

SOUTH JORDAN CITY
CITY COUNCIL MEETING

October 18, 2016

Present: Mayor David Alvord, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Chris Rogers, Council Member Don Shelton (Electronically), Council Member Tamara Zander, CM Gary Whatcott, Administrative Services Director Dustin Lewis, Public Works Director Jason Rasmussen, Strategic Services Director Don Tingey, Development Services Director Brad Klavano, City Attorney Ryan Loose, COS Paul Cunningham, Economic Development Director Brian Preece, IT Director Jon Day, Police Chief Jeff Carr, City Council Secretary MaryAnn Dean

Others: Attachment A

ELECTRONIC/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. It was noted that Council Member Shelton was joining the meeting electronically.

B. Invocation – *By Council Member Brad Marlor*

Council Member Marlor offered the invocation.

C. Pledge of Allegiance

Connor Portrey, Scout Troop 1975, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized all scouts that were in attendance.

Mayor Alvord noted that for the next hour, they are having public input for the flag design contest.

D. Minute Approval

1. October 3, 2016 Council Study Meeting
2. October 4, 2016 City Council Meeting

Council Member Marlor made a motion to approve the October 3, 2016 Council Study Meeting minutes, and the October 4, 2016 City Council Meeting minutes, as printed. Council Member Rogers seconded the motion. The vote was unanimous in favor.

E. Public Comment:

Taylor Davis, 11306 Brown Summit Circle, read a prepared statement (Attachment B).

F. Presentation: Distinguished Service Citation for South Jordan Police Department Victim Advocate ‘Cindy Hulet.’ *(By Police Chief, Jeff Carr)*

Chief Carr, introduced Cindy Hulet, and read a prepared statement (Attachment C). He awarded her with the Distinguished Service Citation.

G. Public Hearing: Merit Medical Land Use Amendment and Property Rezone. Resolution R2016-63, changing the Land Use designation from Low Density Residential to Office Use; and Rezone Ordinance 2016-13-Z, rezoning property from Residential R-1.8 and R-2.5 Zones to P-O (Professional Office) Zone on property located at 1538 W. Shields Lane (9800 South). *(By Planner, Brad Sanderson)*

Planner Brad Sanderson reviewed the background information on this item. He noted a petition that was submitted from the residents who were opposed to this proposal (Attachment D). It was signed by 91 people from 70 households. He showed a map of the homes that signed the petition. He indicated that he was unsure of the area that was canvassed. He said 30-40 percent of the residents that signed the petition live east of the canal.

Council Member Zander asked how many signatures came from the same household? Planner Sanderson said approximately 15-20 percent.

Fred Lampropoulos, founder, chairman, and CEO of Merit Medical, introduced himself. He said they have a long history of involvement in this property. Several years ago, they presented a plan that was approved. They withdrew their application. In their most recent design, they sent notices to the neighbors that live 800 ft. beyond the property line and held a meeting at Merit Medical. They also had a hearing with the Planning Commission, and now they are here. Each time they have had a meeting, they have made changes to help overcome issues raised by the citizens.

George Frio, project manager, and the architects for the project were introduced.

Mr. Lampropoulos said one issue the neighbors had was with the height of the building. They originally proposed 35 ft. which is the allowable height of a home. The proposed building is now 24 ft. The neighbors were also concerned about a proposed bridge for employees and members of the community. They are now proposing an underground tunnel that will still provide access to the residents. They have also had discussions about taking all parking off the facility. They are looking at putting in speed reduction lanes on their property, on both sides of Shields Lane. They have centered the proposed building on the property. They are willing to do what is needed to find a resolution. They have made great efforts and are willing to have continued conversation.

George Frioux, 1600 Merit Parkway, (Applicant) said they feel the project has greatly improved since August. They have a 115 ft. setback, and they have lowered the building. The neighbor’s viewpoint is greatly enhanced. They will entertain the tunnel, and will also give community

access to the tunnel. They will make sure the building is secure in the evening. They are cognizant of the adjacent neighbors. This building is an R and D building for engineers that will work 8-5, not on weekends. They will not have light pollution. The mechanical systems are underground. The building will be leed certified.

A Merit Medical representative said the site slopes about 10 ft. from west to east. Because of that, it was able to absorb the building into the site. A lot of the first floor will be below grade. There is considerable landscaping proposed. The operations of this building are different than professional office. It is highly secure. There are not a lot of tenants or visitors. It is a building for scientists and engineers. It is a low profile use. There is a cafeteria at Merit Medical; most people don't even leave for lunch. Merit Medical is concerned about the neighbors. They are doing amazing, costly things, to mitigate the impacts.

Greg Allen, MHTN Architects, said he is the principle in charge of this project. In the last public meeting, the residents of King Benjamin Court expressed concern that the back side of the building would face them. The building has been rotated 180 degrees so the front side is now facing east.

Mr. Lampropoulos said they are concerned with how their business buildings look and meet the standard. This building will be similar to what they have currently. Their building blends in. He expressed appreciation for consideration of their application.

Council Member Harris asked for a clarification on what Leed Certification is. Mr. Frioux said Leed Certification is a process to ensure that facilities are done in a way that has the least impact on the environment and social fabric. Building materials, efficiency, light and noise pollution are all taken into consideration.

It was noted that the original building is also Leed Certified. They got a silver ranking which is good, especially for the production building. He said the production building is staffed late at night at times. They had to put motorized blinds on the building to prevent light from escaping. He said Leed Certification is significant.

Mayor Alvord said he understands cars would not be permitted in or out of the parking lot without clearance. Mr. Lampropoulos said there would be some deliveries during business hours. It is a secure facility, with 24 hour a day active on site security. Their global director of security is a former member of the secret service. Their security measures are a deterrent to inappropriate activities. Their facility would be gated.

Council Member Zander said if there is a gate, how are they going to facilitate the employee traffic? Mr. Lampropoulos said they will use the tunnel. They will park at the existing site. They would access the facility under the road, if it is required.

A Merit Medical representative said a deceleration lane and acceleration lane is being proposed. They have license plate readers for their employees so they enter at a fast rate.

Mayor Alvord opened the public hearing for those in favor of the proposal.

Jim Mottola, 1843 W. 10740 S., Executive VP of R & D at Merit Medical. He moved to South Jordan and started working for Merit Medical 23 years ago. About 70 percent of the products sold worldwide by Merit were developed in house by their R & D department. He showed an esophageal stint that is used to treat patients with esophageal cancer and reflux. Their department is currently spread out over 4 locations. This building will allow them to centralize their operations and improve efficiency.

State Representative Rich Cunningham said he has represented South Jordan for 4 years. He said this company has loyalty, pride, and community involvement. They are working on legislation that makes sure Merit stays here in Utah. He discussed the tax base. They have been looking for stronger companies on the west side so they have more revenue to put in the pockets of the kids and in the schools, and for the cities in this area. That way they don't have to have tax increases. He said they need to compromise for the good of all. He recommended that they vote to move this application forward.

Jason Quigley, 933 W. Palmer Vista Dr., said he has worked at Merit Medical for close to 13 years. He has lived in South Jordan for 12 years. His daughter has been a Merit Medical intern in the manufacturing division, and last year she was an intern with the R & D Division. If this passes, she could have the chance to work with Merit Medical in this beautiful building. If they put houses on this property, they will not be 24 ft. or shorter. This will be a great asset to South Jordan, their kids and grandkids, and allows people to live and work in the community.

Jason Treft, 3096 W. Banner Dr., CTO for Merit Medical. He said their R & D team is using a lot of cutting edge technology. Their IT department has grown from 15 people to 45 people. And that is just one department. The R & D Department affects jobs in all other departments. He said he used to commute from Bountiful. They chose to move to South Jordan. They love the city. He hopes his kids will be able to work here. This proposal contributes to their quality of life and encourages business and job growth.

Hugh McKell, 1502 Morrywood Ct., said he lives across the canal, and has lived there 16 years. He said he initially came here to oppose the proposal. When he found out this was an expansion of Merit Medical, he is now excited about it. They do a good job with their landscaping. The impact on his home from Merit Medical has been nothing but positive. He encouraged the City Council to vote in favor of the proposal.

Stephanie Cannon, 1361 W. Shelbrooke Lane, said she has been a resident of South Jordan for 17 years. She has been a Merit Medical employee for 25 years. When she started at Merit Medical, they were located in Murray Utah. She said each time, they build a new building, their biggest concern is how it will fit into the community. She is proud to work for Merit Medical. They take great care with their buildings and landscaping. It is a wonderful place to work. If she had to pick a neighbor for herself, it would be Merit Medical.

Mark Woolley, 2244 W. Jordan Haven Ct., said there were 5 key issues that the Planning Commission grappled with in regard to this application. He concurred that Merit Medical is a great community partner. He voted against sending a favorable recommendation to the City Council on this application because there was enough concern with the 5 reasons they outlined, they felt it warranted a full public hearing. He said the original building height proposed was not beyond the Ordinance, but tonight's plan lowers the building height significantly. That is a huge effort on their part. Light pollution was a major consideration. The biggest issue needing to be addressed was traffic congestion on 9800 South. He said he is pleased with the results of the traffic study that was conducted. They should consider the deceleration lanes; that will make it easier for traffic. They have addressed everything that was brought to the Planning Commission's attention. He encouraged the City Council to support this application.

Justin Christensen, 9719 S. Redwood Road, said the changes Merit Medical has brought forward tonight is significant. He has been in support of the application from the beginning. He said his home sits higher than 24 ft. If they don't allow Merit Medical to build this facility, 9775 South would almost guarantee to be connected to their neighborhood and that would bring additional traffic to their neighborhood. He is grateful for the changes Merit Medical has made. They have listened to the residents' concerns.

Carol Brown, 10221 S. 1040 W., said Mr. Lampropoulos is generous helping students and small profits. He gives strength to the community. They have cutting edge research. He is a fine stake holder. He cares about the neighbors and quality of life. She said their neighborhood would love to have this facility by them.

Adam Simmons, 763 W. Sorbara Way, moved here 5 years ago. He lives in South Jordan because of Merit Medical – he is an engineer in the R & D Department. It is a great company. They have leadership that cares about their products. He is directly impacted by this.

Lucia Irazabal, 11072 S. Rochester Ave, said she is an R & D Engineer. Most of her friends live downtown. She decided to move to South Jordan to be close to Merit Medical. They need this space. It is a professional setting. Merit Medical is her second home, and they are a second family.

Tammy Ames, 1537 W. Kodiak Creek Ct., said she is in one of the 2 homes north of this property. She said they are all for the proposal. It will be a great asset.

Senator Howard Stephenson, said he started legislation to remove sales tax for equipment used in manufacturing processes so they could attract more manufacturers in the state of Utah. It benefits the school children as well as city services. They have nice landscaping and are sensitive to light. Businesses like Merit Medical help families with finances. They are great corporate citizens. He said projects often have opposition from neighbors. After projects are constructed, people wonder where they would be without that business. He encouraged the City Council to approve the zone change.

Erin McCann, 4673 W. Daybreak Rim Way, said she is in administration over the facilities department. She sees how buildings are run and what they do to keep them going. Merit Medical's buildings are immaculate. They have a clean environment and are run efficiently. She said the noise level is greater where she lives than where she works. Merit Medical is doing something good for the community. The growth is for the good of the community. It provides job opportunities and security. It is a secure facility. It is a great addition to their community.

Note – several letters in support of the proposal were submitted prior to the meeting. See Attachment E.

Mayor Alvord closed the public hearing for comments for those in favor of the rezone.

Mayor Alvord opened the public hearing for those opposed to the rezone.

Jean Jackson, 1466 King Benjamin Ct., said the entire west side of her property abuts the canal. She has a large yard and this will affect her property enormously. She has been a South Jordan resident for over 28 years. They moved to King Benjamin Court 8 years ago. They were happy to have a neighborhood with restrictions and continuity on how things would look. She said no one would dispute the wonderful ground keeping of Merit Medical. It is a fabulous building and provides a sales tax base for the city. However, they have missed speaking about the use of the property. When she brought her property, never did she think that Merit Medical would put a huge facility behind her. She had always known that this was residential property. She thought lovely homes would be built and there would be a continuum of their neighborhood and friendships. She said she would like to be able to keep the zoning in place now. Merit Medical has other property that they can use for this purpose.

Leslie Thorup, 9746 S. Mosiah Way, said she is a real estate agent. She said when a residential property backs onto a commercial property, it will affect their property value and it makes the property more difficult to sell. This property is zoned residential, and is surrounded on 3 sides by residential property. They have zoning so that a property owner won't start building businesses in a neighborhood. She concurred that Merit Medical is an exceptional company. They want it to grow and expand. They need to find a commercial spot to grow their business. It is not fair to the residents that surround this property. Whoever buys this property can develop it into homes and make a profit. It is not fair to the residents.

Kevin Jackson, 1466 W. King Benjamin Ct., said Mr. Lampropoulos has the political ability to talk to the City Council members. For small residents, they don't call the City Council. If the city is running well, they support the City Council. Mr. Lampropoulos has built a significant political capital to get them to do what he's asking. Merit Medical already has property across the street. There is no reason to intrude on the neighborhood. He said this morning, Miller Paving was there staking out the property. It appears that the vote is already cast. They want the City Council to respect the zoning laws that have been established. It is somewhat of a contract with the neighbors.

Perry Morris, 1463 W. King Benjamin Ct., said they agree that Merit Medical is an outstanding company. This is not about rewarding Merit Medical. The Planning Commission did vote against this for 5 reasons. But there was an additional reason. This zoning change was not part of the city plan. That is the main reason why a couple of the Planning Commission members voted against it. He said commercial will decrease the value of their land. The zoning sets expectations and the city plan is something that the citizens look at when they are investing in their home. It is a breach to many citizens that trusted they could build here.

Dale Slack, 9664 S. 1600 W., Country View Estates, said the City Council is elected by the citizens, not Mr. Lampropoulos. Mr. Lampropoulos has plenty of property on the northwest corner of their campus. Mr. Slack said his company had R & D Engineers in 2 different locations and they did their work via internet and telephone conference. They do not have to be in one building. He is concerned about increased noise. He had a hard time sleeping when they built the parking plaza. He said he works graveyard shift and needs sleep. He is concerned this will lower their property values.

Oliver Hansen, 9669 S. 1630 W., said they like to foster community. He said their neighborhood does not go anywhere or connect to anything. He said in many regards, their neighborhood is forgotten by the city. That is the feeling that they get. The proposal evaporates any potential for community. He said his neighborhood has the potential to become a community with additional homes. He asked why Merit Medical is not planning to develop the property to the west that is zoned for commercial? He also asked what is the timeline to build the proposed building and what is the intensity?

John Thorup, 9746 S. Mosiah Way, said none of them are arguing that Merit Medical is a great employer. He said he didn't see the petition. He would have signed it. There is likely a lot more that would have signed it. He said this commercial property will lower their property value. He is a real estate agent. There will be a 5-15 percent in value reduction immediately, and more when it goes in. He said the citizens counted on this property to remain residential. None of the City Council would appreciate having a building next to them that lowers their property value. South Jordan is known for well-designed neighborhoods. This will change that. He said this is not improving their home values, and does not promote health and safety. This changes the existing quality of life. He said Mr. Lampropoulos will not be here forever. One day the building will be sold and they don't know what that will be. They are taking away things that the city has promised. South Jordan is known for honesty and integrity, and they don't have that anymore if they vote for this. He is opposed to this. There are many other options for Merit Medical. This is a want, not a need for Merit Medical. Merit Medical will stay in the community regardless.

Kacey Shepherd, 1369 W. Ammon Way, said his father asked that he read reasons why this property should not be rezoned. There is no compelling reason to depart from the master plan. The rezoning puts residential next to professional office without a buffer. Merit Medical has not yet made maximum utilization of land they occupy or hold title, and that property is already zoned office. He said the City Council has been elected and he expects empathy. He asked how the City Council would feel if they had signed the petition in opposition to this. He does not feel that the proposal fits with the aesthetics. He does not support this.

Joleen Slack, 9664 S. 1600 W., said their only neighborhood access is Redwood Road. Traffic on Redwood Road and Shields Lane is difficult. Are they proceeding for what is right for the community, or what is right for Merit Medical? She said she also did not see the petition and would have signed it. She would like to know the canvassing area for the petition.

Mayor Alvord asked for a count of how many people would have signed the petition that did not have that opportunity. Approximately 14 additional residents were counted.

Wade Palmer, 1367 Mosiah Way, said there have been good arguments against the zoning, and he supports it. This is not an attack against Merit Medical. They are a great company with a great campus. He has no doubt they do great work and they are a solid part of the community. This is about keeping the zoning residential. The master plan needs to be respected. He said from I-15 to Bangerter, the only time there is commercial is right by the freeway, by Redwood Road, or Bangerter. The rest is residential. It should remain that way. There is plenty of room for Merit Medical to grow. This area should remain residential.

Lance Madson, 9728 S. 1600 W., said he bought his house with a beautiful view. He does not want to see a commercial building, or have offices that look into his window. He is also concerned about the property value. He said they assume construction will take some time and there are impacts with that. How do they guarantee that this stays Merit Medical?

Robyn Curtis, 1597 W. 9775 S., said their privacy will be effected. Her personal privacy was affected with the original building. If they decide to make a business decision rather than staying with their word, that is a concern to her. There is plenty of other property. It should stay as residential. This is a want, not a need for Merit Medical.

Mayor Alvord closed the public hearing for those that oppose this application.

Mr. Lampropoulos said their business has grown. He said they have had some discussion about putting in more administration buildings on the northwest corner of their current site. They have no plan for that today. The site across Redwood Road is problematic in that it would require people to get into cars to go back and forth there. Collaboration is important. They have plans to use the property on the other side of the road and expand their business. They can only plan based on their ability to pay for it. The closeness of the proposed property was a factor. They bought this property 14 years ago. His goal has always been to build something of lasting value and pass it onto the next generation of Merit Medical leadership. They keep their word. They have a plan. The proximity of this property to their existing location was an issue for them.

Council Member Zander asked if any research had been done on how the proposed structure would affect property values? Mr. Lampropoulos said no. He said the empty field does not add to their property value.

Council Member Zander asked about the construction timeline? Mr. Lampropoulos said they anticipate a 12 month construction. He said this project is 3-5 years away. He said the work being done on their property today was preparing it for a place to store salt for the winter.

Mayor Alvord asked how long the existing building had been there? Mr. Lampropoulos said the campus was built in 1995. The north building has been there since 2004.

Mayor Alvord asked how many homes were in the area in 1995. It was noted that King Benjamin Court was an empty field. Mr. Lampropoulos said he sold the property for King Benjamin Court to be built. He also noted that all of Shields Lane was owned by Merit Medical. He sold that property to the city for that road.

Council Member Marlor asked about the construction timeline on other buildings in the campus and across Redwood Road. Mr. Lampropoulos said 12-15 months. The one on the other side of Redwood Road could be faster. He said once the building is done, the rest of the work is done internally. They try to do everything so there is minimal impact on the community.

Council Member Harris asked how many jobs will the new facility create? Mr. Lampropoulos estimated that within 5-8 years of completion, they could have 200 new employees there. He discussed the salaries of the engineers, ranging from \$75,000-\$400,000. He noted training that they did at their facility for a group of physicians. He said those people eat here, stay in hotels, rent cars, etc. There is an economic multiplier with their business. He said their business has changed because of their competition. That is one reason R & D is so critical. They invest \$50 million a year in R & D.

Mr. Lampropoulos said they have a location in West Jordan and Murray. They could do the facility in West Jordan. It is not their first choice. Their preference is to have people work together. They can go to another location, but it is not competitive or financially responsible.

Council Member Zander said the residents are concerned that if they grant approval, it could possibly have a different owner. Mr. Lampropoulos said it is a publically held company. He said their goal is to build something of value. He is willing to have language to say that if the company is sold, there are restrictions on the transfer so it won't become a vacant warehouse. He could also commit that the property will never be sold as an individual property. It will always be Merit Medical.

Council Member Shelton asked what is the zoning on the existing Merit Medical properties on the south side of Shields Lane? Planner Sanderson said the main campus is the office zone, the same that is being requested on this property.

Council Member Shelton said they do manufacturing on the current campus. Mr. Sanderson said that is correct. Manufacturing would be allowed for the new facility as well.

Council Member Marlor asked what is the likelihood of getting approval for the tunnel? Is it insurmountable given the utilities there? Development Services Director Klavano said the

approval would come from the city. He said he assumes there are substantial utilities that would have to be relocated. There could be ground water issues by the canal. It would be an expensive proposition, but it could be engineered.

Council Member Marlor asked if they see the public access through the tunnel being problematic, having access in the day and not at night? City Attorney Loose said if it was owned by Merit Medical, and they allow public access, they would have to maintain it and provide care for the people that use it. If they decide to dedicate a portion of the tunnel to the city, they would need to work through that.

Council Member Harris said a lot of people have concerns with their property values if the facility is put there. Planner Sanderson said it is hard to substantiate what changes there would be in value over time. The plan is a substantial increase in property tax in comparison to residential. He is unsure what it does to values of adjacent properties. Economic Development Director Preece said it is site specific.

Council Member Zander said she is a real estate agent, not an appraiser. She said one person mentioned that he thought it would be best to have a higher density buffer. That would not be as favorable to their land values as this proposal. The increase in landscaping and the proposed setback will also help. She feels the proposal will help and not hurt the property value.

Council Member Marlor indicated that he is a real estate broker, and is not an expert on values. He said he has sat on the City Council for 9 years. Almost always, when there is a proposal to change a property, there is the perception from residents that their property will be devalued. It could be because of increased traffic, or the homes are not the same quality, etc. In all of those years, he has never had one person tell him that the development did in fact devalue their property.

Council Member Harris said properties can be rezoned. They could put an apartment building there. Any new applicant can ask for a rezone, and he feels there are proposals that could be a more significant impact than this one. He feels this is a relatively favorable proposal. It could be far worse.

Council Member Rogers made a motion to approve Resolution R2016-63. Council Member Zander seconded the motion.

Council Member Rogers said he appreciates the comments. He is sensitive to land use projects in the city. He is sensitive to how the city develops, and the feel and characteristics of the city. He said if he were living in this area, he would want this project next to him. He is very confident that it won't decrease property values. The building height was reduced, there is a giant setback, the property is secure, the landscaping, no after hours use, and possibly no parking there. He thinks it is a great project, with a great employer. It is great for the community.

Council Member Zander concurred. She said she appreciates the discussion. She has been watching this application. She congratulated Merit Medical on the changes that were made. It is

rare to see a developer make these changes, and Merit Medical addressed the concerns at their own expense. They are a good business partner. She is pleased and appreciative that they addressed the concerns of the neighbors including the height of the building, traffic, lights, etc.

Council Member Harris said he lives near the new fire station. There was a proposal to put a residential development west of that. The room was full of residents asking for office space. He said they have no idea what type of development will go there. If Mr. Lampropoulos sold the property, the developer could apply for a different zone. They could have someone suggest a high density project to use as a buffer. Those would be higher than 24 ft. tall. It could be a much more significant impact. He noted a self storage development, and the neighbors agreed to that because they knew it could be much worse. Ideally, the property would stay residential, but when people own land, they have the right to apply for a rezone. If it makes sense, they could end up with a situation far worse and with more impact to the property values than this proposal.

Council Member Marlor also thanked the residents, staff, and Planning Commission. They did a great job letting the developer know that there are higher expectations for this property. The changes are positive for both Merit Medical and the residents. He lived in a place with open space behind him. They were told it was for an aqueduct, and wouldn't be developed. Then it was designated as Bangerter Highway. That was a significant change. When they sold their property, they got the same price others were getting. This is a great project and an amenity to the city. If he was living here, he would be pleased with the proposal.

Council Member Shelton thanked the residents. He said he believes the impact to the area happened long ago when Merit Medical first broke ground on their original campus. He does not believe them crossing the street will impact the property values. He feels it is a way better option than having the logistics facility west of Redwood Road. He feels the proposed building will be less impact than residential. The proposed landscaping is beautiful and will have less traffic than residential. It is also less impact on the public education system. It will also be positive to have a higher tax base to help the education system. He is impressed by Mr. Lampropoulos's efforts. He is also sensitive to the residents and thoughts of the Planning Commission.

Council Member Harris said if he thought it would have a negative impact on the property values, he would not approve it. He does not feel that is the case. He asked that Mr. Lampropoulos involve the neighbors on what kind of landscaping they want, and to send a letter to the residents with the additional information outlining the changes. He also asked that he receive additional feedback in the process. They need to protect the values of the people adjacent to this property. Mr. Lampropoulos agreed.

Mayor Alvord said this was not an easy decision for the City Council. Both this and a residential use are good uses of the land. He feels this is less impactful to the neighbors than most proposals. He said this is a world class organization, performing services way beyond their community. He recommended in favor of the rezone.

Roll call vote. The vote was unanimous in favor.

Council Member Rogers made a motion to approve Rezone Ordinance 2016-13-Z. Council Member Marlor seconded the motion. Roll call vote. The vote was unanimous in favor.

The City Council took a brief recess.

H. Reports and Comments: *(Mayor, City Council, City Manager, and City Attorney)*

Mayor Alvord said he sent an angry letter to Steve Hyatt, Mayor of Kaysville, because he was unhappy about an incident where a member of their board used League money to buy a personal flight. They also messed up the gas tax, and none of the money came back to the city this year. Mr. Hyatt said he would try to regain their trust.

Council Member Rogers said he has similar feelings with EDCU.

Council Member Shelton said he thinks the gas tax issue and the inappropriate handling of the credit cards at the ULCT are separate issues. He said with tax legislation, there are always questions as to how the tax commission will interpret the law. He is concerned about the casual handling of the credit card. He said they need to watch that play out. He feels they need to have a voice at the table of the ULCT. He explained that 3 members of the city are voting members. They make decisions about positions at the league. There is also a large impact in the lobbying efforts combined with the ULCT with the State Legislature.

Mayor Alvord said he respects Council Member Shelton's view. He said the gas tax mistake was not received as a common mistake by COM.

Council Member Zander said it is good to question the ULCT. It was noted that they can opt out of ULCT, if they choose to do so.

Council Member Marlor said when an individual does something that they shouldn't do, it is a black mark on that person, not the group that they are representing. Mayor Alvord concurred.

Council Member Rogers said he feels it is okay to reflect a feeling of disappointment and concern, and that they are taking a wait and see approach.

CM Whatcott said the SOJO marathon was over the weekend, and had 850 participants. The situation was handled well. They are getting a good reputation. Council Member Zander said her husband participated. It was an excellent event.

Council Member Zander said Senator Filmore came to the mosquito abatement meeting and reviewed some proposed legislation. City Attorney Loose said the city supported his legislation efforts last year.

Council Member Zander said she is not as in favor of it as she used to be. It would require every member of their board get support of their city to raise taxes. She is concerned that would be

logistically cumbersome. City Attorney Loose said functionally, the boards might choose to change because of the logistics.

Council Member Rogers said one solution is to put all elected officials on the board.

City Attorney Loose said he would be setting up a legislative lunch and they can review the revised bill. Mayor Alvord said the Mayors on the Sewer Board are not happy with what Senator Fillmore is trying to do.

Council Member Marlor said anybody who is raising taxes should be elected officials.

Council Member Rogers said he likes the idea of having elected officials appointed to the board, but not a separately elected board.

Council Member Marlor made a motion to go into a closed meeting to discuss the purchase, exchange, or lease of real property. Council Member Zander seconded the motion. Roll call vote. The vote was unanimous in favor.

- I. **Executive Meeting:** Closed meeting to discuss the purchase, exchange, or lease of real property.

Council Member Marlor made a motion to come out of closed meeting. Council Member Zander seconded the motion. The vote was unanimous in favor.

CM Whatcott passed out books for the City Council to use at the meeting on October 27th.

ADJOURNMENT

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

The October 18, 2016 City Council meeting adjourned at 9:55 p.m.

This is a true and correct copy of the October 18, 2016 Council Meeting minutes, which were approved on November 1, 2016.

Anna M. West

South Jordan City Recorder

**SOUTH JORDAN CITY
CITY COUNCIL MEETING
OCTOBER 18, 2016
6:00 P.M.**

**ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS**

PRINT NAME	PRINT ADDRESS
Simone Black	10413 Sage Lnig Ct, So Jo
Greg Allen	420 E. S. TEMPLE
JIM STAPPARD	4117 W. LAKE BRIDGE DR. SO. JORDAN
Brady Breghears	3439 Willow Valley Rd
JIM MOTTOLA	1843 W 10740 S.
TERESA JOHNSON	
LACEY NAH	
John Hellselt	4978 Frog's Leap Drive
Dianna Shiveley	2847 Amin Way
DAVID W JOHNSON	11497 S. SPRINGSTONE DR
Keti Oldham	9194 S. Channing Drive
Stephanie Cannon	1361 W. Shelbrooke LN
Erin McCann	4673 W. Daybreak Rim Wy S.J.
Shelley Potts	05 Chamber
Dana Speirs	11776 S. Grandville Ave
Miss Trump	10453 So. Seagull Wood Way
Jennifer Holm	3947 W Graymalkin Cr.
Tom Holm	3947 W Graymalkin Cr.
Lance Madsen	9728 S. 1600 WEST
Jean S. Jackson	14166 W. King Benjamin Ct.
Wk JACKSON	" " " " "
Terry Hill	3287 Star Arc Rd
Emily Suchy	793 W Centino Dr #C405

**SOUTH JORDAN CITY
CITY COUNCIL MEETING**

OCTOBER 18, 2016

6:00 P.M.

**ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS**

PRINT NAME	PRINT ADDRESS
Royetta Morlock	1679 W 9775 S
Robert Curtis	1591 W. 9775 So.
Sharon Cook	9707 S. 16000 CE
Matt Bock	10013 Tee Box drive
Randon Fellmer	9557 S Peach Grove Cir
JASON QUIGLEY	988 W PALMER VISTA DR.
DAN CLARK	11074 SHILLING AVE # 3403
Fred Hampopoulos	2726 Wasatch Dr. SLC, Utah
Jeremy Snow	3392 Canyon Meadow Dr. South Jordan
Louise Roth	1428 W 8380 S W Jordan UT 84098
NREIL PETERSON	5892 W. WILDFLOWER CT. LT. GILBERT, UT
Chris Gregory	3733 W Summer Bluff Ln So Jordan, UT
Paul Miller	3368 W 10305 S. South Jordan, UT
Don Field	P.O. Box 95635 South Jordan, UT
Hugh McKell	1502 Marywood Ct S-Jord
Elisa Newbold	4318 W. Campden Dr. South Jordan UT
ARMANDO VENEGAS	1844 W South Jordan Pkwy APT 201 South Jordan UT 84009
Yelena Shestakova	11196 Belmont Hills Place, S.J.
Dmitry Shestakov	11196 Belmont Hills Place, S.J.
SHIVA PALLINTI	4218 W OKOBOJICIA. SJ 84009
RICK PORTREY	3084 W 10000 S. SJ. 84095
Casay Shepherd	1369 AMMON WAY SOUTH JORDAN UT 84095
JACK RAKES	1607 W. WYNNVIEW LN. S. JORDAN UT. 84095
Mark Woolby	2244 W. Jordan Haven Ct. ST,
JOHN THORUP	9746 S. MOSIAH WAY. S.J. UT 84095
Leslie Thorup	9746 S. Mosiah Way SJ 84095
Perry Morris	1463 W. King Benjamin CT 84095
Holly Heffern	115 9067 Crystal Vista Lane WJ 84098

Attachment B
10-18-16 C.C.
Mtg

Good Evening. My name is Taylor Davis and I live at 11306 Brown Summit Cir, here in South Jordan. I would like to address a problem that has been causing a lot of stress in my neighborhood for the last 11 years. We live in a neighborhood south of South Jordan Elementary. There is a walkway that goes between the houses that allows kids a faster and safer route to the school from our neighborhood. On our side of the walkway is a crosswalk so that the kids can cross the street safely.

For years and years people have been parking right in front of and sometimes directly on the cross walk. People aren't just dropping their kids off, but sitting and waiting in their cars for up to 20 minutes, all the while blocking the view for the kids and also blocking the view of oncoming traffic. Last year my mom watched as my 8 year old brother was almost hit by a car because he had to walk 15 feet out into the road in order to see around a large van that had parked with it's front tires on the painted lines. Sadly, this isn't the only story like this out there.

The neighbors have tried speaking to the people parking there and have actually gotten into altercations with these carpooling moms. Literally, there have been fights and it's crazy. We have complained to the city multiple times and South Jordan did put some "no Stopping or Standing" signs in front of and behind the crosswalks on one side of the street, but people continue to ignore the signs, they are small and have trees surrounding them. Multiple families have written to the principal of the elementary school asking for help. He has come out to monitor the situation and everyone scatters, but the next day they are back parking illegally again. Police cars have also come and parked there during drop off and pick up times. The illegal parkers disappear while the police are there, but as soon as the police stop coming, the people return. This is a very frustrating situation because it is so dangerous for the children in our neighborhood.

I would like to ask the City Council if it would be possible to paint the curbs Red on both sides of the street 15 feet in front of and behind the crosswalk. People are less likely to ignore the red curbs than the little signs. I think that this would solve the problem that I'm sure that not only our neighborhood is having with these crosswalks and cars.

Thank you for your consideration.

Attachment C
10-18-16 C.C.
Mtg.

Mayor and Council

Cindy Hulet served as a victim advocate for South Jordan City for over 8 years. Half of that time, she volunteered before serving as a paid employee for the last 4 ½ years.

Jeannette Behr, who worked alongside Cindy noted Cindy is well known for her work ethic, dedication to the police department and the community, and her compassion for the victims she worked with.

Crime takes an enormous toll on our communities and while some of its costs to society can be recovered through insurance or other reparations, the real cost can be to a victim that is physically and/or emotionally injured. This toll can take years to overcome and sadly some victims never fully recover. This is where the victim advocate's work becomes so important.

Cindy helped victims cope with all kinds of tragedies and she helped them understand and work through the criminal justice system and court process. Sadly, one of the crimes Cindy dealt with most was domestic violence and its terrible aftermath. Cindy was a shoulder to cry on and a source of knowledge and wisdom for the victims she worked with every day.

Our officers depend on this critical service and Cindy never disappointed. She was always there to help, so much so, even after she left us she donated ~~over 25~~ *over 25 many many* hours to ensure our next year's grant application was done correctly and submitted on time.

It is a pleasure to award Cindy Hulet with the Distinguished Service Citation for her many years of dedicated service to South Jordan City and its residents. Congratulations Cindy.

OCT 10 2016

ZONING PETITION

South Jordan City
City Records Office

We the undersigned strongly oppose, and are petitioning against the Development Plan and Zoning change of approximately 6.38 acres, that is generally located at 1538 W. Shields Lane (9800 S.).

We strongly oppose rezoning from residential to Commercial/Professional office buildings.

The applicant has a sizeable piece of property on the west side of Redwood Rd. and Shields Lane that is already zoned commercial.

We encourage responsible growth that will maintain the standards that we are accustomed to and value in South Jordan.

Building Commercial/Professional Office bldg. in the middle of neighborhoods does not accomplish that standard.

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Heather Bradford	1614 W. Hunters Creek Circle ^{South Jordan}	H Bradford
Mary Ann Billmar	1667 W. Hunters Creek Circle ^{South Jordan}	M Billmar
Sreenath Nagaraj	1637 W. Hunters Creek Cir ^{South Jordan}	S Nagaraj
Crystal Jensen	1623 W. Hunters Creek Cir ^{South Jordan}	C Jensen
Kately Anderson	2464 Cantorwood Dr S. ^{South Jordan}	K Anderson
Alan Jackson	9727 So 1650 W	A Jackson
Shirlee Moyer	9740 So 1650 W S. J.	S Moyer
Cristine Williams	1606 W. Palmer Park Ln	C Williams
Linda Williams	1606 W. Palmer Park Ln	L Williams
Rancho Seungwon	1538 W. Kodiak Creek Ct	R Seungwon
Ruth G Wiley	1512 W. Kodiak Creek Ct ^{South Jordan}	R Wiley
Jordan Crandell	1071 Kodiak Creek Ct ^{S. Jordan}	J Crandell
Kathy Patterson	9648 So. Marywood ^{S. Jordan}	K Patterson
Robyn Curtis	1597 W. 9775 So.	R Curtis

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Richard Silva	1622 W 9620	Richard Silva
TIM MORIN	1619 W 9620 S.	
Jason Laek	1662 W. 9775 S	
Joseph Kopp	9632 S. 1600W.	
Jessie Welsh	9671 W 1600W	
Robert Robertson	9682 S. 1600 W	
Randynne Robertson	9682 S. 1600 W	R. Robertson
ERIC PILLAW	9710 S. 1600 W	Eric Pillaw
Lance Madsen	9729 S. 1600 W	Lance Madsen
Dawood Shelleh	9737 1600 W	
Don V. Fletcher	1587 W - 9775 S	
Quilmer	2249 W Hobbs Dr	
Mildred Hensley	9647 S. 1600 W	Mildred Hensley
GARY CURTIS	1597 W 9775 S.	

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
JEFF BOBIN	1397 Mosiah	Jeff Bobin
Mike Peterson	1353 Ammon Way	Mike Peterson
Cathy Barney	1418 Ammon Way	Cathy Barney
Tommy Barney	" " "	Tommy Barney
Paula Wade	1456 W. Mosiah Ct.	Paula Wade
Margi Wade	1456 Mosiah Ct.	Margi Wade
Nate Thomas	1477 Mosiah Ct	Nate Thomas
Ashley Thomas	1477 Mosiah Ct.	Ashley Thomas
Shawnee Plant	4428 W Sid Dr.	Shawnee Plant
Ferrill Peterson	1662 W 9620 S	Ferrill Peterson
Gary Hanson	1612 W. 9620 S.	Gary Hanson
Amy Aunk	1588 W 9620 S.	Amy Aunk
J. Paul Fisher	9635 So 1600 W	J. Paul Fisher
Rose Ann E Fisher	9635 So 1600 W	Rose Ann E Fisher

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Brandon Shelledy	9727 S. 1600 W.	Brandon Shelledy
Misty Shelledy	9727 S. 1600 W	Misty Shelledy
Shawn Shelledy	9727 S. 1600 W	Shawn Shelledy
Florence Corti	9700 S. 1600 W	Florence Corti
Carren Roberts	9446 SO. 1700W.	Carren Roberts
Scotty Roberts	9700 1600w	Scotty Roberts
Jill White	9632 S 1670W.	Jill White
M Delora	9642 S 1670	M Delora
Mike Metchen	9642 S 1630 W	Mike Metchen
Kristi McNeil	9668 S 1630 W	Kristi McNeil
Katee McNeil	9668 S 1630 W	Katee McNeil
James R. Horger II	9674 S 1630 W	James R. Horger II
Tammy K. Horger	9674 S 1630 W	Tammy K. Horger
Blanna Baker	9675 S. 1630 W	Blanna Baker
Heidi Hansen	9669 S 1630 W	Heidi Hansen

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M

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Scott Kikolsky	7423 Jordan Haven Court	Scott Kikolsky
Wade Palmer	1367 W. MOSIAH WAY	WADE PALMER
Mr. Nelson	1371 Mosiah way	[Signature]
Arden Welch	Arden Welch 9769 So. MOSIAH way	[Signature]
Thomas DeBosco	9739 So Mosiah way	[Signature]
Scott Semson	9723 S. Mosiah way	[Signature]
Matt Alva	1338 N. MOSIAH WAY	[Signature]
Dee Sundell	1382 W. Mosiah way	Dee Sundell
John Thunigarsen	1336 W. Ammon Way	John Thunigarsen
GEORGIA ORR	1372 Ammon way	[Signature]
Mike Surtlan	1415 Mosiah Ct.	[Signature]
Candice Snow	1437 W. Ammon way	Candice Snow
AGNESE BRASHIAN	1421 W. AMMON WAY	[Signature]
VREIGE GUELIAN	1421 W. AMMON WAY	[Signature]
April Collins	9748 S. King Benjamin way	April Collins

MATT ACBA

ZONING PETITION

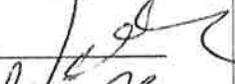
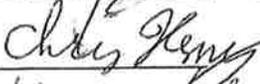
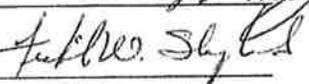
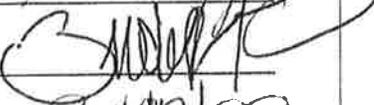
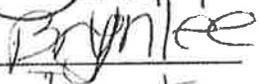
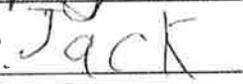
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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Brandon Schwenck	1639 west 9775 south	
Josie Bolen	1639 west 9775 south	
Chris Kenny	7065 S. Glover Ln.	
FREDERICK SHEPHERD	1369 W. Ammon Way	
PHENSRI SHETLERD	1369 W. Ammon Way	
Brooke Stark	1649 W. 9775 S.	
Brynlee Fryer	1649 W. 9775 S.	
Jack Fryer	1649 W. 9775 S.	
Devon Stark	1649 W. 9775 S.	
M Dech Joubi	1619 W 9775 S.	
Caice Reed	1423 King Benjamin Ct	
CURTIS BROWN	1431 W. King Benjamin Ct	
Perry Morris	1463 W. King Benjamin Ct	
Holly Brough	1448 W. King Benjamin Ct.	



October 18, 2016

Ben McAdams
Salt Lake County Mayor

Lori Bays
Deputy Mayor &
Chief Administrative Officer

South Jordan City Council
1600 W. Towne Center Dr.
South Jordan, Utah 94095

Dear South Jordan City Council:

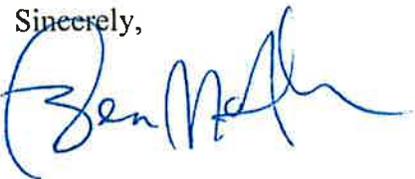
I want to express to you my support of Merit Medical's proposed expansion of its operations in your city.

As Salt Lake County Mayor, I am committed to enhancing employment opportunities and opportunity for better paying jobs for all county residents. This commitment to job creation must include a balanced approach of attracting new businesses to our county while supporting additional investment by and expansion of our existing employers.

Merit Medical provides a significant, positive local economic impact including higher-than-average paying jobs, significant tax contributions to local governments, and charitable contributions to organizations throughout the county.

Merit Medical is one of Salt Lake County's leading export manufacturers. With over 95% of its sales due to exports out of the State of Utah, Merit Medical provides substantial wealth creation with a reduced impact on local public services.

I encourage you to support the expansion of Merit Medical's campus, and its continued investment in our community.

Sincerely,


Ben McAdams, Mayor
Salt Lake County



Governor's Office of Economic Development

BUSINESS • TOURISM • FILM

State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Q. VAL HALE
Executive Director

THERESA FOXLEY
Deputy Director

October 18, 2016

South Jordan City Council
1600 W. Towne Center Dr.
South Jordan, Utah 94095

Dear South Jordan City Council:

On behalf of the Governor's Office of Economic Development (GOED), I am writing to you today in support of Merit Medical Systems, Inc.'s (Merit) Land Use Amendment and Property Rezone.

The Governor's Office of Economic Development charter is based on Governor Herbert's commitment to economic development statewide. GOED's mission is to enhance quality of life by increasing Utah's revenue base and improving employment opportunities.

The Governor's Office of Economic Development accomplishes this mission through the administration of programs that are based around industries or "economic clusters" that demonstrate the best potential for development.

One key cluster is Utah's emerging life science industry. In fiscal year 2015, the Utah life sciences industry cluster (as defined by GOED) represented 961 companies and more than 26,900 jobs. These jobs paid an average of \$62,337 a year, or 161% of Utah average wages.

Merit Medical Systems is one of Utah's key contributors to Utah's life science industry and is a leader in developing some of Utah's most innovative medical devices. Through the annual investment of tens of millions of dollars in research and development in Utah, Merit Medical's innovation provides the foundation for nearly 1,800 Utah jobs and provides significant tax revenues to state and local governments.

Research and development is the life blood of the medical device industry. Without it, companies like Merit Medical would be unable to continue its growth and expansion in Utah and in other locations around the world. Continued investment in new R&D facilities will not only provide future employment opportunities for hundreds of Utahans and their families, but will also provide for the development of future lifesaving technologies which will improve the quality of life for individuals around the world.

The Governor's Office of Economic Development encourages you to approve the request for the zoning change which will allow Merit Medical to continue to lead Utah's life science industry in research, innovation, and R&D employment opportunities.

Sincerely,

Val Hale, Executive Director
Utah's Governor's Office of Economic Development



Utah Taxpayers Association

Utah's advocate for lower taxes and sound tax policy

Mayor Alvord and Council members,

I am writing to encourage your support of the zone change for the parcel of land located north of 9800 South, owned by Merit Medical. The Utah Taxpayers Association strongly encourages support of the land development, to build upon the existing economic development provided by the company.

Merit Medical is a Utah based company, which benefits the local community through a number of efforts, including its tax burden. Updating this land parcel will not only strengthen Merit Medical's commitment to Utahns and their families, but shows the continuing pledge that South Jordan City is a beacon for other companies looking to relocate.

Merit Medical's need for services from the city will not significantly increase by allowing this zone change on this property to take place. However, the same cannot be said if the current residential zoning remains. As we have seen, residential neighborhoods are major consumers of city services while an expansion like this will be a net increase to the city's tax stream without incurring a greater demand for city services.

This demonstrates to South Jordan taxpayers that you respect them and want to grow the tax base with those who have invested in your community. Approval of this change will show that South Jordan City continues to be open for business.

I appreciate your time and consideration on this issue. Please feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in blue ink that reads "Howard Stephenson".

Howard Stephenson
(801) 815-6800



428 East Winchester Street, Suite 135
Murray, UT 84107
Telephone: (801) 363-3885
Fax: (801) 363-0505
Email: uma@umaweb.org

October 16, 2016

Members of the South Jordan City Council,

I write to you today on behalf of the Utah Manufacturer's Association in support of Merit Medical's request for rezoning of their property located north of 9800 South in South Jordan.

The Utah Manufacturers Association (UMA) is a 111 year-old, non-profit, non-partisan trade association that represents the manufacturing industry in the state of Utah. Manufacturing is a critical component to the success of Utah's robust economy. The economic impact that the manufacturing industry has in the state is clear: it makes up nearly 14% of the Utah's economy, totaling \$14 billion of economic activity, and employs more than 125,000 individuals. Of those 125,000, nearly 1,800 manufacturing related jobs are located in South Jordan City thanks to Merit Medical. The jobs that companies like Merit Medical provide are highly technical, sophisticated, and provide above average salaries. In fact, on average most manufacturing jobs pay more than 28% higher than the average wage in Utah. These are the jobs, which drive the economy. Living wage jobs that allow employees to purchase homes in communities, pay taxes and contribute to the economic development of said cities.

The proposed change in zoning will facilitate Merit Medical to build a state of the art research and development facility which will provide the foundation for future growth and investment in the State of Utah. This future facility will provide hundreds of jobs not only for engineers, scientists, and chemists but provide cutting edge innovations to improve the quality of our Nation's healthcare system.

Manufacturing is one of Utah's core industries and creates tremendous value in the states economy. After reviewing Merit Medical's new R&D facility plans, UMA strongly supports the project and encourages the South Jordan City Council to vote in favor of the proposed zoning change. Thank you for your consideration and support of economic growth in the manufacturing arena in the state of Utah and specifically in South Jordan City.

Regards,


Todd R. Bingham, President/CEO
Utah Manufacturers Association



October 18, 2016

Dear South Jordan City Council:

I am writing to you today in support of Merit Medical Systems, Inc.'s (Merit) Land Use Amendment and Property Rezone. As a founding member of BioUtah, Merit's contribution to the life science industry is a key driver of Utah's economy.

BioUtah is an independent, non-profit 501(c)(6) trade association serving the life science industry in the State of Utah. Our primary members include organizations focused on research and development, manufacturing and commercialization or provide supportive services to life science technologies and treatments.

Members like Merit are committed to finding solutions to some of the greatest challenges in healthcare including manufacturing and the delivery of medical instruments that improves tools for diagnosis and treatments that can deliver better healthcare outcomes for patients and the overall healthcare system.

As Utah's largest homegrown medical device company, Merit has invested hundreds of millions of dollars into the state and local economies. Merit's proposed land use rezoning for a research and development facility will continue to allow Merit the ability to develop life-saving medical devices right here in South Jordan City.

Furthermore, a new research and development facility will bring new, sought-after, highly-paid engineering jobs to Utah college graduates.

BioUtah strongly believes that it is in the best interest of South Jordan City, Salt Lake County, and the State of Utah for the City Council to approve Merit's rezoning request that will continue to build and expand the life sciences industry in Utah.

Thank you for your consideration.

Sincerely,

Kelly Slone
President & CEO