

SOUTH JORDAN CITY  
CITY COUNCIL MEETING

January 6, 2015

**Present:** Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, Councilman Don Shelton, Fire Chief Andrew Burton, Administrative Services Director Dustin Lewis, Police Lieutenant Knight, Strategic Services Director Don Tingey, Development Services Director Brad Klavano, Assistant City Attorney Ryan Loose, COS Paul Cunningham, City Commerce Director Brian Preece, Finance Director Sunil Naidu, IS Director Jon Day, City Council Secretary MaryAnn Dean

**Others:** See Attachment A

**REGULAR MEETING – 6:00 PM**

**A. Welcome and Roll Call – *Mayor David Alvord***

Mayor Alvord welcomed everyone present. All members of the City Council were present, as listed.

**B. Invocation – *By Mayor David Alvord***

Mayor Alvord offered the invocation.

**C. Pledge of Allegiance**

Police Lieutenant Knight led the audience in the Pledge of Allegiance.

**Councilman Rogers made a motion to continue the study session item D to be discussed after E, and to table item G.1. and to move G.2. off the summary action calendar to be discussed right after study session item D. Councilman Newton seconded the motion. The vote was unanimous in favor.**

**Councilman Newton made a motion to add an emergency closed meeting as item K. to discuss the character, professional competence, physical or mental health of an individual. Councilman Barnes seconded the motion. The vote was unanimous in favor.**

**D. Minute Approval**

1. December 16, 2014 Study Meeting
2. December 16, 2014 Regular Meeting

**Councilman Seethaler made a motion to approve the December 16, 2014 Study Meeting minutes and the December 16, 2014 Regular Meeting minutes, as printed. Councilman Rogers seconded the motion. The vote was unanimous in favor.**

**E. Public Comment:**

**Jan Poulson**, said she is here to discuss the radon issue. She said she is a lung cancer survivor. When they bought their house, the radon level was at an acceptable level. They determined to make a walkout basement in their home. They didn't test the radon level after the remodel. When it was tested, the radon level was 6 times the acceptable level. They assume this is where her lung cancer came from. She had her right lung removed, did 5 weeks of radiation and chemotherapy. She was cancer free for 6 years. She said she is a voice for people who have died from the disease. She joined the Utah Radon Coalition and the Utah Radon Policy Coalition to raise awareness how this can affect your life. A year ago, she started suffering from dementia type symptoms. They found that the cancer had moved to her brain. They removed it, and then found another small tumor in her brain. She has since had 6 more tumors removed. She is now cancer free again. She said this is a serious issue.

**Dennis Flynn**, resident of South Jordan for 2 years. He said he lives in the Daybreak neighborhood. Their home was constructed in 2011. They were never notified of the potential for radon when their home was inspected. Their neighbor had a radon issue. When he tested his home, their levels were almost 10 times the hazardous rate. He said they have never smoked but could develop lung cancer. He is concerned for his 2 year old that has lived her entire life in that home, exposed to that gas. The risk to his daughter is twice as great as the risk to him. He said they had a hole in their foundation left there intentionally for them to finish their basement. It was a typical install and passed the building inspection. He said he would like to have known that he should test for radon. It is an avoidable problem and can be addressed with common sense approaches.

**Councilman Shelton made a motion to amend the agenda to discuss item F. and then D from the study session. Councilman Rogers seconded the motion. The vote was unanimous in favor.**

**F. Presentation:** Radon Gas Outreach Program. *(By Communications Coordinator, Tina Brown)*

Tina Brown introduced Eleanor Divver, Radon Program Coordinator for the Department of Environmental Quality, and Alyssa Mitchell, Salt Lake County Health Department. Ms. Divver reviewed a presentation on what radon is and how it gets into homes. It is a concern because it causes lung cancer. Ms. Mitchell said they are working with the DEQ on radon education. They want to outline the dangers and promote awareness. January is radon awareness month. Miss Brown reviewed the city's outreach program and noted an upcoming open house on January 21<sup>st</sup>.

Mayor Alvord expressed appreciation for these efforts. He noted that his home will need radon mitigation in the future.

Ms. Divver reviewed what would be involved in radon mitigation. It is important to use certified mitigators. A sub slab depressurization system would be needed as well as some piping and fans. It is still possible to be exposed to radon with a finished basement. She said there is radon resistant new construction. The radon levels are typically higher in the basement.

Councilman Shelton noted that this effort was initiated by Mr. Flynn. He said his understanding is that the latest version of the building code section requires radon mitigation construction, but that has not been adopted by the State of Utah. Assistant City Attorney Loose said if it is an appendix to the code, the city could look at adopting it. City Commerce Director Preece said they will also have to get permission from the Building Codes Commission. Mr. Loose said he would look into it further.

\*The City Council moved to a discussion that was not finished in the study session.

D. **Staff Item:** Rosemond University Assessment Funds – STUDY SESSION ITEM

Finance Director Naidu said the city had agreed that when Rosemond University purchased the Edmunds property, west of their building, the city would pay for an acre of the property. The value came out to \$375,000. Later the city decided to not build the road and the property is not needed. The Council felt that they should still honor the commitment to pay for an acre of that property. Nothing was done until Rosemond contacted the city recently. They proposed that the city take over the remaining portion of their assessment, which would be \$68,000 a year for 4 years. If the City Council desires to honor that commitment, he will need to build it into the budget.

Mayor Alvord said he would like for the city to honor its commitments. Mr. Naidu said their understanding is that the agreement was verbal; it is not part of any meeting minutes. Staff has met with Rosemond representatives to discuss the issue.

Mayor Alvord said when there is money tied to a conversation and they have nothing in writing, are future Council's tied to that? Assistant City Attorney Loose said verbal is less of a binding contract. He said they need to see if any documentation exists, such as a memorandum of understanding.

Mayor Alvord said they need a document produced formally in writing. They need to make sure this makes sense as a Council. Mr. Naidu said they started looking into it last summer. They have met with Rosemond quite a few times. Mayor Alvord asked that a memo of understanding be put on a future agenda. They need to outline a deal that reflects what this Council is willing to enter into.

Councilman Seethaler said he is a member of the Board of Trustees for Rosemond Health Sciences, so he will recuse himself from the topic. It has not been a topic of discussion at a Rosemond Board meeting or the finance and auditing committee. He knew nothing of the issue. He said if Rosemond is owed money, they probably have a record of that. They need to

understand what documentation Rosemond has. Any deal should be in written form. They want to be honorable but prudent.

Councilman Newton said there was a discussion in 2012 about the city helping Rosemond by being a conduit for their credit bond and that precluded everything else. He asked if Councilman Seethaler could pursue this with Rosemond University. Councilman Seethaler said because of his dual role, he was concerned about inserting himself in the issue.

Mr. Naidu said Rosemond didn't end up using the city as a conduit. Mayor Alvord said they need to find more documentation to ensure a level of comfort for the City Council.

**G. Summary Action Items:**

1. Resolution R2015-04, authorizing the Mayor to sign an agreement with Lewis Young Robertson & Burningham for Financial Advisory Services. *(By CFO, Sunil Naidu)*

This item was tabled.

2. Resolution R2015-05, City-Wide Policy 110-01 Use of Official City Social Media. *(By COS, Paul Cunningham)*

**Councilman Barnes made a motion to amend the agenda to discuss the public hearings first and then discuss item G.2. Councilman Rogers seconded the motion. The vote was unanimous in favor.**

- H. **Public Hearing:** Ordinance 2014-19, amending the Mayor and City Council's Salary, an automatic cost-of-living provision, health insurance benefits premium share and access to cash-out, and a monthly stipend for personal communications devices. Note: This item was previously tabled at the 12/16/2014 Council Meeting. *(By COS, Paul Cunningham)*

COS Cunningham said the compensation committee did an across the board examination of salaries for elected officials. They looked at comparable salaries to other elected officials. They determined that an increase in salary for the Mayor and City Council was needed. They also determined to change the health insurance benefit from 50 percent co-pay to 80 percent co-pay, which is the same as new employees. They also have the cash out option, which is the same as full time employees. He said they also determined to add a stipend for personal communications devices, which was the request of some Councilmembers.

Mayor Alvord opened the public hearing.

**Larry Short**, 2234 W. Autumn Farm Dr., said there are things they are adding just because they want to. When they took the jobs, they knew the pay and they knew this was not full time. He said the compensation for insurance is not given to any other part time employee. They are taking 200-300 a month for insurance benefits. Are there two phones and that is why a stipend is needed? Maybe they should look at having the city get them a phone instead. He said they don't

have to take all of the recommendations and keep up with all of the other cities. The more they increase, the more the residents have to pay for it. They are getting to a point where they are getting more full time benefits than they deserve.

Mayor Alvord closed the public hearing.

Councilman Rogers said: "As a member of the compensation committee, I wanted to speak a little bit about the reasons and justifications as to why this occurred. Mr. Day, could you put up on the screen what I have on my iPad? Slowly but surely. Ah. Perfect. Let me start by saying that the compensation committee was tasked by evaluating the compensation of everybody in the... all the employees as well as the elected representatives, and we found deficiencies in certain areas. We found deficiencies with the fire department, the police department, and the City Council, and the Mayor. This was a complete evaluation in my mind. And it was a fair evaluation. And one thing that should be clear and the citizen member is here on the committee, Jared Olsen, he can confirm and I can vouch for it and so can anybody else, but nobody goes into public office to make money. As you can see by these figures, for what the Mayor is getting paid and for what the Councilmembers are getting paid, nobody comes into this office to rake some big, you know, pay day. So, the notion that the Council or that the compensation committee was trying to bestow some type of excessive benefit on the City Council is just not what the compensation committee did, and I consider that an insult to this Council and to the committee and to all the work that they've done. What we've strived to do is put us in the middle and use data to back that up and not just conjecture. So, I'm going to go through some of the data that we used that prior Council's probably didn't use. With respect to the Mayor, I'm going to talk about the Mayor's salary in particular first. We evaluated initially and in your packets, you have the first table that was presented to the committee concerning the Mayor's salary. Some of the factors that I thought were important that were in subsequent charts that unfortunately Paul didn't put in the packet, but I have included on the dias and Mrs. Dean has a copy which is a copy of what I am showing you right now (Attachment B) included two other or three other columns of data that I thought were important to evaluate when looking at salaries. The first thing is that in looking at salaries, the one thing that we have is to compare ourselves to other municipalities and what they are likewise doing. And so, the first question is what other municipalities are we looking at? Are we looking at the entire country or are we looking at the state or are we looking at the County? And so we encapsulated other cities in Salt Lake County in this database. And then other factors, other data items, that I thought were important that are indicative of determining the equitable and fair value for what work is being done. I considered the population of a particular city, the projected revenues of the particular city, and the percentage of the salary based on the budget. And I'll explain why that's an important figure as well, something that I looked at. With respect to the Mayor, let me just get in and start first off. Most of you know that there are some cities that have full time Mayors and some cities that have part time Mayors. The cities that are shaded on this particular graph, other than South Jordan, the cities that are shaded at the top of the column; those are full time Mayor positions. And they range from \$133,000 at Salt Lake County Mayor all the way to \$60,000 for West Jordan's Mayor. Now, interestingly, if you exclude the full time Mayors, South Jordan is in the bottom third of what they pay if you were to just compare the salaries of part time Mayors in the city of...in comparison to other cities. We're in the bottom third. If we adopt the recommendation of

changing the Mayor's salary, from \$17,513.60 to \$21,500, that will put him in the middle third. It doesn't put him in the top and it doesn't put him in the bottom, it will put the Mayor directly in the middle third. Interestingly enough, let me re-categorize this according to some of the different categories and it will give you a different flavor as to why we came up with this number. First of all, if we were to re-categorize..this is currently sorted by highest salary to lowest salary. Bluffdale being the lowest salary at \$14,400 and the highest salary being at \$133,000. If we sorted this table by highest population to lowest population, there's an even, there's something that really strikes out at you. You'll notice that every city over 48,000 people has one of two things, except for South Jordan, has one of two things, they are either a full time Mayor or they are the highest paid part time Mayor and frankly the Mayor of West Jordan, I don't know how they do that considering the population and the budget ... West Valley I mean...every Mayor that's over 48,000 people, has a city of 48,000 people or more, has a full time Mayor or the highest paid part time Mayor. South Jordan comes in extremely low in that grouping and we have a higher population than Murray and a comparable population to Taylorsville, and they have a full time Mayor. That was one of the factors that we evaluated. That the work involved in the Council and with the Mayor is comparable to these other populations, and to these other...and also with respect to their budgets and so we think it's fair as a committee, we thought it was fair and think it's fair to make a recommendation to change that based on population comparisons as well. If you also look below, it's interesting to note that a lot of the cities that have smaller populations pay more for their Mayor. You look at Draper, at 45,000 pays \$19,800. You'll see Cottonwood Heights at 34,000 population pays \$21,900. You'll also see Holladay with a 27,000 population pays \$28,000. You'll even see South Salt Lake who has 24,000 people but has a full time Mayor. So it wasn't out of whack if you're basing it solely on population to consider an increase in the Mayor's salary considering the population of the city and frankly, it's not a discussion for today, but eventually maybe a discussion about whether this city eventually will take on a full time Mayor status. Now if I were to categorize this by...reorganize this by projected revenues, this gives you an indication based on how big their budgets are or how much they can spend and what they are paying their Mayors. If you look at South Jordan, we are...you look at South Jordan, and you look at Draper, and Riverton, and you look at some of the cities that are below in terms of how..in terms that they have smaller budgets, they are paying..what is on there...\$18,500 in Midvale for a \$40 million budget. There's a full time Mayor at \$81,000 for the South Salt Lake. There's \$28,000 for Holladay, \$21,000 for Herriman, \$21,900 for Cottonwood Heights. We felt that with the comparable budget, look at Draper who's just at \$70 million in revenues, they have it \$19,800. And so we felt that this also gave a good indicator as to adjusting the compensation of the Mayor based on projected revenues. If you look at it, like I said, resorting this by highest paid salary to lowest salary. If you exclude the full time Mayor positions, and just take the highest paid part time Mayor and the lowest paid part time Mayor in Salt Lake County, you..we'd effectively be moving the Mayor from the bottom third to the middle third.

So, let me move onto the Council justifications and then I'll take some questions. The Council...looking at the Council pay, I did the same thing, and the committee did the same thing. We looked at the salaries of all of the Council in the Salt Lake County ranging from Salt Lake City down to Bluffdale (Attachment C). As you can see, it ranges anywhere from \$23,754 for Salt Lake City all the way down to Bluffdale, which is \$4,800. And these are yearly salaries by

the way. Just so that everyone is clear. These are yearly annual salaries. In evaluating this, we looked...currently South Jordan is in the bottom quartile, if you will...and actually no, they are in the bottom..they are in the 3rd quartile, excuse me. If you were to divide all these out ranked by salary, they are in the 3<sup>rd</sup> quartile. If the proposal is adopted to change it from \$11,676 to \$14,900, it puts South Jordan's Council member's pay from the 3<sup>rd</sup> quartile to the 2<sup>nd</sup> quartile. That's all. It puts it..it's still in the middle..it's not the highest and it's not the lowest. Now let me evaluate why we decided to..why we thought that was a good recommendation. If you look at one of the first things...let me adjust it by population..If you look at the populations of each of these, you go from Salt Lake County at a million, just over a million, all the way down to Bluffdale at 8,000. If you look at the adjoining closest populations to us, you have Taylorsville which pays around \$13,200. You have Sandy which pays \$19,300. You have Murray, and if you look at some of the ones below, in terms of the ones that have lower populations, there are figures that are higher than ours at \$14,300, \$14,500, and there are some that are also really low like at \$4,800. But here's the thing to look at, that kind of strikes me as kind of important. One thing to look at is this percentage of the salary over the budget. That \$4,800 seems really low, but let me reorganize this by the percentage of their budget. That \$4,800 is actually a higher percentage of their total budget because their total budget's only \$23 million and they only have 8000 people. So that 4.8..or that \$4,800 that Bluffdale pays is actually higher of a percentage of their total budget than what South Jordan pays. If South Jordan was to pay the same percentage that Bluffdale does, they would be paying their Councilmembers \$12 thousand...let's see, no, they would be paying their Councilmembers \$12,575. If, for example, with Bluffdale, or no, look at what's another one..Herriman..look at Herriman. Herriman is on there at \$9,000 for each Councilmember. Their budget is at \$20 million, and their population is at 26,000. Both lower than South Jordan. But that \$9,000 is a huge...is a larger expense in comparison to their budget. If you were to take that same percentage of their budget for Herriman and apply that to South Jordan's budget, Councilmembers would be paid \$26,904. And Riverton, if you did the same, Councilmembers would be paid \$16,513; where in Riverton, currently they are being paid \$11,679. So, one of the...the reason that this strikes me as important is because looking at the budgets, you would expect that the larger the budget, the less the percentage, which is typically true, but you can't look at just the small salary of Bluffdale and say Oh well, why doesn't Bluffdale, they only pay \$4,800 for their Councilmembers, why don't the members of South Jordan do that? They have a smaller population, they have a smaller budget. They are actually taking more in terms of a percentage of their total budget than we are. Based on all these factors, we believe, and let me sort this by budget as well, because I haven't done that let. Let me sort it by just total budget. No, I did that already. Like I said, the quartile..like I said, if you were to break this down into the quartiles, currently South Jordan is in the bottom of the 3<sup>rd</sup> quartile. This would put us at the 2<sup>nd</sup> quartile, and if you were looking at it in terms of percentage of the budget, we would be moving from...let me look at my figure..we would be moving from a 0.01903 percent to 0.02428 percent. If anyone, you know, is a math whiz or anything. But the recommendations from the committee were unanimous for all of these categories, for the police department, for the fire department, for the Mayor, for the Council. We think they are fair and address some of the issues, one of them being that it's important to compensate our elected officials fairly. We also evaluated whether we should delay this until after the elections and also whether we should make it effective at everyone's re-election. The problem with that is that we have staggered terms. And that would mean that for a 2 year period, you would have half the

Council paid more than the other half of the Council, doing the same work. That was a problem the prior Council ran into and I think its...I think the Council's or the compensation committee's position was that it was unfair and not equitable to adjust Council salaries at different times. And we'll all have different election times and so we felt that the best time to do it would be to do it at the beginning of the year, in January, to adjust these and to do it with everybody else – with all the other employees. And to not make the elected officials or the Mayor any different than how we would evaluate the salaries of the elected..or of the employees. Let me, I can address some of the other items in the Resolution. Some of the other items were that the health insurance would be adjusted as you can see. All of the other Councilmembers and Mayors get the...or at least the majority of them get the health insurance. We felt that was an additional factor that should be given. The communications equipment stipend was also another thing that other cities provide and is equitable and the..one of the other things, that I don't know if Mr. Cunningham discussed was that the salaries would be adjusted based on the cost of living adjustment that the employees would get as well. That there would not be a separate vote just for the elected representatives based on cost of living adjustments. That if the Council....that the cost of living adjustments that are granted to the employees are... the Council pay is tied to that similar adjustment. And this is the opinion of the...the unanimous opinion of the compensation committee. It's backed by the several meetings and facts and data and analysis that we have gone through and we think it's fair and equitable. None of these salaries are at the top and none of them are at the bottom. And I think it's important to appropriately pay for the work that the elected officials do and that the employees do..so.”

Jared Olson, citizen member of the compensation committee, said he comes from the private sector. He said in his business, they target in the 63<sup>rd</sup> percentile. He said that was not the strategy for elected officials for South Jordan. They wanted to shoot in the middle. They are talking about very small dollars, and that is why, as a citizen, he is okay with this. They also wanted to find a long term solution, and that was the reason for the cost of living adjustment. The analysis done for the elected officials was the exact same as was done for the other employees. At Councilman Seethaler's request, Mr. Olson reviewed his professional credentials.

Councilman Seethaler asked if, because this is being proposed to be tied to a COLA like the employees, does that imply that the City Council will never have to look at this again? Mr. Olson said yes. He said part of the responsibility of the compensation committee is to have a pulse on the market to make sure the compensation is equitable. He said the committee will keep an eye on it. If something looks off, they may make a recommendation in the future. He noted that there would be opportunity for the employees to get a COLA and a merit increase, but the elected officials do not have a merit increase, just a COLA increase.

Councilman Barnes said a City Council would be similar to board members of a corporation. Is a COLA increase typical for a board? Mr. Olson said it would depend on the structure of the board. The boards he has been involved with have been no compensation boards.

Councilman Barnes asked if the committee contemplated doing an adjustment after the next election, adjusting everyone together. Councilman Rogers said that would delay the increase until January next year. The committee didn't evaluate that. They did evaluate if it should be

done after someone's re-election. They didn't consider waiting until next year. Councilman Barnes said he would prefer for it to take effect after each person's re-election. That would mean everyone did one full term at the rate they were elected for. He said he understands how it could create some hard feelings. He disagreed that it was the same amount of work. They all have ebbs and flows depending on what is affecting their individual districts. He said the case has been laid out well why an increase is needed. He prefers to wait until after the election for this to take effect. He asked if Mr. Olson sees any reason why they would not want to wait until after the next election? Mr. Olson said the pay discrepancy has been there for a while. He said it could wait, but they would not be paid fairly with the market.

Councilman Seethaler noted that Councilmembers today have a total compensation of 15-16 percent less than Councilmembers 3,5,or 7 years ago. Mr. Olsen said they looked at that. The population is growing and they are being asked to do more work. Councilmember Seethaler said Councilmembers in the past qualified for state retirement, which in today's rate is a match of close to 20 percent. They did know what the compensation was when they took office, but they are also making closer to 20 percent less than they Council was making 5-8 years ago.

Councilman Barnes said a former Councilmember said if they don't pay a certain amount, they won't attract the right talent. He said that doesn't seem right for an elected office. Was that evaluated? Mr. Olson said that's not the case. Elected officials are not in it for the money.

**Councilman Rogers made a motion to approve Ordinance 2014-19. Councilman Seethaler seconded the motion.**

**Councilman Barnes made a substitute motion to approve Ordinance 2014-19, but to defer the effective date to January 1, 2016.**

Councilman Barnes said he would like to complete one term on the terms for which they were elected. Councilman Seethaler said the terms in which they were elected were to make good decisions for the city today and in the future. He feels this is a good decision.

**The substitute motion died for lack of a second.**

Councilman Barnes asked about Councilmembers being eligible for insurance that part time employees are not eligible for? COS Cunningham said that is true, but almost all cities give elected officials health benefits. The change is the premium going from 50 to 80 percent, and the eligibility for a cash out, which is \$330 a month.

Councilman Newton asked the reason for the cell phone? Councilman Rogers said they have a hesitancy to have 2 cell phones. The stipend is to reimburse for use of their personal cell phone air time, texting, and data use. It would be labor intensive to identify each month what was used for city purposes. Councilman Seethaler said it could also cover costs such as making copies, etc. COS Cunningham said the \$40 stipend is less expensive than a phone contract.

Councilman Shelton said he does not think an increase in pay will attract more talent. He does not see that as an issue. Based on the studies, it seems like a fair increase. There is no other way to judge it other than looking at the market. He thanked those for their work on the compensation committee. He noted that it is a small increase relative to the budget.

**Roll call vote. The vote was 4-1 in favor, with Councilman Barnes opposed.**

The City Council took a recess.

- I. **Public Hearing:** Brenda Mena property Rezone, 11239 South Lucas Lane. Rezone Ordinance 2015-01-Z, rezoning the property from R-1.8 (Single-Family Residential, 1.8 lots per acre) to R-2.5 (Single-Family Residential, 2.5 lots per acre)  
(By City Planner, Greg Schindler)

City Planner Schindler reviewed the background information on this item.

Mayor Alvord opened the public hearing. There were no comments. He closed the public hearing.

Planner Schindler said the owner would like to subdivide the property and build a second unit. That is not allowed in the 1.8 zone. To get 2 units, they have to have the 2.5 zone.

**Gordon Jacobsen**, 2470 Cheshire Dr. (Sandy), applicant, was introduced.

Councilman Seethaler asked if the new unit will be sold to a family member or an unrelated third party? Mr. Jacobsen said an unrelated third party. They have already had a neighbor approach them about purchasing this lot.

**Councilman Newton made a motion to approve Rezone Ordinance 2015-01-Z. Councilman Barnes seconded the motion. Roll call vote. The vote was unanimous in favor.**

\*The City Council moved back to item G.2. on the agenda.

- G.2. Resolution R2015-05, City-Wide Policy 110-01 Use of Official City Social Media. (By COS, Paul Cunningham)

COS Cunningham reviewed the background information on this item. The question is if this policy should regulate elected officials, or should they have their own policy?

Communications Coordinator Tina Brown said the idea is to have one main Facebook page with several administrators. That way people can post updates from the Gale Center, the Recreation Center, etc. They would not post more than once or twice a day. They need to deem who is responsible for answering the comments. The CM is willing to offer some money to go towards ads, but they have not set an amount at this time. It won't take a lot of money for ads. The target audience is small. It is much less expensive than anything printed or mailed.

Councilman Seethaler said he is concerned about the responsibility being with one individual. He suggested a group of individuals that could perform the role together on the page. He said he is referring to discipline actions versus administrative actions.

Councilman Seethaler said he is not sure eliminating their titles on their Facebook sites is the best way to go in the future. The code of ethics covers any points of concern about self-policing. He feels that issue needs more exploration.

It was noted that the official city page is not a place for the election process. It should not be biased or political. It is just to give messages that would be good for the community as a whole. Councilman Seethaler said when elected officials start giving political opinions on a page, there is the appearance of it being an “official” city position. How do they handle that? Ms. Brown said it may be appropriate to have a separate City Council page, separate from the city Facebook page. Mayor Alvord asked if that would create a meeting?

Councilman Newton said political campaigns should be done on their own. He would rather have one voice for the city. He feels things to be posted on the page should be similar to what is currently put on the front page of the website. They can add some expanded information, if needed.

Councilman Rogers said one of the main concerns is what is officially coming from the city. He said they don’t need this policy to apply to elected individuals because the free speech of elected individuals is highly protected. He said they need to create a division. They should have the code of ethics regulate the elected officials. He said they should look at the code of ethics to make sure it is adequately covered there. He recommended they have some discussion about the term “official” and that they be careful about using that word in their postings. He said he thinks they should be able to use their title to identify themselves. They also need a disclaimer on their websites that say their opinions, thoughts, and posts are not the official position of the city. He said to have a committee review all of the city posts might be too laborious. He said he is in favor of having the legal department look at whenever they are trying to censor someone from making a comment because they are dealing with free speech issues. He said the legal department reports directly to the City Council and they are independent of the CM. He said he is not in favor of “official” Councilmember pages. He feels it will confuse constituents to have an official and unofficial page. If they are going to debate or state their opinions, that should just be on their personal pages with the statement that it is just their opinion.

Mayor Alvord said if they did have a committee approve city posts on their Facebook page, there are programs where you can populate a list of posts that are pending with a certain time that they will post. They can have a committee approve the whole list. He said to have a committee approve every post, one at a time, would be too laborious. Councilman Rogers said he is only recommending a committee approach when someone is being censored. Mayor Alvord said he feels CM Whatcott and Miss Brown should have full control over their site.

Councilman Rogers said they also need to determine how this policy applies to the other city boards in the city, such as the Planning Commission. He said he feels that since they are not elected, they are treated the same as other city employees.

Councilman Newton said he feels they need one Facebook page for all of the departments in one place. He feels they should let Miss Brown, CM Whatcott, and COS Cunningham fine tune this and bring it back.

Councilman Barnes asked if the fire department needs a separate page? Fire Chief Burton said they don't have a Facebook page, it is done through the local union. He feels any benefits could be done through a city wide page. He said he doesn't think they have enough content to do their own page. Councilman Newton said they need one page for residents to get information from all departments.

Councilman Seethaler said he thinks they should host an elected representative's page. The postings would be news about what was passed and considered. They can take comments and input from someone, but the elected officials wouldn't comment directly. He said he would like it if they have a link to their personal blog or page, with a disclaimer that the statements don't represent the city's official statement. Assistant City Attorney Loose said his concern is that they are creating a forum. If a resident is running for office and wants a link, they may not be able to exclude them. It would be the same for representatives of the school district, sewer district, etc.

Councilman Newton said he would rather keep the Facebook page as a place to promote activities. He said he does not think the City Council should post directly to the Facebook page.

Mayor Alvord said with 3 votes, they can post an official statement from the City Council. Councilman Newton said they can keep doing it with how they have been doing the website, for the most part.

Councilman Seethaler said he feels the following issues should be approved by more than one person: approve social media platforms, terminate or remove postings, block users, approve or produce new city blogs.

Councilman Barnes asked if the Council would be able to post comments as individuals? Mayor Alvord said he wouldn't advise it. Councilman Newton concurred. He said they are trying to get information out, not create a public debate platform. Councilman Barnes said they need a statement on the page. COS Cunningham said they have put limits on comments the way the policy is written. He said the blogs are moderated.

Councilman Rogers said he does not feel it is a good idea to have back and forth response on the city's page. If they need to address something that was posted, they can do it on their personal pages. Councilman Barnes asked if someone is called out specifically on the page, would the moderator let them know that this is not the area that the City Council can respond. Miss Brown said yes. COS Cunningham said they will be careful to not engage in discussion, rather just quote the city's policy.

COS Cunningham said committees are great for making policy, not great at making decisions. For each decision, there will be a different review process. CM Whatcott will make the final decision. Mayor Alvord concurred that they don't want a policy that undermines CM Whatcott in any way. If he does something that the City Council does not approve of, they can give him feedback. Councilman Newton concurred.

Mayor Alvord asked what if it is tempting for a future elected official to post inappropriately on the Facebook page? Miss Brown said that would not be allowed. Councilman Newton said that is enforced through the code of ethics. Miss Brown said the policy is that it can't be off topic. That won't be tolerated.

Assistant City Attorney Loose said enforcement of the code of ethics is by the City Council. Miss Brown could pull a comment off the page; staff won't enforce the code of ethics.

Councilman Rogers said it would be inappropriate to use city funds to assist in anyone's political campaign, either a sitting elected official or someone that is a declared candidate for office.

COS Cunningham said he would circulate another draft of the policy to the City Council.

Councilman Seethaler said the objective is to promote the city, provide information, and create a sense of place.

#### J. Reports and Comments

Mayor Alvord said a new sewer administration building is being built by their treatment facility.

Councilman Barnes said he went to the city's ice skating rink with his family. The staff was helpful. He said he thinks the radon awareness will be a positive thing for the city.

Councilman Seethaler noted the retirement of Bingham's football coach. He noted that the team was undefeated, with their only losses to nationally ranked teams. He asked if Mr. Peck could be recognized by the city? COS Cunningham said staff would contact him to make sure he is available and they would come up with an award. Councilman Newton said sometimes it is easier to go to the school to present the award. Councilman Shelton said he would connect with the principal of the school and work something out.

Councilman Seethaler noted an email received from Deanna Kauffman recommending a committee for Mulligans, including a couple of residents. She also outlined a list of actionable items. He said he would like to accept the offer for resident involvement. Councilman Newton said that is worth consideration. He noted the Resolution passed by the City Council that already outlined action items and dates. At the next City Council meeting, they are scheduled to have a presentation from Utah Golf Alliance. Councilman Seethaler recommended that the proposal from Mrs. Kauffman be forwarded to the City Council and placed as a discussion item at a work session.

Councilman Rogers congratulated the new President, Vice President, and Secretary of the Jordan School District Board.

Councilman Rogers reviewed a “Brunch at the Dump” meeting he had with many local and state elected officials. They have 15 years of life left in the current landfill and they need to determine what will happen with it. There was also a discussion that Representative Hall is thinking of renewing his pursuit of the school district split bill.

Councilman Shelton noted that they may ban mattress disposal at the dump. City Commerce Director Preece said the dump is hurting them in their economic development efforts because of the smell.

Councilman Rogers said he has heard some complaints regarding snow removal. It was noted that Public Works Director Rasmussen sent an email to the City Council earlier today addressing that issue.

Councilman Rogers said he likes the idea of coming up with a Mulligans Commission. He said if they pay off the Mulligans bond, he envisions a Board of Directors for Mulligans to make recommendations to the City Council. He envisions the Board being appointed similar to the Planning Commission.

Councilman Shelton said he spoke with County Council Member Amy Newton about the programming for the Welby Park. Ms. Newton said the County has a high level of confidence in managing the programming and they feel that the city should hand the programming over to them.

Councilman Newton noted some various calendaring items.

Councilman Newton requested that the Audit Committee report to the City Council in January or February to give an audit report of the last year.

Councilman Newton read a list of accomplishments of the City Council from 2014 (Attachment D). Councilman Seethaler noted that those are accomplishments of the entire city including the City Council, staff, residents, etc.

- K. Executive Session to discuss the character, professional competence, or physical or mental health of an individual

**Councilman Newton made a motion to go into a closed session to discuss the character, professional competence, of physical or mental health of an individual. Councilman Rogers seconded the motion.**

It was noted that City Attorney Wall, COS Cunningham, and the City Council would be in attendance during the closed session.

**Roll call vote. The vote was unanimous in favor.**

Councilman Newton made a motion to come out of closed session and back to the regular meeting. Councilman Rogers seconded the motion. Roll Call Vote was 5-0 in favor.

**ADJOURNMENT**

The January 6, 2015 City Council Regular meeting adjourned at 9:47 p.m.

**This is a true and correct copy of the January 6, 2015 Council Study meeting minutes, which were approved on January 20, 2015.**

*Anna M. West*  
**South Jordan City Recorder**



Attachment B  
1-6-15 C.C. Mtg.

Elected Mayor - Salt Lake County Comparables

Entity Name	Population	FY 14 Proj Rev.	Salary	% Salary /Budget	Retirement	Health	Life	401(k)	457
Salt Lake County	1,079,721	\$ 813,977,567.31	\$ 133,640.00	0.01642%	Y	Y	Y	Y	Y
Sandy	90,231	\$ 123,196,989.21	\$ 123,492.00	0.10024%	Y	Y	Y	Y	
Salt Lake City	191,180	\$ 810,425,329.23	\$ 118,747.00	0.01465%	Y	Y	Y	Y	Y
Murray	48,612	\$ 99,586,791.43	\$ 91,748.80	0.09213%	Y	Y	Y	Y	Y
Taylorsville	60,519	\$ 41,173,343.26	\$ 82,476.63	0.20032%	Y		Y	Y	
South Salt Lake	24,702	\$ 31,444,569.47	\$ 81,492.00	0.25916%	Y	Y	Y	Y	Y
West Jordan	110,077	\$ 101,199,611.00	\$ 60,008.00	0.05930%	Y	Y	Y	Y	Y
West Valley	133,579	\$ 109,785,656.31	\$ 35,000.00	0.03188%	Y	Y	Y	Y	Y
Holladay	27,137	\$ 23,417,494.59	\$ 28,000.00	0.11957%	Y	Y	Y	Y	
Cottonwood Heights	34,238	\$ 19,969,844.39	\$ 21,926.01	0.10980%			Y	Y	Y
Herriman	26,362	\$ 20,517,569.24	\$ 21,000.00	0.10235%	Y	Y	Y	Y	Y
Draper	45,285	\$ 70,822,815.70	\$ 19,821.96	0.02799%	Y		Y	Y	
Midvale	30,764	\$ 40,817,860.50	\$ 18,500.00	0.04532%	Y	Y	Y	Y	Y
<b>South Jordan</b>	<b>59,366</b>	<b>\$ 61,342,481.49</b>	<b>\$ 17,513.60</b>	<b>0.02855%</b>		<b>Y</b>	<b>Y</b>	<b>Y</b>	
Riverton	40,921	\$ 43,388,692.28	\$ 15,523.00	0.03578%	Y				
Bluffdale	8,387	\$ 23,417,494.59	\$ 14,400.00	0.06149%					

Attachment C  
1-6-15 C.C. Mtg.

Elected Council Members - Salt Lake County Comparables

Entity Name	Population	FY 14 Proj Rev.	Salary	% Salary /Budget	Retirement	Health	Life	401(k)	457
Salt Lake City	191,180	\$ 810,425,329.23	\$ 23,754.00	0.00293%	Y	Y	Y	Y	Y
Sandy	90,231	\$ 123,196,989.21	\$ 19,379.53	0.01573%	Y	Y	Y	Y	
West Valley	133,579	\$ 109,785,656.31	\$ 18,821.00	0.01714%	Y	Y	Y	Y	Y
Salt Lake County	1,079,721	\$ 813,977,567.31	\$ 17,618.00	0.00216%	Y	Y	Y	Y	Y
Cottonwood Heights	34,238	\$ 19,969,844.39	\$ 14,561.20	0.07292%	Y	Y		Y	Y
Murray	48,612	\$ 99,586,791.43	\$ 14,331.20	0.01439%	Y	Y		Y	Y
Draper	45,285	\$ 70,822,815.70	\$ 13,817.04	0.01951%	Y	Y	Y	Y	Y
Taylorsville	60,519	\$ 41,173,343.26	\$ 13,219.25	0.03211%	Y		Y	Y	
Holladay	27,137	\$ 23,417,494.59	\$ 12,196.00	0.05208%	Y	Y	Y	Y	Y
Midvale	30,764	\$ 40,817,860.50	\$ 12,000.00	0.02940%	Y	Y	Y	Y	Y
Riverton	40,921	\$ 43,388,692.28	\$ 11,679.00	0.02692%		Y	Y	Y	
<b>South Jordan</b>	<b>59,366</b>	<b>\$ 61,342,481.49</b>	<b>\$ 11,676.00</b>	0.01903%		Y	Y	Y	
South Salt Lake	24,702	\$ 31,444,569.47	\$ 11,352.00	0.03610%	Y	Y	Y	Y	Y
West Jordan	110,077	\$ 101,199,611.00	\$ 9,776.00	0.00966%	Y	Y	Y	Y	Y
Herriman	26,362	\$ 20,517,569.24	\$ 9,000.00	0.04386%	Y	Y	Y	Y	Y
Bluffdale	8,387	\$ 23,417,494.59	\$ 4,800.00	0.02050%					

## NOTABLE ACCOMPLISHMENTS FOR 2014

- Sold excess land owned by South Jordan for \$1.3 million which will be used by the new owner for an office building and a restaurant.
- Sold land purchased in a land deal to prevent high density housing from being built while securing a commercial development deal expected to bring in \$125 million annually in taxable sales revenue. The city gained a badly needed retention area, and made a gain of \$88,000 profit to be used to the benefit of residents.
- Saw the opening of Costco, more shopping and restaurants at the District, the ground breaking to the Oquirrh Mountain Marketplace where Sprouts has its ribbon cutting tomorrow, and some 22 other businesses are in the process of being built now.
- Used the Forrest City Study to attract new businesses, including the opening of Tim Dahle Nissan who moved from Sandy.
- Eliminated the much hated VMU ordinance to prevent apartments from being built across the city.
- Started the process to overhaul our zoning ordinances.
- Made changes to the Cemetery's finances, and secured approximately half a million dollars to use towards \$1.5 million in needed improvements.
- Absorbed another increase in water rates, saving our residents in higher water costs.
- Absorbed increases in waste management contract renewal costs.
- Introduced CNG garbage trucks for city residents trash disposal which contributes to our air quality.
- Did not raise property taxes at all, unlike almost every other city in Utah which did raise property taxes, the worst increase being 86%.
- Introduced a property tax reduction for 2014-15, and made it permanent.
- Cut additional unneeded staff positions, taking us down from a high of 316 to 306.

\$ 640,000  
for residents.

- Introduced a new system of budgeting, the first city in Utah to do so, call Priority Based Budgeting.
- Hired a new city manager.
- Hired a new fire chief.
- Hired the City's first communications coordinator.
- Increased Police and Firefighter pay to keep pace with other cities, and reduce costs of turnover.
- Started the process for improving Mulligans as the gateway to our City, including getting public feedback to aid in the direction we should move.
- Implemented the first phase of our new Technology program for accounting, human resources, auto bill pay. In fact, our efforts have now been reviewed and copied by other cities.
- Working with the other cities, finalized an inter-local agreement with Jordan School District saving taxpayers hundreds of millions of dollars in bonding costs, and future tax increases and changing the way the school district moves forward – for the benefit of our children, our residents and the District.