

SOUTH JORDAN CITY  
CITY COUNCIL STUDY SESSION

May 6, 2014

**Present:** Mayor Dave Alvord, Councilman Chuck Newton, Councilman Don Shelton, Councilman Steve Barnes, Councilman Chris Rogers, Interim CM Gary Whatcott, City Attorney Rob Wall, IS Director Jon Day, City Council Secretary MaryAnn Dean

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

**STUDY SESSION – 4:00 PM**

Mayor Alvord welcomed everyone present. He noted that Councilman Seethaler is excused from the meeting. Councilman Barnes will be arriving late.

**A. Invocation:**

Councilman Shelton offered an invocation.

**Councilman Rogers made a motion to go into an Executive Session to discuss pending or reasonably imminent litigation. Councilman Shelton seconded the motion. Roll call vote. The vote was 3-0 in favor.**

**B. Executive Session:** Discuss pending or reasonably imminent litigation.

**Councilman Rogers made a motion to come out of executive session and go back into the study session. Councilman Shelton seconded the motion. The vote was 3-0 in favor.**

**STUDY SESSION**

**C. Discussion:** Jordan School District Feasibility Study

City Attorney Wall explained the process for the City Council to commission the study. If they want to put the question to the voters, they need to send a request to the County Clerk, who has 5 days to certify the request. The County Council is notified and they have to direct the clerk to put the matter on the ballot. Because of the process, they need to have the request submitted to the County Clerk by the first of August to get it on the ballot this November.

Mayor Alvord asked about the legislative window where there are no restrictive laws prohibiting a school district split. Could the February 2015 Legislative session preclude them from placing this issue on the November 2015 ballot? City Attorney Wall said he was told that it would have to be on the ballot in 2014 or 2016.

City Attorney Wall reviewed a bill that was proposed in the last legislative session that would have put a threshold on the number of voters from each precinct in the city to make this request. It would not preclude the City Council's ability to request that the matter be put on the ballot, but it would make it very difficult. They don't know what will happen at next year's legislative session. They are told that the bill will be run again.

Mayor Alvord asked if the feasibility study is done now, would the data will be valid in 2016? City Attorney Wall said there is no legal timeframe. They would have to ask the consultants how long they could rely on the data. They may be able to use it if the economy remains stable and the growth rate is slow.

Councilman Rogers asked if they could have the study back in time for the August 1<sup>st</sup> deadline? Interim CM Whatcott said yes, depending on the scope of the study. City Attorney Wall concurred.

It was noted that the last feasibility study cost approximately \$32,400.

Councilman Newton said the City Council can only provide the feasibility study. It is up to the public to make that vote. City Attorney Wall said it is unrealistic that a group of residents would pay for the study and to educate the public on the issue. The City Council can commission the study to get the data to educate the public on the issue. Interim CM Whatcott said it would be good to have the evidence in front of them. He doesn't know if South Jordan doing a school district is feasible or not. He said if they want to do the feasibility study, they should do it now and make sure the scope of the work is defined accurately and quickly.

Councilman Rogers said he supports doing the study. He has not yet made up his mind on a school district split. They don't have all of the information they need. The residents need to make an informed decision. He would like a study with more permutations, including joining with other cities or the Canyons District. He would like variables and options evaluated. He does not advocate any specific option. When they get the study, they can communicate with the residents. The City Council cannot split a district, they can just put the issue on the ballot.

Councilman Barnes arrived at this time.

City Attorney Wall said from the time they make the request to the County Clerk, the residents will have almost 3 months to review the issue.

Mayor Alvord said this is more than a Request For Proposal (RFP), it is an order for the study. Interim CM Whatcott said they need to discuss the scope of the study.

Mayor Alvord indicated that the school board members in South Jordan's jurisdiction (Susan Pulsipher and Kayleen Whitelock) do not recommend a study for a split. Neither did Mr. Osborn. He feels that opinion is valuable. Councilman Barnes said he has had members of the school board say that they do recommend a study.

Councilman Shelton said they all say that they want the information. When they get it, what is the argument after that? How would they argue against letting the voters decide on the issue? Councilman Newton said their only responsibility is to do the study. If the information does not support the split, there is no reason to put it on the ballot. Councilman Rogers said he is in favor of the study. He is not sure if he would vote to put this on the ballot or not. Councilman Barnes concurred with Councilman Rogers.

Councilman Shelton said as part of the study, they should do an assessment of the impact on the students. He noted that in the last split, test scores declined when the split was being negotiated. The students have already endured one split, they need to consider if they want to negatively impact the same students again.

Mayor Alvord said he believes the feasibility study will reveal favorably financially for South Jordan. Is the City Council prepared to be the Canyons of the west side? They have the tax base, are they ready to leave?

Councilman Barnes said unless there is statewide equalization on this issue, they have to look out for the people that they represent. Mayor Alvord said he would hate to pay for a study that may show it is the right thing financially, but the wrong thing to do to their neighbors. Councilman Newton said they should look at the impact to surrounding cities in the study.

Councilman Barnes said this could help with the statewide equalization issue. But it is not all about money, it is about the students.

Mayor Alvord said if the study shows that it is economically favorable, would the City Council be more in favor of putting the issue on the ballot? Councilman Rogers said the study would address issues other than just numbers. They need to look at levels of service, building needs, etc.

Councilman Shelton said he is nervous about moving forward with the study. He is concerned that if this goes to a vote on the ballot, they will have their own school district. It was noted that the other 4 members of the City Council are in favor of doing the study.

The City Council discussed the scope of the study. Interim ACM Whatcott reviewed the scope of the past study.

Councilman Rogers said along with enrollment, he would like to know changes in boundaries that would occur and how many people would have to change the school that they attend. The study should also outline options for dealing with population and overcrowding. They should also include the use of charter schools and the idea that they would evaluate and encourage that as part of their plan.

Councilman Newton said the population makeup inside and outside city limits should be considered.

The City Council discussed the shortfalls of the last study including the impacts on education, and specialized educational pieces. Councilman Rogers said there was no analysis of South Jordan being able to negotiate or contract with other school districts. There were not adequate permutations. Councilman Newton said bus and transportation routes should be addressed. They also need to consider the impact of a new high school and how it will affect West Jordan and Herriman. They need to consider the effect of having a 4 year high school and the residual effect on other schools.

Mayor Alvord said they couldn't put it on the ballot if they joined with West Jordan. They need to discuss if it is optimal to join with another city and if that is what they even want to do. City Attorney Wall said if the change includes more than one city, it does change the process. Councilman Rogers said the voters should know all the options. They may have more financial benefit combining with West Jordan, but less control than if they did their own school district.

Councilman Newton said he does not know if the residents would want to join with West Jordan. When the school district proposed bussing from South Jordan to West Jordan, the proposal was resisted. He noted that early on, people were given information that South Jordan could not split. A pre-explanation would need to be given so everyone is clear.

Councilman Barnes asked if they should see what the interest level is with other communities joining them in this effort. Councilman Rogers said their interest could change based on the outcome of the study.

Councilman Newton said they need to discuss immediate building needs and how that will impact homes.

Mayor Alvord said they need to be careful not to talk about taxes saved when making their own district. With the prospect of building a new high school, that might be a promise that they can't deliver. He is personally concerned that now might not be the right time with their growth and need for additional facilities. He feels the local control argument is stronger than the taxation argument.

City Attorney Wall said he will clarify with the County Attorney if the issue can be put on the ballot for a municipal election which is done in odd years. In that case, it could be done in 2015, if the requirements do not change by the Legislature.

Councilman Rogers asked what if they vote to put this on the ballot before the Legislature passes a change? City Attorney Wall said that could influence the discussion with the Legislature. Representative Newbold indicated that in the last case, they were treated retroactively. City Attorney Wall said he feels the process is "started" when the request is submitted to the County Clerk.

Interim CM Whatcott said he would put together a list of the scope for the study and send it to the City Council to review.

The City Council took a dinner break.

**D. Presentation:** Advanced Metering Infrastructure (*By Public Works Director, Jason Rasmussen*)

Public Works Director Rasmussen said they have a significant CIP project planned for next year. He reviewed the advanced metering infrastructure presentation (Attachment B). They discussed a problem that they have with contractors pulling out water meters. A few have been fined. They do a lot of warnings. This program will help them catch meter tampering quickly. Additionally, when water is shut off for nonpayment, they have to physically go out and check the meter periodically. They will not get notified electronically.

Councilman Shelton asked about the batteries in the units. They were told that the batteries are good in temperatures as low as -48, and they will last for 20 years.

The City can set the configurations. They can be alerted to meters that have not stopped in a certain number of hours. They can also show leaks that accumulate a certain amount in a certain amount of time. They can contact residents if it appears that they have leaky toilets or a leaky pipe. They can also open up the program to residents so they can monitor themselves or set goals for water conservation. The first phase will be done in 6 months.

ADJOURNMENT

**Councilman Barnes made a motion to adjourn the study session. Councilman Shelton seconded the motion. The vote was 4-0 in favor.**

**This is a true and correct copy of the May 6, 2014 Council Study Session minutes, which were approved on May 20, 2014.**

  
**South Jordan City Recorder**

