

SOUTH JORDAN CITY  
CITY COUNCIL MEETING

April 1, 2014

**Present:** Mayor David Alvord, Councilman Mark Seethaler, Councilman Chuck Newton, Councilman Don Shelton, Councilman Steve Barnes, Councilman Chris Rogers, Interim CM Gary Whatcott, City Attorney Rob Wall, IS Director Jon Day, Police Chief Lindsay Shepherd, City Council Secretary MaryAnn Dean

**Others:** See Attached (Attachment A).

**REGULAR MEETING – 6:00 PM**

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

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

**B.** Invocation – *By Councilman Chuck Newton*

Councilman Newton offered the invocation.

**C.** Pledge of Allegiance

**Carter Koldewyn**, scout from Troop 293, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized the scouts that were present.

**D.** Minute Approval

1. March 17, 2014 Study Meeting
2. March 17, 2014 Regular Meeting

**Councilman Newton made a motion to approve the March 17, 2014 Study Meeting and March 17, 2014 Regular Meeting minutes, as printed. Councilman Rogers seconded the motion. The vote was unanimous in favor.**

**E. Public Comment:**

**George Sanders**, 9856 Congressional Way, South Jordan; said he is here regarding the school system and school district issue. He is concerned about the spending of the Jordan School District (JSD). He is concerned a bond will be proposed again in the future. He feels the JSD is looking to the residents of South Jordan to support them financially. The bond issue that was proposed had little to do with structures in the South Jordan area. None of the schools were in their city. They have spent massive amounts of money on administration buildings and property.

Kennecott offered the JSD free ground for the administration building, but they didn't take it. Over \$180 million of the bond was for administrative expenses. He proposed that the city do a feasibility study into doing their own school district. He noted that other cities are looking at the same thing. He said management of the JSD seems poor.

**Leona Winger**, 1643 W. Cornerstone Dr.; read a prepared statement regarding the education issue (Attachment B). She noted that she is concerned about increased taxes for both senior citizens and young families.

**Lois Beckstead**, teacher, said she has a master's degree in educational leadership. She is concerned about the split of a school district. If they split, they need to prove that they can save the residents money and also provide a wonderful education for the students within South Jordan. She proposed that they form a committee to study the issue. She said many school districts are top heavy with administration costs. She feels the costs could be streamlined. If they can prove that they can save money and funnel the money to the students and supplies for the students, they could gain a lot of support from their constituents.

**Karen Johnson**, 4173 Ben Armine Cir.; said she is also here about the school district idea. She said she is a school teacher and after the split, she is now in the Canyons District. She concurred with the previous comments. She noted a recent letter to the editor in the South Jordan Journal. Her concern is that a study has to be done. The article made some great points. She said she is not on one side or the other. She has seen such waste of money from both Jordan School District and Canyons School District. It is top heavy and there is significant time spent on testing and data gathering. She recommended that the city look into this and do a study.

**Mykel Severson**, 10156 Eden Ridge Dr. said she has worked in the political arena for 14 years. She pays attention to the bills going through. This session she watched the bill that would stop cities from forming their own school districts. She said bigger school districts are not better. Bigger is wasteful. She would agree with a feasibility study. She likes the idea of a smaller school district. Community support revolves around their schools. Being in a large school district, the support dissipates. Having their kids play sports here, she felt a sense of community.

**Dallas Beckstead**, 9977 S. 3265 W., said he has been in the city from the beginning. He said he feels strongly about the education and school district issue. Initially, he thought it was a bad idea. He did some of his own research. Organizations are prone to waste money. Jordan School District needs to be audited by a committee of citizens that are appointed and they need to have people go through their books and find out where the money is going. He said he can't afford to have taxes increased. He said teachers can't teach because all they do is test. It is controlled by the state, but they can stand up to the state. When they have done the study, they should appoint a school board with an odd number of people, and they should limit the terms to 2 years. The school board should have total scrutiny over everything that is done in the school district.

**Erin Peterson**, 10226 S. Mystic Falls Way, read a prepared statement (Attachment C).

**Richard Cole**, 2747 W. 11400 S., said the river bottom area is unique. There have a tendency to destroy the river bottoms. They did it already on the south side of 10400 South. The residents tried to stop it but lost. There used to be wildlife in that area. When the city bought Mulligans, he was initially against it. He said the city has not had any commitment to do anything with Mulligans. They had a chance to make an 18 hole golf course, but did housing instead. He said Sandy has a top golf course, which is River Oaks. They were committed to do something with River Oaks. Sandy put a lot into it to make it what it is. He said now they need to decide to sell or keep Mulligans. He said he would like to see them keep it, but do something with it like River Oaks. Otherwise, let the land revert back to its natural state. People on the east side of Jordan River have done some habitat work, and they would probably love to take care of it for South Jordan. To develop it like they've done, it is a travesty.

**John Jeandnevis**, said he represents a business next to the proposed high density units. He is trying to start a café in the area. He said 302 units would be beneficial to his business. Because they are so close to mass transit, it would help them have a clean air development around there. He said to have a mass transit next to a high density development is what they need to cut down air pollution.

**Anna Florin**, 10331 Spring Crest Lane, said she had not heard about the apartments until recently. She said they live on a ridge above Mulligans. There was a past proposal to build a sewer plant. At that time, they were told that the current sewer plant could not handle much more waste. She noted a bad smell in the area already. They should check with the sewer plant to make sure that it can handle the waste that 302 units would bring.

**Steven Kaufman**, 10293 Jordan Creek Dr., said people are confused and concerned at why they would try to take away Mulligans. It is one of the reasons he moved here. He said the area is already highly congested. He said they should consider a global perspective and what South Jordan will look like in 30 years. What about the next park? Will they pave that over too so they have to go to Sandy to go to the park? He said he is concerned for his daughter. He noted a \$300,000 study that has been funded by the taxpayers and is yet to be released. The constituency is in the dark. There is a lot of comments on the board that they don't support the study, but some are willing to move forward in spite of not knowing. He said he would like the study released and to understand the long term plan. He said they are not anti-development, but they want to be shown the plan.

**Richard Nielson**, 561 W. 10000 S., said he appreciated a recent informal meeting with two council members. The question was asked what is the area that they consider worth preserving as open space? There are also questions to be addressed regarding transit oriented development. He said they are hearing what people don't want. He challenged the community to define what they do want. He said they need the opportunity to prepare a response to the question regarding open space preservation in the Mulligans area.

**Janalee Tobias**, 1238 W. Jordan River Dr., thanked the City Council for postponing the vote on the proposed apartments. Are they going to listen to the will of the citizens or listen to the developers that don't live here? She was part of the people that protested the development of the

river bottoms south of 10400 South. The master plan never called for buildings to the south. She noted thousands of signatures registered with the lieutenant governor's office opposing the RiverPark development. They did not want to see the river ruined. She said UTA needs to have a better transportation system; they can't get where they want to go. She said they should keep the zoning for the proposed apartment's commercial freeway. They do not have a concrete plan for the development that includes 14 buildings. This would put thousands of people living on the ridge. She has not seen engineering studies, soil samples, and no developers name is listed. She reviewed a letter indicating what children see in the river bottoms. Do they have an obligation to protect the migratory birds or concrete the area over? She asked that the city work with them.

**Robert Paxton**, 1073 W. 10250 S., said when the Forest City plan comes out, he assumes that there will be some public forums to meet together and have dialog. He said the Jordan River has been designated as natural open space. Mulligans is listed as open space. What is the difference? What can be done with open space? It is one of the only open space areas on the east side of the city, and he supports that. He is okay with development along the gateway. He said they should plan so it doesn't look hodgepodge. He said he understands that if they are within ¼ mile of the front runner station, it is probably low income and they qualify for tax credit. Does the city want low income housing? What have they done to prohibit it?

**Scott Christensen**, 4432 W. Glenmoor Hills Dr., said he understands the need for trying to preserve the assets they have in the city. They are a growing city and they need to make provisions for that. He said the Jordan Station apartments are not looking for a rebate. He agreed that they don't want more people moving here. He understands they are a growing city and they need to consider every possibility for housing and how it affects the wetlands. He is in favor of preserving the wetlands. He said the city will benefit from the taxes, businesses, and jobs that would be created. He said if the high density apartments are well planned, it is short sided to rule against it off the cuff.

**Julie Holbrook**, 717 Mystic Creek Way, she said she hopes they have a plan for the study that is on the agenda tonight. They want to digest the study. She is surprised the study has been done for a year. When the study comes out, the people want time to work through it and build something great for South Jordan. They should agree to high standards of building and to preserve the river as well.

**Jeff Wells**, owns property across the street from the train station on SJ Gateway, (lives at 2020 Pebble Creek Dr., in Mapleton). He said their project is getting mixed up with Mulligans. They overlook Mulligans. They are 300 steps away from the frontrunner platform. The nearest residential neighbor is over a mile away. They have overwhelming support from businesses in the area. They are planning a Class A project. This is not subsidized housing. He said they are open to commercial, but retail is not currently substantiated in the area. People will bring vibrancy to the area. They feel their proposal is the highest and best use for the 5 acres across from the train station. Their window is closing. They have the opportunity to build now. He said he is open to talk to anyone about the project, at any time.

Mayor Alvord closed the public comment portion of the meeting.

**F. Summary Action Items:**

1. Appointment of Joey Clegg to the Historical Committee for a 2-year term. *(By Councilman Mark Seethaler)*
2. Resolution R2014-22, acknowledging that the work performed by Forest City Real Estate Services, LLC is complete. *(By City Commerce Director, Brian Preece)*
3. Resolution R2014-29, appointing Jared Olsen as resident member and Paul Cunningham as the Chief Human Resources Officer member of the Compensation Committee. *(By Chief of Staff, Paul Cunningham)*

Councilman Newton requested that they pull item 2 from the Summary Action Items. Councilman Seethaler concurred.

**Councilman Newton made a motion to approve Summary Action Items 1 and 3. Councilman Rogers seconded the motion. The vote was unanimous in favor.**

The City Council took a brief recess.

The City Council discussed item F.2.

Mayor Alvord clarified that this is just an acknowledgment that the study is done and they are not asking for more information.

Councilman Newton said this issue has been going on since November 2011. He said they discussed the study and had more questions and concerns. They had the election and new officials take office. The process has taken a long time. Councilman Barnes said only recently did they have a final report from Forest City.

Councilman Rogers said this study is just an opinion and providing an option. It is not a blueprint for what they intend to do or want to have happen. It is a brainstorm of ideas of what could be. The report will be on the city's website tomorrow.

**Councilman Newton made a motion to approve Resolution R2014-22. Councilman Shelton seconded the motion.**

Councilman Seethaler said the city, residents, businesses, etc. have an opportunity to develop the area. This consultant indicated that the study revealed that South Jordan has unique factors that seldom come together in a development plan. They have one chance to get their arms around this and put the pieces together. No one person has all the answers. They are going to need residents, elected officials, staff, businesses, and developers to put this together. No one has motives that are not in line with what is best for the city.

Councilman Barnes clarified that Forest City has not purchased land in South Jordan. The city contracted with them to get options and ideas for things that can be done in the area. He is interested in getting input from residents as well.

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

**G. Action Item: Resolution R2014-24, Consulting Report on the City Manager**  
*(By Audit Committee, Mayor Alvord)*

Mayor Alvord reviewed the consulting report on the City Manager. He said one change is that any expenses made by the CM will be signed off by the Mayor or Finance Director. That protects the city and the CM. He said they found this audit to be complete and to their satisfaction.

Councilman Newton said with the CM changeover, they had found that no audit was being done. They also found that no audit committee was overseeing the audit. That has now been established. He said they found that the CM has a \$1 million budget that was unknown to the City Council. He said that money is used for important purposes and they are not proposing that change at this time.

Councilman Barnes said he was unaware of the \$1 million budget. Mayor Alvord said there is a spreadsheet available that shows what the funds are used for.

Councilman Shelton said they should consider codifying the functions of the audit committee, and the recommendations that have been made, in the city code. Staff will prepare the Resolution to codify that the Mayor will review and sign off on all CM expenses and the three issues listed in the consulting report.

**Councilman Newton made a motion to approve Resolution R2014-24. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous in favor.**

**H. Action Item: Resolution R2014-28, appropriating \$300,000 from the Park Impact Fee account for Capital Project Improvements at Ivory Crossing and Midas Creek Parks and approving the project for construction.** *(By Community Services Director, Don Tingey)*

Parks and Recreation Director Tingey reviewed the background information on this item. He said they have had the impact fee funds but did not have it budgeted for anything specific until this project. He does not believe there are any other parks in the limbo stage like this one. These parks were not completed at the initial construction phase. The funding is coming from the 2013-2014 CIP budget. They hope to have everything purchased and installed before July 1<sup>st</sup>. It is not part of the \$3.5 million discussed in last night's budget discussion.

**Councilman Barnes made a motion to approve Resolution R2014-28. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous in favor.**

**I. Action Item: Resolution R2014-31**, allocation of “Operating Surplus” from prior fiscal year ending June 30, 2013. *(By Finance Director, Sunil Naidu)*

Mayor Alvord indicated that they discussed this issue at the City Council meeting last night.

Councilman Barnes asked how much surplus staff anticipates next year? Finance Director Naidu guessed \$3-3.5 million.

Finance Director Naidu reviewed the proposed surplus allocations including \$3.4 million in an unallocated CIP (Capital Improvement Projects) fund. Councilman Seethaler noted that the current CIP list exceeds \$3.4 million.

Councilman Barnes asked if there was a need to allocate funds in the city’s reserve, what is the process? Finance Director Naidu said that can be done by Resolution by consent of the City Council.

Councilman Newton noted a couple of projects that did not make it onto this year’s CIP list; an asphalt trail from the old Albertsons to 11400 South. They also talked about paving the rest of the canal trails. The second project is branding parks (naming and re-signing). He also noted a curb, gutter, and sidewalk project needed from 10400 South to 10000 S. at 3200 West. Finance Director Naidu noted that the 3200 West and canal trail projects are currently slated for 2015/2016.

Mayor Alvord requested that they discuss those projects when the CIP projects are prioritized at a later meeting. Interim CM Whatcott said staff will be going through the CIP list tomorrow and set the priorities based on this year’s visioning meeting. Then the City Council will prioritize the list. It will be presented to the City Council at the April 14<sup>th</sup> City Council meeting.

Councilman Barnes said he would like to see the allocation to the reserve go from \$500,000 to \$1,000,000. He noted that the city worked hard to lobby the legislature to increase the amount allowed in the city’s reserve fund. Councilman Seethaler concurred. They still have \$2.3 million to go to get to the allowed 25 percent reserve amount.

Councilman Newton said initially, they discussed putting \$500,000 in reserve. Last night, after negotiation, they agreed to \$800,000. Even when they reach the 25 percent ceiling, the reserve amount will change as the total budget amount changes. He still supports \$800,000 as agreed to last night. He noted that they also agreed to set \$250,000 in the payroll area. Councilman Shelton concurred that they agreed to \$800,000. Having money in reserve is fiscally responsible. Delaying vital projects is fiscally irresponsible. He prefers a paced move towards fully funding the reserve. Councilman Rogers said he also still supports \$800,000.

**Councilman Seethaler made a motion to approve Resolution R2014-31, but to allocate \$800,000 to the general reserve fund and modify the CIP amount from \$3.4 million to \$3.1 million. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous in favor.**

**J. Public Hearing: Hoffman Property Land Use Amendment and Rezone.** Resolution R2014-23, amending the Land Use map from Rural Residential (R-R) to Low Density Residential; and Rezone Ordinance 2014-08-Z, rezoning the property generally located at 11723 S. Lampton Drive from (R-1.8) to (R-2.5). (*By Community Development Director, George Shaw*)

City Planner Greg Schindler reviewed the background information on this item.

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

Councilman Rogers asked about access to the property. City Planner Schindler said there will be a stub street to the west. If access is not provided through the Ivory development, access to the rear of the property would be difficult. Currently, there is access to the west and potentially access to the north.

**Councilman Shelton made a motion to approve Resolution R2014-23. Councilman Barnes seconded the motion. Roll call vote. The vote was unanimous in favor.**

**Councilman Shelton made a motion to approve Rezone Ordinance 2014-08-Z. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous in favor.**

The City Council took a brief recess.

**K. Executive Closed Session:** to discuss the purchase, exchange, or lease of real property.

**Councilman Rogers made a motion to go into an executive closed session, in the upstairs conference room, to discuss the purchase, exchange, or lease of real property. Councilman Newton seconded the motion. Roll call vote. The vote was unanimous in favor.**

Minutes prepared by Council Secretary MaryAnn Dean.

**This is a true and correct copy of the April 1, 2014 Council meeting minutes, which were approved on April 15, 2014.**

  
South Jordan City Recorder

**SOUTH JORDAN CITY  
City Council Meeting**

April 1, 2014  
6:00 P.M.

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

PRINT NAME	PRINT ADDRESS
DAVE PECK	1429 JORDAN HILLS DR.
RJ Coles	2747 W 11400 SO
Sandra Bright	1092 W 10210 S.
Karen Johnson	4713 W Ben Armine Cir.
GEORGE SANDERS	9856 CONGRESSIONAL WAY
Mykel Severson	10156 Eden Ridge Dr
Jeannevin John	10392 S. Jordan Gateway
SCOTT CHRISTENSEN	4432 GLENMOOR HILLS DR.
Anna Florin	10331 Springcrest Ln.
Michael Florin	40331 Springcrest Ln.
AARON DALEY	7084 S Cedar Cir
Erin Peterson	10226 Mystic Falls Way
Michael Peterson	
Travis Robinson	10219 Mystic Falls Way
DALLAS Beckstead	9977 S. 3265 W.
Lois Beckstead	9977 S. 3265 W.
STEPHEN KAUFMAN	10293 S. JORDAN CREEK DRIVE
Rob Waellhaef	11061 Indigo Sky Way
Josh Shew	1105 Indigo Sky Way
Dallin Gray	11076 Marion Way
Anderson Davies	1498 Open Crest Drive
Evan Hatheins	4184 open crest dr.
Chris Hatheins	4184 open crest dr.



Chris Rogers Keith Adams Patricia HELTON

Attachment B  
4-14 c.c. mtg.

My name is Leona Winger. I live at 1643 West Cornerstone Drive. SJC.

The education of our children is critically important to the success of our families, our community, our State and our Nation. Every child has the right to the finest education that we can possibly give them.

Equally important are the cost issues especially the issue of affordability.

The challenge is balancing the educational needs while not placing an undue tax burden on our residents.

We cannot tax people out of their homes. The people spoke clearly of their financial concerns in the last election <sup>Regarding</sup> bond issues.

I commend this City Counsel for addressing the education issue. You have every right to do so. You represent the people of this City -- both current and future residents.

I have a very serious issue concerning increased taxes for our Senior Citizens. Many are on fixed income and worry about losing their homes. That is simply unfair.

I fully support the City of South Jordan going forward and doing a feasibility study so that we might have accurate data on which to make educational decisions.

I would also like full, accurate, and complete disclosure from the Jordan School District concerning educational costs as well as the District ability, and desire, to care for the educational needs of the South Jordan within a reasonable and fair cost to the residents.

Great education, without driving people from our city, or stopping the growth that is coming, is vital and very challenging.

It will take a united and creative effort on the part of the city, residents and businesses to achieve such. *IT WILL REQUIRE A COMPLETE & FULL DISCLOSURE.*

My name is Erin Peterson, 10226 S Mystic Falls Way. I have spent the last month raising awareness of South Jordan's plans to develop Mulligans and the surrounding areas with high density housing. As I have spoken with members of the community, the most frequently asked questions are "Why?" and "What?" "Why do they want to build more high density housing?" "Why would they want to get rid of Mulligans?" "What are they thinking?" and "What can I do to stop this from happening?"

It is my understanding that the City Council is considering approving the high density housing project on the east side of the Jordan River because they believe the residents of South Jordan want it and support it. I can assure you that plenty of residents are against this project. The reason more residents have not approached the council with their concerns is because they have no idea!!!! I believe if you give more time to inform the community of the city's plans to develop the rest of east South Jordan with high density housing you will have an outpouring of response. I ask the council to please gather sufficient community input before approving these projects. The city should be in no hurry to build. We had a multi-million dollar surplus last year and from what I understand developers really LOVE to build in South Jordan. This development is NOT your only option. Please get the input of those who live in South Jordan that voted you into office!