



MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL WORK SESSION
Approved June 22, 2022

Wednesday, June 8, 2022 - 5:30 pm

Thomas M. Rees Justice Center Community Room • 8040 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Kayleen Whitelock, Vice-Chair Kelvin Green, Pamela Bloom (via Zoom), Zach Jacob, Christopher McConnehey, David Pack (joined 5:32 pm), and Melissa Worthen

STAFF: Council Office Director Alan R. Anderson, Public Services Director Isaac Astill, Mayor Dirk Burton, Public Works Director Brian Clegg, Becky Condie, Utilities Manager Greg Davenport, Policy Analyst & Public Liaison Cassidy Hansen, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Economic Development Director Chris Pengra, Council Office Clerk Cindy Quick, and City Attorney Robert Wall

A. Agency Meetings

At 5:30 pm, Council Members temporarily recessed the Work Session to hold the Fairway Estates Special Service Recreation District, Municipal Building Authority, and Redevelopment Agency meetings where Board Members approved minutes and held public hearings regarding the FY 2023 Final Budget.

B. Fiscal Year 2023 Budget Discussion

Becky Condie reviewed the schedule for budget discussions with the Council, and explained that the FY 2023 Operating Budget, once adopted, could be amended by resolution with a public hearing. Ms. Condie summarized changes made to the Tentative Budget following the last budget discussion. She reported that CDBG Funds awarded were lower than expected, requested changes to the dumpster rental program would be effective January 1, 2023, and other utility rate changes would take effect on October 1, 2022.

Council Member McConnehey said he would like to see a position added for a grant writer to help identify grant opportunities for all areas, not just CDBG. Vice Chair Green said he agreed with the idea and suggested the position could also work with the Governor's Office to take advantage of AmeriCorps and similar programs for community projects. Council Member McConnehey suggested that finding someone to fill the position who had experience and genuine interest would greatly benefit the City. He said he thought \$80,000-\$100,000 would be a good placeholder estimate. City Administrator Korban Lee said the City had one employee who spent a significant amount of time focusing on grants. Council Member McConnehey responded that several departments were still needing to spend time trying for grants on their own and said he would want to expand the role further. Vice Chair Green requested the Council receive grant award reports. Chair Whitelock and Council Members Jacob and Worthen said they would be willing to explore the idea of adding a position but would need more information before approval.

Council Member McConnehey said he wanted to find funding to build a citizen reporting tool that was usable. Mayor Burton responded that the current system worked but was easier to use on a personal computer than on a cell phone. Council Member McConnehey said it was difficult for citizens to report a problem when they were out and about and needed to be able to report issues to the City. Chair Whitelock said she believed the Council was interested in getting more information. Ms. Steck asked that the Council identify revenue sources as they discussed adding expenses to the budget.

Vice Chair Green said he believed two additional flag poles were needed at Veterans Memorial Park to recognize additional branches of service. Mr. Astill commented that the three flag poles recently added to the rodeo grounds cost a total of \$14,000. He pointed out that adding two flag poles at Veterans Memorial Park would require an adjustment to the whole memorial area and would be more complicated than adding poles at the rodeo grounds. Chair Whitelock requested more information from staff. Vice Chair Green said he would be comfortable moving forward with planning and design for the monument in FY 2023, and funding implementation in FY 2024. Council Member Jacob expressed support for a complete redesign of the monument. Mr. Astill suggested setting aside funding for a master plan of the entire park. Vice Chair Green spoke of the need for an update to the rodeo grounds master plan as well. Council Member McConnehey said he would be comfortable using reserve funds for an improved citizen reporting tool, a Veterans Memorial Park master plan, and a rodeo grounds master plan.

Vice Chair Green commented that all but three positions in the City were included in the recent compensation study. He said he wanted to see comparative data for those three positions and wanted to make sure the positions were not treated differently. Ms. Steck responded the information would be provided in the next week or so.

Vice Chair Green requested an update on projects included in the Alternate Transportation Master Plan. He suggested the Schorr Gallery and Room 331 needed to be removed from the Consolidated Fee Schedule.

Vice Chair Green said he believed the City was at least 50% responsible for the current condition of the Drake's driveway and expressed the opinion that the City needed to fix the driveway. Chair Whitelock said she agreed, and suggested funding should come out of Development Services. She said she would be comfortable with curb and gutter. Council Member McConnehey said he agreed the driveway needed to be fixed expeditiously but did not agree the City was at fault. Vice Chair Green said he would agree with the City Attorney seeking cost recovery from the developer. Mayor Burton commented that the existing work had not been approved by the City. Vice Chair Green said he wanted to fix City Code so similar situations did not happen in the future.

Vice Chair Green expressed disappointment that the City server was down for maintenance at 4:00 pm that day, and said he wanted to put the service out for bid to possibly change contracts. A majority of the Council expressed agreement.

Vice Chair Green commented that West Jordan City owned a lot of vacant property. He said he wanted to explore the possibility of turning property into community gardens, especially on 7000 South. The Council unanimously indicated support.

Vice Chair Green said it was his understanding that Jordan School District was not funding crossing guards for students picking up free lunch. Chair Whitelock said the School District funded crossing guards for that purpose in the past but did not feel they currently had funding that could be allocated. Chair Whitelock said Jordan School District representatives learned that in other areas funding came from cities rather than the school districts. Vice Chair Green expressed the opinion that the City needed to find a way to fund crossing guards for kids crossing busy streets. Mayor Burton said the School District agreed in a conversation with him that day to fund crossing guards that summer and said crossing guards would be in place the next day.

Council Member Jacob shared his idea to set aside \$50,000 each year to accept proposals for art installations in the City. He suggested art installations could set West Jordan apart and suggested

adding \$50,000 to the Community Arts Budget. Council Member Worthen said she liked the idea but questioned where the money would come from. Council Office Director Alan Anderson suggested steps would need to be put in place to make it happen before a budget amendment for allocation in FY 2023. Council Member McConnehey expressed interest in putting together a community arts master plan to provide guidelines and boundaries. Council Member Jacob said he envisioned something ad hoc with guardrails.

Council Member Worthen left the meeting at 6:30 pm, and returned at 6:31 pm

Mr. Wall commented that good case law had come out of the Supreme Court in recent years affirming a city's right to pick and choose what would be allowed on infrastructure. Vice Chair Green said he liked the idea of starting with what Council Member Jacob envisioned and putting a more structured long-term plan in place. Council Member Bloom said she agreed with Vice Chair Green. Council Member Pack expressed support for anything that would enhance the spirit of place and spirit of community in a guided, approved way to ensure it would be something the community at large could support.

A majority of the Council indicated support for putting together a community arts master plan. Council Member Jacob suggested adding further discussion of a budget amendment to allocate funds for art installations to a future work session agenda.

C. City Code Discussion

Chair Whitelock said one of her goals for the Council was to start reviewing City Code. She said she wanted to begin with a review of short-term rentals and commercial vehicles on streets. Vice Chair Green said he wanted to update Titles 4, 8, 13, and 16. Council Member McConnehey said there were sections of Code he wanted to review as well.

Chair Whitelock adjourned the work session at 6:43 pm

I, Cindy Quick, hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on June 8, 2022. This document constitutes the official minutes for the West Jordan City Council meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 22nd day of June 2022



MINUTES OF THE CITY OF WEST JORDAN
CITY COUNCIL MEETING
Approved June 22, 2022

Wednesday, June 8, 2022 – 7:00 pm

Thomas M. Rees Justice Center Community Room • 8040 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Kayleen Whitelock, Vice-Chair Kelvin Green, Pamela Bloom (via Zoom), Zach Jacob (joined 7:02 pm), Christopher McConnehey, David Pack, and Melissa Worthen

STAFF: Council Office Director Alan R. Anderson, Public Services Director Isaac Astill, Police Lieutenant James Bigelow, Mayor Dirk Burton, Public Works Director Brian Clegg, Becky Condie, Utilities Manager Greg Davenport, City Planner/Zoning Administrator Larry Gardner, Policy Analyst & Public Liaison Cassidy Hansen, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Assistant City Attorney Duncan Murray, Council Office Clerk Cindy Quick, Administrative Services Director Danyce Steck, Police Chief Ken Wallentine, and City Attorney Robert Wall

1. CALL TO ORDER

Chair Whitelock called the meeting to order at 7:00 pm

2. PLEDGE OF ALLEGIANCE

Rachel Sanderson led participants in the pledge of allegiance.

3. SPECIAL RECOGNITION

a. Cynthia Bee Conservation Garden Park

Chair Whitelock introduced and expressed appreciation to Cynthia Bee for her efforts to educate the community about gardens, yards, and water-use. She presented Ms. Bee with a certificate and pin, and the Council took the opportunity to take photographs and shake her hand.

Vice Chair Green invited everyone to a Flag Day celebration and flag retirement on June 14th to dedicate new flag poles at the rodeo grounds.

4. PUBLIC COMMENT

Chair Whitelock opened the citizen comment period at 7:06 pm

Citizen Comments:

Jamie Bevilhymer, West Jordan resident, said she believed the transfer of money from enterprise utility funds to the General Fund was wrong, and felt like sneaky strategy. She said she had spoken before and felt her voice was not heard. Ms. Bevilhymer suggested citizens needed to be notified well in advance of the truth in taxation hearing with a big flier. She said she spoke against a property tax increase last year when she believed an increase was not necessary, and felt her voice was not heard. Ms. Bevilhymer expressed the opinion that remodeling City Hall was a waste of money. She encouraged the Council to stand for honesty.

Chad Lamb, West Jordan resident and former Council Member, stated the utility transfer was set for the next five years, and expressed the opinion that to set the transfer in perpetuity was ridiculous. He suggested the utility transfer should be evaluated on a yearly basis, and should be put back if the money was not used. Mr. Lamb asked that the Council look for a better way to fund the City than taking money from utilities with a transfer.

Ryan Wilkinson, West Jordan resident, said the City Council took an oath to uphold the law, and referred to the Salt Lake County Noise Ordinance. He stated the Utah National Guard violated the County Noise Ordinance several times a week, and was not exempt to the law. He spoke of State law concerning official neglect and misconduct, said all Council Members were guilty, and said he would be seeking their removal from office. Mr. Wilkinson said the violation had probably been allowed illegally for decades, and needed to end.

Alexandra Eframo, West Jordan resident, asked for a minute of silence for everyone to count their blessings. She complimented Mayor Burton on the 2022 West Jordan Activity Guide. She said she was disturbed by some of the citizen comments. Ms. Eframo read aloud a poem.

Chair Whitelock closed citizen comments at 7:20 pm

5. EXECUTIVE REPORTS TO COUNCIL

a. Mayor's Report

Mayor Dirk Burton reported that he celebrated his 40th wedding anniversary. He spoke of the importance of setting and continuing to work on five-year plans. The Mayor spoke of graduations he attended, West Jordan Activity Guides recently distributed to residents, summer food truck events, and an upcoming bike event sponsored by the Sustainability Committee.

b. City Administrator's Report

City Administrator Korban Lee reported Spring had been a challenging season for the Parks Department with 58 backflow valves stolen from City parks since last season, individuals taking it upon themselves to shut off sprinkler systems at City parks, and residents taking riding lawn mowers into City Parks, in some instances on new sod, doing major damage. He expressed appreciation for staff and the extremely hard work they were doing.

Police Chief Wallentine spoke of events planned in the community and spoke of efforts to provide gun locks for homes in West Jordan to address community safety. Vice Chair Green expressed appreciation that West Jordan Police Officers were not afraid to engage with the public. Chief Wallentine reported the Jordan School District would be funding crossing guards for the summer lunch program.

Public Services Director Isaac Astill provided an update on the rodeo grounds and the 2022 Western Stampede. He said he was grateful for the team effort from all departments. Council Member Worthen thanked Mr. Astill and all park employees for working hard and doing an amazing job.

Utilities Manager Greg Davenport reported the City used 28% less water in May 2022 compared to May 2021, and stated conservation efforts were paying off.

Council Member Worthen spoke of attending the recent Valley High School graduation and congratulated the graduates.

6. REPORTS TO COUNCIL

a. Jordan Valley Water District

Lyle Summers, West Jordan representative on the Jordan Valley Water Conservation District Board of Trustees, reported on how the West Jordan water supply would be impacted by the current drought, and explained the JVWCD Drought Contingency Plan. Mr. Summers encouraged everyone to continue their conservation mindset. He congratulated West Jordan for adopting residential landscape standards encouraged by JVWCD, and spoke of education and incentive programs.

Mr. Summers explained that according to recent JWCDC policy, a city could carry over a restricted amount of unused water in a contract year, to be used within three years. He emphasized that the policy was still in the formation stage, and it was unknown how it would play out. Mr. Summers said JWCDC established a revenue stabilization fund, and explained FY 2023 employee pay increases.

Responding to a question from Chair Whitelock, Mr. Summers said he did not anticipate that future legislation regarding the Great Salt Lake would affect the West Jordan water supply. Chair Whitelock thanked Mr. Summers for the presentation.

7. PUBLIC HEARINGS

a. Continued from May 25, 2022 – Welby West Master Development Agreement, General Plan Land Use Map Amendment, and Rezone

Chair Whitelock opened a public hearing at 8:02 pm

Comments:

Rachel Sanderson, West Jordan resident, said she lived down the street from the proposed development. She said she did not envy the Council what they had to do, and appreciated the opportunity to voice her opinion. Ms. Sanderson said she spoke at the last public hearing about overflow parking concerns, but said she was concerned about safety issues and home values as well. She said she believed the City saw the bigger picture in setting code that would require 20 acres for the amount of density currently proposed for less than 12 acres and commented that the Planning Commission forwarded a negative recommendation. Ms. Sanderson said she would be okay with 8,000-10,000 square foot lots, and asked the City Council to not pass the high-density rezone request.

Ryan Corpy, West Jordan resident, said he had lived on the north side of the proposed development for 25 years. He said he had spoken to more than a hundred people in his neighborhood in the last 72 hours, and they were all upset and felt lied to and deceived. He said the neighborhood did not want the proposed development, and asked the Council to not let it occur. He said it was not the place for high-density housing.

Jared Cordova, West Jordan resident, said he was on the General Plan Committee in 1996. He said people who bought homes in the area knew the subject property was set aside for commercial, and thought they knew what they were buying into. However, when the rug was pulled out from under people, distrust would develop. He spoke of the importance of trust, and said he wanted to trust that the Council would do the right thing.

Nick Yates, West Jordan resident, said he lived down the street from the proposed development, across the street from Rachel Sanderson. He said he agreed with everything that had been said, and would not have bought his property if he had known the subject property would be rezoned for high-density. Mr. Yates spoke of existing heavy traffic in the area.

Brandon Grable, West Jordan resident, said he lived a half-mile down the street from the proposed development. He said he worked professionally as a commercial appraiser, and stated while commercial had a place in a community, he did not believe the subject property was the correct place. Mr. Grable said he wanted to support residential development, and did not consider the proposed density to be high density when compared with development occurring in Herriman. He said he knew retail and commercial uses were a magnet for traffic flow compared to residential. He said traffic would be affected no matter what happened, and commented that UDOT had indicated willingness to adjust traffic signal timing to relieve the flow.

Bruce Edman, West Jordan resident, said he did not live in the subject neighborhood, and wished people had made similar arguments before his neighborhood was built. He expressed the opinion that the proposed development looked like it would be a pretty nice place. He said he knew from experience that restrictions meant nothing without enforcement. Mr. Edman suggested the Council base their decision on what would happen to the people who already lived there.

Deanne Brown, West Jordan resident, said she was concerned about traffic, and suggested the traffic study done in June of 2021 was not an accurate representation. She said she was not opposed to residential on the subject property, but believed 76 units was way too many. Ms. Brown said she bought her home knowing the subject property was not zoned for high density.

Troy Mangan said he sent a letter to Council. He spoke of proper use of the intersections in the area, which were set up for commercial use. He expressed the opinion that both residential and commercial development would have a big traffic impact, and spoke in favor of residential development on the subject property. Mr. Mangan said he attended every neighborhood meeting the developer had held, and asked the Council to vote in favor of the high density.

Kathy (no last name given) said she and her husband lived in the neighborhood under discussion. She said she appreciated the efforts of the developer to accommodate residents of the existing neighborhood, and said the Council had the choice to approve if the applicant could reasonably show there would be no adverse effect on the neighborhood. She argued that the neighborhood would be adversely affected, and listed concerns: traffic; lack of diversity in architecture; the Planning Commission forwarded a negative recommendation; the yard of every proposed unit was included in the proposed development's open space calculation; no fenced yards and little control over individual yards; and possible school redistricting. She stated she did not believe the applicant could show the surrounding neighborhood would not be adversely affected, and asked the Council to leave the zoning as it currently stood. She suggested the applicant made some adjustments and come back to the table.

Adam Worthington, West Jordan resident, said he bought his home in the subject neighborhood because it was one of the nicest neighborhoods in West Jordan. He said he believed there was already enough commercial in the area, and said he would like to see something on the subject property similar to what was already in the neighborhood. Mr. Worthington stated crime went up with high density, and said he was opposed to high-density housing in the neighborhood. He encouraged the Council to remember morals and do what was best for the community.

Spencer Riehl, Taylorsville resident, said he currently taught at West Hills Middle School. He said he believed a city council was elected to make hard decisions for a city as a whole and to plan for the future. He said he did not believe it was a city council's role to make sure the people who lived in a city were enriched. He said rent seeking was the behavior of manipulating public policy to enrich oneself. Mr. Riehl said he believed everyone living in West Jordan trying to prevent others from living in West Jordan were participating in rent seeking behavior. He said he believed it was the West Jordan City Council's job to navigate the City into the future by letting developers build smaller buildings that used less water. He asked the Council to think of those who might want to move in and enjoy the community.

Robert Thompson, Sandy resident, said he represented the landowner and developer. He said he had been to many such meetings, and they always came down to the same issues. He stated a majority of the subject parcel was currently zoned SC-2, and the property owner had a right to use the zoning to benefit from the land. He spoke of a major housing crisis in the State, and said everyone would benefit from development of homes. He expressed the opinion that commercial development

on the subject property would have a far greater impact on traffic than residential, and said the proposed residential was a compromise.

Harris Littledyke, Springville resident, said he worked with the development team. He said he lived in a development similar to the proposed development, in a home similar to the proposed units. He spoke of how difficult it currently was to buy a home. He said he did not view the proposed development as high density, but as something that would make getting a home more attainable for some.

Candice (no last name given), West Jordan resident, said she did not believe \$700,000 for a home was affordable, and expressed the opinion that the subject property was a bad place for the proposed development.

Nicole Corpy, West Jordan resident, said she lived just north of the subject property. She stated June was not the right month to do a traffic study. She said she was not in favor of the proposed number of residential units.

Kevin Snyder, West Jordan resident, said he lived in the subject neighborhood, and said that those who commented in favor of the proposed development did not live in the subject area. He said cities had zoning for a reason – to protect private property. He suggested if the subject property was rezoned at all, it should be rezoned R-1-10. Mr. Snyder said history had shown that high density always led to increased crime.

Chair Whitelock closed the public hearing at 8:43 pm

Todd Amberry, applicant, thanked the Council for their time and thanked the neighbors for their time working through concerns. He asked that the traffic engineer be allowed to respond to comments made.

Council Member Pack moved to suspend Council Rules to allow the traffic engineer to respond to comments. Council Member Jacob seconded the motion. Council Office Director Alan Anderson read aloud from Council Rules, and expressed the opinion that a motion to suspend was not necessary. City Attorney Rob Wall stated the term “applicant” was open to Council interpretation. Council Member McConnehey and Vice Chair Green said they were open to a liberal interpretation of “applicant” and stated a time limit was needed for applicant rebuttal. Council Member Pack withdrew his motion.

Chair Whitelock allowed five minutes for comment from the traffic engineer, and five minutes for comment from the applicant’s attorney. Council Member Worthen left the meeting at 8:47 pm, and returned at 8:49 pm

Scottie Duclos with Hales Engineering said the traffic study was originally done in June 2021, and updated in September 2021 to include school counts. Drone footage was taken on three different occasions to confirm simulation models. Mr. Duclos said the proposed 76 residential units were anticipated to add 60 morning peak-hour trips and 76 evening peak-hour trips in/out of the development. He stated commercial development usually involved seven-times more traffic than residential home development of that size. He reported that based on traffic counts and drone footage, there would be approximately ten minutes of backed-up left-turn traffic. Mr. Duclos said there would be no way to exit the development on the east side into the surrounding neighborhood. He said the study showed the proposed development would add 3% of traffic volume to the road in front of the school, which was minimal.

Bruce Baird, attorney for the applicant, said more parking was dedicated to the proposed subdivision than was typical for the type of development, and expressed the opinion that parked vehicles would not spill out into the surrounding neighborhood. He stated roads would comply with City standards, and adequate public services existed to support the proposed subdivision. He said commercial would not work on the subject property. Mr. Baird said there was a reason zoning changed over time, and said he believed it was reasonably shown that the proposed development would have no negative effects. He commented that a one-sentence change to the MDA was requested.

Mr. Amberry thanked the Council for allowing his team to respond. He said he understood concerns about density. Mr. Amberry expressed a desire to deal with facts, and said most of what was heard from the public was opinion and conjecture. He said he had tried to come up with a reasonable proposal, and said he believed the development would bring in great young families who wanted to live in West Jordan.

Chair Whitelock expressed appreciation for everyone who commented. She stated the Council could not legally take potential impact on schools into account for the decision.

Council Member McConnehey said he looked at the recommendation from the Planning Commission, and said it was clearly a difficult issue for the Planning Commission. He said he believed the subject property would be a tricky location for small commercial. He said economics had made it difficult to be able to match the same type of residential development as the neighborhood to the north, and suggested the same type of residential may not be appropriate right along 9000 South. Council Member McConnehey said he appreciated the applicant's consideration for single-family detached residential. He said he understood that school pick-up time was always a nightmare. He spoke of driver tendency to take the easiest route, and expressed some concern with traffic impact. He said he believed single-family residential was the right answer for the subject property.

Council Member Pack said he believed the Council saw themselves as community servants, wanting to do what was right and putting land to the highest and best use possible. He said he was pro-business and pro-single-family homes. He commented that diversity of population enriched a community. Council Member Pack said he believed a lack of access off 9000 South would be an albatross for commercial. He spoke of his parental and professional experience in the neighborhood, said he believed homes would be more sustainable than commercial, and said he thought starter homes made sense at the subject location. Council Member Pack commented that multiple iterations of general plans, multiple generations of land use committees, and current City Code designated the property as SC-2 and R-1-10. He stated the Planning Commission forwarded a negative recommendation. He said he knew there were a lot of pros and cons.

Vice Chair Green said he believed the proposed development would violate City Code, and said following Code meant everything to him. He said the Council's job was to get the best development possible given existing circumstances. He stated the current Council was residential development-friendly. Vice Chair Green said he believed commercial was probably not appropriate on the subject property. He suggested the number of public comments received showed the proposal would have a reasonably negative effect, and said the Council could rely on stated citizen concerns to make decisions. Vice Chair Green said he did not believe the proposed development met the intent of Planned Development Overlay (PDO) Code, and the Master Development Plan (MDP) submitted did not meet City requirements. He stated front yards could not be used as part of the open space calculation, mentioned the lack of emergency vehicle turnarounds, and listed areas in which he

believed the MDP was deficient. Vice Chair Green stated he could not vote in favor of the proposal because it did not meet City Code.

Council Member Worthen said she did not agree with stereotyping high density and stated high density and low income did not necessarily bring crime. She said she heard a majority of public comment in favor of residential development on the subject property, but not in favor of the proposed number of units.

Council Member Jacob said he had received more emails and phone calls in opposition to the proposed development than in favor but had received more in favor that he usually received for such projects. He said he believed the developer had done a good job meeting with the neighborhood. He said he did not think traffic would be a problem because he lived in a neighborhood of similar density and size, and traffic was not a problem in his neighborhood. Council Member Jacob said he believed a lot of objections raised by Vice Chair Green in City Code were subjective, and suggested City Code needed to be improved, but said he agreed that two issues raised were a problem. He said he did not love the design of the proposed neighborhood, but did not necessarily object to the number of units.

Council Member Bloom thanked those in attendance. She said she appreciated the efforts made by the developer, and said she believed the proposed development could be improved further, but was a better option than commercial. Council Member Bloom said she agreed with other Council Member comments.

Chair Whitelock said she went through City Code just like Vice Chair Green, and was concerned with the documents submitted. She said the proposed development did not appear to be imaginative or creative. Chair Whitelock listed elements of City Code she did not believe were met by the proposed development. She said when she counted earlier that day, she had received twenty-one emails from citizens opposed to the proposed development, and six in favor. She mentioned that the Design Review Committee and the Planning Commission both forwarded a negative recommendation. Chair Whitelock said she would not vote in favor.

The applicant requested the Council table the application. Mr. Wall said if the Council tabled the application, he recommended tabling to a time certain, not indefinite.

MOTION: Council Member Jacob moved to table the Master Development Agreement, General Plan Land Use Map Amendment, and Rezone for Welby West to a future Council meeting no later than September 30, 2022. Council Member Bloom seconded the motion.

Council Member Worthen said she appreciated that the developer was listening and clearly wanted to work through the issue. Vice Chair Green said he would not support tabling because he did not believe it was fair to the developer or the citizens. Council Member Pack asked what would be accomplished with tabling. Council Member Bloom said she was in favor of tabling a couple months to allow the couple of issues to be worked out to allow the project to happen.

Vice Chair Green expressed the opinion that Planned Residential Medium Density (PRMD) would work, and would allow 63 homes on the subject property, but Planned Residential High Density (PRHD) would not. Responding to a comment from Vice Chair Green, Mr. Wall explained the Council would not be required to send the application back to the Planning Commission and Design Review Committee, but could certainly choose to do so. Chair Whitelock expressed the opinion that the developer would not be able to make PRHD work on the property, and said she would not vote in

favor of the motion to table. She said she believed a great development was possible on the subject property, but she did not think reworking the proposed plan was the answer.

Council Member Pack said in his mind there was a laundry list of issues that would need to be worked out and questioned whether the many issues could be resolved within the current application. Council Member Jacob said it was not up to the Council to decide how the developer should proceed. He said the point of tabling would be to put the matter back on the applicant without limiting what may be possible. Chair Whitelock said she did not believe tabling was right for the residents. Council Member McConnehey said he would want the matter to be re-noticed if tabled and would want to send it back to the Planning Commission for review.

MOTION: Council Member Pack made a substitute motion to TABLE the Master Development Agreement, General Plan Land Use Map Amendment, and Rezone for Welby West to a Council meeting no later than September 30, 2022, and re-notice a public hearing when brought back with signage on property and two signs - one sign placed at 4800 West, and one sign placed at 9000 South. Council Member Jacob seconded the motion.

The vote was recorded as follows:

Chair Whitelock	No
Vice Chair Green	No
Council Member Bloom	Yes
Council Member Jacob	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Worthen	Yes

The motion passed 5-2

b. Future Land Use Map amendment and rezone for Ortega Property

Gloria Ombushe, interpreting for applicant Efrain Ortega, said Mr. Ortega wished to rezone property from single-family residential to Professional Office Space. She said it was her understanding that other properties in the area were also professional offices.

City Planner/Zoning Administrator Larry Gardner showed the location of the property on a map, and recommended the Council amend the Land Use Map for the subject property and additional adjacent properties.

Chair Whitelock opened a public hearing at 10:20 pm

Comments:

Andrew Rojas expressed support for rezoning his adjacent property for professional office use.

Chair Whitelock closed the public hearing at 10:22 pm

Council Member McConnehey clarified that the alternate motion prepared by staff would amend the Land Use Map for adjacent properties, but property owners would need to apply for a rezone.

MOTION: Council Member McConnehey moved to approve Ordinance No. 22-29, a petition by Efrain Ortega for a Future Land Use Map amendment for 0.82 acres of property from Parks and Open Lands to Professional Office Space and a Rezone of 0.39

from the R-1-8A Zone to the P-O Zone for Ortega Property located at approx. 1875 West 7800 South.

Council Member Worthen seconded the motion.

The vote was recorded as follows:

Chair Whitelock	Yes
Vice Chair Green	Yes
Council Member Bloom	Yes
Council Member Jacob	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Worthen	Yes

The motion passed 7-0

Vice Chair Green moved to take a five-minute break at 10:26 pm Council Member Jacob seconded the motion, which passed by unanimous vote (7-0).

The Council reconvened at 10:33 pm

c. Transfer of Enterprise Funds

Becky Condie explained that according to Utah State Code Section 10-6-135.5, a city may transfer money in an enterprise fund to another fund to pay for a good, service, project, venture, or other purpose not directly related to the goods or services provided by the enterprise for which the enterprise fund was created. She explained that the proposed enterprise fund transfer was essentially the same as the franchise tax utility customers paid on their electric, natural gas, cable, and telecom bills. A franchise tax was an amount paid to the City for the use of the City's property to provide a service. Water, sewer, solid waste, storm water, and streetlight utilities were considered businesses just like other utility companies. If the enterprise fund transfer were removed from the FY 2023 Budget, an additional 16% property tax increase would be needed to sustain a balanced budget. Accounting data for each of the enterprise utility funds was presented, and the difference between proposed transfers and administrative cost allocations was shown.

Responding to a question from Council Member McConnehey, staff explained the Solid Waste Fund was considered a utility fund and added that solid waste trucks caused wear on City streets like other utility vehicles.

Chair Whitelock opened a public hearing at 10:45 pm

Comments:

None

Chair Whitelock closed the public hearing at 10:45 pm

Chair Whitelock said she did not think the enterprise fund transfer for solid waste made sense. Vice Chair Green said he recommended getting rid of the solid waste fund transfer because he believed delivery trucks did more damage to City streets. He said collecting the revenue as a property tax would spread the revenue over more people than the proposed solid waste fund transfer because many HOAs and entities in the City had their own solid waste collection. He expressed support for increasing the property tax revenue to cover the \$300,000 for more broad and fair collection.

Council Member McConnehey said he was not a fan of the utility transfer in general, and certainly not for solid waste. He said he would prefer the revenue to come from property tax. He said he did not like the idea of trying to get revenue out of tax-exempt entities. Council Member Jacob said he also did not agree with trying to find creative ways to tax tax-exempt properties. However, he said he did not want to vote for an additional 16% property tax increase either. Council Member Pack said he thought a property tax increase seemed cleaner, although it would be a tough pill to swallow.

Council Member McConnehey commented that while there would be a property tax increase to make up the revenue, there would also be a utility bill decrease. He pointed out that the 16% increase would only be on the City's portion of property tax. Council Member Jacob suggested a phased approach. Council Member Bloom said she agreed with Council Member McConnehey.

Council Office Director Alan Anderson stated if the Council decided not to approve the proposed solid waste transfer (\$325,950), the property tax revenue would need to be increased by 2%, for a total 6.2% property tax increase in FY 2023. If the Council chose not to approve any of the proposed utility fund transfers, the property tax increase would need to be increased from 4.2% to 20.6%.

8. BUSINESS ITEMS

a. West Jordan Drought Management Plan

Utilities Manager Greg Davenport oriented the Council with Drought Management Plan requirements.

MOTION: Council Member McConnehey moved to approve Resolution No. 22-014 adopting the City of West Jordan Drought Management Plan.
Council Member Worthen seconded the motion.

The vote was recorded as follows:

Chair Whitelock	Yes
Vice Chair Green	Yes
Council Member Bloom	Yes
Council Member Jacob	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Worthen	Yes

The motion passed 7-0

Council Member McConnehey thanked staff for the work that went into the Drought Management Plan.

b. Reconsider amending Section 13-5b-8 Accessory Dwelling Units for single family dwellings in residential zones

Mr. Gardner reported changes requested by the Council, clarifying that the owner of record should live on-site, were incorporated into the Accessory Dwelling Unit Ordinance. Council Member Pack asked if an owner of record would need to go through the Good Landlord program. Mr. Gardner responded the Good Landlord program was more of a business license issue.

MOTION: Vice Chair Green moved to approve Ordinance No. 22-21 amending Section 13-5b-8 Accessory Dwelling Units for single family dwellings in residential zones.
Council Member Worthen seconded the motion.

The vote was recorded as follows:

Chair Whitelock	Yes
Vice Chair Green	Yes
Council Member Bloom	Yes
Council Member Jacob	No
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Worthen	Yes

The motion passed 6-1

9. CONSENT ITEMS**a. *Approve Meeting Minutes***

- ***May 25, 2022 – Work Session and Regular City Council Meeting***

MOTION: Council Member McConnehey moved to approve Consent Item 9a.
Vice Chair Green seconded the motion.

The vote was recorded as follows:

Chair Whitelock	Yes
Vice Chair Green	Yes
Council Member Bloom	Yes
Council Member Jacob	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes
Council Member Worthen	Yes

The motion passed 7-0

10. CITY COUNCIL REPORTS/REMARKS**a. *Council Office Report***

The Council skipped this item due to the late hour.

b. *City Council Reports / Remarks*

The Council skipped this item due to the late hour.

c. *New Business Reports*

A list of new business items expected to appear on a future agenda was included with the meeting agenda for review.

- Consider **Ordinance No. 22-19** a petition by Gardner Company / Ben Seastrand requesting the approval of a Master Development Agreement for Jones Landing located at 6835 West 9800 South
- Consider **Ordinance No. 22-22** a petition by Gardner Company/ Ben Seastrand requesting a rezone of 62 acres from A-1 Zone (Agriculture 1-acre lots) to M-1 Zone (Light Manufacturing) Zone for Jones Landing located at 6835 West 9800 South
- Consider approving **Resolution No. 22-021** approving a substantial amendment to the Program Year 2019 Annual Action Plan for CARES Act funds and authorizing the Mayor to sign associated agreements
- Consider **Ordinance No. 22-32** amending the 2009 West Jordan City Code enacting Pet Boarding as a definition and conditional use in certain Commercial and IOZ Zones, and related provisions; Section 13-5E-3 and 13-6K-4, and the “Kennel” and “Pet Boarding” definitions in Section 13-2-3

- Consider **Ordinance No. 22-33** amending the 2009 West Jordan City Code Sections 12-4-1 and 12-4-5 amending the materials enhancement provisions for legal non-conforming signs, including but not limited to such signs that are required to be removed for roadway widening or replacement
- Consider **Ordinance No. 22-34** a petition by Ryan Peterson/Peterson Development for The Villas at Stone Creek located at 4977 West 7800 South for an amended Stone Creek Master Development Plan and **Ordinance No. 22-35** a General Land Use Map Amendment for approximately 30 acres from Professional Office, Medium Density Residential, Neighborhood Commercial, and Parks and Open Land designations to Medium Density Residential, Neighborhood Commercial, Parks and Open Land; P-C(ZC) Zone
- Consider **Resolution No. 22-022** providing advice and consent for Steven Melander to serve on the Airport Advisory Board
- Consider **Resolution No. 22-024** providing advice and consent for Skyler Crouch to serve on the Healthy West Jordan Committee

d. Unfinished Business Reports

A list of unfinished business items from previous agendas was included with the meeting agenda for review.

- **Veteran's Memorial Park Master Plan** – introduced to Council during a Work Session on February 9, 2022. Currently with Administration.
- **West Jordan Cultural Arts Society Contract Revision** – WJCAS reported to Council on April 13, 2022. Council discussed contract with WJCAS further during a Work Session on April 27, 2022 and requested contract revisions. Currently with Administration.

e. Council Chair Housekeeping Items

This item was skipped due to the late hour.

11. ADJOURN

Vice Chair Green moved to adjourn the meeting.

Council Member Jacob seconded the motion.

The vote was recorded as follows:

Chair Whitelock	No
Vice Chair Green	Yes
Council Member Bloom	Yes
Council Member Jacob	Yes
Council Member McConnehey	No
Council Member Pack	No
Council Member Worthen	Yes

The motion passed 4-3

The meeting adjourned at 11:13 pm

I, Cindy Quick, hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on June 8, 2022. This document constitutes the official minutes for the West Jordan City Council meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 22nd day of June 2022