

SOUTH JORDAN CITY
CITY COUNCIL MEETING

February 3, 2015

Present: Mayor Pro Tempore Chuck Newton, Councilman Steve Barnes, Councilman Chris Rogers, Councilman Mark Seethaler, Councilman Don Shelton, CM Gary Whatcott, Administrative Services Director Dustin Lewis, IS Director John Day, Public Works Director Jason Rasmussen, COS Paul Cunningham, Communications Director Tina Brown, Fire Chief Andrew Butler, Strategic Services Director Don Tingey, Police Lieutenant Jason Knight, Acting City Attorney Ryan Loose, Finance Director Sunil Naidu, Development Services Director Brian Preece, City Council Secretary MaryAnn Dean

Others: See Attachment A

REGULAR MEETING – 6:00 PM

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

Mayor Pro Tempore Newton welcomed everyone present. Mayor Alvord was excused. All other members of the City Council were present, as listed.

Councilman Rogers made a motion to appoint Councilman Newton as Mayor Pro Tempore for this meeting. Councilman Barnes seconded the motion. The vote was unanimous in favor.

B. Invocation – *By Councilman Barnes*

Councilman Barnes offered an invocation.

C. Pledge of Allegiance

Josh Vander Linden, Troop 1479, led the audience in the Pledge of Allegiance.

Mayor Pro Tempore Newton recognized the scouts that were present.

D. Minute Approval

1. January 20, 2015 Study Meeting
2. January 20, 2015 Regular Meeting

Councilman Rogers made some grammatical changes to the minutes.

Councilman Rogers made a motion to approve the January 20, 2015 study meeting minutes, as amended, and the January 20, 2015 regular meeting minutes, as amended. Councilman Shelton seconded the motion. The vote was unanimous in favor.

E. Public Comment:

There were no public comments.

F. Presentation: 2nd Quarter Updates to Strategic Priorities Initiatives (*By Don Tingey*)

Strategic Services Director Tingey reviewed a chart showing the status of the action items from their strategic priorities initiative. He noted that 28% of the action items are complete, 60% are in progress, 9% have not been started, and 3% were deferred for various reasons. A fair amount of the projects that are in progress are because they are capital improvements and those are designed in the winter time, and construction starts in spring. Staff will continue to update the status report.

G. Summary Action Items:

1. Resolution R2015-10, Adopting City Wide Policy 200-13 and amending City-Wide Policy 200-14. (*By COS, Paul Cunningham*)
2. Appointment of Mark Woolley to the Planning Commission to complete the existing term of Jason Haymore who submitted his resignation 1/27/15. The Term will run through 12/31/2015. (*By Councilman Chuck Newton*)

Mayor Pro Tempore Newton recognized Mr. Woolley who was present.

COS Cunningham noted an update to Resolution R2015-10; an updated copy was provided to the City Council.

Councilman Seethaler made a motion to approve Summary Action Items 1 and 2. Councilman Shelton seconded the motion. Roll call vote. The vote was unanimous in favor.

H. Public Hearing: JUDD HOMES LAND USE AMENDMENT AND REZONE.
Resolution R2015-13, Land Use Amendment from Rural to Low Density Residential and Rezone Ordinance 2015-10-Z, approving an amendment to the Zoning Map from Agricultural (A-5) and Single-Family Residential, 1.8 lots per acre (R-1.8) to Single-Family Residential, 2.5 lots per acre (R-2.5) on property located at 10708 South 1055 West; Charles A. Judd, Applicant. (*By City Planner Greg Schindler*)

Planner Schindler reviewed the background information on this item. The historical committee and residents indicated that they are in favor of the rural standard and no more than a 20 ft. width of road. Staff has changed their recommendation to keep the rural residential designation and to

rezone the entire parcel R-1.8. It will change Mr. Judd's development, going from 10 lots to 9. Mr. Judd has indicated a willingness to make the development work.

It was noted that a public hearing was already held on this issue. Planner Schindler said notices were sent out again. Councilman Rogers said because it is a different land use amendment, he would recommend another public hearing. Mayor Pro Tempore Newton concurred.

Mayor Pro Tempore Newton opened the public hearing. There were no comments. He closed the public hearing.

Councilman Barnes asked if there has been clarification on the historic nature of this road? Planner Schindler said although it was not a pony express road, it is the first road in South Jordan. The first church and first school were on that road. The historical committee has proposed putting up a marker on the road, identifying it as a historic road and identifying where those structures were located.

Councilman Barnes said he received an email that the road was used by the Mormon Battalion. CM Whatcott said he has not heard that.

Councilman Rogers said the position of the historical committee is that they should preserve the historical designation for this road. The current Ordinance that makes this road historical is too restrictive. The recommendation from the historical committee is that the city adopt a new rural road standard, allow the 20 ft. requirement, preserve the rural nature of the area, and memorialize the historical nature of the road. He expressed appreciation for the public outreach done on this parcel. He thanked Mr. Judd for his patience. He feels the proposal is best for the existing residents on the street, future residents on the street, and the city as a whole.

Planner Schindler reviewed the standards for the rural residential land use designation. The smallest lot size allowed would be 1/3 acre. The density could not exceed 1.8 units per acre.

Councilman Seethaler asked if the new rural road standard is part of this approval? Planner Schindler said no. That would come forward at a later date.

It was noted that the road is a private street just south of the Judd property. This approval will not take away the historical route designation.

Mr. Judd, applicant, said he was okay with the loss of one lot. He said they will leave quite a bit of the land open.

Councilman Seethaler asked if the plan is to put utilities and infrastructure on all of the lots at one time? Mr. Judd said yes. Councilman Seethaler asked if there are secondary water rights on this property? Mr. Judd said there are some rights off of the canal.

Mr. Judd indicated that it has been a good process, and everyone was good to work with.

No action taken by Council on Resolution R2015-13.

Councilman Rogers made a motion to approve Rezone Ordinance 2015-10-Z. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous in favor.

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

Councilman Shelton said the Senior Committee is moving along well. They have good support staff. He noted the Legislative Policy Committee lunch that he attended Monday. They debated the re-distribution of sales tax. He said his opinion is to not mess with what they currently have. The idea is to distribute sales tax on vehicles where they are registered, not where they are sold. If they allow for that, there is concern that they will have to prove residency for all retail sales. He doesn't feel it is worth the battle to reopen the issue. He noted Utah's restrictions on where dealerships can be placed. He said he would rather allow the market to dictate where the dealerships go rather than government.

Acting City Attorney Loose said the League isn't taking a position on that bill because it is not a city bill specifically, and they don't want it used as leverage to force cities to fight. Mayor Pro Tempore Newton said the bill was pulled from committee, but they expect it to come back.

Councilman Seethaler noted a KSL article about diversity in jobs and comparable salaries between municipalities. He expressed appreciation for South Jordan's process, using the compensation committee. He said their number of full time employees has decreased in the last 8 years, despite the rapid growth.

Mayor Pro Tempore Newton noted the Chamber of Commerce dinner. He also noted the Utah Transportation Commission meeting Feb. 13th at 8:30 am. CM Whatcott said someone from staff will attend that meeting.

Mayor Pro Tempore Newton asked when they would be receiving a report on last year's audit? Finance Director Naidu said they can bring it back the first meeting in March.

CM Whatcott said Mr. Whitaker from Golf Alliance will be coming to the February 17th study session. Staff is working on an agreement that indicates their contract with Golf Alliance is completed, without payment, in accordance to satisfaction.

Mayor Pro Tempore Newton asked about appointments for the Mulligans Commission? CM Whatcott said they are done with the employee and City Council member appointments. They don't close the public application period until February 6th. It is scheduled for February 17th for approval.

Mayor Pro Tempore Newton noted a joint meeting with Sandy last week on the circulator bus system. UTA is proposing a street car system. There was a route proposed to cut through Mulligans. The City Council expressed their opposition to that.

CM Whatcott said they have an update on the current Legislative Session. The City Council welcomed Representative Cunningham.

Representative Cunningham said they have not yet addressed the gas tax. Thursday is the key day for all bills to be titled. He said looking at Representative Hall's bill, there are compromises that can be made to benefit the city. It is not a dead issue. He will do what he can to ensure South Jordan gets their fair share of the transportation bill.

Intergovernmental Affairs Coordinator Dawson gave the City Council an update on Legislative bills affecting the city. He noted that he has a letter from the Jordan School District, asking the Legislature to look at public charter school financing. They are proposing to make the requirements the same for the public schools as the charter schools. They need to consider if they are going to endorse the School District in their efforts. He said Representative Cunningham indicated that the letter should be sent to the House and Senate Education Committees rather than the public education appropriations committee.

Susan Pulsipher, Jordan School Board President, 1175 Chapel Ridge Dr., said it went to the appropriations committee because the issue was brought up in an appropriations meeting. It may not happen in that committee.

Councilman Barnes asked what accountability and transparency charter schools don't have versus District schools? Ms. Pulsipher said it should be transparent to tax payers on the tax bill. She said they are hoping the letter will generate a bill. Senator Osmond said he could add it to his bill.

Representative Cunningham said he doesn't know if revenue and tax will want to address it this session.

Mr. Dawson said staff is recommending they work with the School District on the issue to generate a bill.

David Spatafore, Legislative Lobbyist, said regarding sales taxes, if cities want to have more money going to where the car is registered, why take money from other cities who can't afford to lose money anyway? If they are going to change distribution, they can do 50 percent point of sale and 50 percent registration and then no city will lose a lot of money.

Mr. Spatafore reviewed SB82. He said there is a meeting on this issue tomorrow at 9. He feels they are 80 percent in agreement currently. They should be at 100 percent agreement by the end of the week.

Mr. Spatafore said they are redrafting the bill regarding body cameras. He feels at the end of the day, they will have a bill that won't hurt law enforcement drastically. Acting City Attorney Loose said the sponsor did listen to counsel on the police officer's position. It moved a step forward, if it goes through.

Mr. Spatafore reviewed HB 93. He said it is not a good piece of legislation. He said the County does not want the bill to stay dead and they will make sure the bill moves. It was held in committee and can be brought up. He doesn't know if there are votes to pass it. He said during discussions, they have discussed that if there is an interlocal agreement in place, they will work under that interlocal agreement. He said there are many things that the city and county can work together on, including Welby Park, the Equestrian Center, Marv Jensen, etc. He recommended that they be statesman. If the County Council wants a statement from the city to preserve the east side of the Granite School District, they should agree if they can survive with the amendments. And then create a new sense of comradery with Salt Lake County.

Mayor Pro Tempore Newton said they should leverage their opportunity for further conversation with Salt Lake County. He suggested that they direct CM Whatcott to continue to have Mr. Spatafore represent the City with the County on County issues.

Councilman Rogers said he feels the best legislation is adopted through compromise, negotiation and well thought out plans. He thinks there are things they can compromise on regarding this bill, and it exempts South Jordan. He said from a legislator's perspective, he thinks the bill is bad legislation all the way around. He said they need to firm up the city's position and the County's position. He feels the city should favor the amendments, adding both provisions. The City Council needs to define what support and commitment they want from the County. He said they could offer a neutral position. He doesn't think they should endorse it because it is bad policy with the amendments.

Councilman Shelton said if they expect to get something out of the County, a neutral position won't get us there. He said if they can come to a compromise that they can be comfortable with, they need to support the County and hope it doesn't pass. He doesn't think they'll have any negotiating leverage with a neutral position.

Mr. Spatafore said they will take both amendments to the bill and start the discussion with the County and finish where they have to finish where it's best for everyone.

The City Council indicated that they are okay with Mr. Spatafore representing the city on County issues.

CM Whatcott said the agreement with Mr. Spatafore is in place to represent them on County issues.

Mr. Dawson noted that SB126 won't be pushed or run at this time.

- J. **Executive Session:** Closed meeting to discuss the character, professional competence, or physical or mental health of an individual

Councilman Rogers made a motion to recess the regular City Council meeting, and go into a closed meeting to discuss the character, professional competence, or physical or mental

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

This is a true and correct copy of the February 3, 2015 Council meeting minutes, which were approved on February 17, 2015.

Anna M. West
South Jordan City Recorder

SOUTH JORDAN CITY
City Council Meeting
February 3, 2015
6:00 P.M.

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME	PRINT ADDRESS
Luke Tueller	10291 Royal meadows ct 84095
Zayden Paras	10257 McKinly Pk Ln 84095
Cody White	[REDACTED]
Jake Vanderlinden	10139 Statesman Place 84095
Zach Ferguson	South Jordan 10139
Jeremy Phees	10177 S. National Place
Wenables Hargrave	10139 South Jordan 84095
Cedron Ballard	10214 S. McKinley Park Lane
Jeff Ballard	" "
Jack Hallock	
Aubrey Tanner	
Josh Vander Linden	10139 statesman Place So. Jo -
Brandinaison	1113 chaple ridge Dr.
Elijah Gibson	11607 Lamptonview Drive
Mark Woolley	2244 Jordan Haven Court
Brian EBERT	1266 West County Ridge Dr.
Troop 1212	10295 Walnut canyon Ln
Bryson Beam	10'
ATP	
BRETT JENSON	10654 BISON TRAIL COVE SJ
Taliesin Christensen	
Parker Stott	
JEREMY LUCE	

