

SOUTH JORDAN CITY
CITY COUNCIL SPECIAL STUDY MEETING
OAK CONFERENCE ROOM

August 1, 2016

Present: Mayor David Alvord, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Tamara Zander, Council Member Chris Rogers, CM Gary Whatcott, COS Paul Cunningham, Fire Chief Andy Butler, Administrative Services Director Dustin Lewis, City Attorney Ryan Loose, City Commerce Director Brian Preece, Strategic Services Director, Public Information Officer Tina Brown, Don Tingey, Development Services Director Brad Klavano, Director Public Works Director Jason Rasmussen, City CT Director Jon Day, Deputy Recorder Cindy Valdez

Others: Planner Greg Schindler, Planner Brad Sanderson, Planner Jake Warner, Doug Hornek, Greg Allen, Ryan Berry, NicoWalker, Fred Lampropoules, Lacey Nash

STUDY SESSION – 12Noon

Mayor Alvord welcomed everyone and noted that Council Member Tamara Zander has not yet arrived but will be here soon.

A. Invocation: *By Council Member Patrick Harris*

Invocation was given by Council Member Patrick Harris.

Mayor Alvord said we have representatives from Merit Medical here at our City Council Work Session so I would like to move up Item D. Merit Medical R & D Building up on the Agenda and then we will continue then we will hear items B, and C.

D. Discussion Item: Merit Medical R & D Building (*By Development Services Director Brad Klavano*)

Mayor Alvord said I am thankful for the partnership that South Jordan has had with Merit Medical for the past several years. They are a wonderful employer and have many good paying jobs, this is the kind of business that we would like to retain and keep and keep a relationship with.

Director Brad Klavano said Planner Brad Sanderson has been working on this project from the Planning Department, but I asked Merit Medical to come and present this to you because it will require a Land Use change, and a Zone Change. This will go across 9800 S. and it will have residential around it, so I wanted to make sure that we heard this in the work session before we go through the formal process. They also held a neighborhood meeting and they can give you an update on how that went. They have been very proactive working with the neighbors, and we really appreciate that. In addition, they are proposing a sky bridge that will cross 9800 and will connect so that the worker will not have to go outside and cross the street. I just wanted them to come and share their thoughts and where they are at with this project.

Fred Lampropoulos, (Founder of Merit Medical) – said it is our intention moving forward to use the same builders and architects and keep the same theme, as you can already see from the renderings. I would like to introduce someone new that has joined the company and that is Nico Walker. Mr. Walker served for 22 years in the Secret Service and he is responsible for our Global Intelligence and Security. I am sure you are wondering why this company in South Jordan is thinking about intelligence. We have facilities in: Beijing, Shanghai, Hong Kong, Malaysia, and we have 750 people that work for us in our Ireland location. We have a manufacturing plant in France and we are always concerned about what is going on there. There is a Hyatt Regency right out the gates across the street. They just built a new mall and it is the largest one in France, and these are all soft targets from our point of view. We travel in and out of the Brussels Airport about 400 or 500 times a year. We have our Headquarters of Europe in Nostra, which is this little nub in Southern Netherlands, and in several different directions you can be in 3 Countries in 20 minutes. We have our Distribution and our Marketing and Sales Headquarters there, and we also have another manufacturing facility in the Netherlands. I also have offices in Moscow, Dubai, and Brazil. When we started the business many years ago we mainly were talking about injection molding, and plastic parts, but the building has changed rather dramatically, particularly over the last 5 or 6 years. The stuff that we are doing today is really a matter of life and death. As you know Merit Medical is a company that has always looked at things long term. Cancer has is a special thing for me, I lost both of my parents to cancer, as well as my 25 year old son to metastatic melanoma. I am going to do everything in my life, in every way I can to help patients with cancer and see what we can do to about this disease. We bought the property across the street about 14 years ago and we are trying to be good stewards with that property. I believe that in the next 3 years we will start a facility over there that looks just like the buildings that we already have, it will look just like an office building. The big need that we have is in the Research and Development. In our main building there is an area that has 25 or 30 engineers, and they are sitting in a make shift area that has no windows, so they had to put air conditioners in there, so our desire is to build a new research and development building. For those of you that know me, when I say something I mean it, and I never bluff. We do a lot of Research and Development in Ireland so about 2 or 3 years ago that we built a new building there, but we have been there for almost 20 years and have about 750 employees there, and about 40 percent of Merit Medicals revenues are produced there. We built a new facility and we have about 10 acres available there, and as we make the decision as to where we want to be I would like to be in South Jordan, because I would like to stay in Utah. We will stay in Utah, this is not a question of whether we will stay or leave, this is a question of where do we expand. We have quite a presence in Ireland. When they had the down turn in the economy we were the only name in town. We built a facility and put many people to work in a 75,000 sq. ft. facility, but my preference is to be in South Jordan. I don't want to build across the street because the building would be too far away from us. I am in the R&D Department at least 2 or 3 times a day and I think proximity is an issue. I think it was about 3 or 4 years ago that we purchased the property outside Merits north gate, and there is a picture that is showing homes in there. We went to the Planning Commission Meeting about 2 years ago and we had proposed a project where we were going to build a facility for maintenance and those types of things. It was approved and was going to come to the City Council, but there were a lot of neighbors that were very vocal and they just didn't like the idea. I got called a bully, the big corporate guy, so I asked the Planning Commission to withdraw the project. I really didn't want my neighbors mad at me. I didn't want them to feel like we were trying to stuff something down their throats that they didn't want, or that we were trying to utilize influence. We wanted to do something proper, so what we have done is we bought the property with the home and let the gentlemen live there for the last year, but if we get the approvals on about November 1, 2016 we are going to demolish these facilities to square up the

property. What we have done is build a rather long facility, and we have done that thinking about the neighbors. This building will be 34 feet high, there will not be any HVAC on the roof, and everything will be in the basement.

Nico Walker, (Merit Medical, Architect) – said when we were designing this facility we wanted to be very sensitive to the neighbors regarding views, lighting, and etc., we are trying to do better than even what the zoning requirements are pertaining to the landscaping. All of this is effort to mitigate the impact on the neighbors.

Mr. Lampropoules said the other thing we are proposing is a bridge. It is not essential, but we would like to have it. This will bring in over 200 high paying jobs to South Jordan, I don't have the specific numbers, but these will be engineers, technicians, and etc. This will be a full-fledged Research and Development Facility.

Council Member Marlor said will the bridge be for cars, or is it just for golf carts and things of that nature?

Mr. Lampropoules said it will be just for golf carts and pedestrians. It was about 3 weeks ago we called a neighborhood meeting, and at 5 minutes before the meeting started there were about 4 people, at 5 minutes after the meeting started there were about 50 people there. This is my perception of the meeting, out of the 50 people that showed there were 4 people that were very loud, very boisterous, and were opposed, but they would be opposed to anything we would put there. It was really amazing to me the outpouring we received from our neighbors. We sent the letters out and we had overwhelming support, and that makes it nice for the future meetings because they will be there to support us, but there will always be those that do not want anything to go in there. Then it will be up to you to make the final decision.. I was asked if we knew when we were going to break ground, I will tell you what I told them, it will be about 5 years. I understand that this is between two residential areas, and there are some feelings about that, but we will beautify it so that we are good neighbors, and for the goodness of the community. I think all in all it was a good meeting. We are committed to building here, and we are willing to go through the process if that is a desire of the City and the Citizens. If we don't get approval and we are not successful, we will sell the property.

Council Member Rogers said I appreciate your candor, your presentation, and your support of the City. You really are a model business, and the Merit Medical name is always at the top. I also appreciate your support for the Historical Committee and their exhibit. You have really been an example of a good resident, steward, businessman, and community, and I really do appreciate that. I would like to know if the bridge is going to be an open air bridge.

Mr. Lampropoules said it is going to be an open air bridge.

Council Member Rogers said my only suggestion at this point is, UDOT does not tend to build a very nice looking bridge, but I like the bridge you are proposing, I think it looks very nice, so I would definitely go with the bridge you have proposed. I know that you own the property to the west (Merit Farms) can you tell us what your plans are for that facility?

Mr. Lampropoules said that is going to be more manufacturing and distribution.

Council Member Zander said on the northwest corner of your current property you have gardens and things, are you planning to expand to that?

Mr. Lampropoulos said we have a community garden farm for our employees and it is kind of the talk of the town. Last year our farmer called and said he would be tilling the ground in 4 or 5 weeks so why don't you let your employees come and pick what they want. I was sitting in my office and I looked out the window and I saw about 200 of our employees picking peppers and tomatoes and when they were done there wasn't anything left. When I saw that I hired a farmer her name is Lora Flower, she runs the place and we have about 200 employees involved. We are using this to teach and grow so that everything at work isn't just work. The response from our employees had been nothing but outstanding. We will have more details as we get down the road. Thank you very much for your time and consideration.

Council Member Harris said I had the opportunity to go over this with Mr. Lampropoulos in his office and I think he is doing this the right way. He has reached out to the neighbors with full thought in mind. I don't think noise, lighting, traffic, or parking is going to be an issue. They will offer job opportunities for children and grandchildren, as well as the community. This is something that seems to make a whole lot of sense to me.

Mr. Lampropoulos said we will do everything possible to be responsible to our neighbors, as well as the City. It is our goal to bring something of lasting value that enhances this community. If we feel that we can't do that, then we will not do anything. Thank you for your time, we love being involved in the City and we wish you the very best.

Mayor Alvord said we would like to thank the Merit Medical team for coming today.

B. Council Packet Review. (*Calendaring, Topics, Future Agenda Items*)

Item F. Presentations:

1. UTA Presentation on TRAX Extension & Alignment Results from Public Comments Meeting. (*UTA Representative, Hal Johnson*)

CM Whatcott said UTA will be doing an update and presentation.

2. City Flag Contest (*Mayor Alvord*)

Mayor Alvord said I will save the presentation I have for the meeting tomorrow night.

Item G. Consent Items:

1. **Resolution R2016-46**, Approving an Interlocal Cooperative Agreement with Herriman City for 11800 South Street Median Construction and Authorizing the Mayor to sign the Agreement. (*By Development Services Director, Brad Klavano*)

Director Brad Klavano said since this got delayed we did have a meeting with the School District, Herriman City, and the Police Chief's, and the conclusion was that we still need something to make that safe out there. We did have an Open House and the neighbors attended. What we presented was to allow a left out on Wind Stone, and restrict the left in. The neighbors were still not happy about that, but we

did work through it. We have a configuration now that will allow a left in, and a left out, and it will be a full movement intersection, and we will still be putting a median in. They were happy with that so I emailed the concept to their representative Shauna Bird and she said she would distribute it out to them, but I haven't heard anything back at this point. This is probably going to cost more than we originally thought, but we will work through that as we get pricing. We are hoping to get a contractor to try and get this done before school starts, it might not happen, but that is the goal.

Council Member Rogers said how long will this take to build?

Director Klavano said not extremely long, but we have to get into the que and they are very busy right now. The one thing that came out of the discussion with the school district, and both of the Cities, is that the existing in, and out, to the High School on 11800 S is a full movement intersection now. They want to restrict the left out of there, so if you are coming out of the High School on to 11800 you can only make a right. The one thing that came out in the Open House very loud and clear, and I think the School District heard it, and the Herriman City Officials heard it, was that at the school where the parents drop off the kids it stacks up, but that is where the students have to go to get into the parking lot, so that is also what is causing a lot of the backup too. The suggestion was to put an access up that drive isle off of 11800 into the parking lot so the students can go in without having conflict with the parents dropping off and picking up kids. The residents wanted me to do something about it, but it is private property and is not in our City, it will be the School District that will need to make those decisions.

Council Member Zander said how many people attended the Open House?

Director Klavano said there were about 50, most of them were couples.

2. **Resolution R2016-57**, Authorizing the Implementation of certain Infrastructure Improvement, Maintenance and Operation Projects Budgeted in the 2016-17 Budget. *(By Development Service Director, Brad Klavano)*

Director Brad Klavano said the list of the projects being requested for implementation by Resolution 2016-57 are:

- Fire Station 63 Fixtures, Furnishings, & Equipment
- Cemetery Landscaping & Improvements Phase 2
- Wasatch Meadows Stairs Phase 2
- Public Works Sediment Bins
- 2700 West Right of Way Acquisition
- City Wall Fence Repair
- Hawk Pedestrian signal at Fox view Dr. & 4000 West
- Upgrade and replace 2 Signals (9800 S & 3200 W; 11000 S & Jordan Gateway)

Council Member Zander said can you explain to me about the 2700 West Right of Way acquisition?

Director Klavano said on 11400 South down to the Riverton City Limit on the east side we do not have curb, gutter, and sidewalk, so the money is just to start work on the residents to purchase the right of way needed. It will be in another fiscal year that we will have the money to do the increments.

Council Member Zander said on the Cemetery Landscape Improvements, is that the one that we had someone come speak to us about it a few months ago saying he didn't want the cement wall?

Director Klavano said no the cement wall has already been budgeted. The bid has already been sent out, but they didn't come back very good so we are going to re-bid it later in the winter.

3. **Resolution R2016-55**, Adopting the Preferred Alternative for a Mass Transit Corridor Extending Beyond the end of the Mid-Jordan TRAX Line Alignment. *(By Strategic Services Director, Don Tingey)*

Mayor Alvord said we will have already heard from UTA by this point, so I think this is just formally accepting the alignment.

Council Member Zander said as I look at the map there are 2 options as it passes going south, which of those is happening do you know?

CM Whatcott said UTA wanted both alignments shown on there as an alternative because they were concerned that some of the right-of-way wouldn't be available because of the gas pipe line, that was their concern. I think from our City, and Kennecott's perspective, and I don't want to speak for Rulon Dutton, but we are only going to show one alternative on our Master Plan, and that will be the west side route.

Council Member Shelton said I can't tell you how pleased I am with the change and your willingness to do that, as well as the Cities willingness, I am very pleased.

CM Whatcott said our Board Member for Utah is Robert McKinley, and he is just a great guy and has been very receptive to our concerns and issues. We have had numerous talks on this particular issue, and once the resolution is passed I will plan on having a meeting with him and airing out this very issue and make sure he understands our position as well.

Mayor Alvord said I know the Mayors of Riverton, and Herriman are very anxious that this happened. There is some concern that the Department of Transportation may not have as much money as they have had in years past, Utah has been fortunate to have been awarded Mass transit projects and also the funds.

Item H. Public Hearing: Ordinance 2016-14, Zone Text Amendment, Amending Sections 17.20.020 (Establishment) and 17.130.040 (Farm Animal Floating Zone) of the South Jordan Municipal Code, Eileen Luker (Applicant). *(By City Planner Greg Schindler)*

Mayor Alvord said does staff have a recommendation whether to approve this, or are you just staying neutral?

City Planner Schindler said we have a recommendation and Planner Jake Warner will be presenting that at tomorrow night's City Council Meeting.

Council Member Rogers said your recommendation is to pro-rate the points, but that still doesn't allow for the resident to have 2 horses on a ½ acre, is that correct.

Planner Jake Warner said that is correct. The applicant's original proposal was to have 2 horses on a ½ acre lot, but to do that she will need to change the code. The night of Planning Commission Meeting there were a lot of comments, so they asked a group of residents to propose additional recommendations. In working with that group and the Planning Commission, one of those

recommendations was revised to this prorated system, and staff is supportive of all of the recommendations except for the original recommendation and staff has been against that since the very beginning.

Council Member Marlor said if you look at properties that have one animal on a ½ acre piece of property, all it ends up being is a big dirt pile with lots of manure, flies, and everything else, and to allow that in a subdivision does not work for me.

Council Member Zander said I have personally had people contact me about this. The applicant's neighbor called me and said that Ms. Luker burns horse manure and there is a fly problem that is bothersome to them. My understanding is that there was a huge group of people that went to the Planning Commission Meeting in favor of changing this ordinance. The people that were opposed are organizing petitions because there wasn't a lot of opposition at the Planning Meeting and they want to be heard.

City Planner Schindler said that is true they didn't see a lot of opposition, because it was the applicant that made the application. When we do zone changes or text amendments we normally don't send out a 300 foot notice, we put the notice in the paper because that is required. The reason we had so many people in favor at the Planning Commission Meeting is because the applicant contacted her supporters, and the person with the complaint wasn't notified because they were not the applicant.

Mayor Alvord said the promise that I made to the family is that we would at least survey the surrounding Cities, could you tell me if that has been done?

Planner Jake Warner said Ms. Luker did conduct a lot of research and that is included in the packet. The research does show that the surrounding Cities with a similar zone do allow 2 horses on a ½ acre. The resident group that did the research looked at how restrictive we are and it showed that we are more restrictive on the number of horses allowed, but we are more flexible on the types or combination of animals that are allowed on the property. Previously the minimum size requirement has gone back and forth in the last decade or so between the ½ acre and ¾ acre property. In 2011 we did reduce the minimum parcel requirement size from ¾ to ½ acre, so it has gotten less restrictive, but most of the surrounding Cities in a similar zone do allow 2 horses per ½ acre.

Council Member Marlor said conceptually if you have a ½ acre lot and you have a home on that property you are down to a ¼ acre, and you put one large animal on the remaining property it won't take one year and all you will have left is dirt and manure.

Council Member Rogers said I know we are not voting, but I tend to side with Council Member Marlor on this issue. I think having 2 horses on this size of property it too many. I do like the pro-rated idea where you can have 2 horses on a .75 lot.

Mayor Alvord said I know you said most of the Cities allowed 2 horses, but were there any Cities that didn't allow 2 horses?

Planner Jake Warner said it is hard to compare apples to apples, because the zones are a little bit different, but essentially if you tried to compare zone to zone, West Jordan, Sandy and Riverton all allow 2 horses per ½ acre. Our system doesn't restrict to just one horse you can have other animals.

City Planner Schindler said in the last 20 years we have only allowed 1 horse per ½ acre, so I am sure they knew what was allowed in South Jordan.

CM Whatcott said we have had this point system for a long time and this isn't something that we get a lot of complaints about.

Mayor Alvord said is it really that big of a difference to have 2 horses versus just one?

Council Member Marlor said if you have a ½ acre property but there is no distinction between whether you have a house on the property or not, then you really could be down to a ¼ acre property. That's the problem there is no distinction as to what's on the property and if there are any restrictions.

Mayor Alvord said if I was considering putting a horse on my property, I would think about my relationship with my neighbors, and how I took care of it. I know we have to adapt the laws for the worst among us, but there are a couple of things that keep me on the side of Ms. Luker. We are the only surrounding City that doesn't allow 2 horses, and the idea that 1 horse is ok, but 2 is just terrible.

CM Whatcott said the difficulty with her property and what is very challenging about it, is that she doesn't have a normal 30ft. set back from the street, she has a 70ft setback, so when you have a 70ft. setback, a house, and she puts the horses in the back, and she not only had 2 horses in the back, she had 3 horse in less than a ¼ acre of property.

City Planner Jake Warner said you can keep a horse on a smaller piece of property, but how do you regulate it.

Council Member Shelton said one horse on ½ acre property has been in effect for 20 years, I can't believe this has been a surprise to them.

CM Whatcott I would also like to say that I did not charge Ms. Luker a fee for the text amendment, because of all of this I gave it to her at no cost.

Council Member Zander said when I talked to Planner Jake Warner about this, he went through and talked to the people in his office and said "if someone came in and asked this question, how would you respond" and I love the fact that he drilled everyone in his office and they all responded the same, they would not tell this woman she could have 2 horses. I would also like to point out that in real estate an agent should never be doing a due diligence for a client, and the fact that she said they did, the agent was either off, or she was off, because that is not how real estate is done.

Mayor Alvord said I think we are out of time for the packet review. If you have any more questions, you still have some time if you would like to consult with staff before the meeting.

ADJOURNMENT

Council Member Rogers made a motion to adjourn. Council Member Marlor seconded the motion. The vote was unanimous in favor.

ADJOURNMENT

The August 1, 2016 City Council Special Study meeting adjourned at 1:30 p.m.

This is a true and correct copy of the August 1, 2016 Council Study Meeting minutes, which were approved on August 16, 2016.

Anna M. West

South Jordan City Recorder

Special City Council Study Meeting
Oak Conference Room
August 1, 2016
12Noon

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME

PRINT ADDRESS

Doug Hronek - Jacobsen Construction	3131 W. 2210 S. SLC UT 84119
GREG ALLEN MHTN ARCHITECTS	420 E SOUTH TEMPLE SLC UT 84111
RYAN BERRY MHTN ARCHITECTS	420 E SOUTH TEMPLE SLC UT 84111
NICK WALKER MERIT	1600 W MERIT BLVD, S.J. UT 84095
Fred Lampropoulos Merit	1600 W Merit Parkway S.S. W-Q.
Lacey Nash Merit	1600 W. Merit Pkwy South Jordan, UT

Attachment B CC: Study Mtg
Merit Medical presentation.



Design Concept | Merit Medical R+D Building

27 June 2016





SITE PLAN

27 June 2016





VIEW FROM WEST - INITIAL TREE PLANTING

27 June 2016

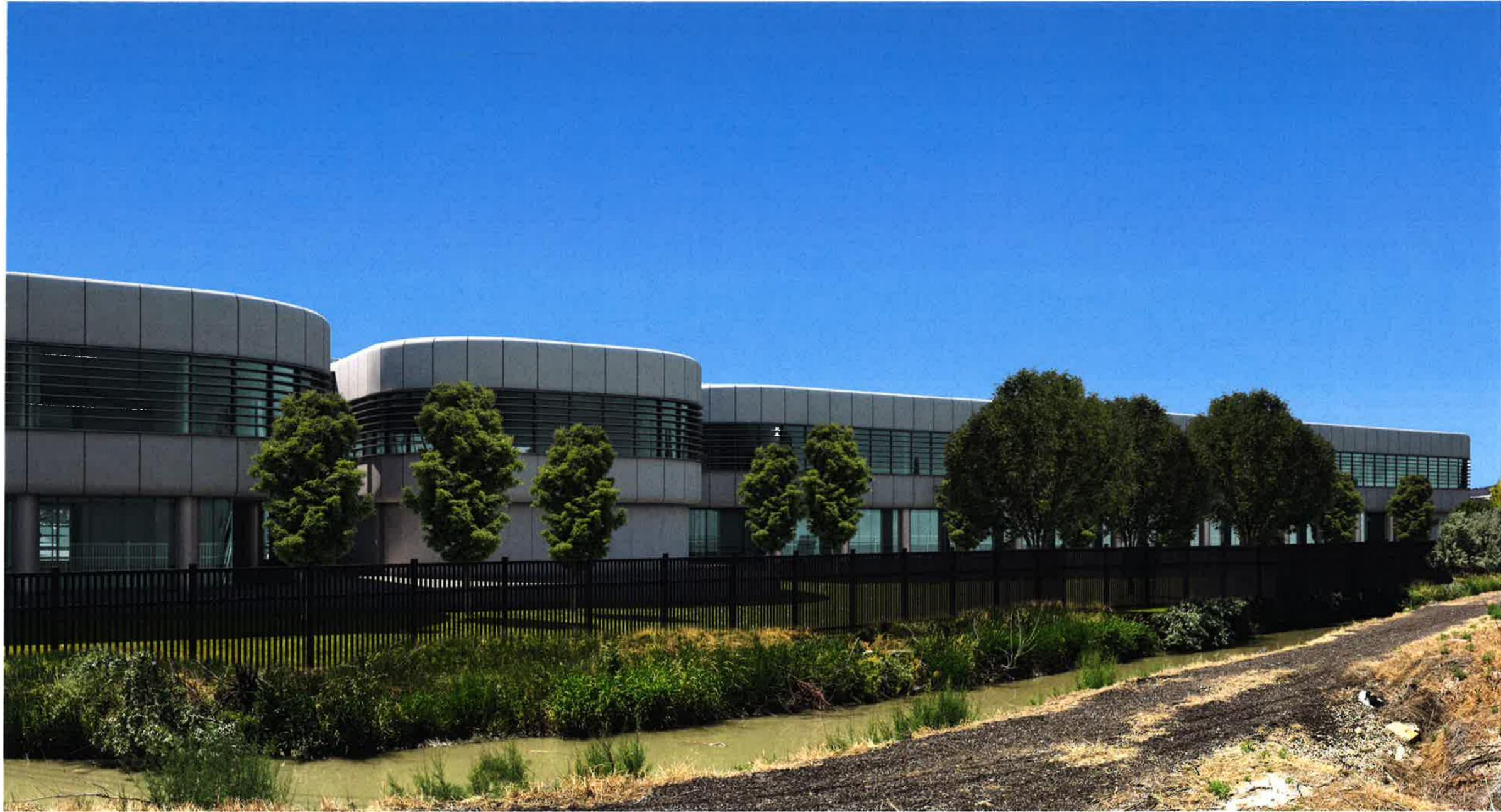




VIEW FROM WEST - MATURE TREES

27 June 2016





VIEW FROM EAST

27 June 2016





AERIAL VIEW FROM WEST

27 June 2016





VIEW OF ENTRANCE FROM SOUTH

27 June 2016





VIEW OF BRIDGE FROM WEST

27 June 2016

