

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

Wednesday, November 13, 2019

5:30 p.m.

Council Chambers

8000 South Redwood Road

West Jordan, Utah 84088

COUNCIL: Mayor Pro Tempore Chad Lamb, Councilmembers Alan Anderson, Dirk Burton, Zach Jacob, and Kayleen Whitelock. Mayor Riding was excused. Councilmember Chris McConnehey arrived at 5:36 p.m. and was excused at 7:16 p.m.

STAFF: David R. Brickey, City Manager; Korban Lee, Assistant City Manager; Rob Wall, City Attorney; Scott Langford, Community Development Director; Danyce Steck, Finance Director; Brock Hudson, Community Preservation Director; Brian Clegg, Public Works Director; Derek Maxfield, Fire Chief; Ken Wallentine, Police Chief; Justin Stoker, Deputy Public Works Director; Duncan Murray, Assistant City Attorney; David Quealy, Assistant City Attorney; Larry Gardner, City Planner; Tauni Barker, Communications and Events Manager; David Murphy, Engineering Manager for Capital Improvement Projects; Joe Bryant, Purchasing Manager; Rachel Mackay, I.T. Administrative Assistant, and Jamie Brooks, Interim City Clerk.

I. CALL TO ORDER

Mayor Pro Tem Lamb called the meeting to order at 5:31 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vic Groves.

III. CITIZEN COMMENTS

Chase Hansen, West Jordan resident, spoke of time he spent helping some of the homeless population, and expressed to the City Council that help was needed.

Tyrel Warner, West Jordan resident, provided photographs of a solar array. Representing a group of owners of property near the solar array, Mr. Warner expressed frustration that original communications indicated the solar array would be ground-mounted, but it was constructed vertically, visible beyond 300 feet. Notice was delivered only to residents within 300 feet, and a meeting to express public concern took place during a business day. Mr. Warner said he did not feel the Conditional Use Permit was followed.

There was no one else who wished to speak.

IV. COMMUNICATIONS

CITY MANAGER & STAFF COMMENTS/REPORTS

Scott Langford-

- Asked for volunteers from the Council to participate in an interview panel to fill positions on the Planning Commission and the Board of Adjustment. Councilmembers Whitelock and McConnehey said they liked the interview process used in the past.

Brian Clegg-

- Said a public open house was scheduled to take place at Copper Hills High School on Nov 20th from 7:00-8:30 p.m. to address Phase 3 amenities for Ron Wood Park.

Korban Lee-

- Needed a response from a majority of the Council to give direction regarding the job description of the future City Council Office Director before moving forward.

CITY COUNCIL COMMENTS/REPORTS

Councilmember Anderson –

- Expressed concern regarding recycling discussions that were not communicated with the Council, and said he would like to change the process to keep the City Council informed.
- Commented that the City was still functioning with a Council-City Manager form of government until the change in January 2020.
- Said he believed the Mayor-elect should have a budget during the time of transition, and asked the Mayor-elect to provide a list of expenses that could be posted publicly and voted on by the Council.

Councilmember Burton –

- Explained to Tyrel Warner he would be happy to work with him regarding the concerns mentioned during Citizen Comment.

Councilmember Jacob –

- Thanked everyone who participated in the recent election.

Councilmember Whitelock-

- Thanked everyone who ran in the recent election, and encouraged new Councilmembers-elect to begin attending Council meetings.
- Said she hoped the City could embrace the new form of government and make it work.
- Encouraged citizens to volunteer to participate with the Healthy West Jordan committee.
- Expressed appreciation to David Brickey for his professional service as City Manager, and said she would like to see him continue with West Jordan.

Councilmember McConnehey-

- Said he agreed with Councilmember Anderson's wish to provide transition funding to the Mayor-elect, but said he did not believe Council contingency fund was the

appropriate account from which to allocate the funds. He suggested finding a different source of funding.

Mayor Pro Tem Lamb-

- Thanked those who participated in the recent election, and also thanked Interim City Clerk Jamie Brooks for her work.

V. PUBLIC HEARINGS

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL RESOLUTION 19-186, REGARDING A GRANT AWARD TO THE CULTURAL ARTS SOCIETY OF WEST JORDAN IN THE AMOUNT OF \$66,150.00, AND PROVIDING IN KIND SERVICES WORTH APPROXIMATELY \$56,700.00

Korban Lee explained that in the adoption of the FY20 budget, the City Council appropriated \$66,150 to be granted to the Cultural Arts Society of West Jordan (CASWJ). The City also made available to the CASWJ use of certain City facilities, particularly the Community Room in City Hall, for an approximate in-kind value of \$56,700. In order to give a grant and in-kind use of the facilities to the CASWJ, a Quid Pro Quo study was completed by the City to determine and document what value the CASWJ was providing to the citizens of West Jordan in exchange for receipt of this support. As part of the process for the City to award this grant, the results of the study needed to be made available to the public for inspection and review and a public hearing was required.

The Grant Agreement with the CASWJ established what the City expected of CASWJ in terms of communication and reporting with the City, insurance requirements, and a requirement to indemnify and protect the City. The term of this agreement was 10 years. This agreement did not establish the annual grant amount, as that would be determined by the City Council each year as part of the budget process. The adoption of this agreement would allow the City to proceed with the distribution of the funds appropriated in the budget. This agreement was modified since the prior City Council meeting, as per the desires of the City Council.

Mayor Pro Tem Lamb opened the public hearing. Seeing that no one wished to speak, he closed the public hearing.

Councilmember McConnehey mentioned he had asked for the agreement to specify that a special public hearing separate from the regular budget process would be held, and asked if there was something that would prevent the Council from being able to hold a special public hearing. Rob Wall responded that a special public hearing could be held.

MOTION: Councilmember McConnehey moved to approve Resolution 19-186, regarding a grant award to the Cultural Arts Society of West Jordan in the amount of \$66,150.00 and in kind services worth approximately \$56,700.00. Councilmember Anderson seconded the motion.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Mayor Pro Tem Lamb	Yes
Councilmember McConnehey	Yes
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 6-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
ORDINANCE 19-34, AMENDING THE 2009 WEST JORDAN MUNICIPAL
CODE SECTION 13-6, TO INCLUDE AN INTERCHANGE OVERLAY
ZONE**

Larry Gardner explained that the proposed ordinance would add an interchange overlay district at certain areas of the City impacted by interchanges of Mountain View Corridor and Bangerter Highway.

After discussing the item with the Planning Commission and City Council at a joint meeting, it was determined that the areas around interchanges should be designed to take advantage of and beautify the areas impacted by freeway interchanges. The Planning Commission held a public hearing on October 1, 2019. The Planning Commission recommended changes, which were incorporated in the ordinance and included:

- The IOZ should include walkable communities that also attracted people from surrounding areas.
- Ten percent open space was too small; perhaps it should be 15% for the sake of consistency.
- Commercial development could not be an afterthought and be the last piece developed. The developer should have a plan for tenants, etc. Otherwise, the residential piece would be developed, and the commercial buildings would be empty.
- The Planning Commission did not like the landscaping component that required 50% irrigated grass. Landscaping was an element, and up to 100% localscape/xeriscape should be allowed.
- Address the water storage and supply needs before the property was rezoned.
- 15 contiguous acres was too small to be rezoned to IOZ and should be 50 acres.

Recommended changes that had not been incorporated, and were up to the City Council:

- A swimming pool should be considered a minor amenity rather than a major amenity.
- Suggested removing drive-ups as a permitted use.

Section 13-7-D-7B, required that the City Council for a Zoning Ordinance text amendment make the following findings:

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: The General Plan supports a design based ordinance. On Page 20 and 21 it states:

“GOAL 2. CONTINUALLY AND CONSISTENTLY UPDATE THE FUTURE LAND USE MAP, ZONING MAP, AND ZONING ORDINANCE FOR EASE OF REFERENCE AND ADMINISTRATION.

Policy 3. The Zoning Ordinance shall be updated to incorporate necessary changes that are consistent with State Code, and reflect the best and most current land use

practices of the time. Zoning Ordinance modifications and updates shall be made easy for the general public and City administration to understand.

7. Create and adopt future ordinances which take into consideration form-based (emphasis on compatible building and site design rather than land use) or modified form-based ordinance concepts.

8. Develop and adopt ordinances, standards, and policies to support mixed-use development in various parts of the city.

9. Prepare and implement ordinance language which plans for small area and corridor planning, focusing on right-of-way improvements, land use, redevelopment, beautification, and building design regulations.

Finding: The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

Discussion: The proposed amendment will add a new overlay zone that will impose design standards and uses around interchanges.

Finding: The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to this title;

Criteria 3: *The proposed amendment will not create a conflict with any other section or part of this title or the general plan;*

Discussion: The proposed amendment will create a conflict with the Cap and Grade ordinance. The cap and grade ordinance will be amended to add an exemption for properties within the IOZ, thus alleviating the conflict.

Finding: The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: *The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.*

Discussion: The draft ordinance as written will have city wide application and will not relieve a particular hardship or grant special privileges to any one person or entity.

Finding: The proposed amendment would not relieve a particular hardship, nor would it confer any special privileges to a single property owner or cause, and it was only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

Councilmember Jacob asked if the project could be developed in phases. Mr. Gardner indicated that would need to be outlined in the development plan. Mr. Gardner confirmed that the proposed amendment applied to undeveloped acres within the subject areas. Responding to Councilmember Burton, Mr. Gardner said he anticipated the proposed amendment, combined with Ordinance 19-33 if approved, would result in increased high-density.

Councilmember Anderson asked if there were potential for all of the subject areas to be developed as industry and non-retail commercial. Mr. Gardner responded that no, defined desired land uses would be observed.

Responding to a question from Councilmember McConnehey, Mr. Gardner confirmed that the plan could be appended at a later date to apply to intersections on U-111. Councilmember McConnehey asked that, in the future, the West Jordan Soccer Complex not be referred to as the Utah Youth Soccer Complex in City records.

Mayor Pro Tem Lamb opened the public hearing.

Ben Southworth, West Jordan resident, commended the City Council for addressing this issue. He expressed great excitement that interchanges were being examined in a different

manner than in the past. He pointed out that the City was in competition economically with other cities. Mr. Southworth thanked the Council for thinking about the future of the City.

Barrett Peterson of Peterson Development commented that there were appropriate locations for density. He said his company wished to bring commercial development into the City, and stated that more rooftops would bring more commercial development. He spoke in favor of the proposed ordinance.

Kelvin Green, speaking as a West Jordan resident and not a Planning Commissioner, said the City had been reactive in the past. He said the proposed ordinance would allow the City to be more proactive, and would send a message to developers that the City was thinking ahead.

Steve Jones, West Jordan resident, said he could understand applying the proposed amendment to areas around the interchange, but objected to including the area on 3200 West. He said he appreciated Cap and Grade as a system of checks and balances.

Seeing that no one else wished to comment, Mayor Pro Tem Lamb closed the public hearing.

Councilmember McConnehey agreed with the comment that West Jordan was economically in competition with other cities. He said he was a bit nervous about how the proposed amendment would play out, but said he saw it as a step forward. He also expressed a belief that some modifications would be needed fairly quickly, and specifically referred to Cap and Grade and infill development. He suggested the City provide an appeal process. He agreed with the Mr. Jones' comment regarding the area on 3200 West (Area E) and said he would want to remove Area E from the proposed amendment before approval.

Responding to a question from Councilmember Anderson, Mr. Peterson clarified that his company was interested in commercially developing the area around 7800 South and 5600 West. He said commercial development would be accelerated with more rooftops. Councilmember Anderson said he believed West Jordan already had enough rooftops to support commercial development. He said he would prefer to see development in the subject areas continue as commercial.

Mr. Gardner explained that the same process used in this situation would be necessary in order to add U-111 to the proposed amendment if desired in the future.

Councilmember Whitelock stated she did not agree with the idea of passing the proposed amendment with the intent of fixing it later. She also suggested U-111 should be included in the proposed amendment before it was passed. She wished the document to specify 75 acres rather than 50 acres, and said she wanted to emphasize localscaping. Councilmember

Whitelock suggested tabling the proposed amendment to allow further consideration and changes. Councilmember Burton agreed with the suggestions to remove Area E, to include U111, and to emphasize localscaping.

Mayor Pro Tem Lamb said he did not agree with including Area E, and questioned the need to include Area A. He agreed with the suggestion to table the proposed amendment and schedule a work session for discussion.

Councilmember McConnehey said he would want to readdress Cap and Grade and be much more thorough regarding the future land-use map before adding U-111. He said he did not typically agree with the idea of approving something with the intent to fix it later, but said in this situation, the Council would not know what needed to be fixed until it passed and had gained some experience.

Staff confirmed for Councilmember Jacob that approval of the proposed amendment would not change zoning, but would create the possibility of future application. Councilmember Jacob said he did not have a problem with including Area E because applications would be evaluated individually.

Councilmember Anderson said he believed anything done in the IOZ should be water-wise, but did not agree with being as prescriptive as “localscaping” or “xeriscaping”. He also said he was not concerned about including Area E and suggested continuing the discussion at the next Council meeting rather than scheduling a work session.

Councilmember McConnehey said he did not believe an IOZ should have separate landscaping requirements from the rest of the City.

MOTION: Councilmember McConnehey moved to approve Ordinance 19-34, striking paragraph A-5 from 13-6K-2, and directing staff to update the map and renumber elements as appropriate. Councilmember Jacob seconded the motion.

Councilmember Burton suggested adding to the motion a date for review and adjustment.

Councilmember McConnehey suggested a separate motion for a review date.

Councilmember Whitelock asked why there was an urgency to pass the proposed amendment if it was not ready.

SUBSTITUTE

MOTION: Councilmember Jacob moved to approve Ordinance 19-34, striking Area E as discussed, and removing all references to landscape requirements from the design standard. Councilmember Burton seconded the substitute motion.

Councilmember Jacob explained that removal of landscape requirements did not indicate they were not needed. He said he believed City water-use and landscape requirements should be examined holistically.

Councilmember Whitelock reiterated that she still did not understand the rush, and said she would prefer to have additional discussion about U-111.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Mayor Pro Tem Lamb	No
Councilmember McConnehey	Yes
Councilmember Whitelock	No
Mayor Riding	Absent

The motion passed 4-2.

Councilmember McConnehey left the meeting at 7:16 p.m.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR ADOPTION
ORDINANCE 19-33, AMENDING THE 2009 WEST JORDAN MUNICIPAL
CODE 13-8-23(B) EXEMPTIONS: TO INCLUDE PROPERTIES LOCATED
IN THE INTERCHANGE OVERLAY ZONE (IOZ); CITY-WIDE
APPLICABILITY, CITY OF WEST JORDAN, APPLICANT**

Larry Gardner summarized the City Council’s previous actions regarding the Cap and Grade ordinance. Specifically, he indicated that Section 13-8-23: Annual Cap on Multi-Family Development of the 2009 City Code, was what was referred to as the City’s “Cap and Grade Ordinance” that set the maximum number of available multi-family residential units that could be developed in any given year throughout the City, in order to bring the ratio of single-family and multi-family dwellings more in line with the goals and policies of the City’s General Plan.

The Cap and Grade Ordinance had been in place, in one form or another, since May 2014. The following was a summary of the Planning Commission and City Council actions to date:

1. April 30, 2014 - Following discussion among the City Council and the Planning Commission at a joint meeting, City Staff was directed to notice and submit a proposal for a moratorium on multi-family development in the City pending further study of (a) ways to control that type of development and (b) ways to incentivize high quality single family residential development.
2. May 14, 2014 - the City Council adopted Ordinance 14-17, enacting a 6 month ‘Declaration of a Development Moratorium on Multi-Family Housing Projects’ as allowed by Utah State Code 10-9a-504.
3. October 7, 2014 – Planning Commission consideration of a proposed Cap and Grade ordinance.

4. October 22, 2014 - the City Council adopted Ord. 14-31, adopting the proposed Cap and Grade ordinance, but adjusted the percentage goal. Exemptions in 13-8-23B included:
 - a. Multi-family housing (2 or more housing units) in a Transit Station Overlay District (TSOD)
 - b. Senior housing for age 55 and older.
 - c. Owner occupied townhomes with an attached 2-car garage where all housing units shall be occupied by the building owners. This ownership arrangement must be recorded as part of the City-approved CC&R's.
 - d. Owner occupied twin homes where at least one of the housing units shall be occupied by one or more of the building owners. This ownership arrangement must be recorded as part of the City-approved CC&R's.
 - e. Multi-family housing for disabled persons
 - f. Low and moderate income housing owned by non-profit or a local Housing Authority.
5. November 5, 2014 - the City Council revised section 13-8-23B removing all exemptions but exemption a. Multi-family housing (2 or more housing units) in a Transit Station Overlay District (TSOD) (Ord. 14-34).
6. January 28, 2015 – the City Council placed a new moratorium on multi-family development to allow time to “re-examine the 2009 City Code provisions applicable to multi-family housing development projects with the intent of bringing such provisions and regulations into better consonance with the General Plan and encouraging better types of multi-family housing options” (Ord. 15-05).
7. March 28, 2015 – The Planning Commission and City Council took a field trip to look at examples of owner occupied multi-family housing developments.
8. May 19, 2015 – The Planning Commission recommended approval and made some minor changes to the staff recommended text including: a minimum size of a town home and twin home from 400 to 450 square feet and changing the density from 7.5 to 8.0 du. /ac, Exemptions in 13-8-23B included:
 - a. Multi-family housing (2 or more housing units) in a Transit Station Overlay District (TSOD)
 - b. Senior housing for age 55 and older.
 - c. Residential developments in compliance with the General Plan with density lower than 8.0 du/ac that is owner occupied town homes, cluster (patio) homes or twin homes all with a minimum home size of 1,500 sq. ft., preferably on the main floor, and with an attached 2-

car garage (minimum 450 sq. ft.) where all housing units shall be occupied by owners and recorded as part of City-approved CC&Rs.

- d. Multi-family housing for disabled persons
 - e. Low and moderate income housing owned by non-profit or a local Housing Authority.
9. June 24, 2015 – City Council adopted Ordinance 15-15, which modified Cap and Grade exemptions to (13-8-23):
- a. Multi-family housing (2 or more housing units) in a Transit Station Overlay District (TSOD).
 - b. Senior housing for age 55 and older.
 - c. Multi-family housing for disabled persons.
 - d. Low and moderate income housing owned by a non-profit or a local Housing Authority.

Owner occupied town homes and twin homes were removed from the exemptions section by the City Council.

10. May 11, 2016 – The City Council approved Ordinance 16-15 a text amendment that corrected a portion of the code and also added an exemption for multi-family dwellings in master planned communities over 75 acres in size.
11. February 28, 2018 The City Council approved and exemption for allowing twin homes on vacant R-2 zoned properties that meet a proposed zoning criterion.

The Planning Commission forwarded the Interchange Overlay Zone (IOZ) with a positive recommendation to the City Council. The IOZ would establish certain areas that were influenced by interchanges of the Mountain View Corridor and Bangerter Highway. Certain areas of the IOZ overlay would have a multi-family component. The IOZ would be adopted in areas that had access to an interchange of the freeway and other high traffic corridors and would not encroach into single-family areas. Many of the multi-family uses would be in a mixed development containing residential and commercial uses. The IOZ also had strict design guidelines that would make the overlay areas attractive and pedestrian friendly. Certain land uses were exempt from Cap and Grade requirements in order to meet fair housing standards such as housing for seniors, the disabled, and to implement goals and policies of the City's General Plan such as encouraging multi-family residential in transit stations or in large planned developments.

The Cap and Grade Ordinance was adopted as a means of bringing the ratio of Multi-Family housing and Single-Family residential in line with the goals and policies of the City's General Plan. Until that ratio was achieved, the Cap and Grade Ordinance placed a hold on all new multi-family development unless it was specifically exempted by Section 13-8-23. The current exemptions were listed in the Cap and Grade Ordinance as follows:

B. Exemptions: The following types of two-family and multi-family housing are not subject to the annual cap or to the timing requirements of this section:

1. Residential housing developments in compliance with the general plan that are:

a. Multi-family housing (2 or more housing units) in a transit station overlay district (TSOD).

b. Senior housing for age fifty-five (55) and older.

c. Multi-family housing for disabled persons.

d. Low and moderate income housing owned by a nonprofit or a local housing authority.

e. Multi-family housing as part of a master planned community that meet the following provisions:

(1) Master plan shall be a minimum of seventy-five (75) undeveloped acres and be zoned PC or PRD.

(2) Two-family and multi-family housing not exempt by the provisions listed in subsections B1a through B1d of this section, shall comprise no greater than seventeen percent (17%) of the total number of dwelling units in the approved master development plan.

(3) Two-family and multi-family housing units not exempt by the provisions listed in subsections B1a through B1d of this section, shall be individually owned as either condominiums or townhomes.

f. Twin homes on a vacant parcel(s) or lot(s) in an existing R-2 Zone, as long as all of the following criteria are met:

(1) The R-2 zoning has continuously existed since October 22, 2014; and

(2) The parcel(s) or lot(s) has/have been continuously "vacant" (no dwelling unit(s) constructed thereon) since October 22, 2014.

In considering this request, the City Council would need to determine if there was sufficient justification to amend the ordinance to allow the IOZ as an exemption and whether the amendment was consistent with the intent of the goals and policies of the General Plan.

Section 13-7-D-7B required that prior to approval, the City Council must make the following findings:

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: The General Plan supports a mix of housing types to accommodate different housing needs. Goal 2 of the Housing Element, for example, states “Provide a range of housing types, styles, sizes and price levels in all areas of the city” (page 70) and;

Encourage development of horizontal and/or vertical mixed-use neighborhoods, which will provide residents with basic services and needs, i.e., parks, shopping, medical facilities, churches, transit, and schools, all within walking distance of each other. (page 26) and;

Policy 3. Multiple-family residential development should be provided in appropriate areas in order to maintain diversity in the city’s housing stock and to provide land use transitions between dissimilar uses. (page 31).

The proposed amendment has limited application and will only apply to areas where the IOZ is adopted and will fulfill the goals of the General Plan. Therefore, the intent of the General Plan is not compromised.

Finding: The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

Discussion: Given the context of the request, that the proposed amendment only applies to areas where the IOZ is adopted. There is sufficient justification to modify the 2009 City Code.

Finding: The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to this title;

Criteria 3: *The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and*

Discussion: The proposed amendment will have a city-wide impact, with no particular area singled-out. The proposed amendments will not create a conflict with any other sections of the 2009 City Code.

Finding: The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: *The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.*

Discussion: The proposed amendment will have city-wide implication. Staff does not believe that the amendment will relieve any particular hardship or confer any special privileges to a single property owner or cause because there are several properties in the City where the amendment could apply.

Finding: The proposed amendment did not relieve a particular hardship, nor did it confer any special privileges to a single property owner or cause, and it was only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

The proposed text amendment was warranted and not contrary to any current goals and policies in the General Plan or conflicting with Title 13 (Zoning Ordinance) of the Municipal Code.

Mayor Pro Tem Lamb pointed out that Councilmember McConnehey, who voted in favor of the previous related agenda item, had left the meeting. He asked what would happen if Ordinance 19-33 did not pass. Mr. Gardner responded that if Ordinance 19-33 did not pass, there would be no multi-family in an IOZ, unless the IOZ was greater than 75 acres in area.

Mayor Pro Tem Lamb opened the public hearing.

Steve Jones, West Jordan resident, was opposed to attempting to circumvent Cap and Grade. He indicated he did not think the City should be high-density housing from one end to the other.

Kelvin Green, West Jordan resident, agreed with Councilmember McConnehey that the Cap and Grade Ordinance should be reviewed in a holistic manner. He said establishing Cap and Grade allowed the City to reset and take a pause. He asked the Council to pass the proposed amendment, and then take a long-term look at Cap and Grade and the vision for the City as a whole.

Ben Southworth, West Jordan resident, spoke in favor of the proposed amendment. He said he had been opposed to the Cap and Grade from the beginning, and said the Council was aware of the negative ramifications of approving it. He emphasized that the proposed amendment would apply only to the IOZs.

Seeing that no one else wished to speak, Mayor Pro Tem Lamb closed the public hearing.

Councilmember Burton said he liked Cap and Grade, and believed it had been good for West Jordan. He said he was not convinced another exception was necessary.

Councilmember Anderson asked if the proposed amendment would be a tool to help maintain land-use authority. Rob Wall responded he did not know if the Legislature would view the proposed amendment as a response to diminish the effort of land developers. He agreed that density did not equate to affordability. Councilmember Anderson said he viewed it as an arrow in the City's quiver.

Councilmember Jacob said the intent of the IOZ was to point out where density belonged. He commented that to *not* pass Ordinance 19-33, but pass the previous agenda item, (Ordinance 19-34), would send a conflicting message. He said he did not view Ordinance 19-33 as a separate discussion from Ordinance 19-34, and suggested tabling Ordinance 19-33 to the next Council meeting when more of the Council would be in attendance.

Mr. Wall commented that if included in the General Plan, Ordinance 19-33 could meet one of the criteria of Senate Bill 34.

Councilmember Jacob commented that the IOZ could help West Jordan secure State funding for transportation hubs.

MOTION: Councilmember Jacob moved to table a vote on Ordinance 19-33 to the next meeting. Councilmember Anderson seconded the motion.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Mayor Pro Tem Lamb	Yes
Councilmember McConnehey	Absent
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 5-0.

**RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL
ORDINANCE 19-35, AMENDING THE 2009 WEST JORDAN
MUNICIPAL CODE 13-5A-2 AND 13-5F-2, CHANGING CANNABIS
PRODUCTION ESTABLISHMENTS FROM A CONDITIONAL USE TO A
PERMITTED USE IN THE M-2 AND A-20 ZONES; CITY-WIDE
APPLICABILITY; CITY OF WEST JORDAN, APPLICANT**

Larry Gardner explained that the Utah Legislature passed a statute that allowed for Cannabis Production Establishments. The statute was passed to regulate the growth and processing of Cannabis. Any grow operations or processing facilities would be under the

control and regulation of the State. The only local control was siting of the facilities in either industrial or agricultural zones of a municipality. The statute did not give a municipality the option of not allowing these uses if they had industrial or agricultural zones. The statute required that the uses be allowed in one industrial zone and one agricultural zone of the respective city or county. The statute pertaining to West Jordan read as follows:

4-41a-406. Local control.

(a) If a municipality's or county's zoning ordinances provide for an industrial zone, the operation of a cannabis production establishment shall be a permitted industrial use in any industrial zone unless the municipality or county has designated by ordinance, before an individual submits a land use permit application for a cannabis production establishment, at least one industrial zone in which the operation of a cannabis production establishment is a permitted use.

(b) If a municipality's or county's zoning ordinances provide for an agricultural zone, the operation of a cannabis production establishment shall be a permitted agricultural use in any agricultural zone unless the municipality or county has designated by ordinance, before an individual submits a land use permit application for a cannabis production establishment, at least one agricultural zone in which the operation of a cannabis production establishment is a permitted use.

An ordinance was approved by the City Council in April 2019 allowing cannabis production establishments as a conditional use in the M-2 and A-20 zones. In a special session of the Legislature a bill was passed that took the option of a conditional use away from the City. The City will not have the ability to impose conditions of approval that would mitigate any negative impacts to the area. The only conditions control the location of the facilities.

13-5F-2: PERMITTED AND CONDITIONAL USES:

Uses allowed in Manufacturing Zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article, and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code, and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in Manufacturing Zones.

PERMITTED AND CONDITIONAL USES
 IN MANUFACTURING ZONES

Legend:			
P	=	Permitted use	
C	=	Conditional use	
AC	=	Administrative conditional use	

Use	M-P	M-1	M-2
Agricultural sales and service		P	P
Animal crematorium		P	
Animal crematorium located within 100 feet of any Residential Zone or structure		C	
Basic industry (nonhazardous or offensive)		P	
Building moved from another site (see section 13-8-12 of this title)	C	C	C
Business, equipment rental and supplies		P	P
Business service	P	P	P
Cannabis production establishments			C P ²
Church or place of worship	AC	AC	

Use	M-P	M-1	M-2
College or university	P	P	P
Construction sales and rental		P	P
Data center		P	
Freight terminal		P	P
Gasoline and fuel storage sales		P	P
Gasoline service station		P	P
Government service	P	P	P
Junk or salvage yard		C	C
Large scale public utilities	C	C	C
Laundry service		P	
Manufacturing, general	P	P	P
Manufacturing, limited	P	P	P
Mass transit railway system	P	P	P
Massage therapy	P	P	P
Media service	P	P	P
Medical or dental laboratory	P	P	

Use	M-P	M-1	M-2
Military facility		C	
Motor vehicle sales and service, new and used		AC	
Office	P	P	P
Parking, commercial		P	
Parking, commercial (no fee)	P	P	
Personal care service	P	P	P
Personal instruction service	AC	C	
Printing, general	P	P	P
Public park	P	P	P
Recreation and entertainment, indoor	C		
Recycling collection station	C	C	C
Recycling facility	C	C	C
Repair services, general		P	P
Repair services, limited		P	P
Research service	P	P	P
Restaurant, fast food (general)		AC	AC

Use	M-P	M-1	M-2
Restaurant, fast food (limited)		AC	AC
Schools, K - 12	C	C	C
Schools, vocational	P	P	P
Sexually oriented business			C ¹
Small equipment rental	P	P	P
Temporary office	P	P	P
Transportation service		P	P
Transportation service (office only)		P	P
Utility, major	C	C	C
Utility, major (office only)	P	P	P
Vehicle and equipment repair, general		P	P
Vehicle and equipment repair, limited		P	P
Warehouse, self-service storage		C	
Wholesale and warehousing, general		P	P
Wholesale and warehousing, limited	P	P	P

Note:

1. See also section 4-2I-6 of this Code.

2. A cannabis production establishment may not be located:

Within 1,000 feet of a public or private school, a licensed child-care facility or preschool, a church, a public library, a public playground, or a public park; or in or within 600 feet of a district that is zoned as primarily residential.

The proximity requirements shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or residential area.

(2001 Code § 89-3-703; amd. 2009 Code; Ord. 10-09, 2-24-2010; Ord. 11-35, 11-22-2011; Ord. 12-05, 2-22-2012; Ord. 14-09, 5-14-2014; Ord. 16-31, 7-13-2016; Ord. 17-25, 6-28-2017; Ord. 19-18, 5-1-2019)

3-5A-2: PERMITTED AND CONDITIONAL USES:

Uses allowed in Agricultural Zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code, and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in Agricultural Zones.

PERMITTED AND CONDITIONAL USES IN AGRICULTURAL ZONES

Legend:			
P	=	Permitted use	
C	=	Conditional use	
AC	=	Administrative conditional use	

Use	A-1	A-5	A-20
Agricultural (processing)	P	P	P
Agriculture, except swine, dairies and animal specialties	P	P	P
Agriculture, swine or dairy	C	C	C
Animal specialties	C	C	C
Athletic field	C	C	C
Barn as a primary building (agricultural use)	P	P	P
Building moved from another site (see section 13-8-12 of this title)	C	C	C
Cannabis production establishments			C-P ²
Church/place of worship	C	C	C
Dwelling, single-family	P	P	P
Golf course	C	C	C
Household pets, subject to regulations of animals in title 6, chapter 3 of this Code, or successor ordinance	P	P	P
Kennel	C	C	P
Large scale public utilities	C	C	C
Manufactured/modular home ¹	P	P	P
Mass transit railway system	P	P	P

Use	A-1	A-5	A-20
Public park	P	P	P
Riding academy or commercial stable	C	C	C
Schools, K - 12	C	C	C
Topsoil operations	C	C	C

Note:

1. A manufactured or modular housing structure, constructed to applicable Federal or State construction standards, shall be deemed to be a permitted use if occupied as a single-family residence and may be located within this zoning district as though the structure were constructed on the site according to the International Building Code and other applicable standards if the structure meets or exceeds the pertinent provisions of this article for minimum building size and horizontal living area, setback, side yard, required attached 2 car garage, and other similar building and zoning requirements.

2. A cannabis production establishment may not be located:

Within 1,000 feet of a public or private school, a licensed child-care facility or preschool, a church, a public library, a public playground, or a public park in or; within 600 feet of a district that is zoned as primarily residential.

The proximity requirements shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or residential area.

(2001 Code § 89-3-202; amd. 2009 Code; Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013; Ord. 14-09, 5-14-2014; Ord. 19-18, 5-1-2019)

Section 13-7-D-7B, requires that prior to approval the City Council must make the following findings:

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: The General Plan supports keeping ordinances relevant and understandable. On Page 19 it states:

“GOAL 2. CONTINUALLY AND CONSISTENTLY UPDATE THE FUTURE LAND USE MAP, ZONING MAP, AND ZONING ORDINANCE FOR EASE OF REFERENCE AND ADMINISTRATION.

Policy 3. The Zoning Ordinance shall be updated to incorporate necessary changes that are consistent with State Code, and reflect the best and most current land use practices of the time. Zoning Ordinance modifications and updates shall be made easy for the general public and City administration to understand.

1. Consistently review the Zoning Ordinance and edit where necessary in order to eliminate redundancy and replace technical jargon with plain English.”

Finding: The proposed amendment conformed to the General Plan and was consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

Discussion: The proposed amendment will add Cannabis Production Establishments as permitted uses in the M-2 and A-20 zones as required by State Law.

Finding: The proposed amendment was appropriate given the context of the request and there was sufficient justification for a modification to this title;

Criteria 3: *The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and*

Discussion: The proposed amendment will impact the M-2 and A-20 zones. Staff has not found, at this point, any conflicts with any other sections of the 2009 City Code.

Finding: The proposed amendment would not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: *The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.*

Discussion: The draft ordinance as written will have implication in the M-2 and A-20 zones only and will not relieve a particular hardship or grant special privileges to any one person or entity.

Finding: The proposed amendment did not relieve a particular hardship, nor did it confer any special privileges to a single property owner or cause, and it was only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

Mr. Gardner answered questions from the Council.

Mayor Pro Tem Lamb opened the public hearing, and closed the public hearing seeing that no one wished to comment.

Councilmember Jacob commented that the State included a provision that would make production legal in more than the areas shown if the City did not amend the Code as described.

MOTION: Councilmember Jacob moved to adopt Ordinance 19-35. Councilmember Anderson seconded the motion.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Mayor Pro Tem Lamb	Yes
Councilmember McConnehey	Absent
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 5-0.

VI. CONSENT ITEMS

- a. Approve the minutes of October 23, 2019 as presented**
- b. Approve Resolution 19-187, authorizing the Mayor to execute Amendment No. 2 to the Professional Services Contract with WSP for the 7800 South Widening and Realignment of New Bingham Highway project, for an amount not to exceed \$62,420.22**
- c. Approve Resolution 19-188, to award a five-year contract to Delta Fires Systems and authorize the Mayor to execute a five-year contract with Delta Fire Systems, Inc. to provide a broad range of fire protection services such as preventive maintenance, repair, inspection and testing for various**

buildings/facilities that are owned and operated by the City of West Jordan; in an amount not to exceed \$25,525.00

- d. Approve Resolution 19-189, authorizing the Mayor to execute Amendment No. 15 to the Professional Services contract with Stanley Consultants, Inc. for additional design bidding and construction management services for the 7000 South Utility Project – Phase 2, for an amount not to exceed \$40,050.00.**
- e. Approve Resolution 19-190, to award a contract to Staker & Parson Companies dba Reynolds Excavation, Demolition & Utilities, and authorize the Mayor to execute a contract with Staker & Parson Companies dba Reynolds Excavation, Demolition & Utilities for the Zone 3 North Transmission Main project; in an amount not to exceed \$941,385.00**
- f. Approve Resolution 19-191, authorizing the Mayor to execute Change Order No. 3 to the contract with Kilgore Contracting for the 7800 South Widening & Realignment of New Bingham Highway project, for an amount not to exceed \$85,988.87.**
- g. Approve Resolution 19-192, accepting the grant award in the amount of \$66,426 from the UDAQ and authorizing the Mayor to execute the Workplace Vehicle Charging Program Agreement between the City and the UDAQ.**
- h. Approve Resolution 19-193, awarding a five-year contract to Canyon Pipeline Construction and authorize the Mayor to execute a five-year contract with Canyon Pipeline Construction to provide traffic control services and devices on an as needed basis; in an amount not to exceed \$30,000.**
- i. Approve Resolution 19-194, awarding a five-year contract to Generation System, Inc. and authorize the Mayor to execute a five-year contract with Generation System, Inc. to provide scheduled preventive maintenance and repairs for generators and transfer switches at city owned buildings; in an amount not to exceed \$35,885.00**
- j. Adopt Ordinance 19-36, amending and renumbering the 2009 West Jordan Municipal Code, Title 1, Chapter 11 (Ethics for all City Officers and Employees) and Article 11A (Ethics for Elected Officials); and repealing Chapter 12**
- k. Adopt Ordinance 19-37, amending and renumbering Title 1 of the 2009 West Jordan Municipal Code, Title 1, Chapter 7 (Mayor) and Chapter 8 (Municipal Administrative Code, Including Departments); and repealing Title 1, Article 7D (City Manager); regarding the change to the Council-Mayor Form of Government**

- l. Adopt Ordinance 19-38, amending and renumbering the 2009 West Jordan Municipal Code, Title 1, Chapter 8, Articles A through J inclusive (Executive Branch Departments); and repealing certain other related provisions; regarding the change to the Council-Mayor form of municipal government**

- m. Adopt Ordinance 19-39, approving a text amendment to the 2009 West Jordan Municipal Code, Title 6, (Police and Public Safety), Chapter 3 (Animal Control), and Article G, (Enforcement)**

The City Council pulled Consent Items 6e, 6k, and 6l for further discussion.

MOTION: Councilmember Anderson moved to approve all Consent Items except 6e, 6k, and 6l. Councilmember Whitelock seconded the motion.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Mayor Pro Tem Lamb	Yes
Councilmember McConnehey	Absent
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 5-0.

VII. CONSENT ITEMS DISCUSSION

6e

APPROVE RESOLUTION 19-190, AWARDING A CONTRACT TO STAKER & PARSON COMPANIES DBA REYNOLDS EXCAVATION, DEMOLITION & UTILITIES, AND AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH STAKER & PARSON COMPANIES DBA REYNOLDS EXCAVATION, DEMOLITION & UTILITIES FOR THE ZONE 3 NORTH TRANSMISSION MAIN PROJECT IN AN AMOUNT NOT TO EXCEED \$941,685

Dave Murphy explained that this project would install 3,500 linear feet of a pressure Zone 3 master planned 20-inch water transmission line from a proposed Zone 3 water tank adjacent to Mountain View Corridor at approximately 7600 South to 5600 West. This new Zone 3 water line would provide greater stability to zone pressure after the tank was constructed. Zone 3 served many residential neighborhoods between 5200 West and 3600 West. The City received four bids, with Staker & Parson Companies dba Reynolds Excavation, Demolition & Utilities being the lowest responsible bidder.

Responding to a question from Councilmember Anderson, Danyce Steck clarified that funds would be pulled from Series 2017 Bonds.

MOTION: Councilmember Anderson moved to approve Consent Item 6e as presented. Councilmember Whitelock seconded the motion.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Mayor Pro Tem Lamb	Yes
Councilmember McConnehey	Absent
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 5-0.

6k

ADOPT ORDINANCE 19-37, AMENDING AND RENUMBERING TITLE 1 OF THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 1, CHAPTER 7 (MAYOR) AND CHAPTER 8 (MUNICIPAL ADMINISTRATIVE CODE, INCLUDING DEPARTMENTS); AND REPEALING TITLE 1, ARTICLE 7D (CITY MANAGER); REGARDING THE CHANGE TO THE COUNCIL-MAYOR FORM OF GOVERNMENT

Duncan Murray answered questions from the Council regarding amendments to Title 1 and the upcoming change to Council-Mayor form of government.

Councilmember Whitelock emphasized that Section 1-7-2 did not state a specific dollar amount for mayor compensation. Councilmembers would have opportunity at a future meeting to discuss and set a specific amount. She stated she believed the annual budget should be presented to the City Council for discussion in March of each year.

Mr. Murray recommended that anything more specific regarding when the budget was to be presented would be more appropriate in Title 3 Chapter 8. He explained that the maximum amount of \$120,000 was set aside in the budget for mayor compensation but that the Council was not required to approve the maximum amount.

Mayor Pro Tem Lamb asked if the mayor compensation would remain at the current rate until changed by the Council. Mr. Duncan responded that the proposed ordinance did not specify the current rate of \$89,500. He recommended that if the Council passed the ordinance as it was, they include a maximum mayor compensation amount in the same motion.

Mr. Wall confirmed that if the Council did not change the maximum amount, mayor compensation would default to the \$120,000 set aside in the budget document. He recommended the Council pass the ordinance as proposed and amend the budget document to include a range.

MOTION: Councilmember Whitelock moved to adopt Ordinance 19-37, amending and renumbering Title 1 of the 2009 West Jordan Municipal Code, Title 1, Chapter 7 (Mayor) and Chapter 8 (Municipal Administrative Code, Including Departments), including in Section 1-7-2 the language “the mayor shall be paid an annual salary of up to a maximum of \$89,500”; and repealing Title 1, Article 7D (City Manager); regarding the change to the Council-Mayor Form of Government. Councilmember Anderson seconded the motion.

Councilmember Jacob stated the issue of mayor compensation had already been discussed, and expressed opposition to the motion, saying he liked Section 1-7-2 as drafted.

Korban Lee stated that a ten-day notice period was required for a public hearing to amend the budget. He discouraged putting dollar amounts in City Code because dollar amounts and salaries fluctuated on an annual basis. He said if the proposed ordinance were approved, staff could bring back a budget amendment specifying a range in order to align the budget with the City Code before the end of the calendar year.

Mr. Murray stated that following January 1, any change in mayor or council salaries could not be approved without a recommendation from an ethics committee.

Councilmember Whitelock withdrew her motion.

MOTION: Councilmember Whitelock moved to adopt Ordinance 19-37 amending and renumber Title 1 as stated, with the caveat that prior to the end of the year mayor compensation must appear on a Council agenda with enough time to notice a public hearing. Mayor Pro Tem Lamb seconded the motion.

Councilmember Burton said he would support the motion since no dollar amount was attached.

Responding to a question from Mayor Pro Tem Lamb, staff stated that if the Council did not set mayor compensation by the end of the year, compensation would be unclear. He said he did not believe the Council was ready to make the decision, and said he was in favor of the new motion.

Mr. Wall commented that revising Ordinance 19-37, if it became necessary, would not require a 10-day notice period.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	No
Mayor Pro Tem Lamb	Yes

Councilmember McConnehey	Absent
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 4-1.

6l

ADOPT ORDINANCE 19-38, AMENDING AND RENUMBERING THE 2009 WEST JORDAN MUNICIPAL CODE, TITLE 1, CHAPTER 8, ARTICLES A THROUGH J INCLUSIVE (EXECUTIVE BRANCH DEPARTMENTS); AND REPEALING CERTAIN OTHER RELATED PROVISIONS; REGARDING THE CHANGE TO THE COUNCIL-MAYOR FORM OF MUNICIPAL GOVERNMENT

Councilmember Burton said he felt Section 1-8A-1B of Ordinance 19-38 was too restrictive, and proposed a change with the hope that a greater number of applications for the position of City Administrative Officer would be received. He said there may be qualified candidates without prior experience in the field of local government, and suggested under Section 1-8A-1B using the language “five years of successful management experience, public sector management experience preferred. Prior city administration experience strongly preferred.”

Councilmember Jacob suggested that “five years of successful management experience” limited the field more than necessary.

Councilmember Anderson asked how “successful management experience” would be defined. Councilmember Burton responded it would be up to the mayor and hiring staff to make that determination. Councilmember Anderson asked if it would be wise to open the field wide enough that a potential CAO could be lack knowledge and formal education in public administration. Staff commented that education requirements were not included in the Code.

Councilmember Jacob said he would like to keep the Code as open as possible, and suggested the following language for Section 1-8A-1B: “The city administrator shall be appointed on the basis of such qualifications as may be prescribed.” He emphasized that the Council would have the ability to provide advice and consent.

Mayor Pro Tem Lamb suggested “The city administrator shall be appointed on the basis of demonstrated ability. Prior experience in the field of local government administration is preferred.”

MOTION: Mayor Pro Tem Lamb moved to adopt Ordinance 19-38, changing Section 1-8A-1B to read “The city administrator shall be appointed on the basis of demonstrated ability. Prior experience in the field of local government administration is preferred.” Councilmember Jacob seconded the motion.

Mr. Murray stated his advice was to ensure that any change made would match the proposed job description, which he felt the motion accomplished.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Councilmember Lamb	Yes
Councilmember McConnehey	Absent
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 5-0.

At 8:41 p.m., Councilmember Jacob moved for a brief recess. Councilmember Burton seconded the motion, which passed by unanimous vote (5-0).

The Council returned in workshop format at 8:51 p.m.

**VIII. WORKSHOP
QUARTERLY FINANCIAL UPDATE**

Ms. Steck presented a quarterly financial update and answered questions from the Council. She reported the City's financial situation was healthy and explained sales tax distribution, indicating that the City needed to keep a balance between residential and commercial components. Responding to a question from Councilmember Jacob, Ms. Steck agreed to research whether the City had ever officially earmarked telecom tax revenue for roads projects. She recommended the City find a way to more strongly fund Risk Management. The Council thanked Ms. Steck for her presentation.

**DISCUSSION REGARDING ALL THE CHAPTERS OF TITLE 8 OF THE
2009 WEST JORDAN MUNICIPAL CODE (PUBLIC WORKS, PUBLIC
WAYS AND PROPERTY) REGARDING THE CHANGE TO THE
COUNCIL-MAYOR FORM OF MUNICIPAL GOVERNMENT**

Mr. Murray outlined proposed changes to Title 8 of the 2009 West Jordan Municipal Code and answered questions from the Council.

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

COUNCIL: Mayor Pro Tem Chad Lamb, and Council Members Alan Anderson, Dirk Burton, Zach Jacob, and Kayleen Whitelock.

STAFF: Korban Lee, Assistant City Manager; Rob Wall, City Attorney; Brian Clegg, Public Works Director and Justin Stoker, Deputy Public Works Director.

MOTION: Mayor Pro Tem Lamb moved to go into a Closed Session for a discussion of the character, professional competence, or physical or mental health of an individual, a strategy session to discuss pending or reasonably imminent litigation and a strategy session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, following a brief recess, and adjourn from there. Councilmember Jacob seconded the motion.

A roll call vote was taken

Councilmember Anderson	Yes
Councilmember Burton	Yes
Councilmember Jacob	Yes
Councilmember Lamb	Yes
Councilmember McConnehey	Absent
Councilmember Whitelock	Yes
Mayor Riding	Absent

The motion passed 5-0.

The City Council meeting recessed at 9:40 p.m. and convened a closed session at 9:47 p.m.

STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES

- 1) Property transfer to SVWRF

DISCUSSION OF THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

- 1) No items were discussed

STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

- 1) No items were discussed

X. ADJOURN

The meeting adjourned at 10:03 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.

JIM RIDING
Mayor

ATTEST:

JAMIE BROOKS
Interim City Clerk

Approved this 4th day of December 2019