

SOUTH JORDAN CITY
CITY COUNCIL MEETING

January 20, 2015

Present: Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, Councilman Don Shelton, CM Gary Whatcott, Fire Chief Andrew Burton, Administrative Services Director Dustin Lewis, Police Lieutenant Rob Hansen, Strategic Services Director Don Tingey, Development Services Director Brad Klavano, City Attorney Rob Wall, 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.

B. Invocation

Heath Nelson, resident, offered the invocation.

C. Pledge of Allegiance

Paul Hill, scout, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized all scouts present.

Councilman Rogers made a motion to add an item before K. to appoint the Interim City Attorney and offer a farewell to City Attorney Wall, and to move item F. to be discussed before public comment. Councilman Newton seconded the motion. The vote was unanimous in favor.

D. Minute Approval

1. January 6, 2015 Study Meeting
2. January 6, 2015 Regular Meeting

Councilman Newton and Councilman Rogers made some grammatical corrections to the regular meeting minutes.

Councilman Newton made a motion to approve the January 6, 2015 Study Meeting minutes as printed, and the January 6, 2015 Regular Meeting minutes, as amended. Councilman Rogers seconded the motion. The vote was unanimous in favor.

The City Council moved to item F. on the agenda.

F. Presentations:

1. Proclamation in recognition of Bingham High School Football Coach Dave Peck. *(By Mayor Alvord)*
2. Proclamation in recognition of the 2014 Bingham High School Football Team. *(By Mayor Alvord)*

Councilman Shelton said his son has been involved with the Bingham High football team for 11 years. Coach Peck has called out the team when they were not doing well, but he has never heard Coach Peck swear. He is a great coach and organizer and created a great organization. He always lived by the idea that he is not just building a great team, but great men that will contribute to society. He has changed the lives of some of the young men. Coach Peck has been a blessing to their family and in particular, their son Johnathan. He showed pictures of the team. He said the community is blessed to have people like this involved in their high school. He said Coach Peck has great character and he is sad to see him go.

Mayor Alvord read the proclamation in recognition of the 2014 Bingham High School Football Team and Bingham High School Football Coach Dave Peck.

Coach Peck said one of the greatest things he was part of was the police escort after winning the championship. He said he was a teacher and coach for 31 years. It is not about the wins and losses, it is about building a program that they can be proud of. He talked about one of his players that died of a drug overdose. After that, they instituted a year round drug and alcohol policy. At that point, there was a huge change in their program. The parents and administration have been supportive. They also increased the GPA requirement to 2.5. It made a difference. It has been an amazing journey. He thanked the city for the recognition.

Chris Richards-Khong, Principal at Bingham High, thanked the city for honoring the team and Coach Peck. He is a leader. She thanked Coach Peck's family. To attend the team meetings with Coach Peck gives her hope for the future. The team was impressive in Florida. They were examples of what this community represents. She thanked the coach and the team.

3. Proclamation honoring South Jordan resident Jean Bateman. *(By Mayor Alvord)*

Councilman Rogers noted that Ms. Bateman is having health issues. They felt it was appropriate to honor her today. She loves South Jordan and is a great granddaughter of one of the City's founders. She is determined, diligent, and a hard worker. She has been significantly involved with the historical projects in the city. She was a docent in the Gale Center and enjoyed teaching people about South Jordan's history.

Mayor Alvord said Ms. Bateman gave him a tour of the Gale Center. Councilman Newton said she was a driving force behind the establishment of the historical committee for the city, the historical markers throughout the city, and the establishment of the Gale Center. She has left her legacy for decades to come.

Mayor Alvord read a proclamation honoring South Jordan resident Jean Bateman.

Jean's oldest daughter said that both Ms. Bateman and her family appreciate the honor. She loved to live and serve in South Jordan. She has a devotion to the city. She is a South Jordan girl, through and through. She has left a legacy for the city.

E. Public Comment:

Jennifer Boehme, 10233 S. Mystic Creek Bay, President of the Jordan Education Association. She commended Coach Peck and Bingham High for their accomplishments. As a resident, she is concerned about the future of Mulligans. She recommended that the composition of the commission be made up of half residents, half city staff/leaders. The proposal seems unbalanced. She also suggested that the chair be selected by the Commission. She also asked that they make public how to apply to serve on the Commission.

Janalee Tobias, 1238 W. Jordan River Dr., said it is an honor to have Coach Peck and Jean Bateman in town. Regarding the Mulligans Commission, she is fed up with bureaucracies and red tape. This is just another layer of government. They should simplify it. Make it easy, put money into preserving the golf course. She would also like to apply to serve on the Mulligans Commission. She also recommended they get kids to serve on the Commission. She thanked Jimmy Blair for his attendance and time on the issue. They either need more citizen representation or forget the commission. Get the job done. Put money into improving Mulligans.

James Blair, said he developed Mulligans, said he loves Bingham and South Jordan. When he sold Mulligans to the city, he was assured that it would remain as open space. At the time, they were being inundated by developers to sell to them. He said he has heard that Mulligans is not profitable and in trouble. That is far from the truth. He said it was the most profitable golf in Utah. He said he trusted the city. He believed in them. He said if they are only doing \$1.2 million in revenue a year, that is 25 percent less than when he was running it. He said they can save it, but they have to know what they are doing. He said if they lease to someone, like him, he will help save it. He does not work for the City Council, he has to run a dictatorship. He is good at what he does. It can break even now. He said the Soffes, Hancocks, and Harmons would never have allowed development on the property. If it's developed, he thinks the city owes those families money. He said they would never have left Mulligans at \$11 million if it was going to be developed.

Bob Paxton, 1073 W. 10250 S., thanked Mr. Blair for his comments. He noted the proposition by Sandy for a major city center development. He is grateful that is not happening at Mulligans. He fears developments such as this. They create issues with pollution and congestion. It would change their style of living. He worries about blight. He said people move away from downtown;

Sandy's proposal does not give them room to breathe. This City Council is dedicated to preserving Mulligans and he appreciates their efforts.

Bekah DeMordavnt, representing Mia Love's office, said they opened their office in West Jordan (9067 S. 1300 W.). They are here to help and serve South Jordan. She asked that the City reach out if there are concerns at the federal level. She said they would have someone from their office at City Council meetings regularly.

*A letter was submitted on behalf of Robert and Bonnie Bowen (not present) regarding Mulligans (Attachment B).

- G. **Public Hearing** – Resolution R2015-03, amending the FY 2014-15 City Budget. The appropriation authority shall apply to the Fiscal year ending June 30, 2015. *(By CFO, Sunil Naidu)*

Finance Director Naidu reviewed the overall amendments to the FY2014-15 budget, including the enterprise fund, water fund, water CIP fund, capital projects fund, the CDBG fund, and the cemetery fund. All other funds remained unchanged.

Councilman Seethaler asked how much of the \$12.5 million in additional resources is new revenue and how much is reclassification? Finance Director Naidu said approximately \$1.5 million is new revenue. The remaining is reclassification. He said \$1.3 million came from a loan where they purchased fleet vehicles.

Councilman Seethaler said they are down to approximately \$300,000 in new money from 6 months ago. He asked where the allocations are going? Mr. Naidu said reimbursable grants for police officers. The fire department also had need for additional hours for their staff as a result of transporting patients. That expense was offset by the inter-facility ambulance revenue. There are increased compensation costs and more will be given to VECC.

Councilman Seethaler said there is a lot of money moving between funds, but few funds that they have to allocate for the second half of the year. He said the adjusted budget doesn't reflect any allocation of operating surplus from the June 2014 budget, except the \$700,000 that was pre-allocated. He said some capital projects are budgeted and not completed. He is comfortable with staff's review. He complimented staff on their work.

Councilman Newton asked for the balance in the water enterprise fund? Mr. Naidu estimated \$6 million. Public Works Director Rasmussen said a portion of that is used for emergencies. They are also replacing water infrastructure throughout the city.

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

Councilman Seethaler made a motion to approve Resolution R2015-03. Councilman Shelton seconded the motion. Roll call vote. The vote was unanimous in favor.

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

CM Whatcott said the city solicited proposals for financial advisory services. Staff is recommending the selection of Lewis Young Robertson & Burningham. He reviewed the selection process. The scope of this is to be an advisor regarding bonding. There may be other times that they call upon them to do studies such as the impact fee analysis and the water fee analysis. Those studies are excluded from this contractual arrangement. This is just for bonding. The agreement is for 5 years. It can be cancelled at the discretion of either party with 30 days' notice. He said this firm has been working with the city since at least 1998. Their long history with the city is a strong component for staff's recommendation. Laura Lewis has been involved in almost all of the city's bonds.

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

Councilman Newton recommended a 3 year contract with an option for 2 one year renewals. He also noted that the agreement references 'Schedule B' which is an empty page. He asked if the contract price will be negotiated at the time of each bond?

Assistant City Attorney Loose said Schedule B references the costs for bonding. He said they could change the agreement to 3 years, if that is the City Council's direction.

Councilman Barnes said they may get better pricing for services over a longer term agreement. He feels the 30 day termination clause gives them adequate protection. Councilman Newton said he is considering best practice for future Councils. His recommendation still gives them a total of a 5 year contract; the proposal is similar to what was done for the auditor.

CM Whatcott said the 5 year agreement is not unusual. He is comfortable with the arrangements as presented. Mr. Loose concurred that 5 years is not an uncommon term of service.

The City Council reviewed the table outlining the cost for the bond issuance; that is referenced in the contract. It was noted that the document that follows the blank sheet is Schedule B.

Councilman Newton made a motion to approve Resolution R2015-04, amending the contract term to be 3 years with the option for 2 one year renewals at the consent of the City Council or the approval of the CM. Councilman Seethaler seconded the motion. Roll call vote. The motion failed by a vote of 2-3 with Councilman Barnes, Rogers, and Shelton opposed.

Councilman Shelton made a motion to approve Resolution R2015-04, as presented. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous in favor.

- I. Action Item:** Resolution R2015-07, approving a Public Art and Cultural Development Board (PACDB) grant in the amount of \$5,500 to the Oquirrh Mountain Symphony (*By Administrative Services Director, Dustin Lewis*)

Administrative Services Director Dustin Lewis reviewed the background information on this item.

Councilman Shelton said the PACDB is well acquainted with the group and did not feel that granting them a less amount than requested would hamstring the production.

Councilman Shelton said he continues to be frustrated that they approve the budget for the PACDB, but they still make them bring each request to the City Council. The City Council has never turned down a grant request.

Councilman Seethaler asked if there is a legal requirement to make the presentation because they are federal funds? City Attorney Wall said he is not sure if it is driven by a regulation. It may be in the city's policy on boards and commissions that lays out how the budgets are approved. They can look into that.

Mayor Alvord said there is an argument to be made about oversight. It was noted that there is both staff and Council representatives at the PACDB meetings.

Councilman Newton said he would prefer they come in once a quarter and give a report. Mr. Naidu noted that when they allocate the \$35,000 budget to the PACDB, they have a list of things to be done with that allocation.

Councilman Newton said they could even get the report from the Council liaison to inform them of what is upcoming. They also need to involve the communications coordinator and could include that in the Minute with the Mayor. He said their biggest problem is advertising the events.

Councilman Rogers said he would be in favor of giving more discretion to the PACDB or to put the approvals on a Summary Action Calendar. Councilman Shelton noted that this is his personal frustration, it did not come from the PACDB.

Councilman Shelton made a motion to approve Resolution R2015-07. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous in favor.

- J. Discussion Item with Potential Action:** Resolution R2015-08, establishing the Mulligans Commission with defined responsibilities and authority. (*By Councilman Seethaler and Councilman Rogers*)

Councilman Seethaler said they have a beautiful property. At a later time, they need to consider if they are going to pay off the bond. The revenues for Mulligans have been flat for 11 years. Improvements have been made, but he does not feel that the course represents a standard that is appropriate for South Jordan. He said money needs to be invested in Mulligans. He noted that the

Utah Golf Association report was just sent in draft form. It will consume resources to better the property. They need to consider more efficient and profitable ways to run a golf course with people with expertise. They need to do it in a way that will represent the will of the residents. He briefly reviewed the Resolution. He said he feels badly the issue has caused so much controversy. This is one means of doing something right, taking the detail, and having it properly studied, including forums which are open meetings. He said he feels this commission is different from the Planning Commission or other city committees. Committees have many people that come together to perform their responsibilities. The Commission has the opportunity for individual persons to follow through with specific assignments and come together with an analysis.

Councilman Rogers said the City Council has the intent to preserve and improve Mulligans, to keep and maintain the greenspace. This Commission will help accomplish that goal. A commission is a working group and a recommending body to the City Council. As long as they keep Mulligans, they have to make decisions about operations for many years to come. This Council should not spend time debating if they should have bikes down there or Segway scooters and the cost for those, etc. He said he envisions that the Commission will meet quarterly, or perhaps monthly, to hash out the details. He reviewed edits he is recommending to the Resolution. He feels the Parks Director should be appointed to the Commission because historically, there has not been good communication between the Mulligans staff and city staff.

CM Whatcott said the Parks Manager may not be the right person for the Commission. He recommended the Administrative Services Director. He recommended that they leave the actual title ambiguous so the choice can be made based on the growth of the organization. Councilman Rogers said he is okay with that. He just wants to encourage dialog between the Mulligans staff and city staff.

James Blair said not much needs to be done with Mulligans. He said the facility needs cleanliness, a great product, a friendly approach, and a willing staff. He feels it will only take \$100,000 to get it up to where it needs to be. He said this isn't a golf course, it is a recreational facility. They need to evaluate the expenditures. The business is salvageable.

Mayor Alvord asked if Mr. Blair could serve on the golf commission? He said it is in their best interest to save it. They are looking for a way to bring Mulligans back into the black and to pay for its own improvements.

Mr. Blair said he would look at the opportunity they have right now. He said he could help them get out of trouble. He said changes need to be made. He said he would do it pro bono, but he would get someone in there that knows what they are doing. He said commissions don't work.

Mayor Alvord said they have to run through the democratic process. Mr. Blair recommended that they lease the business and get it back on its feet.

Councilman Seethaler said it takes a different approach to run a recreational facility that includes golf, rather than a golf course. He noted that the other activities make money, where the golf course loses money. Mr. Blair concurred that they will lose money on the golf course, but they

make money on the driving range, batting cages, and miniature golf. He said he doesn't maintain this golf course in pristine condition, but he does keep it nice and clean. He said Mulligans is an elementary introductory golf course. He said the way he does business is that he presents a budget and then they let him do his job. He estimated Mulligans will take 6-9 months to fix.

Mayor Alvord said they can discuss with staff having him be a pro bono head of Mulligans. He said they could use help with consulting. Mr. Blair said he would have to see the parameters. He said it is hard unless you have the power to get things done.

Councilman Newton said Golf Utah will be giving them a report and also claim expertise. Mr. Blair said the difference with him and Golf Utah is that he has had to build and has owned a golf course before. He has done it three times with his own money.

Councilman Newton said he has had other golf professionals tell him that it will require a big infusion of cash and a redesign of the course. Some have told him discounting is favorable, but Mr. Blair has said they should not do that.

Mayor Alvord said if done right, commissions can be a benefit.

Councilman Barnes said he feels commissions are good to come up with ideas, but not good for decision making. It takes work off the Council. The Commission can bring ideas to the City Council and then they can hire someone to implement the vision.

Mr. Blair said he would like to save the golf course, but he is not up for a 2-3 year battle. He said he is open to a phone call and giving input.

Councilman Rogers made a motion to approve Resolution R2015-08, with the edits he included, and to change the word in section 8 from personnel to staffing, and to delete the Parks Director requirement from section 2 and section 4. Councilman Shelton seconded the motion.

Councilman Newton said they may want to consider four residents on the commission rather than two. He knows people in his area that are avid golfers and know the business and could offer opinions. He also asked why do they need two City Councilman on the commission? If they are going to have staff on it, the golf professional may not be who the CM wants on it. He recommended they allow the CM the discretion to choose three staff members to serve on the commission. He said he doesn't want to create a situation where they are pitting the staff against the CM or having the staff line up and do whatever the CM wants. He feels they should remove the language about removal of a commission member. He said they should consider a council liaison like the other city committees rather than two Councilman.

Mayor Alvord said two Councilman serving gives the commission more teeth.

Councilman Newton said he is concerned about the potential of the Council directing the recommendations.

Councilman Shelton said “I’ve got some thoughts about this. You know, there may be weaknesses in the structure, but what I think this effort really is trying to do is trying to bridge the gap between private business and government. And, you know, we have proven for the last 10 or however many years we’ve owned that property, that government doesn’t run it as well as private business does. We’ve proven that. And, the way I see this, and Mark and I talked about this earlier is, you know, by law we’re the board of directors of everything in this city, including Mulligans. And boards of directors and public companies all the time have special committees that are designed to provide specific information to that board so that they can make good decisions. We, as individuals, do not have the time or the capacity to devote to Mulligans that this committee could devote to Mulligans. And so we’re bridging this gap between government and private enterprise. And so, let’s create this committee..maybe, or commission, or whatever we want to call it. I don’t even care what we call it. And, bring a few folks on there. I worry about the idea of making it too big because it needs to be a commission that really can give us specific information that can come to us and say, hey – here’s a business plan, with a budget, with a marketing plan. Here are the steps that we recommend, and if you have 10 or 15 or 20 people on that committee, you will never get that product out of it. It will never happen, and so, let’s get some experts, just like we have Jared on the compensation committee. He’s an expert. Let’s get some experts who can help us with business planning. Who can help us with marketing, and can give us some really good solid recommendations from a business point of view that we can implement as a government, you know? Maybe there are weaknesses in this. Undoubtedly there are, and we’ll have to tweak it over time, but I think as long as this city is going to choose to run a business, we have to have people of that mindset that are part of this committee that can help us run a business. A real business. And so, that’s why I say, you know, let’s not cut this thing up and dice it, and, let’s just give it a try. We have to move quick, don’t we Mr. Blair? Right, we need to move quick. Let’s not drag our feet on this. I think now is the time.”

Councilman Barnes said he agrees with Councilman Shelton’s sentiments. He feels the proposal is well written and well-conceived. He said he has a few issues with it that Councilman Newton has mentioned. If those are changes they can make, it will make it more successful. One concern he has is having two members of the Council on the commission. He would rather not have the Council being members of a group that is going to advise the Council. It puts us on an uneven playing field. If they have recommendations coming to them, it is hard to be part of the Council that is not in the know. If they all hear all of the information at the same time, they are all on a more even playing field and can implement the recommendations. He said if a Councilmember is also on the commission, the recommendations could come back saying that the Council had an influence on the recommendation and it adds a political element to the commission. He said he would rather not have that. He would rather the commission be unbiased or even have a lack of perception of those biases. He said it puts staff in an awkward position to serve on the commission with the Council where they are their bosses. It could influence staff’s recommendations. He said he would prefer that they have increased resident participation. He also feels the commission should choose their own chair. They need more residents to have a more balanced commission. With those changes, he would support this commission. They could consider putting 2-3 more residents on the commission, or even 4, if the Mayor wanted to appoint a member of the commission and each of the City Council could appoint a resident to the commission as someone that would give a recommendation that they could trust.

Councilman Seethaler said “Ya, just make a few quick comments about this. I think we all want the same thing in the end. There is generally support of the concept, and that is let’s get a group together that can be action oriented, that’ll be smart, that will take and fulfill assignments, that will add value to this so that that work can be done outside of our work sessions, outside of our City Council sessions because if there are more than two of us together, we are obliged to the Utah Public Meetings Act, and, we just can’t 3 or 4 of us get together and talk about things. It’s either a formal thing or an informal thing. There’s nothing in between as far as that is concerned. I was at a Utah League of Cities and Towns meeting last year, and I happened to have gone to school with the Mayor of Cottonwood Heights. Actually, we were both student body officers together at BYU some years ago. And he introduced me to one of his Councilmembers this way..I don’t remember the gentlemen’s name...let’s just say it’s Johnson. You know, hey, Mr. Johnson, I’d like you to meet Mr. Seethaler. He is a member of the Mulligans City Council. And it just underscored the fact that in our city, this has been such a highlighted issue, and not to say it wasn’t deserving of it. But in accounting terms, we talk about opportunity cost. Opportunity cost is what you don’t do because you spent the last hour doing something else. Or the last year focusing on something else. We’ve got a score of issues that are important to us to consider. A subset of this group, with the perception, with the responsibility to the public. See, individual residents are responsible to their own opinions. Members of the city staff are responsible to the city and their management, and elected representatives in the city are responsible directly to the public. Represents a perfect balance in my view. A couple of points more – in direct response, and those are these. The concept that we would simply appoint more residents on this group is really great if you want really sort of divergent thinking. There’s this whole thing about bringing people together and you brainstorm, and you get a lot of ideas going, and you get people with different views and backgrounds and its divergent thinking. And then there’s a concept that says, hey, it’s like we’ve been told over and over now, we know what the people want. We’ve had surveys. Save Mulligans has had surveys. The last thing we need is to get a room full of people to start giving their opinions about, hey, we could do this or that. Or, here’s my idea, or here’s something else we ought to do, in a divergent way. It’s time for us to come to a, not only a convergence of thought based on what people want, but more specifically to take actions and to do substantive work. Now, I completely disagree that the best thing to do is to get people who really love golf on the committee. We’ve talked about the fact this isn’t a golf course, and to redesign the golf course isn’t the prescription to somebody who, you know, it’s easy to use a medical analogy, somebody’s got a broken leg and you’re not going to necessarily treat them with a bandage on their arm. Whether or not the golf course needs to be redesigned is a separate issue. But that’s not the premise. The premise isn’t we need the best golfers on the committee because, man, they’ll know what the golf course needs to do. Golf course loses money. We’ve all agreed on that. We have a product which is a recreational facility that, for good or for bad, is owned by the city. We have an asset that’s irreplaceable, which is the green space that Mulligans represents. We have our commission from the city residents, as Janalee Tobias and others continually remind us of, we know what people want. It’s time to act. Not time to get more people together to bring whatever more ideas to the table, but to deal with the framework that we have. So I think we in fact do need Councilmembers. We’re responsible to the city, and I think it’s fine that the Council of this commission has the authority that we’ve prescribed here to recommend if somebody does need to be recommended to the City Council to be removed. It’s all done in the open rather than to quote “take care of it privately or behind the scenes”.

Whatever it was that Mr. Newton said. Because I think it just makes for transparency and good governance.”

Councilman Rogers concurred with Councilman Seethaler. He thinks this is a good working group and he feels it would be beneficial the way it was proposed in his motion.

Mayor Alvord said House Representative Jason Chaffetz was just made the chairman of the House Oversight committee. The wisdom in that is that the people who are elected serve in these recommendation committees. With 6 of them on the Council, they were elected. For an issue as important as Mulligans, if they were to choose an arbitrary 5 people, and they all happen to be communist, and they have a great influence on a great parcel in the city, he does not think that’s appropriate. He likes the balance that they have elected leaders with citizens. He feels it is written well.

Councilman Newton made a substitute motion to approve everything in the original motion, except to include that there be 3 members of staff, rather than 2, striking out the Mulligans golf professional, that are appointed by the CM, leaving it up to him.

Councilman Rogers asked if that would exclude the golf professional? Councilman Newton said no, it would leave the discretion to the CM.

Councilman Newton’s motion died for lack of a second.

Councilman Barnes made a substitute motion to pass the Resolution, as outlined in Councilman Rogers’ motion, but that they remove Councilmembers as participants on the commission, and to have one Council liaison, but not a commission member, and that they have 2 additional residents take their place. The motion died for lack of a second.

Roll call vote on the original motion. The vote was 4-1 in favor, with Councilman Barnes opposed.

The City Council took a recess.

M. Appointing the Interim City Attorney and Honoring outgoing City Attorney Wall.

Mayor Alvord indicated that City Attorney Wall has worked for the city for almost 11 years, 7 years as the city attorney. He has resigned and will be working for Sandy City. Mr. Ryan Loose has accepted the position of interim city attorney. He has signed the contract.

Mayor Alvord reviewed some of the bills that City Attorney Wall has worked on over the years (Attachment C). It is his stories and experience that he will miss most. He presented City Attorney Wall with a gift. The City Council each expressed their gratitude to Mr. Wall.

City Attorney Wall indicated that this move is best for his family. He said he has grown more here in 11 years, than the previous 21 in his career. He said this city has a great staff. A different attorney will bring talents that he does not have. He said for him, change is difficult.

K. Reports and Comments: *(Mayor, City Council, City Manager, General Counsel)*

Mayor Alvord said the sewer board saw that it cost them around \$500,000 for RDA's. In COG, they are still working on getting everyone on the same 911 communications system. The consultants said they won't be giving a recommendation, just the data. He hopes they are able to see an answer in the data. He said Salt Lake County has offered the cost for any city that needs to transfer their system. They are still back and forth on the gas tax.

Councilman Rogers noted an article in the South Jordan Journal that indicated the residents would be willing to pay more property taxes to improve Mulligans. He said that is not true. Mayor Alvord said the newspaper has promised a correction. He said in the Y2 analytics study, only 29 percent agreed to higher taxes to improve Mulligans. Only 43 percent said South Jordan should provide more features even if it means higher taxes.

Councilman Rogers said EDC Utah is courting a couple of businesses. Nothing is on the radar for South Jordan at this time.

Councilman Rogers said the Historical Committee discussed the 1055 W. historical route and the cemetery brochure. They also discussed working to get one of the McKee brothers to go on the Honor Flight in May. They are also going to discuss further the names on the Founders Monument. They are looking to put the founders' names on the monument. The Historical Committee would prefer to list the names in chronological order rather than alphabetical order. He said they will bring forward a recommendation on 1055 West at a future meeting.

Councilman Shelton said he met with the PACD Board and they approved the grant tonight.

Councilman Newton said the Legislative Session is starting in 2 weeks. He noted local legislative day. Councilman Seethaler asked is the morning session valuable? Councilman Newton said you can talk with the youth council and talk with the legislators on issues. Nothing specific is lined up.

Councilman Barnes said tomorrow he will be touring the terminal reservoir for the Jordan Valley Water Conservancy District.

Councilman Seethaler said he would like to get the Mulligans Commission moving before the next time they meet. CM Whatcott can give his list of recommendations for staff to serve on the commission. Mayor Alvord can nominate 2 members of the City Council to serve, one of which will chair the commission. They should move quickly on the residents' applications. He recommended that be advertised. The City Council determined to have the application submission deadline be February 6th. They can formalize the names at the February 17th City Council meeting.

Councilman Rogers said they need to move the February 10th budget meeting because of a conflict.

Associate Director of Public Works Hill reviewed the parks and recreation department proposed cost recovery pyramid model (Attachment D). He said they currently subsidize sports leagues a huge amount. According to their model, they should be charging a lot more. He said they are planning to start with the baseball leagues. He reviewed the proposed costs (Attachment E).

Councilman Newton asked why would competition leagues be charged more, and why more than 100 percent? Mr. Hill said the fields are built and maintained by the taxpayers. On the competition teams, some of the players are not residents so they are trying to recapture some of those costs. Also, there are some hidden costs.

Councilman Newton said this increase would have to be done in a phased approach.

Mr. Hill said competition teams are essentially a business. The City Council needs to determine if they should be subsidizing a business.

Mayor Alvord said they need to see what other cities are charging the leagues for the fields. Mr. Hill said they are currently gathering that data.

Mr. Hill said there was an increase in rates in approximately 2009. The price of fields went up a little this year because of the large capital improvement project for the fields. It is one of the best fields in the valley right now.

CM Whatcott said they have limited recourses and an obligation to recreational sports. He noted that the leagues get possessive of the fields. He said they need to discuss what percentage of recovery is agreeable. Mr. Hill said they plan to address soccer fields as well. CM Whatcott said the City Council will likely get calls on this issue.

Councilman Shelton said he will get calls on this. He said he has been told that when they are holding a tournament, they are bringing in tax dollars to the city. He said he is not as concerned about cost recovery as competitive pricing. He said they could charge on the high end because they have a better facility.

Councilman Shelton said they need to be transparent with cost recovery efforts. Councilman Seethaler said it is a public relations issue. They need to explain what they are doing and why.

CM Whatcott said they also need to address how much field time should go to recreation leagues versus competitive leagues.

- L. **Executive Session:** Discuss pending or reasonably imminent litigation and to discuss the character, professional competence, or physical or mental health of an individual.

Councilman Newton made a motion to extend the meeting past 11, adjourn the City Council regular meeting, and go into an executive session to discuss pending or reasonably imminent litigation and to discuss the character, professional competence, or physical or

mental health of an individual. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous in favor.

ADJOURNMENT

Councilman Newton made a motion to adjourn the City Council meeting. Councilman Barnes seconded the motion. The vote was unanimous in favor.

This is a true and correct copy of the January 20, 2015 Council meeting minutes, which were approved on February 3, 2015.

Anna M. West
South Jordan City Recorder

Attachment A
1-20-15
C.C. Mtg

SOUTH JORDAN CITY
City Council Meeting
January 20, 2015
6:00 P.M.

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME	PRINT ADDRESS
JAMES C Blair	1451 Ambassador St George Utah
Steven Ordynq	10560 S. North Forty Way, South Jordan
Braydon Ordynq	10560 S. North Forty Way, South Jordan
Norm Bateman	3185 W. 9260 S. W. Jordan UT.
Kaye Wilson	1506 Center Dr. Lyman, Wyoming
Brand & Kenna Bateman	1626 Casper Rd. Sandy, Utah
John Peter	1238 W. Jordan Peter Dr.
Bekah Demordeant	Congresswoman Mia Love's office
Jeanene Bateman Bailey	1481 Centavos Cir. South Jordan, Ut. 84095
MAX BAILEY	" "
Scott Bateman	860 E. Drystone Ave. Sandy, Ut.
Lucy Bateman	" " "
Janet Benzon	2448 So. 780 West, Hurricane, Ut. 84737
Bob Paxton	1073 W. 10250 S.
Jessica Tonderoid	3401 Royalwood Dr.
Jennifer Bohme	10233 S. Mystic Creek Bay
Rebecca Bateman	3185 W. Aztec So.
Marissa Bateman	" "
KATHIE McDERMOTT	5027 W Burntside Ave
Chris Khong	Bingham High School
Derick Larsen	5693 Hill Stone Dr.
Royce Parsons	11758 Cedar Stone Cir
Denton Higgs	5707 NW Hillstone Dr South Jordan UT

January 20, 2015

We appreciate what the South Jordan City Council members and the Mayor do in our behalf to maintain our city, but we are disappointed that the city council seems to be ignoring the wishes of its' residents. The City Council spent time and money taking a survey about Mulligan's, after another survey had already been completed. The residents of South Jordan have now spoken twice - in two surveys. We want to keep Mulligan's open and operating, we want to keep the green space, we want to keep a family-friendly place for residential use.

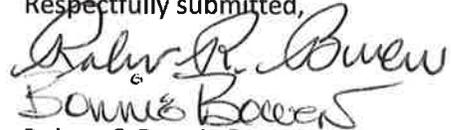
We understand you are considering creating a Mulligan's Commission. Is this action meant to keep the public from having a say in what happens with Mulligan's? Wouldn't creating a commission cost even more tax payer money that could be used to improve what we already have? We don't understand why the city council refuses to accept our choice. Instead of creating another level of bureaucracy regarding Mulligan's, we urge the city council to **listen to the voice of their constituents**, who want to preserve Mulligan's for future generations.

We urge you to perform the deferred maintenance and prepare the golf course for the 2015 season. If you put money into it, people will be happy to pay a little more and it will become more profitable. With the emphasis the city council is putting on making Mulligan's profitable, we would like to ask if the Senior Citizens Center, the ball fields, the South Jordan Fitness & Aquatic Center, the City Park, etc. are also required to show a profit?

We understand the mayor and other council members are in favor of paying off the Mulligan's bond early but we feel this action would not be in the best interest of the citizens of South Jordan.

Please listen to your constituents and keep Mulligan's much-needed green space available for the recreational use and enjoyment of the citizens of South Jordan.

Respectfully submitted,



Robert & Bonnie Bowen
1591 Moonstone Street
South Jordan, Utah 84095

Sampling of Recent Bills of Significance to South Jordan City

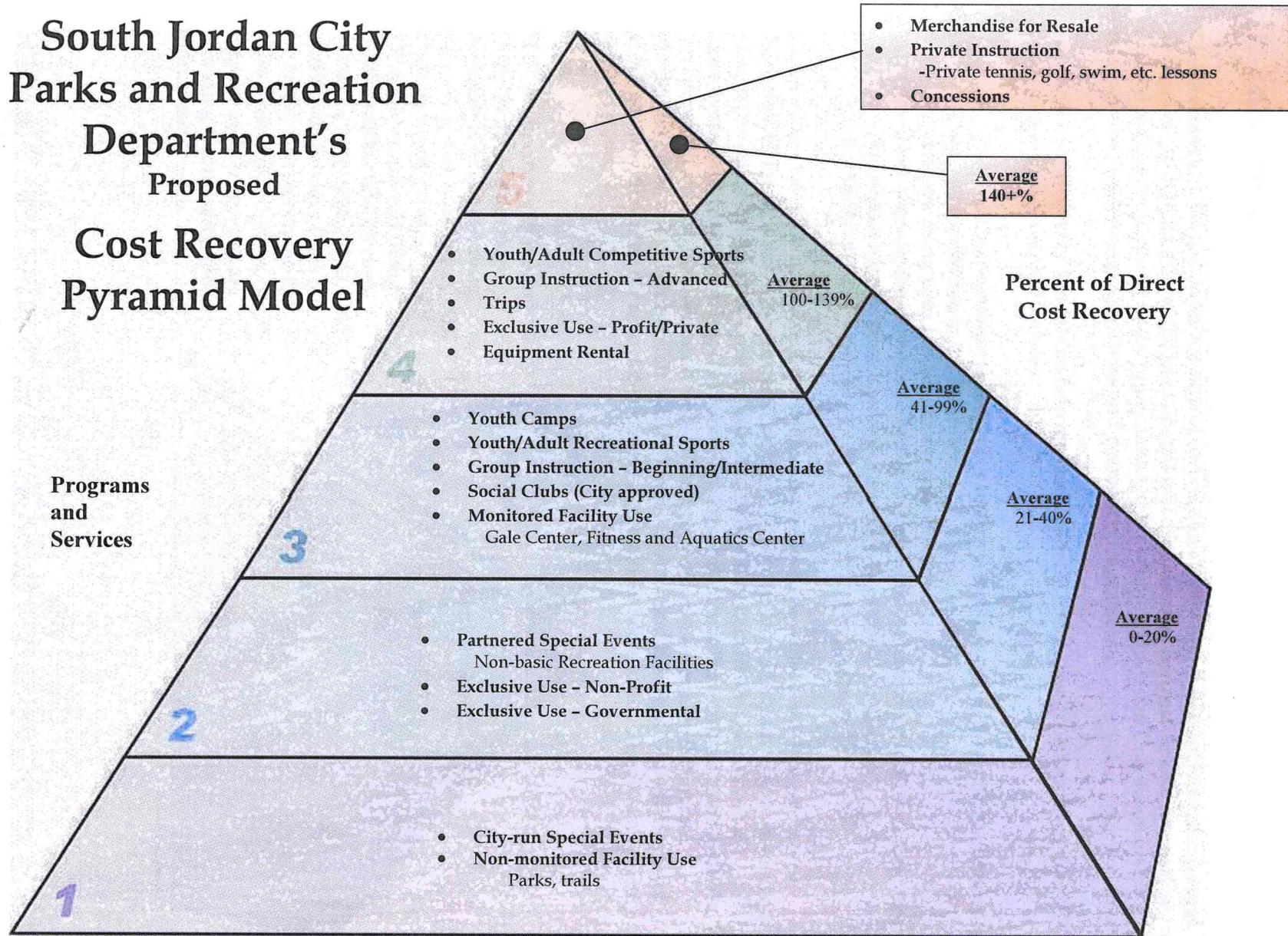
Year	Number	Bill Title	Description
2014	HB 84	School District Amendments	Would've repealed municipal ability to leave a school district.
2014	SB 82	<i>Property Rights Related to Outdoor Advertising</i>	Intended to prevent municipality from enacting ordinances for electronic billboards.
2014	HB 378	Road Improvement Project Amendments	Sought to repeal advertising requirement for Class C road projects.
2014	HB 258	<i>Municipal Business Licensing Amendments</i>	Would've repealed home based business licenses and fees.
2014	HB 97	Limitation on Local Government Regulation of Animals	Repealed ability of municipality to band animals based on breed.
2013	HB 116	Sudden Cardiac Arrest Survival Act Amendments	Updated AED registration requirements.
2013	HB 118	Automatic External Defibrillator Account	Created \$150,000 grant program to place A.E.D.s in schools and law enforcement vehicles.
2013	HB 268	Disorderly Conduct Amendments	Attempted to clarify for law enforcement when "open" carrying of a weapon becomes disorderly conduct.
2013	HB 377	Transportation Funding Modifications	Provided \$1,000,000 for curb, gutter, and sidewalk improvements for 2700 West.
2013	SB 158	Municipal General Fund Amendments	Raised maximum general fund reserve limit to 25% of general fund.
2012	HB 114	Massage Therapy Act Amendments	Modified definition of massage therapy, helping law enforcement determine legitimate services.
2012	HB 175	<i>Second Hand Item Transactions</i>	Enhances ability of law enforcement to find and recover stolen items in pawnshops.
2012	HB 245	Amendments to the Definition of Smoking	Amends definition of smoking to include e-cigarettes and hookah.
2012	HB 449	Public Employee Status Modifications	Clarifies provisions related to classified civil service and determining at-will employees.
2011	HB 254	<i>Emergency Procedures Amendments</i>	Clarifies emergency declaration procedures.
2011	HB 295	<i>Outdoor Advertising Amendments</i>	Adopts an illumination standard for electronic billboards.
2011	HB 392	<i>Retention Elections for Justice Court Judges</i>	Delays judicial retention elections to allow for evaluations.
2011	SB 155	Political Subdivision's Procurement Process for Construction Projects*	Would have limited municipal options in construction project methods increasing costs.

2011		Roseman Univeristy Citation*	Citation honoring Utah's newest dental school.
2010	HB 231	<i>Water Rights Priorities in Times of Shortage</i>	Creates preference for domestic use during drought.
2010	HB 121	<i>Emergency Medical Services Act Transport Amendmens</i>	Allows cities to respond to RFPs for non-emergency transport.
2010	HB 185	<i>Animal Euthanaisa Standards</i>	Would have resulted in higher costs for animal euthnization.
2010	HB 129	<i>Amendments to Education Financing</i>	Would have increased WPU; consolidated number of district levies.
2009	HB 31	Utah Sudden Cardiac Arrest Survival Act*	Removed liability for AED ownership and use.
2009	HB 257	Political Subdivision Clerk Amendments*	Tax and monetary info to be mailed only to City Recorder.
2009	SB 68	Mining Protection Amendments*	Clairifies protections for mining areas that are adjacent to city.
2009	HB 237	Contracting for Inter-facility Medical Transports	Would've taken options from cities in providing medical transport services for its residents.
2009	HB 74	<i>Township Amendments</i>	Would have repealed anexation sunset date.
2009	HB 214	<i>Sunset Date on Township Status</i>	Would have removed opprtunity for councils to annex.
2009	SB 208	<i>Utah Public Notice Website Amendments</i>	Allows for posting of legal notices on State website.
2009	SB 26	<i>Open and Public Meeting Act - Meeting Record</i>	Recordings of public meetings to be available within 72 hours.
2008		\$85,000,000 Appropriation for 11400 South Construction*	Project moved a decade ahead of schedule.
2008	HB 422	Political Subdivision Clerk Amendments*	Clarified certain notice requirements to Cities.
2008	SB 196	<i>County and Municipal Land Use Amendments</i>	Clarifies how development standards to be implemented.
2008	SB 38	<i>Transparency in Government Finance</i>	Requires certain public finance data to be posted on website.
2008	HB 177	<i>Land Use Regulation of Potential Geological Hazard Areas</i>	Cities can enact laws regulating hazard areas to protect lives.
2008	S.B 20	<i>Municipal Government Amendments</i>	Clarified forms of government available to Utah's cities.
2008	SB 46	Anti-Flow Control Amendments*	Attempt to limit City ability to provide for solid waste most advantagously to City.

2007	SB 98	<i>Government Immunity for Trails*</i>	Extend immunity to private trails where owner allows public use.
2007	HB 21	<i>Public Safety Retirement Conversion Window*</i>	Conversion window to allow conversion from contributory to non-contributory system for SJC employees.
2007	HB 352	<i>Local Government Regulation of Billboards</i>	Allows billboard to be moved avoiding eminent domain.

*** NOTE:** *The listed Bills are only a sample of the type issues in*

South Jordan City Parks and Recreation Department's Proposed Cost Recovery Pyramid Model



Full Cost Recovery

Leagues	CR Teir	% Recovery	Annual # Field/Day	Current Fee	Total Current Annual Fee	AVG Daily Maint	True Cost	CR %	Annual Fee	DIFF	\$/Field/Day	% Increase
Bingham Baseball (Recreational)	3	41% - 99%	360	\$10	\$3,600	\$181	\$65,160	41%	\$26,716	\$23,116	\$74	742%
Utah Select (Competitive)	4	100% - 139%	654	\$15	\$9,810	\$181	\$118,374	100%	\$118,374	\$108,564	\$181	1207%
Rocky Mountain Baseball (Competitive)	4	100% - 139%	12	\$25	\$300	\$181	\$2,172	100%	\$2,172	\$1,872	\$181	724%

Partial Cost Recovery

Leagues	CR Teir	% Recovery	Annual # Field/Day	Current Fee	Total Current Annual Fee	AVG Daily Maint	True Cost	CR %	Annual Fee	DIFF	\$/Field/Day	% Increase
Bingham Baseball (Recreational)	3	41% - 99%	360	\$10	\$3,600	\$149	\$53,640	41%	\$21,992	\$18,392	\$61	611%
Utah Select (Competitive)	4	100% - 139%	654	\$15	\$9,810	\$149	\$97,446	100%	\$97,446	\$87,636	\$149	993%
Rocky Mountain Baseball (Competitive)	4	100% - 139%	12	\$25	\$300	\$149	\$1,788	100%	\$1,788	\$1,488	\$149	596%