master Plan, staff recommended consulting with a financial firm to evaluate the entire financial implications of a secondary water project, to identify

total cost, potential funding options associated with determining the financial feasibility and potential user rate associated with the secondary water system.

On April 27, 2016, the City Council approved the contract with Zions Public Finance for the study. Zions had completed their study and presented their findings to Council.

Staff requested Council's direction moving forward.

Matt Millis, Zions Public Finance, provided the following presentation:

### **Secondary Water Feasibility Analyses**

#### **Project Summary**

- Zions has been selected to provide feasibility study for three primary water scenarios for the delivery of irrigation water to select areas for the City
- The analysis focuses on the comparison of costs between the use of culinary water provided by Jordan Valley Water Conservancy District (JVWCD) with the cost of constructing and operating new large and small-scale secondary water facilities
- The comparison includes the costs of operations and maintenance, construction of capital project, purchase of additional water supplies, cost of bonding, etc.
- Comparison has been made based upon the overall cost to the City (macro) and the overall cost per acre foot (AF) of water for each scenario
- The purpose of this presentation is to receive comment, discuss future rate structures, and determine the best scenario for the City

#### **Scenarios**

##### **Scenario 1: Expanded Secondary Water System**

- Secondary Water to purple piped areas plus other areas west of 5600 West
- Reduction of 7,759 AF per year from JVWCD at buildout

##### **Scenario 2: Limited Secondary Water System**

- Secondary water only to areas with installed purple pipes
- Reductions of 1,650 AF from JVWCD in five years

##### **Scenario 3: Culinary Water Only System**

- Culinary water would be used to serve irrigation needs throughout the City
- No secondary water considered for areas with purple pipe or expanded areas

#### **Summary of Scenarios**

	Secondary Water Scenario 1: Secondary Water System	Secondary Water Scenario: 2 Secondary Water System	Culinary Water Scenario 3: Water
<b>Water Sources</b>	SVWRF reuse water plus Welby Canal water mixed to be no more than 50% canal water; JWCD and City wells for culinary.	Entirely SVWRF reuse water; JWCD and City wells for culinary.	Culinary only water from JWCD and City Wells
<b>Secondary Water Areas</b>	Expanded areas west of 5600 West in addition to subdivisions with Purple Pipe west of 4800 West	Subdivisions with Purple Pipe west of 4800 West	No secondary water areas
<b>O&amp;M</b>	Culinary water O&M to be reduced to 87% in line with the reduction in culinary water from secondary	The CW O&M is not reduced given the limited amount of culinary water reduced. Should match Scenario 3.	Full culinary water scenario with no secondary water O&M
<b>Culinary Water Demands</b>	Culinary water purchased from JWCD will be reduced to account for the increased secondary water demand	Culinary water purchased from JWCD will be reduced slightly as the secondary water demand is small and will likely not affect the City's needs.	Culinary water is used throughout the entire system and will not be reduced
<b>Capital Projects</b>	Culinary capital projects are reduced slightly to consider that some culinary water projects will not be needed	Culinary capital projects are not reduced as the small amount of secondary demand will not change the culinary projects.	Culinary projects are to be completed as found in the HAL Drinking Water Master Plan

The following were slides provided during the meeting.

- **Macro Summary – Cost to City (graph)**
- **Rate Summary – Cost per AF (graph)**
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Matt Millis said the rate per AF was what the City would typically pay; however, it was also a good indicator of what a home would pay depending on whether they were on secondary water or only culinary water.

Mark Palesh asked if Bear River Water in about 20 years was factored into the equation.

Matt Millis said they assumed that cost of Jordan Valley would be approximately a 4 to 5% increase for the first 10 years or so, then moving forward it would be approximately 5% flatter; however, this was not really known. If Bear River water were to increase beyond 5% a year then it could affect the long-term feasibility.

Councilmember Nichols pointed out that Federal Government was getting out of the water business leaving it up to the State.

- **Draft 2020 Annual Expense per Lot Size (graph)**

- **Annual Anticipated Rate Increases (graph)**
- **Amount of Culinary Water Subsidy (graph)**

### **Rate Setting Parameters**

- Prepared and reviewed coverage tables with input and data from City staff
- Important considerations such as changes in staffing and funding capital projects
- Rates should maintain at least 1.25X coverage for outstanding bonds
- Rates should maintain at least 180 days' operations expense on hand in cash with a max of about 360 days; should strive to achieve roughly 275 days
- The City should strive to maintain a strong financial position that would allow for minimum coverage ratios even if debt is not issued just in case the need to bond does arise

### **Findings**

- Currently Scenario 1 and Scenario 2 have respective crossover points in 2035 and 2038
- Both scenarios require a period of time for bonds to pay down and for savings in culinary water costs to be achieved.
- Scenario 1 and 2 will require subsidies until the crossover periods
- Scenario 1 will require approximately \$71M in subsidies through 2035
- Scenario 2 will require approximately \$54M in subsidies through 2038
- Subsidies will have to be made up by user rates which will be based on reduced connections, high initial costs, and no subsidy.
- This results in secondary rates that are higher than culinary only rates.
- Scenario 1 subsidies can be as much as 15% higher than culinary rates
- Scenario 2 subsidies can be as much as 12% higher than culinary rates

### **General Policies for Discussion**

- Is this a short-term or long-term savings to be achieved?
- Should there be a subsidy between the culinary and secondary to implement a secondary water system that will save money in 19 and 22 years?
- Which year should we compare the rates? Initial 2018 rates or once they've normalized or based on some previously discussed subsidy?
- If rates should be adjusted, by how much should they be adjusted?
- Need policy on these items to proceed with final rate structure

Mark Palesh questioned whether the cost of establishing a secondary water department or the expansion of a culinary water department was factored in.

Matt Millis thought that Hansen, Allen, & Luce, had included a percentage of the construction costs to be used for enhanced salaries, equipment, vehicles, etc.

Mayor Rolfe said that when Hansen, Allen, & Luce presented the bill for building infrastructure, and it was so astronomical, that he dismissed it without further thought.

Councilmember McConnehey agreed that price tag was daunting; however, he did want to see the City proceed due to his concerns regarding water availability in the future. He commented on the following:

- Rate structure which would be a balance
- Benefit for the City
- City subsidizing infrastructure for a small group
- Capital outlay up front (Was this the best use of City dollars at this time)
- Possible other options

The Council and staff discussed clarifying questions.

- Peaking times and whether the rates would be effected
- Additional information needed regarding rate structure
- Things that could be done other than secondary water; more storage, purchasing more water in the future
- Algae bloom in secondary water
- No filtration system listed in the study
- Actual number in report 7,700 AF of water
- Current use Sept – July use 11,800 AF of water, with August it could be between 17,000 – 19,000 AF of water
- Not just West Jordan problem, possibly engaging with other cities
- Is this worth the cost, or would it be better to invest the money in Bear River
- Initial cost for residents a big factor

Mayor Rolfe said currently the City had been building a very large storm drain project off 7000 South and the first section had a 24-inch secondary water system associated with the storm drain, staff needed direction whether or not to place that line in with the storm drain at this time. He did not want any additional dry pipes placed in the ground.

He felt this needed to be studied further. Council did not want dry pipes placed in at this point, until there was a decision made on the future of a secondary water system.

Dave Murphy clarified that there was secondary in the 7000 South Phase II design; dry pipe slated to go under the concrete section of Redwood only; and for the bridge project at 7000 South there was dry pipe to go under the bridge structure which was being currently being designed. Dave Murphy said he needed to know whether the Council wanted to pull out the stops and hold it.

Councilmember McConnehey asked the difference in cost if the City were to continue with dry pipe verses stopping now.

Mayor Rolfe said they were only talking about a few sections, he would continue with what was being planned now, even if in the future it didn't get used for a secondary line. Having an extra line under those two slab sections of concrete (Redwood and Bangerter)

the lines could be used for a casing at some point in the future. Spending \$100 plus per foot to install elsewhere would not be fiscally responsible.

Councilmember McConnehey agreed with Mayor Rolfe.

Mayor Rolfe said the direction would be to continue to study this, put in the two sections which were currently being designed, but nothing else until approval from the Council.

Mark Palesh said staff would place this item on the Council agenda for October 12, 2016.

**MOTION: Councilmember Burton moved to take a 10-minute recess. The motion was seconded by Councilmember Nichols and passed 6-0 in favor.**

The Council recessed at 7:55 p.m. and reconvened at 8:05 p.m.

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-100, AMENDING THE UNIFORM FEE SCHEDULE FOR FISCAL YEAR 2016-2017**

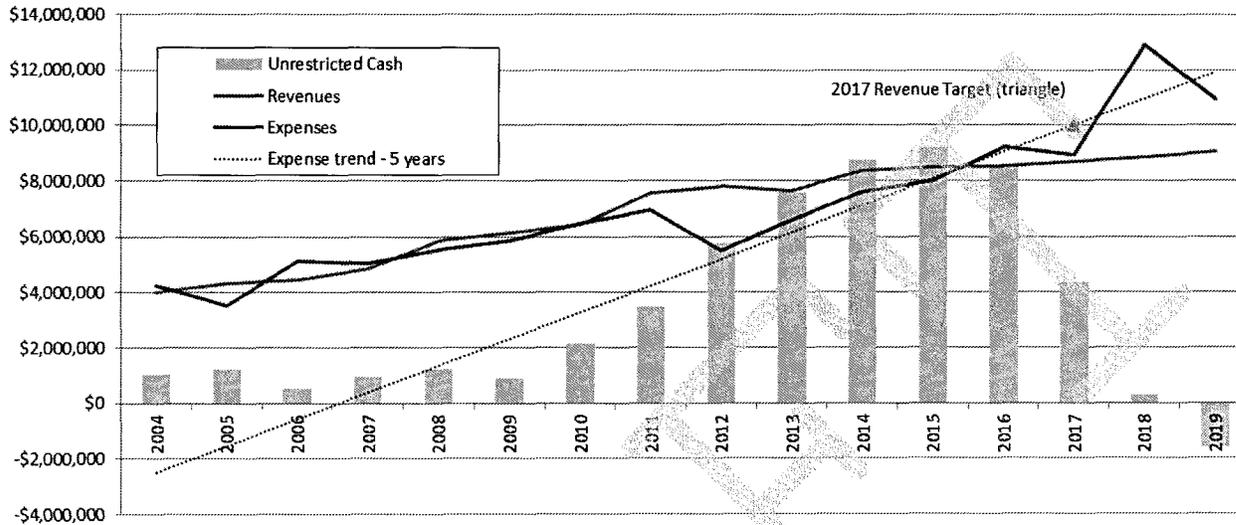
Mark Palesh reported that this item had been before the City Council several times.

Every year the City Council reviews the fees and charges for services provided by the City. Staff members evaluate the fees to ensure that they fairly represent the costs of providing the service. These costs may include overhead, supplies, man-hours, and equipment needed to provide the service. Suggestions were made to the City Council to update charges if the cost to provide the service had changed. A summary page of the proposed changes was included in the Council's agenda packet.

Staff reported that amending the Uniform Schedule of Fees and Service Charges would help to recover the cost of services rendered. These changes would increase City revenue based on the usage of each fee over the year. Reasonable costs may consist of, but were not limited to, direct costs, indirect costs, and fixed asset recovery expenses, general and departmental overhead expenses.

Steve Glain presented a sample sewer slide to show how the utility rate analysis was created.

## Sample



He commented on the following:

- Costs usually increase, but they do fluctuate
- Picking a trend line
- Future expenses up to and including 2019
- Must change revenues, cash would go down and the City would need to rely on money in the bank
- Firm revenue of amount of cash that must remain on hand
- Previous recommendations from staff based on AWWA standards and APWA standards three months to 12 months of operating expenses
- City Manager's recommendation for street lights was zero changes

Steve Glain reported that solid waste was in the worst position of all the utilities and could go negative within the next 12 months.

Councilmember Jacob asked if the chart shown could be provided to the Council.

Steve Glain said he would provide it to Council.

Councilmember Burton commented on how the rates for water varied with some residents paying more and some paying less.

Steve Glain said that was how a tiered structured system worked.

Councilmember Burton asked whether there were cities that charge a flat rate for commercial and tiered rate for residents.

Justin Stoker explained that Jordan Valley Water provided water at four different elevations. Depending on what elevation you use, Jordan Valley Water would charge more money to cover their pumping costs. Water rates do decrease in the winter due to demand.

It was Council decision years ago, to have a tiered rate so that rates would not change due to the location of your business.

Councilmember Burton was concerned that the City did not know what was being charged until the bill was received. He asked if staff knew how much money was made from our water last year.

Justin Stoker explained that the City did know how much was made and how to budget for each year. Weather had a big impact on revenue and expenses depending on how much or how little water was used.

Councilmember Burton said businesses need to know what they would be paying. If the City were to take the 7.2 percent, it would be a huge hike to the businesses. He preferred a smaller percent raise with larger users, but until this was worked out he would not be in favor of a residential rate increase except for the smallest tier.

Mayor Rolfe agreed with Councilmember Burton. He was against one part of the City subsidizing another part of the City. He was amazed that every time the City wanted to raise fees there was a dramatic spike in the next calendar year of the cost(s) going up. He felt it was irresponsible to raise rates for the following reasons:

- 1) Water rates were very complicated and need to be fixed; raising rates prior to the Strategic Plan was wrong.
- 2) Irresponsible to raise any rates when there was 100% of the operating costs in the bank.

Justin Stoker addressed some of the Mayor's concerns.

He provided the following presentation:

## **UTILITY RATES**

### **Culinary Water**

- JVVCD raises rates on source water on average of 4.5% per year (\$405,000 per year)
- Aging infrastructure resulting in higher calls for service
- Increased material and fleet cost
- Increased employee costs (without adding employees)
- SCADA is outdated, failing, or incomplete (needs replacement at \$150,000 - \$200,000)
- Airport 2mg reservoir needs major rehabilitation (\$200,000)

- Extra pumps need at airport booster to meet demand (\$250,000)
- Meter registers are failing and out of date (new AMI registers are 30% more expensive)

### Culinary Water

	FY12/13	FY13/14	FY14/15	FY15/16	Average Annual Change
<b>Operating Revenue (Charges for Service)</b>	\$ 15,117,355	\$ 16,480,954	\$ 15,777,748	N/A	2.4%
<b>Operating Expenses</b>					
Sources of Supply	\$ 7,479,746	\$ 8,152,168	\$ 8,405,458	N/A	6.0%
Depreciation	\$ 2,034,301	\$ 2,176,404	\$ 2,313,555	N/A	6.6%
Salaries and Benefits	\$ 1,281,643	\$ 1,365,995	\$ 1,384,023	N/A	4.0%
Fleet lease	\$ 111,070	\$ 103,223	\$ 190,476	N/A	38.7%
Utilities and Telephone	\$ 504,998	\$ 430,241	\$ 425,475	N/A	-8.0%
Professional and Technical	\$ 33,601	\$ 37,411	\$ 163,924	N/A	174.8%
Interfund Charges	\$ 1,643,558	\$ 1,663,888	\$ 1,864,167	N/A	6.6%
Supplies and Maintenance	\$ 539,058	\$ 1,065,574	\$ 1,224,350	N/A	56.3%
<b>Total Operating Expenses</b>	<b>\$ 13,627,975</b>	<b>\$ 14,994,904</b>	<b>\$ 15,971,428</b>	<b>N/A</b>	<b>8.3%</b>

### Waste Water

- Three crews of two operators (two cleaning, one inspection). Same crews as 20 years, added 690,000 ft. sewer since.
- 1,600,000 total feet (310 miles) of sewer pipe in system
- Cleaning crews cleaning on average 600,000 ft. of sewer pipe per crew per week. Clean every 4 years. Standard is 5-7 years. 100,000 is repeat root cutting and trouble spots.
- Inspection crew cleans on average 175,000 ft. of sewer pipe per year, inspect every 12 years. Standard is 5-7 years.
- Utility rates are going to help pay for treatment plant when impact fees are inadequate

### Wastewater

	FY12/13	FY13/14	FY14/15	FY15/16*	Average Annual Change
Operating Revenue (Charges for Service)	\$ 7,642,599	\$ 8,350,251	\$ 8,485,034	\$ 8,940,000	5.4%

Operating Expenses					
Depreciation	\$ 939,668	\$ 978,418	\$ 1,010,347	N/A	3.7%
Salaries and Benefits	\$ 508,402	\$ 657,060	\$ 629,724	N/A	12.5%
Sewage Treatment	\$ 4,000,925	\$ 4,732,531	\$ 4,965,840	N/A	11.6%
Fleet lease	\$ 152,292	\$ 197,586	\$ 254,605	N/A	29.3%
Utilities and Telephone	\$ 11,348	\$ 5,765	\$ 8,704	N/A	0.9%
Professional and Technical	\$ 15,971	\$ 22,459	\$ 21,585	N/A	18.4%
Interfund Charges	\$ 889,520	\$ 901,210	\$ 991,403	N/A	5.7%
Supplies and Maintenance	\$ 79,690	\$ 111,023	\$ 114,968	N/A	21.4%
<b>Total Operating Expenses</b>	<b>\$ 6,597,816</b>	<b>\$ 7,606,052</b>	<b>\$ 7,997,176</b>	<b>\$ 8,812,888</b>	<b>10.2%</b>

\* FY15/16 CAFR not complete, values are estimated based upon trends

### Solid Waste

- Ace Disposal contract signed in 2013, rates subsequently lower
- Ace disposal contract amended by Council in Feb 2015 to double neighborhood dumpster program (increased costs by ~ \$200,000 per year)
- Ace contract allows for COLA increase each year
- Landfill proposing tipping cost increase from \$14 per ton to \$14.50 per ton

### Solid Waste

	FY12/13	FY13/14*	FY14/15	FY15/16	Difference from FY13/14 to FY14/15
Operating Revenue (Charges for Service)	\$ 4,120,642	\$ 3,875,424	\$ 3,940,325	N/A	1.7%

Operating Expenses					
Depreciation	\$ 161,041	\$ 161,041	\$ -	N/A	N/A
Salaries and Benefits	\$ 97,545	\$ 107,903	\$ 150,233	N/A	39.2%
Contracted Services	\$ 2,601,486	\$ 2,258,503	\$ 2,426,184	N/A	7.4%
Fleet lease	\$ 37,015	\$ 63,692	\$ 60,736	N/A	-4.6%
Utilities and Telephone	\$ 910	\$ 292	\$ 1,044	N/A	257.5%
Professional and Technical	\$ 959	\$ 1,009	\$ 1,024	N/A	1.5%
Interfund Charges	\$ 385,315	\$ 390,099	\$ 424,251	N/A	8.8%
Garbage Cans	\$ 157,270	\$ 118,062	\$ 192,328	N/A	62.9%
Landfill	\$ 739,784	\$ 504,070	\$ 789,795	N/A	56.7%
Supplies and Maintenance	\$ 7,811	\$ 34,416	\$ 25,091	N/A	-27.1%
<b>Total Operating Expenses</b>	<b>\$ 4,189,136</b>	<b>\$ 3,639,087</b>	<b>\$ 4,070,686</b>	<b>N/A</b>	<b>11.9%</b>

\* Current waste hauling contract was approved in Mar 2013. Council shortly thereafter lowered waste rates to match lower contract amount

### Stormwater

- Barney's wash detention basin relocation for rec center (\$1,660,000 one-time)
- Increase maintenance requirements by stormwater audit (\$450,000 per year)
- Neighborhood storm drain project to address flooding situations (~750,000 per year)

**Stormwater**

	FY12/13	FY13/14	FY14/15	FY15/16*	Average Annual
<b>Operating Revenue (Charges for Service)</b>	\$ 1,540,476	\$ 1,740,866	\$ 1,777,496	N/A	7.6%

**Operating Expenses**

Depreciation	\$ 700,894	\$ 749,269	\$ 816,584	N/A	7.9%
Salaries and Benefits	\$ 521,051	\$ 572,912	\$ 573,070	N/A	5.0%
Fleet lease	\$ 113,393	\$ 128,944	\$ 179,446	N/A	26.4%
Utilities and Telephone	\$ 1,294	\$ 3,358	\$ 4,693	N/A	99.6%
Professional and Technical	\$ 16,788	\$ 14,948	\$ 14,326	N/A	-7.6%
Interfund Charges	\$ 338,978	\$ 344,624	\$ 372,408	N/A	4.9%
Supplies and Maintenance	\$ 42,267	\$ 168,853	\$ 51,271	N/A	114.9%
<b>Total Operating Expenses</b>	<b>\$ 1,734,665</b>	<b>\$ 1,982,908</b>	<b>\$ 2,011,798</b>	<b>N/A</b>	<b>7.9%</b>

\* FY15/16 CAFR not complete

	Cost	Frequency	Rate Increase	Included in proposed increase
<b>Water</b>				
JVWCD Rate Increases	\$ 405,000	on-going	\$ 0.98	No
SCADA Replacement	\$ 200,000	one-time	\$ 0.48	No
Reservoir Rehab	\$ 200,000	one-time	\$ 0.48	No
Pumps at Airport Booster	\$ 250,000	one-time	\$ 0.60	No
AMI System	\$ 300,000	one-time	\$ 0.72	No
Capital Projects	\$ 4,056,000	on-going	\$ 4.34	partial (\$1.8M incl.)

<b>Wastewater</b>				
Capital Projects	\$ 1,497,030	on-going	\$ 4.13	Yes
Inspection crew	\$ 250,000	on-going	\$ 0.69	No

<b>Solid Waste</b>				
Enhanced Neighborhood Program	\$ 200,000	on-going	\$ 0.62	No
ACE Disposal COLA	\$ 142,000	on-going	\$ 0.44	Yes
Landfill	\$ 40,000	on-going	\$ 0.12	No

<b>Stormwater</b>				
Detention Basin relocation	\$ 1,660,000	one-time	\$ 2.83	Yes
Audit Requirements	\$ 450,000	on-going	\$ 0.77	Yes
Capital Projects	\$ 750,000	on-going	\$ 1.28	Partial (\$460K incl.)

\* one-time expenses would have a lower rate if paid over time through financing plan

Councilmember Jacob clarified that if the recreation center was not built the \$1.6 million for the detention basin would not need to be spent.

The Council and staff discussed clarifying questions regarding the following:

- ERU change (help supported a bond for several capital projects)
- Breakdown of employee expenses, etc., so Council could make changes
- Increasing rates for one-time expenses

Mayor Rolfe said with approximately \$10 million in the Surplus fund balance, where for the following water projects: SCADA Replacement, Reservoir Rehab, and Pumps at Airport Booster, were not completed or at least out to bid.

Justin Stoker reported that it would take a budget adjustment.

Mayor Rolfe said it would take one meeting for staff to bring forward a budget adjustment for Council's consideration.

Councilmember Nichols said the question should be: 1) What were the fund balances; 2) What projects are filtered out, and 3) Is there a list showing what the \$10 million is earmarked for?

Mayor Rolfe reported that this had been on the agenda four times previously, he would like to vote.

Councilmember Jacob asked if these rate increases were part of the previously passed budget.

Mark Palesh said that was correct. If the proposed changes were not approved, staff would go through and make some cuts/major adjustments.

**MOTION: Councilmember McConnehey moved to suspend the rules to allow the meeting to extend past 9:00 p.m. The motion was seconded by Councilmember Nichols.**

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 6-0.**

Councilmember McConnehey stated that in the past the fee schedule was addressed independent of the rest of the budget.

Councilmember Nichols said the public needed to be aware that like all cities, there was the threat that West Jordan could potentially face fines for not adhering to certain auditing requirements.

**MOTION: Councilmember Burton moved to deny Resolution 16-100, amending the Uniform Schedule of Fees and Service Charges for FY 2016-2017. The motion was seconded by Mayor Rolfe.**

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>No</b>
<b>Councilmember McConnehey</b>	<b>No</b>
<b>Councilmember Nichols</b>	<b>No</b>
<b>Councilmember Rice</b>	<b>No</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion failed 2-4.**

Councilmember McConnehey asked if just one of the rates could be approved in the proposed schedule.

**MOTION: Councilmember McConnehey moved to approve the proposed rate for solid waste. The motion was seconded by Councilmember Jacob.**

Mayor Rolfe said he would not be supporting the motion with \$500,000 sitting in the Surplus Fund balance.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>No</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>No</b>

**The motion passed 4-2.**

**MOTION:** Councilmember Nichols moved to approve the Fee Schedule for Storm Water with the following change that we increase the rate to correspond with the chart showing the \$.77 and \$1.28, which covers basically less than the detention basin relocation. The motion was seconded by Councilmember Jacob.

Councilmember McConnehey asked what the increase would be.

Councilmember Nichols thought the increase would be a \$2.05.

Councilmember Nichols withdrew his motion.

The Council and staff discussed the Stormwater fee schedule.

Councilmember McConnehey asked that staff come back at a time when the rate being presented does not include the detention basin.

Mayor Rolfe read the title to the following item.

Bill Pyper asked the effective date on the rate increase regarding the prior motion.

The Council and staff discussed what would be a reasonable effective date.

Bill Pyper said October 1, 2016.

Mayor Rolfe said since it already passed the new rate would go into effect on the next billing cycle.

Councilmember McConnehey pointed out that billing cycles varied. He said starting immediately could be an issue for staff. He asked whether the Mayor would entertain a motion.

Mayor Rolfe said he had already moved on to the next item, but this could be brought back up again at the end of the meeting.

Bill Pyper said the item on the last page of the Fee Schedule regarding Document Research also needed to be addressed.

The Council would revisit this item at the end of the meeting.

**DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE 16-38, AMENDING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 1, ADDING A NEW SECTION 1-7-E, REGARDING ETHICAL CONDUCT FOR CITY COUNCIL MEMBERS AND APPROPRIATE REMEDIES FOR**

## **MALCONDUCT AS WELL AS THE CREATION OF AN ETHICS COMMISSION**

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

Staff recommended approval of the Ordinance, which was recommended by some of the members of the City Council.

Staff said there was minimal potential fiscal impact associated with the approval of this Ordinance, since existing City staff would be utilized, and there would only be *de minimus* reimbursement to Commission members.

David Brickey read the final adjustments to the revised proposed Ordinance.

- Under Section: 1-7E-3: Types of Conduct-Related Ethical Duties (and Violations)  
Change C.3 to small letter (a); and removing the words: (based upon a valid reason(s))  
Change C.4 to small letter (b)  
Change Section F.1 to read: The City Council in order to avoid interference with the judicial process, shall *not* make a public statement or take any action regarding the criminal charge(s), unless said charged elected official is found guilty in a court of law;
- Under Section: 1-7E-4: Ethics Acts (including State Statues).  
B.4. striking the words (in certain circumstances), and inserting (as set forth in Section B, above,)
- Under Section: 1-7E-5: Remedies for Violations of Ethics Acts  
E: insert the word (not) between the words but and limited.
- Under Section: 1-7E-2: Definitions  
After 1-7E-3 insert the following: and 1-7E-4

**MOTION: Mayor Rolfe moved to approve the revised Ordinance 16-38, Ethics for Elected Officials in its entirety with the changes suggested before and during this meeting. The motion was seconded by Councilmember Jacob.**

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>

**Mayor Rolfe**

**Yes**

**The motion passed 6-0.**

**DISCUSSION AND POSSIBLE ACTION REGARDING THE \$1,000 CITY COUNCIL DISCRETIONARY FUND**

Mayor Rolfe said back in early 2014, the Council was provided with a \$1,000 discretionary fund not to be used for personal uses. It could be used for such items as a plaque for a committee, special projects, etc. However, it was brought to his attention that the discretionary fund had been abused by former and current Councilmembers and he would like to see the discretionary fund removed.

Councilmember McConnehey said he agreed with Mayor Rolfe. He said the Council had a contingency fund that could be used for any special project.

**MOTION: Councilmember McConnehey moved to rescind the \$1,000 Council Discretionary Fund and adjust the budget to increase the Council's Contingency Fund by the amount that was allocated per individual Councilmember. The motion was seconded by Mayor Rolfe.**

Councilmember Jacob provided the reasons he opposed the motion. He said it was a matter of convenience to be able to turn in a receipt instead of waiting for a reimbursement. He did agree with oversight of the spending.

Councilmember McConnehey stated that when he first started on the Council he was unaware that a credit card had been issued in his name. He did not think Council should be issued individual credit cards.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>No</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>No</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 4-2.**

**DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-145, AMENDING THE CITY COUNCIL RULES, POLICIES, AND PROCEDURES REGARDING ELECTRONIC MEETINGS**

Councilmember Nichols said the purpose of this Resolution was to allow for members of the City Council to attend Council meeting electronically, for any reason approved by a

majority of the Council in an open Council meeting. This change required a formal amendment, by Resolution, to the Council Rules, Policies, and Procedures.

Councilmember Nichols reported on the proposed change:

b. Limitations. . . .

"2. the meeting will be called only to accommodate Council Members who are traveling outside the City, if approved by a motion during an open meeting by at least four (4) Council Members who are physically present at the physical location where the meeting is being held, subject to any limitations in the City Code of West Jordan"

City staff recommended approval of the Resolution, which was recommended by some of the members of the City Council.

It was reported that there was some potential fiscal impact associated with the approval of this resolution, since electronic meetings would be more likely to occur, and new equipment might be needed to allow for reasonable participation from a remote location.

**MOTION: Councilmember Nichols moved to approve Resolution 16-145, Rules Amendments: Electronic Council Meetings. The motion was seconded by Councilmember Jacob.**

Councilmember Burton reminded the Council that their preference should be attending the meeting in person.

Councilmember Nichols agreed that this should only be used when it was absolutely necessary.

Councilmember McConnehey said we have the technology. We just need to make sure we have the equipment necessary to support the technology. We need to fix the City Clerk's microphone and the podium microphone. Any other changes could be addressed during the Council retreat.

Mayor Rolfe supported the motion as long as the audio and phone system gets fixed. He said the way the system was currently working it was very disruptive.

David Brickey reported that other cities had many different variations regarding electronic participate in electronic meetings.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>

<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 6-0.**

**VIII. REMARKS**

**READDRESSSED - UNIFORM FEE SCHEDULE FOR FISCAL YEAR 2016-2017**

Councilmember McConnehey readdressed the Uniform Fee Schedule from earlier in the meeting.

**MOTION: Councilmember McConnehey moved that the approved changes to the Solid Waste Fee become effective as of October 1, 2016. The motion was seconded by Councilmember Jacob.**

Councilmember Burton opposed the motion. He would like the effective date January 1, 2017.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>No</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>No</b>

**The motion passed 4-2.**

**POSSIBLE APPROVAL OF FUNDS FOR THE NOVEMBER 5, 2016 BREAKFAST PRIOR TO TREE PLANTING EVENT**

Councilmember Burton questioned whether getting funding for the breakfast for the Tree Planting event would be possible.

He was informed that this item would need to be placed on a future agenda.

**CLARIFICATION REGARDING \$1,000 DISCRETIONARY DISCUSSION**

Councilmember Jacob received clarification regarding the earlier discussion of the \$1,000 discretionary fund.

Mayor Rolfe explained that there was \$25,000 in the Council Contingency fund annually; the earlier motion placed the \$7,000 discretionary funds back into the Council's Contingency fund for a total of \$32,000 annually.

Councilmember McConnehey's motion was to do away with the \$1,000 Councilmember Contingency fund and roll that into the regular Council Contingency fund.

**READDRESSSED - UNIFORM FEE SCHEDULE FOR FISCAL YEAR 2016-2017**

Councilmember Jacob said one approval from the Uniform Fee Schedule was not addressed earlier in the meeting regarding the changes to the City's Clerk Fee Schedule.

Bill Pyper said the changes were shown on the last page of the fee schedule making reference to State Statue.

**MOTION: Councilmember Jacob moved to approve the City Clerk/Recorder section on the last page of the Uniform Fee Schedule in the packet. The motion was seconded by Councilmember Rice.**

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Absent</b>
<b>Councilmember Jacob</b>	<b>Yes</b>
<b>Councilmember McConnehey</b>	<b>Yes</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

The motion passed 6-0.

**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**

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

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

The Closed Session was not needed.

**X. ADJOURN**

**MOTION: Councilmember McConnehey moved to adjourn. The motion was seconded by Councilmember Burton and passed 6-0 in favor.**

The meeting adjourned at 9:45 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:**

**CAROL HERMAN, CMC**  
**Deputy City Clerk**

Approved this 12<sup>th</sup> day of October, 2016

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

**Wednesday, September 21, 2016**

**6:00 p.m.**

**Council Chambers  
8000 South Redwood Road  
West Jordan, Utah 84088**

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

**STAFF:** Mark Palesh, City Manager; David Brickey, City Attorney; Melanie Briggs, 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; Dave Zobell, City Treasurer; Jim Riding, Capital Improvements/Facilities Project Manager; Matt Williams, Real Estate Services Manager, and Dave Murphy, Engineering Manager for Capital Improvement Projects.

**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 Daniel Borek of Boy Scout Troop #1223.

**III. COMMUNICATIONS**

**STAFF COMMENTS/REPORTS**

Marc McElreath-

- The Fire Department would be participating in the 4<sup>th</sup> Annual Utah Firefighter Chili Cook-off the following Saturday, September 24, 2016 at South Towne Mall. It was a fund-raiser to benefit Burn Camp and West Jordan was the defending champion. He invited all to attend and support a great cause.

Doug Diamond-

- The new county-wide Computer-Aided Dispatch Records Management System (CAD RMS) was moving forward with an 18-month process that should be complete by approximately March or April 2018.

**CITY COUNCIL COMMENTS/REPORTS**

Councilmember Burton –

- Reminded everyone that the vandalized trees would be replaced on Saturday, November 5, 2016 at 8:00 a.m. Interested parties will be meeting on the west side of Veterans Memorial Park.

Mayor Rolfe –

- Explained that a Request for Proposals had been issued for a bronze statue and received several responses. He felt that a selection committee was needed and that it should include three members of the City Council, one member of the Arts Council and two members of the public at large. The committee would make a recommendation to the City Council for a final determination. Councilmembers Nichols and Burton, and Mayor Rolfe were all willing to serve on such a committee.

#### ***IV. CITIZEN COMMENTS***

David Sauer, Scout Master of Troop 1223 at Mountain Vista United Methodist Church in West Jordan, explained that there would be a United States flag retirement ceremony on Saturday, October 15, 2016 at 1:00 p.m. He invited each member of the City Council and all of the community members to be present at 9000 South 3200 West.

Alexandra Eframo, West Jordan resident, asked the group to pause to reflect upon common goals before beginning the business of the meeting. Explained that she felt sorry for a Councilmember who had not behaved correctly as an elected public servant...

City Attorney David Brickey interjected that according to City Council Rules and Procedures, citizens were asked to help maintain decorum at the meetings by not engaging in verbal attacks against others and being respectful during the proceedings of the meeting.

Ms. Eframo resumed speaking, stating that she was being truthful and that the behavior had taken place and she was sorry that councilmember was not issuing an apology. She pointed out that the Council had voted to increase their own salaries the previous year from \$750.00 per month to \$1500.00 and that one of the Councilmembers had asked to be reimbursed for a luncheon. She felt that such luncheons should be paid out of that \$1500.00 stipend. She also mentioned a recent report indicating that Utah's suicide rate was fifth highest in the nation. She felt this was due to a religious element that sought perfection from all and she pointed out that no one was perfect.

Tyson Ayer, Copper Hills Public Relations Student Body Officer, invited the Council to Copper Hills Homecoming Activities the following week. He asked for a Councilmember to hand off the game ball to a member of the school's cross country team who would then run it from City Hall to Copper Hills High School.

Councilmember Nichols indicated he would be happy to take part in that tradition.

There was no one else who desired to speak.

**V. CONSENT ITEMS**

- a. Approve the minutes of August 24, 2016 as presented
- b. Approve Resolution 16-143, authorizing the Mayor to execute a contract with Layne Inliner, LLC for the 7800 South and 4000 West Storm Drain Rehabilitation Project, for an amount not to exceed \$1,394,240.
- c. Approve Resolution 16-144, authorizing the Mayor to execute a contract with Advanced Paving and Construction, LLC for the Stone Creek Trail Improvements Project in an amount not to exceed \$6,850,00.
- d. Approve Resolution 16-145, authorizing the Mayor to execute a contract with Advanced Paving and Construction, LLC for the Stone Creek Trail Improvements Project, for an amount not to exceed \$92,145.00.
- e. Approve Resolution 16-146, authorizing the Mayor to execute a Local Government Contract between the UDOT, West Jordan City and Project Engineering Consultants, Ltd. For preconstruction engineering for the 9000 South 4000 West Intersection Project, in an amount no to exceed \$108,726.97.
- f. Approve Ordinance 16-39, amending the 2009 West Jordan Municipal Code Title 8, "Public Works, Public Ways and Property," Section 8-9-3 regarding Telecommunication Compensation, cleaning up inconsistencies with City Code and the City Fee Schedule; and update the City Storm Water Discharge Ordinance to comply with the Utah Department of Environmental Quality regulations.
- g. Approve Resolution 16-147, authorizing no more than \$500.00 to be used toward the cost of feeding volunteers who donate their time on the Tree Planting Service Project scheduled for November 5, 2016

**MOTION:** Councilmember Haaga moved to approve all consent items. The motion was seconded by Councilmember Rice.

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Absent

<b>Councilmember McConnehey</b>	<b>Absent</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

**The motion passed 5-0.**

***VI. PUBLIC HEARINGS***

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL THE CITY OF WEST JORDAN, UTAH AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$45,000,000 OF SALES TAX REVENUE AND REFUNDING BONDS, SERIES 2016; AND RELATED MATTERS**

The parameters resolution, prepared by Ballard Spahr LLP, authorizing the issuance and sale of up to \$45,000,000 of sales tax revenue bonds was passed on Aug. 24, 2016 so we can begin the bond process. These bonds would be issued so that the City can finance the costs associated with the improvements and construction of a City Recreation Center. The City Council along with staff, discussed the possibility of issuing these bonds in early 2016.

The City will sell approximately \$45,000,000 worth of sales tax revenue bonds. The bonds will be paid back with proceeds from sales tax revenue over the next 30 years. The exact fiscal impact will not be known until the bonds are issued.

Receive input from the public with respect to the issuance and sale of the City's sales tax revenue bonds for the purpose of financing the improvements and construction of a City Recreation Center and, paying the costs of issuance of the Series 2016 Bonds.

Mayor Rolfe opened the public hearing.

Alexandra Eframo, West Jordan resident, asked what the cost would be to individual tax payers.

Mayor Rolfe responded that the funds would come from sales tax revenue rather than from property tax or some other source.

Matt Oldroyd asked why the bond payments were spread out of so many years.

Mayor Rolfe explained that the payments were lower if spread out over 30 years. He also pointed out that there was a finite amount of funds available and the interest rate had not yet been established.

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

There was no action taken. This was informational only.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 16-, AMENDING THE FUTURE LAND USE MAP FOR 138.5 ACRES OF PROPERTY LOCATED AT 7800 SOUTH HIGHWAY U-111 FROM LOW DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, MIXED USE, AND COMMERCIAL TO LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, AND COMMERCIAL DESIGNATION; AND REZONE 138.5 ACRES FROM MU, HFR, LFR, AND SC-2 TO P-C ZONE; HOLMES HOMES/PATRICK H HOLMES, APPLICANT**

**MOTION: Councilmember Burton moved to continue the public hearing to October 12, 2016. The motion was seconded by Councilmember Nichols.**

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Jacob</b>	<b>Absent</b>
<b>Councilmember McConnehey</b>	<b>Absent</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

The motion passed 5-0.

***VII. REMARKS***

There were no additional remarks.

**MOTION: Councilmember Nichols moved to recess the City Council meeting and convene a meeting of the Municipal Building Authority. The motion was seconded by Councilmember Burton. The motion passed unanimously without a roll call vote.**

The City Council meeting recessed at 6:20 p.m. and reconvened at 6:25 p.m.

***VIII. CLOSED SESSION***

**DISCUSSION OF THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION, AND STRATEGY SESSION TO DISCUSS THE**

**PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY,  
INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES**

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

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

**MOTION:** Councilmember Burton moved to convene a closed session and adjourn from there. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

<b>Councilmember Burton</b>	<b>Yes</b>
<b>Councilmember Haaga</b>	<b>Yes</b>
<b>Councilmember Jacob</b>	<b>Absent</b>
<b>Councilmember McConnehey</b>	<b>Absent</b>
<b>Councilmember Nichols</b>	<b>Yes</b>
<b>Councilmember Rice</b>	<b>Yes</b>
<b>Mayor Rolfe</b>	<b>Yes</b>

The motion passed 5-0.

The Council recessed at 6:26 p.m. and convened the Closed Session at 7:20 p.m.

**IX. ADJOURN**

The meeting adjourned at 7:15 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 12th day of October 2016