

CITY OF SOUTH JORDAN
GRAMA Record Request
Fax: 801-254-3393



The following form should be completely filled out and returned to the City Recorder's office. The City is allowed 10 business days in which to respond to your request. Presently, South Jordan City Charges .50¢ per page. The City may assess other fees for records compiled in a form other than that maintained. Research or Services Fee may be charged as provided by Utah Code 63G-2-203.

Requestor's Name: Kathie Johnson
Address: [Redacted] City: South Jordan
State: UT Zip: 84095 Daytime Phone: [Redacted] Fax: _____

In accordance with the Governmental Records Access Management Act, I am seeking the following record(s) **specifically described as:**

Copy of Ordinance 2013-04 signed by Mayor Alford

which I believe are collected, filed and/or used by the City of South Jordan, 1600 W. Towne Center Drive, South Jordan, Utah 84095 (801) 254-3742.

I would like to view/inspect the record(s).
 I would like to receive a copy of the record(s) described above. I understand that the City charges a fee for copies of records and the copies will be provided subject to fees being paid. I authorize cost of up to \$500. If costs are greater than the amount I have specified, I further understand that the office will contact me and will not respond to a request for copies if I have not authorized adequate costs.

Kathie Johnson Signature Date 01/31/14

CITY'S RESPONSE TO RECORD REQUEST - FOR OFFICE USE ONLY

APPROVED - Requestor notified on January 28, 2014
 DENIED - Written denial sent on _____, 20____
 Requestor notified that this office does not maintain record; and, if known, was also notified of name and address of agency that does maintain record on _____, 20____
 Extension of time for extraordinary circumstances. Required notice sent _____, 20____

COPY FEES: \$ 3.00. If waived, approved by: _____

Cindy Valdey Signature Date 1-28-14

ORDINANCE NO. 2014 - 04 (FOURTH SUBSTITUTE)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CODE SECTION 2.28.010 AND 2.28.020 TO CLARIFY THE OFFICE AND DUTIES OF CITY MANAGER.

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WHEREAS, South Jordan City Code Sections 2.28.010 and 2.28.020 establishes the office and duties of city manager; and

WHEREAS, the City Council desires to amend, change, and clarify the office and duties of city manager, and

WHEREAS, The South Jordan City Council finds that amending Code Section 2.28.010 and 2.28.020 discussed herein are in the best interest of the health, safety, and welfare of the residents of the City of South Jordan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:

SECTION 1. Amendment. South Jordan City Code Section 2.28.010 and 2.28.020 are hereby amended as follows:

2.28.010: OFFICE CREATED; ADMINISTRATIVE PROVISIONS:

A. Office Created: The office of the city manager, which shall be known as "city manager", is created and established pursuant to Utah Code Annotated section ~~10-3b-303, 10-3-830, as amended.~~ The city manager shall be referred to as the city manager or the chief administrative officer.

B. Control: The powers, duties and functions of the office of city manager shall be subject to the control and policies of the governing body.

C. Appointment: The governing body shall appoint the city manager, who shall be appointed ~~wholly~~ on the basis of his or her experience, administrative, and executive abilities and qualifications.

D. Bond: Before taking office, the city manager shall furnish a fidelity bond, at the expense of the city, in the amount of ~~three hundred thousand dollars (\$300,000.00)~~ one million dollars (\$1,000,000.00), conditioned upon the faithful performance of his or her duties, with a corporation licensed to do business in this state as a surety. Such bond shall be filed with the city recorder after being approved by the governing body.

E. Term Of Office: The city manager shall serve at the pleasure of the city council and may be removed at any time, with or without cause, by a majority vote of the city council ~~as then constituted, convened in a regular city council meeting~~, subject, however, to the provisions of the next succeeding subsections.

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1. Notice: In the case of ~~intended~~ removal by the city council without cause, the city manager shall be furnished with a fourteen (14) days written notice ~~stating the city council's intention to remove him or her, at least thirty (30) days before the effective date of his or her removal.~~ In the case of removal by the city council for cause, the city council may effect removal of the city manager immediately upon notice to the city manager.

~~2. Meeting: Within seven (7) days after the delivery to the city manager of such notice of intention to remove, he or she may by written notification to the governing body, request a confidential executive meeting with the city council. Thereafter, the city council shall fix a time for the meeting which shall be held at its usual meeting place, but before the expiration of the thirty (30) day period, at which the city manager shall appear and be heard.~~

~~3. Discretion of Council: In removing the city manager, the city council may use its uncontrolled discretion and its action shall be final and shall not depend upon any particular showing or degree of proof, at the meeting.~~

~~4. Limitation On Removal: Notwithstanding the provisions of this section, the city manager shall not be removed from office during or within a period of one hundred eighty (180) days next succeeding any municipal general election held in the city at which a member of the city council is elected or when a new city council member is appointed; the purpose of this provision is to allow any newly elected or appointed member of the city council or reorganized city council to directly observe the actions of the city manager in the performance of the powers and duties of his or her office. After the expiration of said one hundred eighty (180) day period, the provisions of this subsection as to the removal of the city manager shall apply and be effective.~~

F. Employment Agreement: Nothing in this chapter shall be construed as a limitation on the power or authority of the city council to enter into any supplemental agreement with the city manager ~~delineating with~~ additional terms and conditions of employment not inconsistent with any provisions of this chapter.

~~G. Resignation: Before voluntary resignation from the position of city manager, the city manager shall give the city council thirty (30) days' notice in writing of his or her intention to resign.~~

HG. Salary: The salary and other compensation of the city manager shall be ~~set forth from time to time established~~ by the city council in accordance with Utah ~~Code Annotated section 10-3-818~~ law. ~~On termination of employment of the city manager by reason of involuntary removal from service, severance pay shall be paid by the city in accordance with Utah Code Annotated section 10-3-1225. Involuntary removal from service shall include, but not be limited to, reduction in force, forced resignation and reductions in pay not applicable to all employees of the city.~~

HH. Office ~~aa~~ And Time Spent: The city manager shall maintain an office in the city hall and shall spend such time in the performance of the duties of city manager as is necessary or may

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be required from time to time by the city council. The city manager shall not accept any outside employment in addition to employment by the city without prior approval of the city council.

~~H~~. Residence: The city manager need not be a resident of the city at the time of the city manager's appointment or thereafter. (Ord. 2000-15a; amd. Ord. 2002-04, as amended).

2.28.020: POWERS; DUTIES; OBLIGATIONS:

A. Pursuant to the policies and programs established by the city council, and under the ~~general~~ direction and oversight of the governing body and except as otherwise set forth by the city council in ordinance, resolution, motion, or the South Jordan City Municipal Code, the city manager shall:

1. Be responsible for managing the internal affairs of the city; develop, recommend and implement city policies, practices, rules, regulations and procedures; report to the governing body; advise the governing body regarding policy options and implementation procedures; carry out legislative directives and decisions; be responsible for contracts administration.

2. Establish and maintain effective working relationships with the governing body, the city attorney and city attorney staff, management employees, citizen committees, special interest groups, employees, press, contractors, public vendors and representatives from other city, county, special district, state and federal agencies; issue public statements to the press and respond to questions from the press related to city management, policies, procedures and administrative decisions and is consistent with the majority opinion or direction of the city council.

3. ~~Consistant~~Consistent with the direction of the city council. ~~B~~be responsible for the full and effective use of city personnel by establishing, in consultation with the city attorney, department directors, division heads ~~directors~~ or other management employees, overall department objectives, priorities and standards consistent with the goals, direction, and objectives of the governing body; serve as a facilitator in the achievement by city divisions of governing body goals and in coordinating with management employees for effective implementation of city service levels, ordinances, resolutions, rules, regulations and directives; exercise managerial control to ensure that the city government and its respective departments function in the most efficient and effective manner.

4. Plan, organize and supervise city financial operations and keep the governing body at all times advised as to the financial condition and needs of the city; prepare and deliver financial reports to the city council as needed; supervise the preparation and administration of the city budget under the direction of the city council; ~~act as the budget officer as established by the uniform fiscal procedures act for Utah cities as passed and amended by the state legislature;~~ ensure that all executive procedures and activities are in compliance with the uniform fiscal procedures act for Utah cities and Utah money management act as passed and amended by the state legislature; ~~perform as a non-~~

Comment [IRW1]: Deleted in City Council meeting

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~~exclusive internal auditor to assure conformity to financial goals and budgets and coordinate with external auditors.~~

5. Represent the city at various meetings or other functions and respond to requests or inquiries about city policies, rules, ordinances, regulations, resolutions or services rendered by the city government.

6. Enforce all applicable laws, ordinances, rules, ~~and~~ regulations, ~~and~~ policies of the city. Assure that all franchises, leases, permits, licenses, contracts and privileges granted by the city are fully performed and observed.

7. Recommend and prepare for consideration by the governing body and advisory committees long range strategic plans and programs to provide for the health, safety, and welfare of the current and future inhabitants of the city; furnish reports to the city council as requested.

8. ~~Except as otherwise provided, be~~ responsible for the overall personnel management function; implement city personnel ordinances ~~and~~ rules, and regulations ~~adopted that have been adopted, approved, or revised~~ by the city council; coordinate personnel ordinances and rules and regulations adopted by the city council; coordinate personnel functions with management employees such as recruitment, selection, and appointment; have authority to appoint and remove ~~all~~ any employees of the city, except the city recorder, ~~and the city treasurer, the city finance director, and the city attorney who shall be appointed, removed, or terminated by majority vote of the city council, and except for members of the city attorney's staff who shall be appointed, managed, removed, or terminated by the city attorney;~~ ~~occupy~~ a serve as a step in the appeals process available to employees with grievances; monitor personnel actions, promotion, discipline, demotion, separation and reclassification; coordinate personnel decisions with ~~department directors division heads~~; coordinate activities of individuals rendering professional services under contract with the city.

Comment [IRW2]: Added in City Council meeting

~~9. Manage city data processing and information systems to accomplish city data processing and information system objectives.~~

Comment [IRW3]: Deleted in City Council meeting

~~10. Maintain city insurance. Provide oversight to the city risk management program and implement policies and procedures related to risk elimination, reduction or transfer, acquire insurance and represent the city on the board of directors of the Utah Risk Management Mutual Association.~~

Comment [IRW4]: Deleted in City Council meeting

11. Investigate into the affairs of the city and any department or division thereof, and any contract for the proper performance of any obligations of the city.

12. Create all necessary departments as approved by the city council. ~~Create~~ all necessary divisions, sections, and offices necessary for the government of the city; prepare recommendations for the governing body regarding the addition, deletion or reduction in municipal services.

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13. Attend and participate in all meetings of the city council unless otherwise excluded by the city council in an executive session meeting, but shall not have a right to vote in said meetings.

~~14. Keep a current inventory accounting for real and personal property of the city and its location; care for and maintain all such property including equipment, buildings, parks and other city property which is not assigned to some other officer or governmental body for care and control.~~

Comment [IRW5]: Deleted in City Council meeting

15. Approve and sign commercial and residential subdivision plats on behalf of the city.

16. Perform all other duties, obligations, and exercise the powers set forth by ordinance, resolution, regulation, or directive imposed by the governing body.

17. Notify the city council ~~seven (7) days~~forty-eight (48) hours prior to the effective date of any permanent termination of any city department director. Except in the case of the city attorney or the city attorney's staff, nothing herein shall limit the city manager's ability to institute temporary employee suspensions or temporary administrative leave of city employees.

Comment [IRW6]: Changed in Council Meeting

B. Department Cooperation: It shall be the duty of all subordinate employees to cooperate with the city manager in administering the affairs of the city efficiently, economically and harmoniously.

C. Planning ~~A~~and Land Use: Notwithstanding the foregoing, the city manager shall exercise no authority over the planning commission or the board of adjustment.

D. Performance Evaluation: The city council shall ~~annually~~ evaluate, at least annually, the performance of the city manager.

E. Powers Of The Mayor Not Delegated: Nothing in this chapter shall be construed to delegate to the city manager the ~~legislative and judicial~~ powers of the mayor, the mayor's position as chief executive officer of the city pursuant to Utah Code § 10-3b-104(1)(a), chairperson of the governing body, or any ex officio position which the mayor shall hold. (Ord. 2000-15a; amd. Ord. 2002-04).

Comment [IRW7]: Deleted in Council Meeting

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SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH, ON THIS 21 DAY OF January, 2014 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	X	___	___	___
Chuck Newton	X	___	___	___
Don Shelton	X	___	___	___
Steve Barnes	X	___	___	___
Christopher Rogers	X	___	___	___

Mayor: [Signature]
David L. Alvord

Attest: [Signature]
City Recorder

Approved as to form:

[Signature]
Office of the City Attorney



Councilman Barnes said regarding number 17, he does not feel they need to micromanage if the CM is letting a department head go. Councilman Rogers said it is just to give the City Council notice; they do not have to give approval. Councilman Newton said regarding that provision, he feels they should change the 7 day notice to 48 hour notice. Councilman Barnes concurred. Councilman Rogers said he would be agreeable to that change.

COS Cunningham said the finance director is the internal auditor, not the CM. He said the CM is not the budget officer, and that verbiage should be deleted.

COS Cunningham also suggested they remove paragraphs 9, 10, and 14. He is most concerned about paragraph 10 because it says they have to use URMMA.

C.2. Potential Action Item – (See V. C.1.) Ordinance 2014-04

Councilman Rogers made a motion to approve Ordinance 2014-04, the 4th substitute, with the following edits: in paragraph 2.28.020 A. 4., delete the line that says “act as the budget officer as established by the uniform fiscal procedures act for Utah cities as passed and amended by the state legislature”. Delete the last sentence in paragraph 4 that reads “perform as a non exclusive internal auditor to assure conformity to the financial goals and budgets and coordinate with external auditors.” In paragraph A.8., insert the word *the city finance director* along with the city recorder and the city treasurer. Remove and strike paragraphs 9 and 10, renumber the subsequent paragraphs, and eliminate paragraph 14. Edit paragraph 17 to say that the City Council will be notified *48 hours* before a department head is fired, and strike the word *executive*. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous in favor.

*Note: Items D.1., D.2., and D.3. were discussed earlier in the meeting.

The City Council took a brief recess.

Councilman Newton made a motion to table the discussion of the allocation of surplus funds and the future use of the equestrian park. Councilman Seethaler seconded the motion. The vote was unanimous in favor.

VI. PUBLIC HEARINGS AND POTENTIAL ADMINISTRATIVE ACTION ITEMS

None.

VII. OTHER BUSINESS.

*Note: Items A.1., and A.2. were discussed earlier in the meeting.

B.1. Discussion: Zoning (*By Councilman Rogers*).

B.2. Potential Action Item – (See VII. B.1.)

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 P.O. BOX 704005
 WEST VALLEY CITY, UTAH 84170
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PROOF OF PUBLICATION

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CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
SOUTH JORDAN CITY, 1600 TOWN CENTER DR SOUTH JORDAN UT 84095	9001350317	1/10/2014



1000-160-42410
 R2014-04

ACCOUNT NAME	
SOUTH JORDAN CITY,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8012543742	0000931989 /
SCHEDULE	
Start 01/10/2014	End 01/10/2014
CUST. REF. NO.	
Budget Hearing 1/21	
CAPTION	
CITY OF SOUTH JORDAN PUBLIC NOTICE Notice is hereby given that a Public Hearing will t	
SIZE	
46 Lines	1.00 COLUMN
TIMES	RATE
3	
MISC. CHARGES	AD CHARGES
TOTAL COST	
82.28	

**CITY OF SOUTH JORDAN
 PUBLIC NOTICE**
 Notice is hereby given that a Public Hearing will be held by the South Jordan City Council on January 21, 2014, at approximately 6:00 p.m., in the City Council Chambers at South Jordan City Hall, 1600 West Towne Center Drive, South Jordan City, Utah.
 Subject of the Public Hearing will be a proposed resolution to reopen the fiscal year 2013-2014 budget for the purpose of changes experienced in revenues and expenses.
 Citizens of South Jordan City are invited to offer oral comments and questions during the hearing regarding the Amended Budget. Written statements may be submitted prior to the hearing date to the Recorder's Office. Copies of the Amended Budget will be available beginning January 10, 2014, between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, at the Recorder's Office, 1600 West Towne Center Drive, South Jordan City, Utah.
 Dated this 10th day of January 2014.
 Sunil K. Naidu
 Finance Director,
 City of South Jordan
 931989 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF CITY OF SOUTH JORDAN PUBLIC NOTICE Notice is hereby given that a Public Hearing will be held by the South Jordan City Council on January 21, 2014, at approxima FOR SOUTH JORDAN CITY, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY, COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 01/10/2014 End 01/10/2014

SIGNATURE [Signature]

DATE 1/10/2014



Virginia Craft
 NOTARY SIGNATURE

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT

ORDINANCE NO. 2014 - 03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CODE SECTION 02.04.020 TO ESTABLISH TIME FOR ADJOURNMENT FOR CITY COUNCIL MEETINGS

WHEREAS, The South Jordan City Council desires to amend Code Section 02.04.020 to establish a set time for adjournment of city council meetings; and

WHEREAS, The South Jordan City Council finds that amending Code Section 17.16.010 herein is in the best interest of the health, safety, and welfare of the residents of the City of South Jordan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:

SECTION 1. Amendment. South Jordan City Code Section 02.04.020 is hereby amended as follows:

2.04.020: MEETINGS:

A. Days And Time Of Regular Meetings: Regular meetings of the city council shall be held at the offices of the city on the first and third Tuesdays of each month at the hour of six o'clock (6:00) P.M., effective October 18, 2006. Changes in the date, time and place of said regular meetings may be prescribed by ordinance. If a meeting day shall be a legal holiday, the meeting shall be held on the following day unless otherwise determined by the city council. A portion of the meeting may be designated as an executive-study session on the agenda for that meeting, to facilitate informal discussion, caucuses, preliminary familiarization with or review of agenda items or city business, and for other lawful purposes; provided, that the executive-study session is held in accordance with the Utah open meetings law. Meetings or parts of meetings that are closed to the public in compliance to the Utah Open Meetings Act are designated as "executive sessions" of the city council.

B. Special Meetings: If at any time the business of the city requires a special meeting of the city council, such meeting may be ordered by the mayor or any two (2) members of the city council. The order shall be entered in the minutes of the city council. The order shall provide at least three (3) hours' notice of the special meeting, and notice thereof shall be served by the city recorder on each member who did not sign the order by delivering the notice personally or by leaving it at the member's usual place of abode. The personal appearance of a member of any specially called meeting constitutes a waiver of notice required in this section.

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C. Emergency Meetings:

1. Consistent with applicable law, the notice requirements of this chapter may be disregarded if, because of unforeseen circumstances, it is necessary for the city council to hold an emergency meeting to consider matters of an emergency or urgent nature.

2. The city council shall give the best notice practicable before holding the emergency meeting. Such notice shall include:

- a. The time and place of the emergency meeting, and
- b. The topics to be considered at the emergency meeting.

3. An emergency meeting may not be held unless an attempt has been made to notify all the members of the city council and a majority of the council members approve the meeting.

4. The first item of business at the emergency meeting shall be the adoption of a verbal motion convening the emergency meeting and stating

- a) ~~the reason why~~ why the emergency meeting is being held;
- b) why the notice required for a regular meeting or a special meeting was not reasonably practical, and
- c) what notice was given.

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D. Cross Reference; Open Meetings Law: Statutory provisions governing action taken at meetings of the city council are found in Utah Code Annotated title 52, chapter 4 as amended.

E. Agenda: The city manager shall prepare and distribute to the ~~mayor and members of the~~ city council a written agenda for each regular meeting.

F. Minutes: Complete minutes shall be kept of all meetings of the city council and shall be presented to the council for review, correction and approval, ~~except that including minutes need not be kept~~ of an executive session ~~unless as~~ required by

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law. Minutes of each meeting of the city council shall be retained in the records of the city.

G. Compulsory Attendance: The city council shall have the power to compel the attendance of its members and provide such penalties as it deems necessary for the failure to comply therewith.

H. Rules of Procedure: Except as otherwise provided by law, the city council may establish its own rules of procedures for the proper conduct of its meetings.

I. Disorderly Conduct: The city council, on a two-thirds (2/3) vote, may expel any person who is disorderly and/or disruptive during the meeting of the city council. This section or any action taken by the city council pursuant hereto, shall not preclude any other prosecution under any other provision of law.

J. Mayor Presides:

1. The mayor shall be the chairperson and preside at the meetings of the city council.

2. If the mayor is absent or unable or refuses to act, the city council may elect a member of the city council as mayor pro tempore, to:

a. Preside at a city council meeting; and

b. Perform during the mayor's absence, disability, or refusal to act, the duties and functions of mayor.

3. The ~~municipal clerk or city~~ recorder shall enter in the minutes of the city council meeting the election of a member of the city council as mayor pro tempore under subsection J,2, of this section. (Ord. 2013-03, 4-2-2013)

H. Time of Adjournment: All meetings of the city council shall be adjourned no later than 11:00 p.m., which time is referred to as the normal time of adjournment. No new item of business shall be taken up by the city council after the normal time unless the city council has determined by majority vote to continue. All agenda items not considered at the meeting due to adjournment under this provision shall be early on the agenda of the next regular, special, or adjourned regular meeting unless the city council directs otherwise.

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SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH, ON THIS 21 DAY OF January, 2014 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	<u>X</u>	___	___	___
Chuck Newton	<u>X</u>	___	___	___
Don Shelton	<u>X</u>	___	___	___
Steve Barnes	___	<u>X</u>	___	___
Christopher Rogers	<u>X</u>	___	___	___

Mayor: [Signature]
David L. Alvord

Attest: [Signature]
City Recorder

Approved as to form:
[Signature]
Office of the City Attorney



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executive sessions is sugar coating what they have always called a closed meeting. He said he is not in favor of the change from work session to study session either, but he is not as impassioned about that change. He said the Ordinance says that if a City Council meeting day falls on a holiday, the meeting shall be held the next day. He asked that it be changed to the meeting may be held the next day.

Councilman Shelton said there needs to be some work done in terms of managing the agenda. They have enough data to know the average time that a controversial rezone will take, and they can figure how long the meeting will go. They should be more predictive and set aside time for each point on the agenda. If they set a normal time of adjournment, it gives the staff a target when trying to manage that agenda. He said he is in favor of the Ordinance. He feels people repeat themselves in long public hearings.

Councilman Seethaler said the problem is not just with the residents, but with the City Council as well. The City Council should discipline themselves. This Ordinance represents a guideline. He has had comments from residents that they felt that they did not get a fair hearing because it was held late at night. This Ordinance does not bind them to stop at 11. Other cities have similar guidelines. He also likes the suggestion that if an item is held over, it be placed early on the following agenda.

Councilman Rogers said the intent is to provide fairness to everyone involved. He agreed that they need to do a better job controlling the agenda. He feels that this Ordinance promotes free speech. At the 3:30 am City Council meeting, people left and were unable to express their opinions.

Councilman Barnes said he agrees with the end that they are trying to achieve, but he disagrees with the means in which they are trying to accomplish this.

Mayor Alvord said a lot of the responsibility of the meeting running fairly falls on him. The goal to end the meeting at 11 is a tool for him. If it is an Ordinance, people won't feel slighted if an issue is pushed off to a later date. He said he wants to hear the concerns of the residents, but also with a fresh mind.

The City Council determined that they should always try to have 2 meetings in a month. One reason for the 3:30 am meeting is because they skipped the previous meeting.

B.2. Potential Action Item – (See V. B.1.) Ordinance 2014-03

Councilman Rogers made a motion to approve Ordinance 2014-03, with a change to ✓ subparagraph A to indicate that the City Council meeting will be held the following day unless otherwise determined by the City Council. The last word in paragraph C. 4. should be changed to reasons: and then in subparagraph A put *why the emergency meeting is being held*, and then add *early* in subparagraph A, so the item is early on the next agenda unless otherwise specified. Councilman Seethaler seconded the motion. Roll call vote. The vote was 4-1 in favor, with Councilman Barnes opposed.