

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

Wednesday, February 8, 2012

6:00 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

COUNCIL: Mayor Melissa K. Johnson and Council Members Judith M. Hansen, Clive M. Killpack, Christopher M. McConnehey, Chad Nichols, Ben Southworth, and Justin Stoker.

STAFF: Richard L. Davis, City Manager; Jeffrey Robinson, City Attorney; Melanie Briggs, City Clerk; Tom Burdett, Development Director; Janice Larsen, Finance Manager/CFO; Marc McElreath, Fire Chief; Wendell Rigby, Public Works Director; Doug Diamond, Police Chief; Greg Mikolash, City Planner; Bill Baranowski, Traffic Engineer; Tim Heyrend, Utilities Engineer; Dave Murphy, Capital Improvement Projects Manager; Greg Davenport, Staff Engineer; Robert Thorup, Deputy City Attorney; Roger Payne, Utilities Engineering Manager; Jared Millgate, Wastewater System Operator, and Steve Holmes, Fire Marshal.

6:00 P.M. CITY COUNCIL MEETING

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

The Pledge of Allegiance was led by Troy Luke.

I. COMMUNICATIONS

CITY MANAGER COMMENTS/REPORTS

STRATEGIC PLAN ACTION COMMITTEE (SPAC)

Richard Davis informed the Council that the first Strategic Plan Action Committee (SPAC) meeting was being held Thursday, February 9, 2012.

ECONOMIC DEVELOPMENT COMMITTEE

Richard Davis updated the Council on the status of the Economic Development Committee.

'MEET THE CITY DAY'

Richard Davis reminded the Council of the 'Meet the City Day' on Wednesday, March 7, 2012.

COUNCIL LIAISON

Councilmember Killpack indicated he would be the Council liaison for the Strategic Plan Action Committee.

**CITY COUNCIL COMMENTS/REPORTS
EXPRESSION OF APPRECIATION**

Councilmember Nichols expressed his appreciation to all those in attendance for the City Council meeting.

'COMMIT TO BE FIT' PROGRAM

Councilmember Killpack reported that the Association of Municipal Council's along with the Salt Lake County Health Department had launched a 'Commit to be Fit' program, in effect until September 2012. He reported on the different types of competitions such as Healthiest city, fittest group, etc. He hoped to involve the Healthy West Jordan Committee in this program.

'FACES OF WEST JORDAN'

Councilmember Killpack suggested the possibility of holding a 'Faces of West Jordan' photography competition.

'FAIR HOUSING AMENDMENT ACT'

Councilmember Killpack suggested having the Disability Law Center Representative contact the City Attorney's Office regarding the 'Fair Housing Amendment Act' and how it might affect the City.

WESTERN STAMPEDE

Councilmember Southworth updated the Council on the activities regarding the Western Stampede Committee.

LEGISLATIVE ROUNDUP

Mayor Johnson reminded the Council of the Legislative Roundup this coming Saturday, 8:00 a.m., at Pioneer Valley Hospital.

'TOWN HALL MEETING'

Mayor Johnson reminded the Council of the 'Town Hall Meeting' Thursday, 7:00 p.m. at City Hall.

COUNCIL RULES, POLICIES, AND PROCEDURES

Mayor Johnson provided Councilmember's with a copy of Section D.1. of the Council Rules, Policies and Procedures, regarding communication with staff. She reviewed the procedure for handling requests for information and/or projects with City staff.

**STAFF COMMENTS/REPORTS
HAZARDOUS MATERIALS FUND**

Marc McElreath reported that the Hazardous Material funds collected by Salt Lake County, had been received by the City of West Jordan. He reported that the funds would be used for the City's Hazardous Materials Program.

There were no other comments.

II. CITIZEN COMMENTS

Melanie Johnson, West Jordan resident, voiced her safety concerns regarding the school crossing at 2200 West 7600 South. She commented on the number of students using the intersection without a crossing guard. She said the two existing school crossing lights had not been activated, yet this year. She requested the Council considered installing the flashing strobe lights.

Mayor Johnson reported that later in the meeting Council would be addressing a specific area regarding pedestrian safety, which was a follow-up to an earlier community meeting. However, a meeting in the future with the Community Council would be held to discuss pedestrian safety, and safe walking route plans.

Sharon Jensen, Principal of West Jordan Middle School, reported that student safety was a problem. She commented on the possibility of using low cost options to improve student safety.

Nola Bunkall, West Jordan resident, voiced her concerns regarding the amount of traffic, and the number of people ignoring traffic laws in West Jordan.

Dirk Burton, West Jordan resident, opposed the proposed Stormwater Fee increase.

Dan Griffiths – February 9, 2012 1:19 PM

“I noticed that agenda items 7g, 7h, and 7i all impact the budget. As a committee, we have reviewed these issues when they have come up in past years, but have not discussed or reviewed the current proposals as they were only released last week. As the budget committee chair, I offer the services of the committee to assist in reviewing these items and if desired, to provide feedback or recommendations to council. Please let us know what we can do to assist.”

There was no one else who desired to speak.

III. CONSENT ITEMS

- 5.a Approve the minutes of January 25, 2012, as presented**
- 5.b Approve the service in lieu of fees and deposit with the Silverado’s 4-H Club for 2012 season**
- 5.c Approve Resolution 12-13, authorizing the Mayor to execute Amendment No. 6 with Project Engineering Consultants (PEC) for construction observation and wetlands permitting compliance for the Bateman Pond project, in an amount not-to-exceed \$6,400.00**

MOTION: Councilmember Nichols moved to approve Consent Items 5.a, 5.b, and 5.c. The motion was seconded by Councilmember Hansen.

A roll call vote was taken

Councilmember Hansen	Yes
Councilmember Killpack	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Johnson	Yes

The motion passed 7-0.

IV. PUBLIC HEARING

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 12-04, REZONING 8.5 ACRES FROM A-1 (AGRICULTURAL 1-ACRE LOTS) TO PRD(H) (PLANNED RESIDENTIAL DEVELOPMENT, HIGH DENSITY WITH 10 UNITS PER ACRE MAXIMUM DENSITY), LOCATED AT APPROXIMATELY 9300 SOUTH 2200 WEST, DANNEN DEVELOPMENT/JOSH BECKER, APPLICANT

Tom Burdett said the Planning Commission reviewed this rezone request at the January 10, 2012 meeting and forwarded a positive recommendation to the City Council for approval of the rezone with a 4-2 vote.

He said the subject property was annexed into the City on October 16, 2001. The property was currently utilized for agricultural purposes, and contained two dwelling units which would be removed upon construction of the proposed project. When the property was annexed into the City, it was given a zoning designation of A-1 (Agricultural, one-acre lot minimum) and a Land Use Designation of Rural Residential. The land use on the property was changed with the 2003 General Plan to High Density Residential, while the zoning designation had remained the same. No change to the land use designation was considered during the current update to the General Plan.

The City had an application to locate a cell tower on the property in 2009. That application had been withdrawn by Clearwire Wireless, LLC in 2010, with no final action taken by the City.

Tom Burdett turned the time over to Greg Mikolash.

Greg Mikolash provided the Council with the following information:

GENERAL INFORMATION & ANALYSIS

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

	Future Land Use	Zoning	Existing Land Use
North	Very Low Density Residential	RE-.5G	Kensington Park Estates
South	Low Density Residential (South Jordan City)	R-2.5 (Single Family Residential with up to 2.5 lots/acre (South Jordan City))	Single-family Residential
East	High Density Residential	PRD (MF6.6)	Jordan Villas Condominiums
West	Low Density Residential	RR-.5F	Brown Meadow Phase 5

He reported that the applicant was requesting a rezone of the subject site to allow for a high-density residential use, consistent with the General Plan and land use map. Specifically the applicant was requesting a PRD (H) (Planned Residential Development, high-density up to ten units per acre maximum density) zoning designation. The High Density Residential Land Use Designation which was on the property had a density range of 5.6 to 10-units per acre. The applicant was requesting the maximum ten units per acre allowed within this land use density range. To meet the higher density range of the PRD (H) category, density bonuses must be applied to the zone per Section 13-5C-8B of the zoning ordinance. Also required with the PRD zone was the submittal of a preliminary and final development plan per Sections 13-5C-7 and 13-5J-10. If no bonus was applied, the lowest density as defined in shall be used (i.e. 5.6 d/u). If bonus density was to be applied, they may only increase density to the maximum defined within the PRD (H) range (10 d/u).

Though a conceptual plan had been submitted, the details needed to grant density bonuses had not. This information would need to be submitted for Preliminary Development Plan review and approval where in accordance with Section 15-2-4E of the zoning ordinance, any residential development seeking to establish approval of density in a planned zoning district shall be approved by the planning commission, with subsequent consent from the City Council. In other words, final density within the PRD (H) zone would be granted following preliminary development plan approval.

The property was 8.5-acres in size, which would allow for a maximum of eighty-five (85) dwelling units to be constructed on the property, assuming the bonus density criteria had been met. Per the concept site plan as submitted, the applicant was proposing to build eighty (80) condominium units. The concept site plan included twenty (20) 2-story buildings, with 4-units per building.

FINDINGS OF FACT

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

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

Discussion: The subject property was located within the *High Density Residential* land use designation.

The General Plan encouraged a diversity of housing types and densities within residential areas (Goal 4, pg. 17). The immediate area does have an array of housing stock, including large lot single-family, senior housing, and apartments. The existing housing stock, however, does not cater to young professionals and small families, the very demographic the applicant was proposing to market the property towards. The proposed rezone would provide additional options for housing within the neighborhood and the City, while falling within the allowed density range permitted by the High Density Residential Land Use designation.

The General Plan also called for the highest level of design, function, and appearance standards to be utilized by the City; (Goal 4, Policy 2, IM 3, pg. 17). The proposed rezone to the PRD zone would require additional design, open space and architectural standards then could be found in a regular residential zoning district, i.e. R-3 zone. As noted previously, a preliminary and final development plan would need to be submitted, these documents would illustrate the quality, design, and bonus density awarding projections for the project.

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

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

Discussion: The properties to the east were developed as senior housing with a High Density Residential Land Use and a density of 6.6 dwelling units per acre. While properties to the north, west, and south were single-family, staff believed development under the proposed zoning was compatible. The applicant was proposing two-story buildings with a potential total building footprint of 2,500-square feet, and 4-units per building. The lot and bulk standards within the Planned Residential Development zoning district were approved on a case-by-case basis in the Development Plan, allowing for a variety of building configurations and integration of various compatible residential uses. This allowed the building setback, height, lot area, and open space to be designed in a way

that worked best for the subject property and neighboring developments.

In addition, the properties to the west were separated from the subject site by a canal. Coupled with the canal access road, a natural barrier between 50-foot and 70-foot wide would separate the single-family residences to the west from any development impacts.

While no such natural buffer existed between the subject property and the subdivisions to the north and south, a buffer would be required with any development of the site. A landscape buffer at least 20-feet in width would be required, with tree plantings numbering a minimum of one tree per 400-square feet of landscape buffer area. The trees should help to mitigate visual and auditory impacts. The concept site plan showed a potential 30-40-foot landscape buffer area. In comparison, the adjacent single-family subdivisions had a minimum rear yard setback of 25-feet.

To date, adequate 4-sided building profiles had not been submitted which relate specifically to the submitted conceptual site plan. Because of this, staff would like to strongly emphasize that building elevations of high quality design would be required with the preliminary site plan and preliminary development plan submittals.

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

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

Discussion: The PRD zoning district had specific standards which shall be met in addition to what would normally be required in a standard residential zoning district. These specific requirements cover items such as garage door placement, setbacks, building heights and open space. In addition, the Development Plan and Site Plan were reviewed by both the Planning Commission and the Design Review Committee during the approval process, where final density awarding was approved consensually by the City Council. These additional standards ensure a development that was compatible with surrounding neighborhoods and would not harm the public health, safety, or welfare of the City as a whole.

Two studies were brought up by a citizen during the January 10, 2012 Planning Commission meeting. Staff had provided further information on these specific studies in Exhibit G, included in the City Council's agenda packet.

Finding: The proposed amendment furthers the public health, safety, and general welfare of the citizens of the City.

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

Discussion: The Engineering Department had determined that the City would have the ability to service the property with water, sewer, streets, and storm drainage. A Traffic Impact Study would be required for any development-taking place on the property at the time of Site Plan application. The Police and Fire Departments would review any proposed developments at the time of site plan application to ensure full serviceability. The memo from the Engineering Department Exhibit F was included in the City Council's agenda packet.

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

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

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

Finding: This criterion does not apply.

Criteria 6: *A finding was made that there were adequate school facilities, if the amendment was to the zoning map, and if section 13-7A-4 of this chapter (adequate school facilities) was applicable.*

Discussion: Section 13-7A-4 required a finding for adequate school facilities when a rezone application was for a change in zoning classifications from nonresidential to residential, or a rezone which would maintain a residential use but would increase the density. Jordan School District had reviewed the requested change in zoning and had determined that they can provide services to elementary, middle and high school students. The School Districts comments can be found as Exhibit E included in the City Council's agenda packet.

Finding: The School District had determined that there were adequate school facilities for the proposed zoning district.

Greg Mikolash said the proposed rezone would allow for diversity in housing options for the City and the immediate neighborhood, as called for in the General Plan. While the existing variation in density ranges within the neighborhood catered to a wide range of citizens, the proposed zoning district would provide another option for housing that was not currently available in the area.

The Planned Residential Development zoning district provided additional standards than a typical residential zone. These requirements would allow the City to thoroughly review any proposed development on the site and custom design the lot and bulk standards for the particular site and proposed development. This oversight would ensure the development of the property was compatible with the neighborhood and adjacent properties. The Development Plan, Site Plan, and Condominium/Subdivision Plat must be reviewed by the Planning Commission and the Design Review Committee in accordance with Sections 13-5-C2(A-C), 13-5C8(A & B), and 13-5J10. Approval of the final density within the 5.6 to 10-units per acre density range found within the PRD (H) zoning district is approved by the City Council with the approval of the Preliminary Development Plan (typically submitted with the preliminary site plan and subdivision). The City Code also required a Traffic Impact Study to ensure 2200 West can manage the additional traffic and a landscape buffer yard adjacent to the northern and southern subdivisions to provide visual and auditory mitigation.

He said the fiscal impact would be the potential increase to emergency response teams.

Staff recommended that the City Council approve the rezone for 8.5 acres of property generally located at 9300 South 2200 West from A-1 (Agricultural one-acre lots) to PRD (H) (Planned Residential Development, high density with up to ten units per acre) zone, subject to density bonus allowances regulated by the zoning ordinance.

The Planning Commission voted 4-2 in favor of supporting staff's recommendation for the proposed rezone on January 10, 2012.

The Council and staff discussed clarifying questions. They addressed what was needed in added amenities in order to increase the density.

Josh Becker, applicant, reiterated that the high-density designation had not changed in the General Plan. He said all of their traffic would feed onto 2200 West, and not into neighboring communities.

Justin Stoker asked what the status was regarding the traffic study.

Josh Becker indicated that a traffic engineer stated the amount of traffic did not warrant a full traffic study.

Mayor Johnson opened the Public Hearing.

Roxane and Chuck Nelson, South Jordan residents, were against the density portion of this project. Roxane reported that David McKenney, West Jordan Planning Commission Chair, voted to approve the rezone, but objected to the high density and suggested medium density. She said the applicant proposed a 3-acre park, which would place the proposed 20 4-plex buildings in a 5.5-acre area, not an 8.5-acre area. She voiced her concerns regarding the size of the units, and commented on the information provided to the Jordan School District regarding whom these homes/condos would be marketed. She said the only school within walking distance was Hawthorne Academy, and additional school buses would create further congestion. She requested information regarding the proposed location of the new waterline.

Justin Olsen, South Jordan resident, felt it was appropriate for a change to be considered regarding the General Plan, for this area. He said the proposed units would affect the surrounding areas, and therefore the proposed rezone should be denied. He suggested having a traffic study performed.

John Davis, President of the Kensington Park Home Owners Association, and West Jordan resident, said their association opposed the proposed City ordinance for the following reasons:

Adversely affect adjacent properties

- Significantly changed the low-density land use to the north/south/west of the property
- Negatively affected property values
- Additional traffic
- Noise

He suggested low-density housing in the area.

Larry Haggerty, South Jordan resident, stated there were 1,000 high-density units within a three-quarter mile round from his home, including the units being proposed. He felt homes values in the area would continue to decrease. He briefly commented on the increase in public safety, due to high-density housing. He asked the Council to vote against the proposed rezone.

Del Bartel, West Jordan resident, was concerned that there was not a valid buffer for the nearby property owners. He felt earlier staff made their decision regarding the high density only on the developing property to the east. He said none of the surrounding residents objected to low density housing.

Don Warburton, West Jordan resident, was against the high density being proposed. He reported that if this were to pass, high density would be the first thing people would see when entering West Jordan from South Jordan. He suggested low-density housing in

order to be consistent with the neighbors to the south in South Jordan and nearby low density in West Jordan.

James McQueen, West Jordan resident, addressed a video from earlier in the evening regarding the traffic on 2200 West 9000 South. He asked the Council to consider the traffic and safety impact to residents in the area.

Karen Dumouchel, West Jordan resident, commented on the problems affecting residents since Hawthorne Academy opened. She felt if this proposed rezone was approved it would add to an existing nightmare for residents.

Paul Meiling, West Jordan resident, said in the past he had lived in apartment(s), he was not anti-development, but listed some of the reasons he opposed the proposed project. He urged the Council to vote against the proposed Ordinance.

Dale Bailey, West Jordan resident, resided on a ½ acre of property for the last 14 years and believed that zoning had continued to devalue his property. He agreed that traffic was a big concern for this area.

Brent McNee, South Jordan resident, felt the proposed rezoning was not consistent with the surrounding area. He opposed the proposed rezone, and asked the Council to consider medium density.

Darrin Balfour, West Jordan resident, spoke against the proposed rezone. He suggested developers place high density housing near the new TRAX lines.

Michelle Clark, West Jordan resident, stated there was already enough traffic issues with the school on the corner. There was also no middle turn lane or a right turn lane on 9000 South 2200 West. This could bring more crime to the area and bring property values down.

Carie Winder, South Jordan resident, agreed with responsible development. She commented on the following issues:

- Students from four different schools use 2200 West as a walking path
- Maintaining the integrity of the community
- Traffic
- Safety

She asked for the Council consideration regarding this rezone.

Marge Wassmer, West Jordan resident, addressed the issue of crime. She felt in high-density areas, crime increased.

Brent Wassmer, West Jordan resident, commented on the reasons the Planning Commission suggested approval of this rezone. He felt this area was already diversified

enough, and suggested half-acre lots with single-family dwellings. He urged the Council to vote against the proposed rezone.

Carrie Davenport, West Jordan resident, agreed with statements made by the previous speakers. She opposed high density on this location.

Ron Davenport, West Jordan resident, agreed with the previous speakers that the proposed high density would affect crime in the area, and devalue the existing homes.

Thomas Udy, West Jordan resident, opposed the proposed Fullmer rezone. He objected to buildings that were not similar to his neighborhood. He agreed with the previous speakers comments. He said three sides of the proposed rezone was surrounding by low density to very low-density housing. He quoted Planning Commission minutes from January 12, 2012, and encouraged the Council to consider a lower density for this property.

Randy Barker, West Jordan resident, also agreed with the previous speakers comments. He asked the Council to vote 'no' on the proposed rezone.

Mayor Johnson reported that five additional residents were against the proposed rezone.

Larry Fullmer, stated his family had been on Fullmer property since 1880, and when the current developments when into the area, they did not oppose them. He was in favor of the proposed rezone.

Kathy Johnson, South Jordan resident, reported that someone on the General Plan Committee stated that there was a cap on high-density zoning, and the City was currently at the capped number. She asked if this rezone were approved, would the public still be allowed the time to comment as this moves forward. She requested the Council consider the density issue.

Mayor Johnson explained that there was not a cap to high density, but there were suggested ratios. She reported that the City's high-density percentages were currently higher than the suggested ratio.

Elizabeth Romero, West Jordan resident, recommended changing the A-1 (Agricultural 1-acre lots) to Residential .5-G (1/2-acre lots). She felt there was a demand for 1/2-acre lots.

James Romero, West Jordan resident, commented on the traffic and parking, when the school day starts and ends. He reported that he had been threatened by parents picking up their students, when they were asked to move from his driveway.

Randy Tyson, felt it was time for a face-lift of the Fullmer property. He felt this property should be granted the rezone request. Throughout the years, the Fullmer family has not

complained about the growth next to their property. He said this development was not being proposed as apartments or rental properties. He felt the integrity of the area would be maintained.

Jay Fullmer, said former nearby neighbors to the Fullmer property, sold their property in order to allow for development. With the recent passing of his brother, Don Fullmer, the family felt it was time to sell the property. He asked that the rezone be approved.

Flo Waterton, West Jordan resident, would like to see the Fullmer property be zoned for single-family residential.

Jett Fullmer, West Jordan resident, said the residents in the nearby developments would never have stood up and objected to the developments they currently live in. As for the traffic, it was a school problem and should not affect this proposed rezone. He felt the proposed rezone, should be approved.

Shareen Neff, spoke in favor of the proposed rezone. She said this type of housing would translate into tax dollars for West Jordan. People purchasing these homes would invest in their homes the same as everyone else.

Richard Poole, West Jordan resident, addressed the earlier plans for Carrington Place. He commented on all of the schools feeding into 2200 West. He felt his property had been devalued by allowing the school, and its traffic. He was in favor of developing the Fullmer property to a lower density.

Craig Robbins, said residents were not against progress, but would like intelligent progress. He recommended that this rezone be tabled until a traffic study could be completed.

Rick Tyson, spoke in favor of the rezone. He felt this issue should be left to the engineers and developers, who have the knowledge to deal with these types of issues.

Mel Bunkall, West Jordan resident, said that he appreciated the Fullmer Family. He said when he bought his home in the Williamsburg Subdivision; he was treated wonderfully and welcomed with open arms. He understood the property value concerns of the nearby residents. He preferred the single-family dwellings, rather than the two-story structures.

There was no one else who desired to speak. Mayor Johnson closed the Public Hearing.

Mayor Johnson expressed her appreciation for those in attendance. She reported that the Council made decisions based on what was considered the most balanced between property rights. She said the Council would only be discussing the criteria allowed.

Councilmember Southworth expressed his gratitude to the Fullmer family for what they had provided and meant to the City. He strongly believed in property rights. However,

he felt the proposed high density did not belong in this area. He read a portion of the General Plan that addressed high density. He questioned why the General Plan Future Land Use Map supported high density in this location. He felt this was a glaring oversight in the General Plan Future Land Use Map, and was against placing high density in the proposed location.

Councilmember Nichols expressed his condolences to the Fullmer family. He agreed with Councilmember Southworth comments. He agreed that high-density housing in this area was not compatible with the surrounding areas.

Councilmember Stoker reported this would be a prime example of poor planning. He agreed with Councilmember Southworth and Nichols.

MOTION: Councilmember Southworth moved that based on the Finding of Fact, as set forth in the staff report, and that the criteria has not been met in Criteria 2, and the evidence and explanations received today, as well as the evidence found within the Goals and Policies of the General Plan, I move to deny the rezone of 8.5 acres of property generally located at 9300 South 2200 West from A-1 (Agricultural one-acre lots) to PRD (H) (Planned Residential Development, high density with *up to* ten units per acre) zone. The motion was seconded by Councilmember Nichols.

Councilmember Hansen offered her condolences to the Fullmer family. She felt the neighboring communities needed to be considered. She opposed the high-density rezone, and felt the property would be better suited for single-family dwellings on at least one-third acre parcels. She spoke in favor of the motion.

Mayor Johnson spoke against the motion. She felt a traffic study must be completed in order to evaluate the impact to the area. She addressed the zoning of the 2003 General Plan Land Use Map and its designation of this property as high density. She questioned whether Criteria 4, had been met since a traffic study had not been performed.

A roll call vote was taken

Councilmember Hansen	Yes
Councilmember Killpack	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Johnson	No

The motion passed 6-1.

The Council recessed at 8:45 p.m. and reconvened at 8:50 p.m.

V. BUSINESS ITEMS

**RECOMMENDATION FOR A 'MEET THE CITY' NIGHT
WEDNESDAY, MARCH 7, 2012**

Richard Davis recommended the City Council hold a 'Meet the City' night on Wednesday, March 7, 2012. He commented on the following topics which would be part of this event:

- Budget (learning and understanding the Council's goals)
- Committees (Exposure to citizens)
- Feedback – Citizen feedback to some of the following questions:
 - Why did you move to West Jordan?
 - What do you like most about living in West Jordan?
 - What would make you move?

He said other topics would include:

- Transportation/Infrastructure
- Public Safety
- Quality of Life Issues

**DISCUSSION AND POSSIBLE ACTION REGARDING
IMPROVEMENTS TO PEDESTRIAN SAFETY MEASURES**

Wendell Rigby said on January 17, 2012, Mayor Johnson had conducted a residents meeting at West Hills Middle School to hear the resident's concerns regarding safe walking routes for nearby schools. He reported that a traffic signal and 'all-way stop' sign study was requested at the intersection of 8200 South and 5600 West due to a fatal pedestrian accident at this intersection on November 1, 2011. He reported that a student was walking in the morning to West Hills Middle School and ran diagonally in front of a vehicle traveling north on 5600 West. Neighborhood concerns were mainly with pedestrian safety for schoolchildren and general pedestrian safety in the area. The section of 5600 West to the north had been open for only two years and this was the first injury accident at this location. The only other accident during this period, was property damage only, rear-end accident.

Traffic Study Results

The traffic study was completed in November 2011, after the reported pedestrian accident. Neither a traffic signal control nor an 'all-way stop' control was currently justified at the intersection. However, traffic distributions in the area had changed as a nearby section of New Bingham Highway recently closed and was re-routed on 5600 West to 9000 South. This change to 5600 West may have increased traffic at the 8200 South intersection. The traffic signal and stop sign control study memo was provided to the City Council.

The study included the following City staff findings/recommendations:

1. A traffic signal or all-way stop control was not justified at the intersection at this time. An all-way stop control would greatly increase vehicle delay and would not increase intersection safety as stop signs are not warranted in the north-south direction. The intersection should be studied bi-annually in the future to see if it met the installation criteria based on intersection delay and increased traffic volumes.
2. The existing school crosswalk for middle school and elementary school children should remain at its current location, 600-feet to the south of the intersection. There were only two vehicle conflict points at the existing school crosswalk. There was a crossing guard and a reduced speed school zone for this crosswalk. The crossing guard was only there for the elementary school children. The City should consider extending the crossing guard time to include the middle-school children.
3. A paved walkway between the existing school crosswalk on the south edge of the middle school property to the school, would allow elementary school students to reach Grizzly Way and the middle school.

Student Neighborhood Access Plans for Hayden Peak Elementary and West Hills Middle School

The Student Neighborhood Access Plans for the 18 elementary and three middle schools in West Jordan City were reviewed each year in February. The following information was included in the plans:

- Safe walking routes to travel;
- School crosswalk locations;
- Stop signs and traffic signals, yield signs, and marked crosswalks;
- Crossing guards; and
- School bus loading zones.

The plans also included a written description for walking to school from each separate neighborhood. The school provided a list of issues and concerns requiring consideration from the City. The City and the school then agree to change the plan or to add sidewalks, crosswalks and/or crossing guards as needed. The plan was signed by the school principal, community group and the PTA. The City signatures were from the City Police, City Traffic Engineer, and City Capital Improvement Project Manager.

After the last SNAP plan was prepared, the City installed a new school crosswalk across 5600 West at 8300 South with 20 MPH Reduced Speed School Zone flashers and a crossing guard. It was installed in August 2011 for Hayden Peak Elementary students and West Hills Middle School students. It was located at the western gate to the middle school. Students must walk through the middle school lot to reach Grizzly Way and walk up Grizzly Way to Hayden Peak Elementary. The new crosswalk was added when the

Jordan School District discontinued busing from the neighborhood to Hayden Peak. The crosswalk was previously used only by High School and Middle School students and was located about 200-feet to the south at Mirror Lake Drive (8370 South). The crosswalk was moved to the north and upgraded to a school crosswalk with the addition of the Hayden Peak elementary school students.

A meeting with the Jordan School District and the neighborhood located to the west of West Hills Middle School was held on January 17, 2012. The discussion focused on the pedestrian safety of students crossing 5600 West, but general pedestrian safety for all pedestrians was also a concern and was discussed.

The following was a list of pedestrian safety recommendations that were presented by the City at the January 17 meeting:

Short Term Recommendations

1. The existing school crosswalk across 5600 West should remain at its current location near the southwest corner of the Middle School.
2. The school crossing guards should add hours to include the Middle School students as well as the Hayden Peak Elementary Students.
3. Construct a hard surface path from the fence opening on the southwest corner of the middle school east to the middle school.
4. Close the fence opening on the northwest corner of the Middle School near 5600 West.
5. Close the fence opening to 8200 South on the north side of the Bloomfield Farms private park near 5600 West.
6. Install NO PEDESTRIAN CROSSING signs on the sidewalks on the northeast corner and southwest corners of 5600 West/8200 South.

Long Term Recommendations

7. Study the intersection every two years to see if it justifies installing a traffic signal.
8. Install a pedestrian overpass when the street was widened or BRT (UTA's Bus Rapid Transit) was added to 5600 West.

Wendell Rigby reported that the comments from the residents in attendance at the meeting concerning the intersection at 5600 West and 8200 South and along 5600 West in general, indicated the following:

1. Residents were in favor of installing an 'all-way-stop' at the intersection of 5600 West and 8200 South.
2. Residents were also concerned about general pedestrian safety along 5600 West and in the general area, and asked that push-bottom activated crosswalks be considered in the area to provide increased safety for pedestrians. Their concern

in this area was related to pedestrians not associated with the safe walking routes to school program. Residents mentioned the type of flashers in the area of the High School, which were identified as 'Rapid Rectangular Flashing Beacons (RRFB)'.

As reported in the traffic study, an 'all-way-stop' intersection was investigated; however, it did not meet the basic requirements for 'all-way stop control'. The following was a list of concerns regarding the installation of unwarranted stop signs:

- 'All-way stop' signs do not significantly change the safety of an intersection. 'All-way stop' signs were not used for speed control.
- Liability (accidents caused by all-way stop): Unwarranted 'all-way stops' may present potential liability problems for undocumented exceptions to accepted 'warrants'. Local jurisdictions may be incurring higher liability exposure by violating the MUTCD (Manual of Uniform Traffic Control Devices).
- Stop compliance was poor at unwarranted 'all-way stop' signs. This was based on the drivers feeling that the signs had no traffic control purpose. There was little reason to yield the right-of-way because there were usually no vehicles on the minor street.
- Safety of pedestrians was decreased at unwarranted 'all-way stops', especially for small children. It seemed that pedestrians expect vehicles to stop at the stop signs but many vehicles have gotten in the habit of running the "unnecessary" stop sign.
- Need for additional traffic enforcement: Cost of installing 'all-way stops' were low but enforcement costs were prohibitive. Many communities do not have the resources to effectively enforce compliance with the stop signs.
- Increased traffic delay, noise, and air pollution.
- The level of service of the intersection would be significantly decreased, resulting in delays for drivers in the area.

Wendell Rigby reported that the fiscal impact would depend on what options were selected by the Council to implement.

Wendell Rigby commented on the number of conflict points were pedestrians could conflict with vehicles on 5600 West, and how the current crosswalk reduced the conflict points significantly.

Staff recommended the following be implemented:

Short Term Recommendations

1. The existing school crosswalk across 5600 West should remain at its current location near the southwest corner of the Middle School.
2. The school crossing guards should add hours to include the Middle School students as well as the Hayden Peak Elementary Students.

3. Construct a hard surface path from the fence opening on the southwest corner of the middle school east to the middle school.
4. Close the fence opening on the northwest corner of the Middle School near 5600 West.
5. Close the fence opening to 8200 South on the north side of the Bloomfield Farms private park near 5600 West.

Long Term Recommendations

6. Study the intersection every two years to see if it justifies installing a traffic signal.
7. Install a pedestrian overpass when the street was widened or BRT (UTA's Bus Rapid Transit) was added to 5600 West.

Resident Recommendations

Residents were recommending the following:

- That an 'all-way-stop' be installed at the intersection of 8200 South and 5600 West.
- That the City consider adding 'Rapid Rectangular Flashing Beacons' for streets in the area, to provide for general pedestrian traffic safety.

Mayor Johnson reported that during the January 17, 2012 meeting, City residents also requested that crossing lights be added for high school students crossing Grizzly Way. She said various groups throughout the City wanted safer and more easily identified crossing areas. She commented on two recommendations which were brought up at the earlier meeting:

- Three-way stop

She felt if a three-way stop was added to 5600 West 8200 South, it would be necessary to add two crossing guards for elementary and middle school students.

- Signage indicating 'NO PEDESTRIAN CROSSING'

Councilmember Stoker clarified that the 'all-way-stop' was recommended in hopes of slowing the traffic. He said without pavement marking and closing the access points, pedestrian crossing at 8200 South 5600 West would be discouraged.

Councilmember McConnehey questioned whether speed tables had been considered in this area.

Mayor Johnson reported that speed tables were never placed on collector streets.

Councilmember McConnehey suggested that crossing guards near the crossing at 2200 West 7600 South turn on the flashing school lights as part of their duty.

Mayor Johnson was unsure whether school zones could use flashing lights, if there were no crossing guards present. She said this would need to be researched. She suggested meeting with the Community Council to involve the community.

Councilmember McConnehey questioned whether the crosswalk slated for later in the year on Harvest Lane, could be expedited.

Mayor Johnson explained the roll of the Community Council, schools, and the City of West Jordan.

The Council agreed to direct staff to: 1) Check to see if staff was allowed to turn on school zone lights at (7600 South 2200 West), and if possible, turn them on; 2) See if the crosswalk slated in August on Harvest Lane, could be expedited; 3) Look for ways to improve/increase pedestrian safety when meeting with the School's Community Council; 4) Having the Traffic Engineer check into the possibility of yellow diamond signs, and yellow speed signs, for the area of the S-bend by West Hills High School, and see if there was an appropriate place to put a crossing for the High School students from the area to the east.

The Council and staff reviewed the five short-term recommendations and two long-term recommendations.

The Council was in agreement with staff's recommendations 1-7, with the understanding that items 3, 4, and 5 were not within the City's jurisdiction.

Short Term Recommendations

1. The existing school crosswalk across 5600 West should remain at its current location near the southwest corner of the Middle School.
2. The school crossing guards should add hours to include the Middle School students as well as the Hayden Peak Elementary Students.
3. Construct a hard surface path from the fence opening on the southwest corner of the middle school east to the middle school.
4. Close the fence opening on the northwest corner of the Middle School near 5600 West.
5. Close the fence opening to 8200 South on the north side of the Bloomfield Farms private park near 5600 West.

Long Term Recommendations

6. Study the intersection every two years to see if it justifies installing a traffic signal.
7. Install a pedestrian overpass when the street was widened or BRT (UTA's Bus Rapid Transit) was added to 5600 West.

The Council discussed clarifying questions and opinions regarding the requests from the residents:

1. Residents were in favor of installing an 'all-way-stop' at the intersection of 5600 West and 8200 South.

The Council was not in favor of the 'all-way-stop'.

2. Residents were also concerned about general pedestrian safety along 5600 West and in the general area, and asked that push-bottom activated crosswalks be considered in the area to provide increased safety for pedestrians. Their concern in this area was related to pedestrians not associated with the safe walking routes to school program. Residents mentioned the type of flashers in the area of the High School, which were identified as 'Rapid Rectangular Flashing Beacons (RRFB).'

The majority of the Council was in favor of the 'Rapid Rectangular Flashing Beacons.'

MOTION: Mayor Johnson moved to direct staff to install a 'Rapid Rectangular Flashing Beacons' at the already existing crossing on 5600 West and approximately 8300 South. The motion was seconded by Councilmember Stoker.

The motion was withdrawn based on the comment made by Bill Baranowski regarding the 'Rapid Rectangular Flashing Beacons' and 'Reduced School Zones' were not allowed in the same location.

Councilmember Southworth suggested the Council review the citywide policies regarding crossings.

Mayor Johnson reported that the City's policy was to take the recommendation of the Traffic Engineer, in every situation. She commented on the number of students, residents, and citizens using the City's sidewalks, crosswalks, and intersections and how extremely safe they were. She credited the City's crossing guards for their work providing information the students. She felt crossing situations (lights, signage, etc.) should be handled case by case, and sting operations should be utilized.

Mayor Johnson said she would sign a letter requesting that items 3, 4, and 5 be handled. Also being provided was a letter to all schools indicating that the City would offer assistance in addressing any of the safe walking routes generated by the Community Council.

DISCUSSION AND POSSIBLE ACTION REGARDING AN UPDATE OF THE 2012 LEGISLATIVE SESSION

Robert Thorup highlighted a few of the House Bills and/or Senate Bills currently in the 2012 Legislative Session which might affect the City:

House Bill 49

House Bill 273

House Bill 310

Senate Bill 136

Mayor Johnson recommended that the Council take a united front, having the Attorney's Office draft a letter stating their opposition to Senate Bill 136, having all

Councilmember's sign the letter, and submit it to all Senators and Legislators within the City's boundaries. The Council agreed to provide a copy of the letter to the Utah League of Cities and Towns.

The Council requested a legislative update at the next meeting, if needed.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 12-14, DEDICATION, AND ACCEPTANCE OF FEULNER PARK

Jeff Robinson explained that the Utah Department of Transportation (UDOT) was currently constructing the Mountain View Corridor which bisects the City of West Jordan. UDOT was constructing bridges over most of the existing City streets, but asked the City for permission to close Wells Park Road rather than constructing a bridge, which would eliminate the need for UDOT to relocate SME Steel's operations. Therefore, on December 9, 2009, under Resolution No. 09-188, and on August 10, 2011, under Ordinance No. 11-22, the City Council approved the closure of Wells Park Road, subject to UDOT meeting certain conditions.

One of the conditions the City Council placed on UDOT was a requirement to construct an extension of Feulner Park Road to Dannon Way, and then to convey the Feulner Park Road extension to the City, which would mitigate any negative emergency access and traffic impacts from closing Wells Park Road.

Construction of the Feulner Park Road extension was completed on or around November 1, 2011, and the deeds were evidence of UDOT's intention to fulfill its conveyance obligation.

Staff recommended the City Council approve acceptance of the Quit Claim Deeds from UDOT.

Jeff Robinson clarified that this did not fulfill all of the conditions to record the Ordinance vacating Wells Park Road.

MOTION: Councilmember Killpack moved to adopt Resolution 12-14, to accept the Quit Claim Deeds from Utah Department of Transportation. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Hansen **Yes**
Councilmember Killpack **Yes**
Councilmember McConnehey **Yes**
Councilmember Nichols **Yes**
Councilmember Southworth **Yes**
Councilmember Stoker **Yes**
Mayor Johnson **Yes**

The motion passed 7-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 12-15, APPROVING THE SIDEWALK IMPROVEMENT PROGRAM PRIORITIZATION PROCESS

Wendell Rigby reported that staff had updated the process for selecting sidewalk projects in light of the limited funding the City had available, and the need for sidewalks throughout the City.

Wendell Rigby turned the time over to Dave Murphy.

Dave Murphy explained that most subdivisions built since approximately 1985, had been required to include sidewalk construction as part of the development of the subdivision. Focus was therefore placed upon arterial and collector streets that were missing sidewalks. All missing sidewalks along these streets were identified and were then graded on a point system with the following criteria: Safe school walking route, donation of right-of-way, right-of-way acquired through purchase, sidewalk location was part of an infill area (not likely to have development fill in sidewalk), connects areas of the City to TRAX station locations, missing section also improves a bike route, potential pedestrians affected (school students first, general public second), Average Daily Traffic in increments of 5000 vehicles per day, coordination potential with other City capital projects, public involvement and requests, and full funding potential for the project.

The point system developed for these criteria was shown below:

CRITERIA	POINTS
1. Safe School Walking Route	30
2. Right of Way has been donated	20
3. Right of Way was owned by the City	5
4. Connects to a TRAX station	10
5. Infill area improves a bike route/trail access	5
6. Potential Pedestrians Affected	5
7. Average Daily Traffic in increments of 5000 VPD (1-5) (sliding scale of 1-5 depending on traffic)	5
8. Coordination with another City project	5
9. Public involvement	5
10. Full funding available	10

He said the scaling of the points system was meant to reflect the relative importance of each factor, and to provide technical guidance as to which project was more likely ready for construction.

The spreadsheet included in the Council's agenda packet showed the missing sidewalk segments throughout the City on the arterial and collector streets. The streets were further broken down into segments that were on State roads, and where the City was interested to build along if those same segments coincide with school safe walking routes. In addition, industrial zoned areas had been split out in the overall breakdown due to the current Code which only required sidewalks along collectors in industrial zones. This Code may need to be re-evaluated in light of charter schools being a viable land use within industrial zones.

The overall estimated cost to complete the missing sidewalks along City streets not in industrial zones was \$14,147,302, in 2011 dollars. The overall estimated cost for all missing segments including UDOT and industrial zones was \$20,741,272. The length of sidewalks represented here was 40.8 miles. The normal annual funding that could be made available for these projects was approximately \$150,000. In the past, funding had ranged from \$150,000 to \$800,000 (project specific amount on 2200 West from Sugar Factory Road to Gardner Lane). To fund these projects by taking funding from pavement maintenance funds was possible, but at the detriment to existing roads.

The Sidewalk Improvement Program represented in the spreadsheet for non-industrial sidewalks could be completed in 27 years with funding of \$528,000 per year. A full 40 years would be required for the entire program including industrial zones and State roads with the same annual funding.

Dave Murphy said it was evident that current funding was extremely inadequate and additional funding sources should be considered. At this time, however, it was vital to prioritize projects in order to put all available funding to best use.

He reported that there was no fiscal impact for this prioritization process. Funding requests for the Sidewalk Improvement Program needed to accomplish this work would be included in future budget discussions.

Staff recommended that the City Council approve the Sidewalk Improvement Program Prioritization Process.

Dave Murphy provided the Council with a project list and noted that Project Number 26 was mislabeled as Gardner Lane, and should be 2200 West.

The Council and staff discussed clarifying questions.

Councilmember Southworth suggested adding 'public facilities' to Criteria Number 4.

Richard Davis reiterated the importance of the criteria list. He said now or in the future there might be the need for consideration of an initiative in order to establish a sidewalk construction program.

MOTION: Councilmember McConnehey moved to adopt Resolution 12-15, approving the Sidewalk Improvement Program Prioritization Process as presented, with the addition of access to public facilities. The motion was seconded by Councilmember Southworth.

A roll call vote was taken

Councilmember Hansen	Yes
Councilmember Killpack	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Johnson	Yes

The motion passed 7-0.

**DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY'S
PAVEMENT MANAGEMENT PROGRAM (2012 TRANSPORTATION
REPORT)**

Wendell Rigby said the 2012 Transportation Report was submitted to inform the City Council of projects completed, in construction or design, and maintenance activities required for the West Jordan road system.

He said previous years funding and expenditures were presented from an overall perspective to enable the City Council to evaluate the effectiveness of current funding levels. The historical representation reached back before the Telecommunications tax was approved and implemented to the present. Future capital and maintenance revenues and expenditures were projected based upon previously adopted Strategic Plan requirements.

Wendell Rigby said the report carried no fiscal impact. Funding for capital expenditures would be at risk with the removal of the Telecommunications tax.

Wendell Rigby turned the time over to Greg Davenport.

Greg Davenport provided the following presentation:

2012 Pavement Management Report West Jordan Roadway Inventory

Street System Category	2008/09	2009/10	2010/11
Road Lane Miles	803	813	820
Arterial Lane Miles	15.73	15.73	15.73
Collector Lane Miles	284.84	284.84	284.84
Residential Lane Miles	502.43	512.51	519.43
Replacement Value of Roadway System	\$269,146,744	\$272,583,373	\$274,755,994
PCI Condition	66	67	69

** Design Life of Average West Jordan Roadway is 20 years unless maintenance activities are completed

Pavement Management

“Pavement Management is not a new concept; management decisions are made as part of the normal operations every day.... The idea behind a pavement management system is to:

- improve the efficiency of this decision making process,
- Provide feedback as to the consequences of decisions,
- and to ensure consistency of decisions made at different levels within the same organization.”

Pavement Management History

- Prior to 2002, PW Street Supervisor created a yearly list of road maintenance projects.
- 2002 – 2006,
Local Transportation Asset Management System (LTAMS) program
Difficult to Maintain
- In 2006
Capital Projects chose Cartegraph PAVEMENTview as its preferred Pavement Management Software.

Pavement Distress Survey

- The Pavement Distress Survey shown was custom report created in Cartegraph and printed out each year for each segment to be surveyed.
- Public Works Street Crews survey ¼ of City in the fall of each year
- When a survey was completed the survey sheet was returned to the Engineering Division for input into Cartegraph

Pavement Condition Index

- Pavement Condition Index and Evaluation Guide

Current Pavement Conditions

- 2011 Pavement Management Report contained 5 Pavement Condition Maps

- Each Map showed street segments colored coded to match an existing pavement condition
- Cartegraph used this information to suggest proper treatments the City should use in its maintenance plan

Transportation Spending

- Prior to 2007
West Jordan Public Works was spending more funds on providing capacity to the City system than on maintenance of its existing roadway system
- Post 2007
West Jordan Public Works is spending more of its funds maintaining the existing roadway system

2011 Transportation Projects

- 9000 South Overlay
- 2700 West – from 7800 South to 8100 South
- 3200 West – from 9400 South to 9000 South
- 4000 West – from 9200 South to Old Bingham Highway
- Old Bingham Highway – from 5600 West to 9000 South merge
- Grizzly Way – from West Hills Middle School to New Bingham Highway

Future Projects

- 3200 West Overlay - from 7000 South to 7800 South
- 4000 West Overlay – from 7800 South to OBH
- Overlay Failed Neighborhood Streets in Map Condition Map Zone 1
- Slurry Seal in Map 1
- Chip Seal – OBH from 5600 West to SR-111
- Chip Seal – 3200 West from 7800 South to 9000 South
- Chip Seal – Jordan Landing Boulevard

The Council and staff discussed clarifying questions regarding maintenance of the roads within the City.

Greg Davenport reported that the City would get longer use of the roads if they were on a regular maintenance cycle. He provided the Council with information which showed how much money was necessary in order to keep up the Pavement Condition Index (PCI) level, but it did not include a maintenance cycle. He said if roads were caught early and were slurry sealed with the right depth, the treatment could last five or six years. If trucks use roads that were not designed for them, then the road would need to be totally reconstructed, and this would be very expensive.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 12-16, INCREASING THE STORMWATER UTILITY FEE FROM \$1.80 TO \$4.50 A MONTH PER EQUIVALENT RESIDENTIAL CONNECTION

Wendell Rigby reported that staff was proposing an increase in the stormwater utility fee to fund existing capital infrastructure projects that were not covered by impact fees, to improve system cleaning maintenance, and to come into compliance with the City's stormwater permit.

He said the City's stormwater utility was similar to the sewer and water utility in that the stormwater system had pipes and infrastructure to clean, repair, and replace; it had federal mandates to comply with; a capital projects program to build infrastructure, and is an important public improvement system to control stormwater where practicable.

Wendell Rigby turned the time over to Tim Heyrend.

Tim Heyrend provided the following information:

Stormwater Program Needs -

The immediate problems and issues that West Jordan faced in stormwater were as follows:

- The City was not in compliance with its Utah Pollution discharge Elimination Permit and was at risk of fines by the State and/or Environmental Protection Agency (EPA).
- The City's stormwater system was not being maintained on a routine or preventative level due to a shortage of equipment and personnel. This had resulted in flooding during storm events. Repairs and replacements to the system – which were long overdue – are put on hold due to the lack of funds;
- There was an estimated \$53.3 million in stormwater capital project needs, of which \$19.7 million are user fee related costs (existing system needs and improvements) which represent expenses that cannot be addressed through impact fees or the City's existing funding sources, and
- Compliance with new stormwater permit regulations affecting stormwater quality was an immediate requirement and a long-term expense.

The current funding for the stormwater program was through a \$1.80 stormwater utility fee and through impact fees. This fee covers a two-person stormwater program with an old vacor truck that was currently broken down. There was no current funding mechanism for existing system repairs or capital projects other than from the General Fund. The General fund cannot support the kind of stormwater management necessary to meet the needs identified through this process.

The proposal West Jordan stormwater program as outlined below would allow the City to have the necessary equipment and personnel to maintain our infrastructure, conduct stormwater inspections, build needed capital improvement projects, and comply with our stormwater permit.

Program Directions and Costs -

The services to be provided through the stormwater management program emphasize activities that would enable the program to meet water quality requirements and, from an overall stormwater management perspective, “not let current problems get worse.” The functional service areas for the stormwater program were summarized below.

Capital Improvement Program (CIP) would be directed at structural improvements, major repairs/replacement of stormwater system and basin modeling/facility plan updates. Projects had already been identified by the City in the ‘2007 Master Drainage Plan Update.’ \$19.7 million in needed existing system improvements had been established within West Jordan over the next 30 years.

Maintenance: There would be an increased emphasis on field maintenance operations throughout the City. This would include the purchase of a vactor truck to clean out the storm drain inlets and pipes, and another stormwater operator to do the work. More in-house construction projects would be completed to repair the existing infrastructure.

Regulatory Compliance Inspections and Water Quality Management: On-going implementation of a nonpoint source pollution control program (NPDES) required expenditures for public education, illicit discharge detection, construction site controls, and pollution prevention. A dedicated stormwater inspection would inspect all construction activities in the City a minimum of once every two weeks, and document the inspections as required by the City’s stormwater permit.

Plan Review, and Engineering: The engineering department would provide lead technical support for all stormwater program areas and provide plan reviews, and design. Program priorities include consistent application of design criteria and standards, and maintaining an accurate stormwater system inventory.

City Direct and Indirect Allocation included the costs which were allocated to West Jordan’s stormwater utility for utility billing, finance, city administrator, city attorney, and human resources time. This category allocated a proportionate share of City indirect costs to West Jordan’s enterprise funds.

Capital Improvements	\$ 660,000
Infrastructure Operations and Maintenance	\$ 850,000
Inspections & Regulatory Compliance	\$ 90,000
City Support & Indirect Allocation	\$ 233,000

Total Annual Program Budget Estimate = \$1,833,000

Based on these program needs and estimated expenditures, the overall program budget for West Jordan's stormwater utility was projected to be in the range of \$1.83 million dollars annually. This assumed an annual expenditure of approximately \$660,000 for capital improvements. The stormwater fee per equivalent residential connection was \$4.50/month.

Tim Heyrend reported that the increase in the stormwater utility fee would relieve the burden of the City's General Fund from paying out money to fund capital projects on the existing infrastructure. The Street sweeping program funding would also be removed from the general fund and would come out of the stormwater utility fee.

Tim Heyrend provided the following presentation:

City of West Jordan Stormwater Utility Funding

Goals of the Stormwater Program

- Protect Life and Property
- Meet all Permit Requirements
- Properly Build and Maintain the Stormwater System

West Jordan Storm Utility System

- Storm drain miles of pipe 149 miles
- Channels and ditches 18.6 miles
- Storm drain manholes 2,200
- Storm drain inlet boxes 3,000
- City owned detention basins (City crews perform maintenance) 72
- Privately owned detention basins (City crews enforce maintenance activities and Inspect) 190

A Quality Stormwater Program is Vital to Our City and Worth the Cost

- Flood Control
- Safety of our Residents
- Longer Road Life
- Property Protection
- Promotes Economic Development

What is Mandated in Our Permit

- Secure Program Funding.
- Develop Standard Operating Procedures.
- Inspect & Document Construction Sites.
- Train Employees Yearly.
- Inspect all Detention Ponds and Separators Yearly.
- Maintain Inlets, Pipes, and Ponds yearly.

The Audit

- Audits are serious.
- State of Utah began auditing cities in 2008.
- 10% of Utah cities are audited every year. Salt Lake City and West Valley City have already been audited.
- Maximum penalties could be as high as \$25,000 per day per violation.
- Auditors have been instructed to work with those cities that are trying, but will show little compassion for those blatantly ignoring the regulations.

EPA Audit Activities

- Adequate Program Funding
- Records Review
- Construction Site Inspections
- Municipal Facilities Inspections

Personnel & Equipment Needs

Current Program

Employees

20% Time Program Coordinator
 1- Stormwater Supervisor
 1- Stormwater Operator

Complete Program

Employees

Program Mgr., Stormwater Inspector,
 Supervisor, Several Stormwater Operators

Equipment

1 Broker Vector Truck
 1 Pickup Truck

Equipment

New Vector Truck
 1-Excavator, 1-Dump Truck
 1-Skid Steer, 3 Pickup Trucks

Other Cities Stormwater Utility Fees & Employees

City	Fee	Pop.	Employees
• Salt Lake	\$4.24-\$8.28	182,000	23
• West Valley	\$4.00	126,000	16
• West Jordan	\$1.80	106,000	5
• Orem	\$4.75	94,000	9
• Sandy	\$5.70	88,000	14
• South Jordan	\$8.50	53,000	8
• Draper	\$4.00	40,000	4
• Riverton	\$4.00	38,000	3
• Average	\$5.00	91,000	10

Annual Cost of the Stormwater Program

Engineering, Permit Compliance, Construction Inspections, & Program Management.	\$90,000
Operations, System Inspections and Cleaning, Emergency Flooding Response, System Repairs, and Street Sweeping.	\$850,000

Capital Projects, Master Planning & Existing System Improvements.	\$660,000
The City has \$53 Million of Capital Projects for 30 years, \$19.7 Million is User Fee Related.	
Program Overhead	\$233,000
Total Program Cost	\$1,833,000

What is the Cost Per Household?

- There are 33,831 homes and Equivalent Business Connections to the Storm System.
- The Program Cost = \$1,833,000/year/12 months/33,831
- Monthly User Fee = \$4.50

What about Businesses?

- Business parcels typically discharge 3-4 times the amount of stormwater as a house.
- A house will have about 2500 sq. ft. of impervious surface per ¼ acre, whereas a business has 8,100 to 9,800 sq. ft. per ¼ acre.
- West Jordan is currently assessing businesses as if they were a house.

What is the Cost per Business?

- The fee for businesses is pro-rated based on the parcel size. For each ¼-acre parcel size, the cost is \$4.50, up to 20 acres.
- Parcels larger than 20 acres pay the 20-acre fee. The maximum cost is \$360 per month for a 20-acre or greater parcel.
- Undeveloped and Agricultural Land has No Fee.

Example Utility Fees for Businesses, Apartments, & Government Owned Parcels

Parcel Size (acres)	Number of ERUs	Current Monthly Utility Fee	Proposed Monthly Utility Fee
¼	1	\$1.80	\$4.50
½	2	\$3.60	\$9.00
¾	3	\$5.40	\$13.50
1	4	\$7.20	\$18.00
2	8	\$14.40	\$36.00
5	20	\$36.00	\$90.00
10	40	\$72.00	\$180.00
15	60	\$108.00	\$270.00
20	80	\$144.00	\$360.00
Greater than 20	80	\$144.00	\$360.00

Program Comparisons

\$1.80 Fee - \$730,000/yr

- \$245,00 Capital Funding
For Existing Infrastructure Repairs & Engineering
- \$30,000 for Cleaning & Construction Equipment

- 2 Operators

- 3 Street Sweepers

\$4.50 Fee - \$1,833,000/yr

- \$660,000 per Year for
Existing Capital Projects
- \$147,000 for Cleaning &
Construction Equipment

- 4 Operators
- 1 Inspector
- 1 Manager
- 3 Street Sweepers

Staff recommended approval of the proposed Resolution to increase the stormwater utility fee to \$4.50 a month per equivalent residential connection.

The Council and staff discussed clarifying questions regarding the following:

- The current two operators were just taking care of problems; they were unable to maintain storm drain lines, etc.
- Mandates
- Funding (timeline, percentages, amounts, etc)
- What constituted secure program funding?
- Develop standard operating procedures (specifically mandated)
- Current level of inspecting and documenting construction sites (not being performed)
- What was specifically mandated regarding inlets, ponds, and pipes

Councilmember Stoker reported that Stormwater Inspectors look for different things from the typical Construction Inspectors.

MOTION: Councilmember Stoker moved to approve the recommendation of increasing the stormwater utility fee to \$4.50 a month per equivalent residential connection. The motion was seconded by Mayor Johnson.

Councilmember Nichols spoke against the motion. He felt additional time was needed prior to making a decision.

Mayor Johnson said the intent of the proposed motion was to bring back the Uniform Fee Schedule with the proposed changes.

Councilmember Southworth spoke against the motion. He wanted to move forward cautiously.

Councilmember McConnehey also spoke against the motion. He also wanted additional time to review the information that had been provided. He asked for a list that would prioritize the different items that were needed in order for the City to be in full compliance.

Mayor Johnson reported on the consequences of non-compliance. She felt this issue must be addressed.

Councilmember Stoker also stressed the importance of being in compliance.

SUBSTITUTE

MOTION: Councilmember Killpack moved to table this item to two weeks from today, February 22, 2012. The motion was seconded by Councilmember Southworth and passed 7-0 in favor.

Councilmember Stoker pulled his original motion.

MOTION: Councilmember Southworth moved to table the remaining Agenda items to a later meeting. The motion was seconded by Councilmember Killpack and passed 7-0 in favor.

**DISCUSSION AND POSSIBLE ACTION RESOLUTION 12-17,
CREATION OF A NEW STORM WATER ENTERPRISE FUND**

This item was tabled to a later meeting.

**DISCUSSION AND POSSIBLE ACTION REGARDING REPEALING OR
REENACTING ORDINANCE 08-19, ESTABLISHING THE 'MUNICIPAL
TELECOMMUNICATION TAX' SETTING THE EXPIRATION DATE,
AND DESIGNATING FUNDS RECEIVED**

This item was tabled to a later meeting.

**DISCUSSION AND POSSIBLE ACTION TO RATIFY THE 2012 GOALS
FROM THE STRATEGIC PLANNING SESSION**

This item was table to a later meeting.

**VI. REMARKS
STAFF AVAILABILITY**

Richard Davis reported that staff was available to answer any of the Council's concerns.

VII. ADJOURN

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

The meeting adjourned at 11:10 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.

MELISSA K. JOHNSON
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Approved this 14th day of March 2012