

SOUTH JORDAN CITY  
CITY COUNCIL MEETING

October 7, 2014

**Present:** David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, CM Gary Whatcott, Interim Fire Chief Andy Butler, Administrative Services Director Dustin Lewis, Police Chief Lindsay Shepherd, Strategic Services Director Don Tingey, City Planner Greg Schindler, Assistant City Attorney Ryan Loose, COS Paul Cunningham, Economic Development Director Brian Preece, CFO Sunil Naidu, IS Director Jon Day, City Council Secretary MaryAnn Dean

**Others:** See Attachment A.

REGULAR MEETING – 6:00 PM

A. Welcome and Roll Call – Mayor David Alvord

Mayor Alvord welcomed everyone present. Councilman Shelton was excused from the meeting.

B. Invocation – *By Councilman Chuck Newton*

Councilman Newton offered the invocation.

C. Pledge of Allegiance

Kiylee Christensen, Youth Council member, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized scouts present at the meeting.

**Councilman Barnes made a motion to table item N. to the October 21, 2014 meeting.**

**Councilman Rogers made a substitute motion to move item N. to be discussed right after the summary action items at tonight's meeting. Councilman Newton seconded the motion. The vote was 3-1 in favor, with Councilman Barnes opposed.**

**Councilman Barnes made a motion to move item N. to after item I. (Summary Action Items) at the October 21, 2014 City Council meeting. The motion died for lack of a second.**

D. Minute Approval

1. September 16, 2014 Study Meeting
2. September 16, 2014 Regular Meeting

**Councilman Newton made a motion to approve the September 16, 2014 study meeting minutes and the September 16, 2014 regular meeting minutes, as printed. Councilman Rogers seconded the motion. The vote was unanimous in favor.**

E. Public Comment:

**Kristine Marshall**, lives in the Country Crossing neighborhood, said she is concerned about the growth going in around them, especially on 4000 West. There are traffic issues getting off Bangerter and turning onto 4000 West. It is a dangerous bottleneck. Even with the proposed improvements, she is concerned about there being adequate turn lanes for safety in and out of their neighborhood. She said they were promised improvements to their park in exchange for the loss of the soccer park on 4000 West. They would love to see that take place. Also, there are issues with their current park. There is no drinking fountain, place to park, and there is a traffic congestion problem. When teams are playing at their current park, it creates a bottleneck for the neighborhood.

**Jan Leyba**, would like to reiterate what Ms. Marshall said. They are concerned about the ability to get in and out of their neighborhood. She said she would like to see volleyball and basketball courts for older kids. She said she would like electricity and water brought to the Country Crossing park.

**KD Price**, said they face the Country Crossing Park. The traffic on their street has increased a lot the last couple weeks. She understands that UDOT controls the traffic light, but their concern is on 4000 West because the light changed so they can't yield to turn left of 40<sup>th</sup>. If people don't want to wait, they go down Country Crossing. They also added the school on Fox View Drive and that has increased traffic as well. She said she would like to have the left turn arrow turn back into a yield.

Mayor Alvord asked that staff follow up with Ms. Price.

Planner Schindler said staff would follow up. He said he believes that they are going to do 2 left turn lanes. Councilman Barnes said his understanding is that staff is working with UDOT on the timing of the lights. He said he would like to be included in any follow up from staff to Ms. Price.

Ms. Price said they are not concerned about just the timing of the lights, but also the design of the intersection.

**Elijah Throckmorton**, scout, asked if anything can be done about the overpass on 10400 South? Businesses don't want to buy the property because the overpass is taking up so much room.

**Carl Hurst**, handed out some printouts to the City Council (Attachment B). He said he lives on 10462 Culmination St. He said he has a concern with a home on the east side of the Plum Blossom subdivision. The plan for the Plum Blossom subdivision shows a 6 ft. by 70 ft. retention basin. The one that was built is not nearly that large. He said downspouts of the home should be draining to the street, but they are draining to the side and back of the house. All of the water on

that lot drains to the back of the yard, not the street. He reviewed the packet and showed the pictures of the retention basin that recently overflowed. He said a representative from Ivory Homes put a pump in, and the rain let up, so it prevented flooding into his yard and the neighbors. The Plum Blossom subdivision was built 20 ft. higher than his house. He asked that the city require Ivory Homes to build the retention pond as called for in the plans. He asked that they also require Ivory Homes to make them put the spouts so that they flow to the street, as shown in the plan.

**Luke Peterson**, resident of Riverton, said he is concerned about the way the city is approaching the deal with the property on 4000 West. It does not seem to be on the up and up. The Resolution seems to be offensive and unnecessary. When they do land deals, they should be transparent and honest, and respectful of the people around them. It appears that the city had an interested buyer and the city accommodated that buyer, and then PRI was interested in selling a block of land and that created some issues. There was talk about a park when there was not ever an intention to build a park, but it was meant to pacify the public and move the deal forward. He said park funds were used to purchase the land. He said the city rezoned their own property, which seems like a conflict of interest. He said he would like to know what the city's intention is with the Resolution to block funding for a park in that area.

CM Whatcott indicated that staff is aware of the issues brought up by Mr. Hurst. They will follow through.

**F. Presentation #1: Dustin Lewis Graduates from FEMA's National Emergency Management Executive Academy. (By Tina Brown, FEMA, CM Gary Whatcott)**

Tina Brown, South Jordan City Communications Coordinator, recognized Dustin Lewis, Director of Administrative Services. Mr. Lewis graduated from FEMA's National Emergency Management Executive Academy.

CM Whatcott said you have to be invited to attend this FEMA course. Mr. Lewis is a mentor for others locally. He is also recognized on the Federal Level. He is a great asset to the city.

**G. Presentation #2: 2014-15 Youth Council Oaths of Office (2<sup>nd</sup> Group) Youth Council Advisor, Sheila Angerhofer. (Oath Administered by City Recorder Anna West)**

Anna West, City Recorder, administered the Oath of Office to the 2<sup>nd</sup> group of 2014-2015 Youth Council (Attachment C).

Councilman Barnes indicated that he is excited to work with this group this year.

**H. Presentation #3: Mulligans Report (By CFO, Sunil Naidu)**

CFO Sunil Naidu said they have contracted services with the Utah Golf Alliance. The contract is being finalized with the legal department. He said the audit of Mulligan's statement of cash flow is happening in conjunction with the city's financial report audit. That should be ready in a week or two. There are some recommendations on the current classification of Mulligans in terms of

reporting and accounting. He said he would like to bring it all back as a presentation when the Utah Golf Alliance and the auditors complete their review. They will bring it to the City Council meeting in 6 weeks. He said he feels it will make better sense if they give the presentation with the big picture, rather than piecemeal.

Assistant City Attorney Loose said the Resolution has been answered with this report. They can set a date for the next report, if they would like to.

**Councilman Seethaler made a motion to accept today's report, and to set a date for November 18<sup>th</sup> to complete the report. Councilman Newton seconded the motion. The vote was 4-0 in favor.**

**I. SUMMARY ACTION ITEMS**

1. **Resolution R2014-86**, PACDB Grant for \$3,000 to the Kensington Theatre Company performance entitled "Miss Nelson is Missing." (*By Administrative Services Director, Dustin Lewis*)

Councilman Rogers noted a typo, as the grant is for \$1,800, not \$3,000. Administrative Services Director Lewis explained that the request was for \$3,000. The grant authorized is \$1,800.

2. **Resolution R2014-87**, PACDB Grant for \$2,100 to The South Pointe Ballet Company for the production of the "Nutcracker." (*By Administrative Services Director, Dustin Lewis*)
3. **Resolution R2014-89**, agreeing to support a single computer-aided dispatch system, through engaging a consultant to assist the County to select a Public Safety Communications Vendor.

**Councilman Newton made a motion to approve the Summary Action Items 1, 2, and 3. Councilman Seethaler seconded the motion. Roll call vote. The vote was 4-0 in favor.**

The City Council moved to item N. at this time.

- N. **Action Item: Resolution R2014-82**, Establishing that the Country Crossing Park Improvements are to be planned, funded, and developed in or after the 2015-2016 Budgetary process. (*By Councilman Chris Rogers*)

Mayor Alvord reviewed the parks in the Country Crossing area, as well as the Daybreak HOA parks. He noted the upcoming Welby Regional Park that will be developed in the area. That will come at a significant expense to the city and it will be close to the residents in this area. He said this area of the city is park rich, meaning it has a lot of parks. Other areas of the city are park poor, meaning they don't have a lot of parks.

The City Council discussed proper procedures for meeting decorum.

Mayor Alvord said the money from the selling of this land will repay the park impact fee fund. He said they need to make decisions for the entire city. He said this parcel was purchased with a certain intent. He said a bad decision then does not force them to make a bad decision now. He said the request made by residents in the area who want reasonable improvements made to the Country Crossing Park, such as a drinking fountain, can be made. He said they have a normal budgetary process that deals with park improvements. He said it is unusual for residents to request a park. What normally happens is that the City Council looks at the city at large, with the parks department, and makes a long term plan.

Councilman Rogers said this Resolution was germinated over a lot of discussion. This item has been discussed since August 19<sup>th</sup>. It has nothing to do with the Kornwasser property. This Resolution does not prohibit any improvements to any park. It says any improvement to the Country Crossing Park needs to go through the normal budgetary process. They want the residents' money allocated appropriately to all parks in the area. He reviewed the language in the Resolution and said it is just putting the park through the normal budget process. He referred to a chart staff prepared regarding the number of parks in the city. It identifies parks by Council District. There is a great disparity in the city. The districts with the most parks are district 1 and 4. He said he has 0 acres of developed parks in his district. This is a far cry in terms of equity and fairness.

Councilman Seethaler reviewed some of the history of this parcel. He noted that Kornwasser's plan was to allow a developer to put apartments on this property. The city purchased the property in order to facilitate the development. Over a period of time, it was determined that this was not a proper location for a park. As a result, the city started to entertain offers to sell the property. It is atypical for the city to buy land and then resell it. He asked where did the funds come from to purchase this property? Do they have any obligations from where the funds came from that deserves certain treatment?

Assistant City Attorney Loose said impact fees can only be used to mitigate the impact for which they are collected. The funds have to be used for that purpose or repaid by the general fund.

CFO Naidu said they used portion of impact fees, both storm drain and parks. It was the intent with the sale of the property to reimburse the park impact fee fund. He noted that the state statute does not call for interest to be paid.

Mr. Loose said the park impact fees can only be used for a park, which was the original intent. If the Park Impact Fee Fund is made whole, and general obligation funds are used, there are no legal restrictions on how to use the funds.

Councilman Seethaler said if the fund is repaid, the city has no continuing obligation to put the property purchase for use as a park. Mr. Loose said that is correct. Councilman Seethaler asked if it is good policy to pay back the fund, with interest? CM Whatcott said it not typical to expend park impact fees for something other than a park. In the future, they need to be cautious about borrowing from impact fees for a property purchase without knowing up front what they are going to use the property for.

Councilman Newton said the original reason for using impact fees was because the purchase of the property was going to go to 11800 South, and they were responsible for connecting the storm drain along there, and going up to 4000 West. Originally, he proposed to bond for the property purchase, but it was later determined to use impact fees. Then they determined the need for a retention pond and there was a request for some church property and then the County started discussing the regional park.

CM Whatcott said there was discussion and speculation about a park on this property, but it was later determined that it was not a good place for a park. A lot of changes took place, both on the Council and in the CM position. When the plan changed, it was determined that they needed to pay back the impact fee fund.

Councilman Barnes asked how did the conversation about the park begin? CM Whatcott said he believes the suggestion came from the previous City Manager.

Councilman Barnes said there is a disparity of parks between districts. Why do they not look at parks in the city on a Council District basis? Mr. Tingey said when they did the Parks Master Plan; they looked at it from a radius basis. They like parks to be about 1/3 mile from each other. They also broke the city into zones and gave a baseline score. The short term and long term master plan identifies gaps in the existing baseline, and opportunities for improvement.

Councilman Barnes said they revisit the Council District boundaries every 2 years and those boundaries can vary greatly. It is important to understand why they don't look at parks on a Council district basis.

Mr. Loose noted that because the City Council and staff changed direction on their intent for this property, if the fund is reimbursed in a reasonable time, and they are not encumbering other projects, they can defend the city as acting reasonably in this case.

Councilman Barnes asked for a breakdown of how much was spent on park impact fees versus storm impact fees? CFO Naidu said \$300,000 spent from storm drain impact fees, \$1.6 million from park impact fees. Those numbers are approximate. Those were the only two funding sources used.

Councilman Barnes asked if they ever talked about using other funds? CFO Naidu said they discussed using some reserve funds, or the excess fund balance from the FY 2013 budget. Then they did not pursue those options.

Councilman Barnes said there was a discussion with one of the potential buyers of the property and he suggested that instead of putting a park on this property, they may be interested in making a contribution to a nearby park through a development agreement. Something similar was done for the Rushton Park. Why was that not pursued?

CM Whatcott said the idea of that option was discussed with the City Council and turned down. Councilman Barnes said the City Council discussion was to take the proceeds out of the sale of the land and earmark additional money towards the Country Crossing Park.

Mr. Tingey said the discussion with the developer was an initial discussion, but when the final appraisal for the property came in, he was willing to pay that price but it was higher than originally expected. Mr. Tingey reviewed the terms of the Rushton Meadows deal.

Councilman Barnes said he agrees with the end result and approving appropriate budgetary processes. That is one reason he disagrees with the language stating that a similar Resolution would be proposed in the future.

Councilman Barnes asked if we have already budgeted improvements to Country Crossing Park? Mr. Tingey said it is on the 5 year CIP plan, anticipated for 2016-2017.

Councilman Barnes said he is concerned about the language in the Resolution that this is “budgeted” because it is on the list of to do’s and the funds are not yet available. He said there is a difference of opinion on how the conversation went a year ago, and he does not want to set a false representation again.

Councilman Barnes asked what is entailed in the Country Crossing project on the CIP list? Mr. Tingey said it is either a replacement or improvement of the playground structure. When that year comes up, they will consider the condition of the equipment and decide.

Councilman Barnes said they have not budgeted anything. There is no promise for FY 2016-2017.

Councilman Rogers said the language in the Resolution about the anticipation of a similar Resolution being proposed in the future is based on the August 19<sup>th</sup> discussion. Councilman Barnes said the word anticipation is subjective.

Mayor Alvord asked if this park was master planned or chosen ad-hoc? Mr. Tingey said it has not been identified on the park master plan. There have been times in previous administrations that a park has been considered in the area, but it was never put on any master plan or in a planning document.

Mayor Alvord said it was considered as a park for 3 months, and then it was determined that it was not the most appropriate place for a park. At the same time, they set aside funds to improve Country Crossing Park. Mr. Tingey said the \$55,000 is the scheduled playground improvement.

Mayor Alvord said he fails to see how an “almost park” has anything to do with Country Crossing. Mr. Tingey said it is because of the close proximity. Mayor Alvord said the park impact money is city wide money, not specifically tied to the Country Crossing Park.

Mr. Tingey said there was a discussion about the developer taking some funds and putting it towards the Country Crossing Park. That is part of the connection. It was proposed at one time.

Councilman Newton said as property becomes available, they have to strike a balance for parks in new areas and existing parks that have needs. That is why they have a 5 year plan, to deal with

those competing issues and balance it out. He said this year, they have been replacing and upgrading equipment in existing parks. He said Welby Park is now becoming available and the city will be putting \$3-5 million towards developing that park in a partnership with the County and Kennecott. He asked wouldn't it be in their best interest to put tennis courts and soccer fields at Welby Park where it can be used by a wider range of residents? Mr. Tingey said yes. Their resources are limited and they need to prioritize their needs.

**Councilman Rogers made a motion to approve Resolution R2014-82. Councilman Newton seconded the motion.**

**Councilman Barnes made a substitute motion to approve Resolution R2014-82, with the amendment that the language "in addition to amounts already budgeted to pay for improvements" be removed from the Resolution.**

The City Council determined to change that language to "in the 5 year Capital Improvement Plan", and to spend "up to \$275,000", and to change will to with as part of the substitute motion.

**Councilman Newton seconded the substitute motion.**

Councilman Barnes asked why this Resolution has to be done tonight? It is not time sensitive. Mr. Klavano, Councilman Shelton, and many residents are not present tonight. Councilman Rogers said there was some anticipation that there was going to be a Resolution at the October 21<sup>st</sup> meeting, at the same time as the sale of the property, and he does not want to tie the sale of the property to any improvements to the park. When they purchased the property, the CM clearly stated that no one should have any anticipation of what will be done with this property. This Resolution gives them to January at the earliest when they start discussing the budget. He said he also wants to bring some Resolution to the issue. They have been discussing this since August 19<sup>th</sup> and there has been a lot of discussion and staff time on this issue. He should have tabled this issue to the budget on August 19<sup>th</sup>.

Councilman Barnes said it is unfortunate this this has been rushed through and that they have jumped to the conclusion that a similar resolution would be brought back. His hope was that he and Councilman Rogers were going to work together on a Resolution that they could both be happy with. He understands their concern with not wanting to tie this to the sale of the property. It is unfortunate that is what they assumed would be his Resolution.

The City Council clarified that the 'Whereas' clause in the Resolution only refers to the Resolution from August 19<sup>th</sup> that called for them to spend \$275,000 on Country Crossing Park. Councilman Rogers said the Resolution tonight does not spend or allocate any money.

Assistant City Attorney Loose reviewed the proposed Resolution and changes as outlined in the substitute motion (Attachment D).

Councilman Seethaler said the city never took any legally recognized action to build a park in this location. Anything short of official action by the city is hearsay. Selling the property has no relation to the park. The original alternative for this property was high density housing. The City

Council voted that option down and determined to purchase the property. The opportunity has come up for commercial office buildings and that is more palatable to the neighbors than apartments. The city was striving to do a good deed, and it is perceived at having done a bad deed.

Councilman Seethaler said in the case of a profit on the resale of the land, is there anything that prohibits them from profiting in this way? What would be the place to deposit the funds gained? CFO Naidu said the city made improvements to the land, and will continue to do so. The city will spend more than they will get on this property. To recoup the cost of the land itself, they will divert money back to park impact fees. They could calculate interest. Any excess money would go to the general CIP fund.

Councilman Rogers said with the purchase of the property, there was never an intention to bind the city regarding the use of the property. No one Councilmember or staff member can make promises for the city. That has to be decided by the majority of the City Council. He said he appreciates Councilman Barnes willingness to work on a Resolution. His concern is that it started with \$275,000 and luxurious park improvements. There is now discussion of tennis courts and lighting. He said the process was not reaching an effective Resolution. He asked for a copy of a proposed Resolution from Councilman Barnes and he did not receive it, so he drafted one. He welcomes resolving this issue, during the budget process. They need to determine if the \$55,000 in improvements is sufficient? He noted that any replacement is an improvement.

Councilman Barnes said so no one Councilmember ever made a promise.

Mayor Alvord said if they have one Councilmember get a \$300,000 park, and then everyone else on the Council demands the same, it equates to \$1.8 million. He said they have a regular budgetary process to address the master plan for parks and allocate CIP funds. That is the proper place to do this. The proposal for a \$275,000 park started a chain reaction. For an at large Mayor who wants lower taxes, he can't allow a process like that to continue.

**The vote was 3-1 in favor, with Councilman Barnes opposed.**

Councilman Barnes said he is opposed because of the date that this issue was discussed. Otherwise, he would be in favor.

The City Council took a recess.

**J. Public Hearing: Ordinance 2014-14, Amending Title 6 Animal Ordinance in the South Jordan City Municipal Code. (By Police Chief Shepherd)**

Councilman Newton said in reviewing this item, more information is needed. They will bring it back on the next agenda.

**Councilman Newton made a motion to table Ordinance 2014-14. Councilman Rogers seconded the motion. The vote was 4-0 in favor.**

**K. Action Item: Sign Appeal AP-2014.07, Harvest Village Monument Sign at 3497 West South Jordan Parkway. (By City Planner, Greg Schindler)**

Planner Schindler reviewed the background information on this item.

Councilman Newton said the approved signs help mitigate so we don't have a visual signage nightmare in this area. He noted that the dental offices had to split their sign into two. It turned out very nice.

Planner Schindler said they felt one sign wouldn't have as much visual clutter as multiple signs.

Councilman Newton said they allowed the dental office to raise the base of the sign. He said it is a matter of fairness. He is sympathetic for the need of the business to advertise. He does not like the picture proposed. He noted that the speed on the road dictates the size of the sign.

Councilman Rogers asked if it would help if the sign was shorter? Planner Schindler said if the sign was shorter, it could be wider and still meet the requirement.

Councilman Newton said he would like the sign set back.

**Paul Stringham**, 2535 Valley View Ave. (SLC), said the dental clinic also has signage on the street and great exposure from the street. He said if they want to stimulate commerce on this property, east of Costco, they need to design a sign like this if they want to attract larger users. The recession had a huge impact on retail. A smaller monument sign won't work for them. If they break this into 3 monument signs, with the two dental signs, it will look more cluttered.

Councilman Newton said he is aware of the efforts of the developer and staff. He asked if it is possible to move the sign to the corridor by Bangerter? He would be open to a bigger sign in that case. He noted that he did not like the yellow color proposed. Mr. Stringham said they would have to get approval from Costco. That would be more complicated; it was a challenge to have the car wash approve this sign. He noted that the proposal is to illuminate the sign from the inside.

Councilman Rogers suggested a more earth tone color on the pillar of the sign.

**Jeff Krams**, 4139 Mt. Olympus Way, said the exact colors of the pillar have not been determined. There is no intention to have the pillar be yellow.

Councilman Rogers asked if they can move the sign further west? He is concerned about the turning vision being obscured. Mr. Krams said it is set back 10 ft. and they have to maintain a clear view area. They are trying to have adequate spacing so it does not look cluttered. Planner Schindler said the sign will probably be 10 ft. off of South Jordan Parkway, but it is approximately 30 ft. from the other road.

Councilman Rogers said he understands the need for more exposure to those businesses. He requested that they make the color on the pillar darker.

Mr. Krams said another thing that is helpful is to put reverse copies of the logos on the signs and not leave the panels white.

Councilman Newton recommended that the pillar be on the north side of the sign, rather than the south side. He feels that is more visually appealing. He said another option is one screen that rotates through the businesses.

Councilman Newton also expressed support for the darker color of pillar. Councilman Rogers said if this is approved, he would like the pillar to be a darker color, a shade of brown, or earth tone.

Mayor Alvord recommended they approve this, based on the comments made.

Councilman Barnes said from a shopper's perspective, the easier it is to find services, the better and safer it is.

**Councilman Newton made a motion to uphold Sign Appeal AP-2014.07, and that the color on the pillars be earth tone and that the pillar be oriented north of the sign. Councilman Rogers seconded the motion. Roll call vote. The vote was 4-0 in favor.**

- L. **Action Item: Resolution R2014-78**, Encouraging Partnership with the State of Utah to Address Transportation Funding and to send copies to the parties listed in Section 6 of Resolution R2014-78. *(By Chip Dawson - Legal)*

Intergovernmental Affairs Chip Dawson reviewed the background information on this item. He noted that South Jordan would be the first city to pass this Resolution.

**Councilman Rogers made a motion to approve Resolution R2014-78, with the amendment in section 6 to replace Representative Greg Hughes with H. David Burton. Councilman Barnes seconded the motion. Roll call vote. The vote was 4-0 in favor.**

- M. **Action Item: Resolution R2014-85**, Authorizing the implementation of certain Capital Improvement Projects and authorizing the allocation of respective project budgets for Softball & Baseball Field Renovations. *(By Colby Hill – Public Works)*

Associate Director of Public Works Colby Hill reviewed the background information on this item.

Mayor Alvord noted a spelling error in the staff report.

Councilman Newton asked if drainages will be added as well? Mr. Hill said that part of the project is complete. Councilman Newton asked if the old field mix isn't draining well, why would they put it at the Glenmoor field? Mr. Hill said it is field saver mix that is being moved to Glenmoor. It is improving Glenmoor's field as well.

Councilman Seethaler asked if this project has been previously prioritized and budgeted? Mr. Hill said yes. They are just authorizing moving forward with the project.

**Councilman Newton made a motion to approve Resolution R2014-85. Councilman Rogers seconded the motion. Roll call vote. The vote was 4-0 in favor.**

N. **Action Item: Resolution R2014-82**, Establishing that the country Crossing Park Improvements are to be planned, funded, and developed in or after the 2015-2016 Budgetary process. *(By Councilman Chris Rogers)*

This item was discussed earlier in the meeting, after item I.

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

Mayor Alvord reported on a recent school board meeting.

Mayor Alvord said South Jordan, Riverton, Herriman, and UTA have been negotiating an alignment of the UTA Trax line that will extend from Daybreak to Draper. They have narrowed it to 4 options that are more favorable to the city than originally proposed. The proposals will be put out to the public. Every city involved has to approve the proposed alignment. There has been much communication on the issue. It is not perfect, but far improved over the original alignment.

CM Whatcott said the 4 options will go to a public scoping. That won't be complete until February. He noted that there are only 2 pieces, including the South Jordan piece to Herriman, that are being vetted through this process. He said this will also include a federal process.

Mayor Alvord said Mayor Applegarth will be chairing the committee created to help guide the school district with their building expenses. Mayor Applegarth has experience in construction; he is budget conscience. He said the leverage with the school district is that the Mayors and City Councils will give their blessing for a bond proposed by the school district, if they are careful with their expenditures. If not, they will lose support on another bond. Right now, the bond amount proposed is approximately \$100 million. The 5 year plan for schools came in at \$100 million.

Councilman Newton asked if feedback has been given on the city's preferred routes for recreational trails for Salt Lake County? Mr. Tingey indicated that he has been representing the city at those meetings. Mr. Tingey said the County has taken their trails master plan and incorporated it with the city's plan, as well as Daybreak's trails. The meetings have been well attended and participatory. Various alternatives will be presented to the public to see if other considerations are needed.

It was noted that an email on this issue was sent to the City Council today. The link in the email is informative and includes maps.

Mr. Tingey said the major purpose in the plan has been to determine the major east/west trail corridors so the cities can plan around that. They want the major trails to be evenly distributed with a connection on the Jordan River trail.

Councilman Barnes said the traffic situation on 4000 West is bad. He encouraged staff to work with UDOT to alleviate the situation. He suggested they also get contact information for UDOT to pass onto the residents.

CM Whatcott said 4000 West is a city street. UDOT's portion ends at the pavement. He said there are both short term and long term scenarios being worked on, including the dual left turn. The City is working on the 4000 West portion and UDOT is working on the Bangerter Highway portion. The ultimate long term solution is the upgrade of 4000 West and the turn signal. They should see some relief in the area based on what is proposed. A study will be done of that whole section.

Councilman Rogers commended Councilman Seethaler for hosting the Jordan School District debate on September 24<sup>th</sup>. He wished there was more public participation. They need to reach out to their constituents to encourage them to evaluate the candidates for the school board.

Councilman Rogers said he would like to discuss the process of converting HOA's at a study session.

CM Whatcott said the process of taking certain infrastructure from HOA's has been clearly defined. The question remaining is if they take parks or open space. He suggested a refinement of what has been done, or the addition of parks or open space.

Councilman Rogers said they need to resolve the issues relative to park strips, park areas, etc. if an HOA is dissolved. CM Whatcott said park areas were left out intentionally because of the high cost of serviceability. Councilman Rogers said they need to come up with options which could include a special service district, the city taking over the property, or the HOA rezoning the property for another use than just a park.

CM Whatcott said they may need to make changes on the front end because often times the developers are getting concessions because of the arrangements that they are making with the HOA. Councilman Rogers asked that the discussion be put on a future study session.

Councilman Seethaler said he has started formalizing a 5 year forecast of operating commitments that the city has. He would like to talk about it at a future work session. He said when a developer turns over property to the city, it is an asset on the balance sheet, but it is also a responsibility for operation and maintenance. He said that level of responsibility is not always clear. They need to plan adequately for that.

Councilman Seethaler noted that the City Council has been invited to the South Jordan University class tomorrow, October 8, 2014. Mayor Alvord and Councilman Rogers asked to be excused from that meeting.

CM Whatcott recognized Andrew Butler, and indicated that he will be the new fire chief at the end of the year. Mr. Butler went through a rigorous selection process. Mr. Butler was welcomed by the Council.

ADJOURNMENT

**The City Council adjourned the October 7, 2014 City Council meeting at 9:23 p.m.**

**This is a true and correct copy of the October 7, 2014 Council meeting minutes, which were approved on October 21, 2014.**

*Anna M. West*  
**South Jordan City Recorder**

**SOUTH JORDAN CITY**  
**City Council Meeting**  
**October 7, 2014**  
**6:00 P.M.**

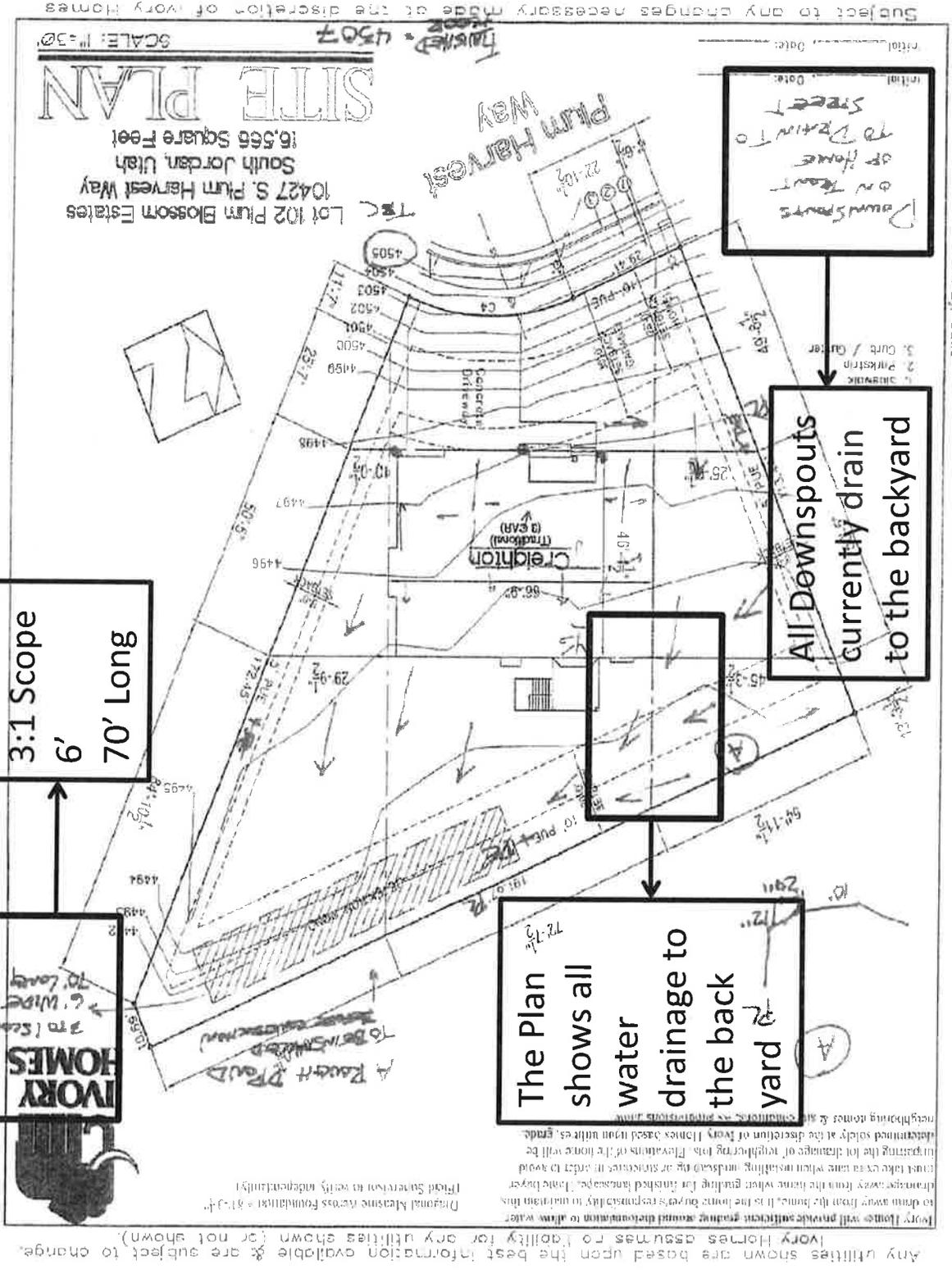
**ALL THOSE ATTENDING, PLEASE**  
**PRINT NAME & ADDRESS**

<b>PRINT NAME</b>	<b>PRINT ADDRESS</b>
Jon Nielson	11748 S. 4210 W. So. Jo. 84095
Staci Christensen	11674 S. Harvest Moon Court
Gail Williams	11425 S. Country Crossing Rd.
Jan & Dave Leyba	11613 S Patchwork
<del>Brady John</del> Ryan Price	11641 Country Crossing Rd.
Bryant Christensen	11623 Patchwork Cir
Sarah Christensen	2360 Buckle Oak Dr.
<del>Helebrook</del>	So Jo
Jessica John Brennan Sabri	11636 Harvest Moon Ct. SJ 84095
Bonnie Nelson	11653 Golden Wheat Cove SJ
Deanna Kaufman	10293 S Jordan Creek Dr SJ
Lynette Dölling	11616 S Golden Wheat Cove
Shawise Case	11617 S Country Brook Ct.
Kris Marshall	
Nicole Frank	11647 So. Country Crossing Rd.
Julie Keyser	11723 Cantry Crossing Rd.
Jeff Krantz	4139 MT. OLYMPUS WAY SLIC
Wanda Kier	225 So 200 E SLIC ut 84111
Paul Strickland	225 So 200 E SLIC ut 84111
Jeremy Powell	4106 W. 11770 S. 84095

# Flood Risk Posed to Neighbors by Ivory Home at 10427 Plum Harvest Way in Plum Blossom Subdivision

Carl Hurst  
10462 Culmination Street  
South Jordan, UT  
801-652-4092

# Water Retention Basin of Ivory Home Not Built to Plan Approved by City



3:1 Slope  
6'  
70' Long

**IVORY HOMES**

Downspouts  
on front  
of home  
to drain to  
street

All Downspouts  
currently drain  
to the backyard

The Plan  
shows all  
water  
drainage to  
the back  
yard

Any utilities shown are based upon the best information available & are subject to change. Ivory Homes assumes no liability for any utilities shown (or not shown). Ivory Homes will provide sufficient grading around foundation to allow water to drain away from the home. It is the home buyer's responsibility to maintain this drainage away from the home when grading for finished landscape. Home buyer cannot take extra care when installing, unloading or stacking in order to avoid impacting the drainage of neighboring lots. Elevations of the home will be determined solely at the discretion of Ivory Homes based upon utility, grade, neighboring homes & site conditions. All dimensions are approximate.

Subject to any changes necessary made at the discretion of Ivory Homes  
SCALE: 1/8" = 1'-0"  
DATE: 4/30/07

Drawn By: David

## Current Retention Basin is Much Smaller than Plan



The current retention basin is 13.5' wide by 16' long

## Flood Potential Already Demonstrated

- On Saturday, September 27 rain fell on South Jordan much of the day
- At 4:02pm the existing retention basin of the Ivory Home was nearing capacity



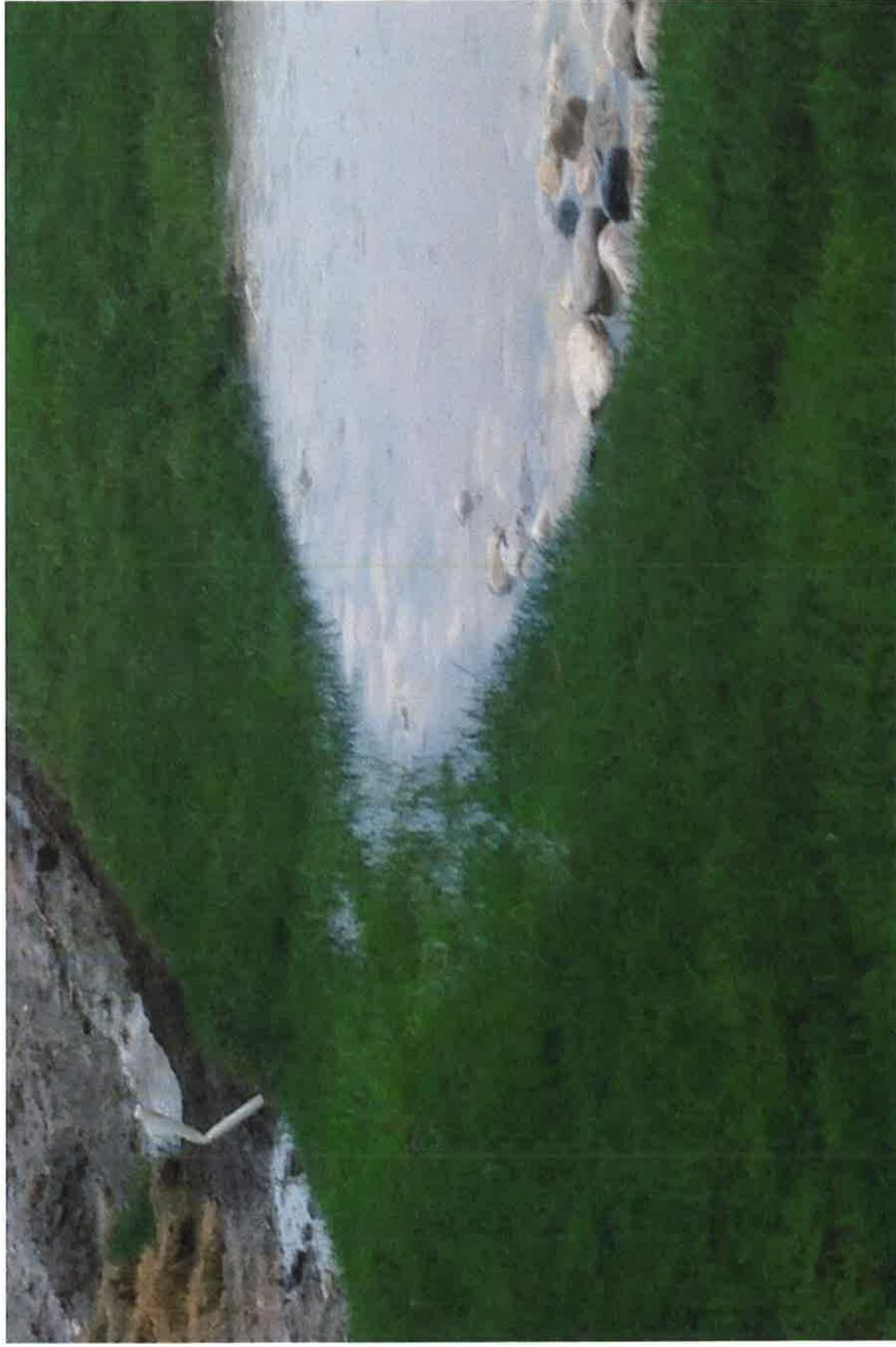
## Flood Potential Already Demonstrated

- At 6:13pm the retention basin of the Ivory Home was overflowing



## Flood Potential Already Demonstrated

- Close up of the overflow



## Flood Potential Already Demonstrated

- Ivory Homes was contacted and they pumped out the basin (photo taken at 7:11pm)
- If Ivory had not pumped the basin, it would have flooded onto my property and a neighbors



## Concerns and Requests

- Construction of the homes in Plum Blossom so much higher than the surrounding neighborhood has created an artificial flood zone for the neighbors
  - Curb level of Ivory home at 10427 Plum Harvest Way is approximately 20 feet higher than curb level of home at 10462 Culmination Street
  - Water from almost entire yard of the Ivory home, including all of the runoff from the roof, flows to the back yard and to the undersized retention basin (see plan)
  - The rocks in the retention basin, while attractive, reduce the volume of water the basin is capable of holding
- Request the city to require Ivory to construct the retention basin, according to the approved plans
- Request the city to require Ivory to make the downspouts at the front of the house drain to the street, according to the approved plans

**Thank you, for your time and  
consideration**

2014-15 Youth Council Roster for Oaths of Office

	Student Name	Date of Oath
1	Allen, Alexa	10-Oct-14
2	Allen, Savannah	16-Sep-14
3	Allen, Xan	16-Sep-14
4	Bailey, Mark	10-Oct-14
5	Balls, Nathan	10-Oct-14
6	Barnes, Kalyssa	10-Oct-14
7	Bennett, Sarah	16-Sep-14
8	Bingham, Rebecca	16-Sep-14
9	Bonnemort, James	16-Sep-14
10	Bonnemort, Sarah	16-Sep-14
11	Boswell, Andrew	10-Oct-14
12	Chen, Jiahui (Karen)	16-Sep-14
13	Christensen, Janell	16-Sep-14
14	Christensen, Kacy	16-Sep-14
15	Christensen, Karlie	16-Sep-14
16	Christensen, Kiylee	
17	Cox, Adam	10-Oct-14
18	Craghead, Jacob	16-Sep-14
19	Cronenwett, Janae	16-Sep-14
20	Degn, Joshua	
21	Dial, Lyndon	16-Sep-14
22	Dickerson, Noelle	16-Sep-14
23	Dodge, Mary	16-Sep-14
24	Draper, Sarah	10-Oct-14
25	Druce, Samantha	16-Sep-14
26	Evans, Kenzie	16-Sep-14
27	Fairbanks, Alexis	
28	Fairbanks, Grace	10-Oct-14
29	Ferrel, Tiffany	16-Sep-14
30	Figuroa, Michelle	16-Sep-14
31	Goff, Hadley	16-Sep-14
32	Green, Marisa	16-Sep-14
33	Hansen, Alexis	16-Sep-14
34	Hawkins, Caleb	
35	Hawkins, Jacob	16-Sep-14
36	Howarth, Kira	10-Oct-14

2014-15 Youth Council Roster for Oaths of Office

	Student Name	Date of Oath
37	Jager, Austin	
38	Knight, Cydney	10-Oct-14
39	LeVitre, Ali	
40	Lonni, Natasha	10-Oct-14
41	Lyman, Kayla	
42	Miller, Daylen J.	16-Sep-14
43	Murphy, Megan	10-Oct-14
44	Nelson, Riley	16-Sep-14
45	Nelson, Sean	10-Oct-14
46	Nielson, Tanner	16-Sep-14
47	Patty, Annabella	16-Sep-14
48	Patty, David	16-Sep-14
49	Radhakrishnan, Sridharan	
50	Rains, Christopher	
51	Robison, Kaili	
52	Siddamsettiwar, Nikita	16-Sep-14
53	Simpson, Laura	16-Sep-14
54	Sivulich, Brock	16-Sep-14
55	Smith, Abby	10-Oct-14
56	Smith, Baylee	10-Oct-14
57	Soutas, Jenessa	10-Oct-14
58	Staley, Seth	
59	Teply, Jessica	16-Sep-14
60	Teply, Lindsey	16-Sep-14
61	Vendemiatti, Guilherme	16-Sep-14
62	Wahlquist, Clara	10-Oct-14
63	Wang, Jeffery	
64	White, Jaedon	16-Sep-14
65	White, Joshua	16-Sep-14
66	Zook, Catharen	16-Sep-14
67	Zwahlen, Zachary	16-Sep-14

**RESOLUTION R2014 - 82**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ESTABLISHING THAT THE COUNTRY CROSSING PARK IMPROVEMENTS ARE TO BE PLANNED, FUNDED, AND DEVELOPED IN SUBSEQUENT CITY BUDGETARY PROCESS**

**WHEREAS**, park development, funding, improvement, and preservation are important to the health, safety, and well-being of the residents of South Jordan; and

**WHEREAS**, the Resolution R2014-71 proposed that the City spend up to \$275,000 in addition to amounts in the 5 year capital improvement plan to pay for improvements to the Country Crossing Park located in Council District 4 that was presented to the Council on August 19, 2014 at the South Jordan City Council meeting, which was changed at the meeting from an action item to a discussion item only, and it is anticipated that this or a similar resolution will be proposed in the future; and

**WHEREAS**, the City Council believes that all park improvements in the city should be appropriately prioritized in conjunction with consideration and analysis of other new parks, future planned parks, and other park improvement priorities in the city; and

**WHEREAS**, except for an emergency or extenuating circumstances, any anticipated park improvements should be made in the ordinary course of developing, setting, and establishing the city budget for parks, budgetary priorities, and financing for each fiscal year; and

**WHEREAS**, in the interest of being fair to all residents in all the council districts of the City, the City should appropriately prioritize all park improvements in the city in conjunction with all other planned park improvements and new park development and provide parks and park improvements that are equitable for all residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:**

**SECTION 1. Improvements to Country Crossing Park.** Any improvements or alterations to Country Crossing Park, shall be appropriately prioritized in subsequent city budgets or capital improvement project list, as recommended by city staff and approved by the city council, in conjunction with all other planned park improvements and new park development, including but not limited to the Welby Park.

**SECTION 2. Effective Date.** This Resolution shall become effective immediately upon passage.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	_____	_____	_____	_____
Chuck Newton	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Steve Barnes	_____	_____	_____	_____
Christopher Rogers	_____	_____	_____	_____

Mayor: \_\_\_\_\_  
David L. Alvord

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:

\_\_\_\_\_  
Office of the City Attorney