

SOUTH JORDAN CITY
CITY COUNCIL MEETING

September 15, 2015

Present: Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, Councilman Don Shelton, CM Gary Whatcott, Fire Chief Andrew Butler, Administrative Services Director Dustin Lewis, Police Chief Jeff Carr, Strategic Services Director Don Tingey, Development Services Director Brad Klavano, City Attorney Ryan Loose, COS Paul Cunningham, City Commerce Director Brian Preece, Finance Director Sunil Naidu, IS Director Jon Day, Public Works Director Jason Rasmussen, City Council Secretary MaryAnn Dean

Others: 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 as listed.

B. Invocation – *By Councilman Mark Seethaler*

Councilman Seethaler offered the invocation.

C. Pledge of Allegiance

Jacob Craghead, member of the Youth Council, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized the scouts that were present.

D. Minute Approval

1. September 1, 2015 Study Meeting
2. September 1, 2015 Regular Meeting

Councilman Barnes made a motion to approve the September 1, 2015 Study Meeting minutes, and the September 1, 2015 Regular Meeting minutes, as printed. Councilman Rogers seconded the motion. The vote was 4-0 in favor, with Councilman Newton not present for the vote.

E. Public Comment:

Ron Higham, said he has a family of cats. He said he had the cats before he knew about the Ordinance with the animal restrictions. He has had most of the cats since 2001. When he found out about the Ordinance regulating the cats, he also found out about the ban on pit bulls. He said the ban on pit bulls has now been removed. He asked the City Council to grant him the privilege of keeping the cats until they pass away from natural causes. He submitted 2 letters (Attachment B). One was from a neighbor that indicated she has only ever seen 1 cat outside. He said they take their cats to the vets and they are well maintained. He said they should change the Ordinance so that they can address the allowance of animals on a case by case basis. He noted that three of his cats have illnesses.

Kris Carlile, said he has a concern with some building practices by a developer in the city. He showed pictures of molding around windows that is pulling away from the homes (Attachment C). He said it is happening all over Daybreak. The builder has repaired some of them, but not all. With the storm today, he has leaking inside his home. He said there is no way he is the only homeowner dealing with this issue. The building inspector needs to see this and make sure it is done properly.

Mayor Alvord asked if using MDF on the exterior of a home meets our code? Community Development Director Klavano said it may be a materials issue, rather than a code issue. He will talk to the building official and follow up.

F. Presentations:

1. Youth Council Oaths – Group #2

Mayor Alvord administered the oath of office to the Youth Council, group #2.

2. Quarterly CIP Report – *(By Community Development Director, Brad Klavano)*

Community Development Director Klavano reviewed a presentation for the CIP quarterly update. (Attachment D). He noted that 2700 West will be done the middle of October. The project at 9800 South 4000 West is a street light project. He discussed the waterline replacement on 10400 South and Redwood Road; staff will consider the timing of UDOT working on 10400 South when doing this project. Councilman Barnes requested staff keep the zip line at the Riverfront Park. It was noted that solid fencing will be installed around the cemetery, adjacent to the neighbors.

Councilman Seethaler noted that a lot of the projects have not yet started. He asked if any are behind schedule? Mr. Klavano said a lot of the projects that have not yet started are facilities projects, and they will be starting shortly. He also noted that they are waiting to bid on some of the projects. If they bid this time of year, they don't get as good of prices.

G. Consent Items:

1. Appointment of Heather Smith and Katie Lindquist to the Arts Council for a two year term. *(By Councilman Don Shelton)*
2. Resolution R2015-58, authorizing the City Manager to sign the Public Works Mutual Aid Interlocal Agreement. *(By Public Works Director, Jason Rasmussen)*
3. Resolution R2015-60, authorizing the City Manager to sign a Multi-Jurisdictional Mutual Aid Agreement for Sheriff and Police Services. *(By Police Chief Carr)*
4. Proclamation, recognizing the 228th Anniversary of the constitution Convention and Constitution Week 2015. *(By City Attorney, Ryan Loose)*

City Attorney Loose said there is a dispute over some of the indemnification language from other cities in the valley. He requested that Resolution R2015-60 be pulled from the agenda.

Councilman Seethaler made a motion to pull Resolution R2015-60 off of the agenda. Councilman Barnes seconded the motion. The vote was unanimous in favor.

Councilman Rogers made a motion to approve items G.1, G.2., and G.4. Councilman Seethaler seconded the motion. The vote was unanimous in favor.

4. Proclamation, recognizing the 228th Anniversary of the constitution Convention and Constitution Week 2015. *(By City Attorney, Ryan Loose)*

Mayor Alvord read the proclamation.

Susan Holt, Salt Lake Valley Chapter of the Daughters of the American Revolution, reviewed the history and purpose of the Daughters of the American Revolution. She thanked the City Council for their support.

- H. **Public Hearing:** McKee Farms Subdivision Appeal AP-2015.09. Appeal of the Planning Commission's approval of the McKee Farms Subdivision; Applicant, Joe Lindsley, *(By City Planner, Greg Schindler)*

Planner Schindler reviewed the background information on this item.

Mayor Alvord opened the public hearing.

Chris Bagley, 2852 W. Amini Way, said he was one of the first residents that moved into the subdivision. A sign was never present on the wall indicating that a future development would be stubbed into the location that it is now planned for.

Kirk Reese, 2839 W. Proudest Ln., concurred that there was no sign installed on the wall. He has lived there almost 4 years. Their issue is with the design of McKee Farms and the funneling

of traffic to Monte Vista. There could have been a better neighborhood design; this is creating a safety hazard.

Ryan Paskett, 2855 W. Proudest Ln., said they picked this location to live because of the neighborhood. He said if this had come to their attention by the developer, they could have come up with a solution. He noted that he has been to several meetings on this issue to come up with a solution.

Dennis Wood, said they only moved in a few months ago. He said he knew some of the families before they moved in. There are a lot of families and young kids in this neighborhood. He said he feels like there is an alternative to this. The traffic will increase when this road goes through.

Joe Lindsley, 11002 Amini Way, said he represents his family and homeowners in Palomino Cove. Mr. Lindsley said they are appealing the Planning Commission decision regarding McKee Farms plat. He said no metal sign was provided to inform the residents of the eventual road connection, as required by code. Also, the plat map for Palomino Cove does not indicate that a road connection would be made. In addition, the block wall and curb and gutter along Proudest Lane indicate that there will be no connections to future development. Based on those factors, they purchased their homes without the required notification. The additional traffic that will come into their neighborhood, particularly to and from Monte Vista Elementary, will endanger the lives of their kids and neighborhood. It will also decrease the value of their homes. Also, the use of vinyl fencing along the canal is not according to code. A precast concrete wall is required next to hazardous areas. This is a violation of code and a safety hazard. They believe there are win/win options available. They are not opposed to the development; they want it built according to code and in a way that it does not impact the residents of Palomino Cove. They believe the conflict could have been avoided if the developer had met with them before the plat approval. They have been told that the McKee Farms subdivision has sufficient access to 2700 West and 3200 West without the road connection. He showed a plat map of Palomino Cove.

Mayor Alvord closed the public hearing.

City Attorney Loose explained that there is no respondent in this case. It was noted that the developer is not present. He said staff has looked at the issue and can answer questions. He said he feels the decision of the Planning Commission is legally defensible.

Councilman Rogers explained that in an administrative role, the City Council is limited in their ability to negotiate or compromise on this appeal.

Councilman Rogers asked if Mr. Lindsley has any evidence that shows that the developer of McKee Farms violated the code, not the city or the developer of Palomino Cove? Mr. Lindsley said no. He feels that the city and neighborhood are being pushed into this.

Councilman Rogers asked if any evidence was presented to the Planning Commission to show that the canal was a hazard? Mr. Lindsley said no. He said he did not even know about the vinyl fence for the canal until the developer spoke. The developer spoke after the residents.

Councilman Rogers asked what evidence do they have that this is a hazard? Mr. Lindsley said it is a safety hazard where kids play at the canal. People walk along the canal. From his personal experience, it seems like a possible hazard.

Councilman Rogers said the decision tonight regarding the appeal has no impact nor will it reverse the course of what was decided at the last City Council meeting. He noted a compromise that was approved by the City Council that the city would evaluate the traffic in Palomino Cove after 75% occupancy of McKee farms, and that the evaluation will occur within a year of the 75% occupancy, and at that time, the City Council would revisit the issue on whether or not to close the road. The 75 percent occupancy was determined so they would have a more accurate traffic count.

It was noted that there is nothing on the Palomino Cove plat to show that the roads would continue.

Mr. Lindsley said he was not aware that he could bring additional evidence. Councilman Newton asked if Mr. Lindsley was given an instruction sheet for the appeal? Mr. Lindsley said he spoke with staff about it, but received no sheet explaining the appeal process. It was further noted that the name of their subdivision, Palomino Cove, lends one to believe that it is somewhere you go in and out, and is not a pass through.

Councilman Shelton asked if Mr. Lindsley reviewed the plat before they bought a home in Palomino Cove? Mr. Lindsley said no, but the neighborhood appeared enclosed. They did expect there to be homes on the other side of the fence, but they did not expect the road to continue to another development.

Mayor Alvord asked what did the developer of McKee Farms do wrong in the design of the streets? Mr. Lindsley said he could have looked at how the Palomino Cove subdivision was recorded and looked to see if the metal signs were installed notifying neighbors of connecting streets. The developer should have researched to see if the adjacent streets were labeled as stub streets. He feels the Planning Commission should have rejected the application.

Councilman Rogers said there is no evidence that the metal signs were placed on the wall. Why were they not there? Planner Schindler said he does not know why. Councilman Rogers asked why was the Palomino Cove developer not required to put up the sign? Planner Schindler said he is not sure.

Mayor Alvord asked if there are signs like this in other areas of the city? CM Whatcott said yes. Community Development Director Klavano said he started in late 2005. He became aware, and started implementing the sign requirement in 2007. Councilman Rogers asked what is the remedy for the city's non enforcement of their code? City Attorney Loose said non enforcement of various codes happen in a city. The remedy is enforcement and ensuring the actions that are supposed to be taken are being taken. He said the responsibility for the signs is on the developer

of Palomino Cove and the city. With land use applications, the Planning Commission is required by law to approve if the application meets code.

Councilman Newton asked what happened to the appeal instructions to assist appellants? Mr. Loose said he is not sure if those instructions have been given out. He believes there has only been one other appeal since those instructions were made. He will follow up to ensure those instructions are being given out.

Councilman Newton said, at the least, they can put the information on the website to assist the residents. City Attorney Loose said this appellant was organized and addressed fully their concerns. He said the question is whose responsibility was it to notify the public of the stub street.

Councilman Newton said the sign not being up is not as much of a concern because the sign could have fallen off. He said it should have been recorded on the plat map. Planner Schindler said that is required in today's code. Staff is unsure if it was required in 2006 when Palomino Cove was done. They know it was not required in 2003. They would need to research and find out when that change was made.

It was noted that the Planning Commission did not identify the canal as a hazardous area, and that is why the decorative precast wall is not required. The area was identified as an incompatible use, and the vinyl fence was required. It was noted that canals are used for recreation; people walk and bike along them. There are other vinyl fences along the canal in the city.

Councilman Newton asked what would qualify as a hazardous area? Possibilities that were mentioned were electrical lines and a train track.

Councilman Newton asked if anyone called or discussed with staff why they felt it did not qualify as a hazardous area? Planner Schindler said he does not believe so.

It was noted that this approval was a preliminary subdivision plat. The zoning was changed on this property many years ago.

The City Council took a brief recess.

City Attorney Loose said staff has determined that the plat recordation was not in place in 2007, so it was not a requirement when the Palomino Cove subdivision was approved. He said he does not know how they can enforce on a different applicant something that was the responsibility of the Palomino Cove subdivision. The cure would be to put the notice on the wall now. The residents argue the stub street reduces their property value. They would need evidence to consider it. Even if the new neighborhood puts a detrimental effect, if it legally meets the requirement, the Planning Commission must approve it. The Planning Commission must decide when an area is hazardous. The canal was not found to be hazardous in the Planning Commission meeting. The canals, as a general rule, have never required a precast concrete wall.

It was reiterated that the plat was not required to have the stub street noted. City Attorney Loose said the Planning Commission's decision was defensible. Even if it was required, that would have been required by the Palomino Cove subdivision, not McKee Farms.

Councilman Seethaler asked if putting a sign up today remedies the nonconformance of that requirement? City Attorney Loose said yes. He said there could be a suit, if someone could prove damages for the loss of property value and proof that they would not have bought the home if it were for that.

Councilman Seethaler asked about the appeal instruction sheet. City Attorney Loose said he is not sure if that has been distributed. It is a courtesy, not required by law. Councilman Newton said staff did talk to the residents about the appeal and assist them in the process. It was noted that the appeal fee is \$375.

Councilman Barnes said he would be in favor of a refund of the appeal fee. Councilman Newton said he would go with the refund, but noted that instruction was given to the appellants.

Councilman Rogers made a motion to deny the appeal and make the following findings:

- **1-it was the duty of the developer of the Palomino Cove subdivision and the city to require the metal sign.**
- **2- The developer of the Palomino Cove subdivision and the city are responsible for placing that sign.**
- **3-The City failed to enforce the city code 16.04.180 E., regarding the metal sign on the Palomino Cove development.**
- **4-The lack of enforcement of the city code necessitates a remedy for enforcement and does not result in any culpability or demonstration that the developer of McKee Farms violated any city code provisions.**
- **5-Regarding the masonry fence, the City Council finds that no evidence was presented that the canal was a hazard, and the City Council has delegated the authority to make a hazard finding to the Planning Commission. They have not made a hazard finding, and there was no evidence presented other than the sole testimony of a few residents of the personal impact on their families. There was no evidence presented to the City Council that the canal is a hazard and based on the lack of evidence, the Planning Commission was well within its rights to make a determination if there is a hazard. They will uphold the decision of the Planning Commission that the canal is not a hazard.**
- **6-The legal staff should draft a written opinion consistent with this motion, decision, and discussion today;**
- **7-that they refund the appellant the appeal fee. Councilman Seethaler seconded the motion.**

Councilman Rogers amended his motion to include an additional finding that the recordation of the plat is a moot issue because regardless of if the plat identifies that the road will continue, that is not the responsibility of the developer of McKee Farms to place the sign, and the city code did not require the notation on the plat when it was recorded.

Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous 5-0 in favor.

Councilman Rogers reiterated that this does not foreclose the discussion at the last City Council meeting. They still may potentially close the road in the future.

CM Whatcott said they have been working with the developer of McKee Farms and making some amendments to the road design. They have added some crosswalks and stop signs, some rumble strips, and signage directing people to head north to get to the school. The developer has agreed to those changes. They will re-address the traffic issues in the future.

I. **Public Hearing: Resolution R2015-53**, approving the 2014 Consolidated Annual Performance and Evaluation Report (CDBG). *(By Jake Warner)*

Planner Warner reviewed the 2014 CAPER: CDBG Year-End Report (Attachment E).

Mayor Alvord opened the public hearing.

Celeste Eggert, Road Home Homeless Shelter, 210 S. Rio Grande St., thanked the City Council for past support of the Road Home Homeless shelter. She said there is an increase in homelessness, particularly among families. She said they serve over 7200 people annually.

Laura Watts, Family Support Center, 1760 W. 4805 S. (Taylorsville), thanked the City Council for helping them provide services. She indicated that their mission is to protect children, strengthen families, and prevent child abuse.

Mayor Alvord closed the public hearing.

Councilman Seethaler asked how safe is it for someone who is homeless to go to the Road Home? Ms. Eggert said the Road Home itself is a no tolerance, no drugs, and no alcohol facility. They do not kick people out during the day. Some dorms are closed for 2 hours during the day for cleaning. There is a drug use problem surrounding their facility. A large portion of the homeless struggle with addiction, and people prey on them. She said the Salt Lake Police Department has a new division of officers for the Rio Grande area. There are 8 new officers who are also social workers. They are making strides in remedying the situation. The goal is to get drugs out of the area. They are doing the best they can with the Police Department. The Road Home is also paying for a private security company to circle the perimeter and inside of the shelter and work with local police.

Ms. Eggert noted that they do give tours of the Road Home facility.

Councilman Barnes asked why is homelessness on the rise? Ms. Eggert said because of lack of affordable housing. She noted that 30 percent of a person's income that stays at the shelter goes towards housing at the Road Home.

Councilman Barnes noted the study session discussion about the Hope 4 Utah suicide prevention program. Is there going to be a problem with funding for the coming year if they set some money aside for that program? Mr. Warner said the problem is figuring out who they take money away from. They don't anticipate a significant increase in funding.

Mr. Warner said they are capped at 15 percent of the funds that can be used for the many worthy programs that are out there. The application deadline for CDBG funds is January 1, 2016. They will have to prioritize their needs when distributing the funds. It was noted that CDBG funds have to be used for low to moderate income individuals. CM Whatcott is to look at priorities of how the CDBG funds should be prioritized and consider what funds may be available to help fund the Hope 4 Utah program.

Mr. Warner reviewed the time he and staff spend on the administrative work of managing the CDBG funds. Councilman Seethaler said his understanding is that the County would get the funds if South Jordan did not participate in the CDBG program. Only a handful of residents are participating in the programs that they are funding. He asked if the overall administrative costs of the program would be less if the individual entities did not have to work to comply with the requirements? Mr. Warner said Mayor McAdams is leading a push in that direction. His opposition is that the city would then lose control of how the other 75 percent of the funds would be used.

Councilman Seethaler asked if they are concerned that they will receive an imposition of law in the zoning ordinance or their housing policies, as has been threatened, or is there ever a concern that by being designated as an entitlement city, they are on a slippery slope of federal control of their policies? CM Whatcott said if those things ever did take place, they could always opt out of taking the CDBG funds.

CM Whatcott said the way the funds used to be distributed by the County, South Jordan did not get a fair amount of the funds for their senior programs, etc. He said the aggregate program will only be a good model if they have a good partner.

Mr. Warner said his biggest concern with the program is waste, as they are only able to actually use 40 cents on the dollar. He said HUD is fully aware of the push back from local control being lost. They still have to comply with the fair housing act.

Councilman Seethaler expressed concern about possible federal control over issues such as zoning. He said he worries that they might regret being an entitlement city one day.

Mr. Warner reviewed who is on the committee for funding. He also reviewed what is involved in the proposed Redwood Road study.

Councilman Newton made a motion to approve Resolution R2015-53. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous 5-0 in favor.

- J. **Public Hearing:** Ordinance 2015-12, Text Amendment to Sections 13.04.280 and 13.08.210 of the City Municipal Code; and Resolution R2015-42, adopting the South Jordan City Water Shortage Management Plan and update the City Fee Schedule with Water Restriction Fees. *(By Public Works Director, Jason Rasmussen)*

Public Works Director Rasmussen reviewed a presentation on the proposed text amendment (Attachment F).

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

Councilman Barnes asked about the language that says the Mayor may make a proclamation to implement an emergency plan. Mr. Rasmussen said it would need to be done by proclamation or Resolution. They are changing the language to say that the CM is authorized to enact those restrictions. Councilman Barnes asked if it makes sense to have the Mayor issue a proclamation, with their form of government, versus the City Council doing a Resolution. City Attorney Loose said it is fine to vet the responsibility to the City Manager. He said they are not enhancing or removing the Mayor's powers. This does not create a problem either way. The Mayor has to declare an emergency.

Councilman Shelton asked what phase are they currently in? Mr. Rasmussen said they are not in any phases currently. If they have another winter like last winter, they will likely see a water restriction.

Councilman Shelton made a motion to approve Ordinance 2015-12. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous 5-0 in favor.

Councilman Barnes made a motion to approve Resolution R2015-42. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous 5-0 in favor.

- K. **Action Item:** Resolution R2015-57, authorizing the expenditure of \$400,000 from the Water Operating Fund for the Purchase and Installation of the Second Phase of the Fixed Network Water Meter Reading System. *(By Public Works Director, Jason Rasmussen)*

Public Works Director Rasmussen reviewed a presentation on the purchase and installation of the second phase of the fixed network water meter reading system (Attachment G).

Councilman Newton asked when they will be rolling out the portal of phase 1? Mr. Rasmussen said it will be up and running in the next month or two. He said for the last two years, all homes have been installed with the right equipment so future new homes will be on the system automatically.

Councilman Shelton made a motion to approve Resolution R2015-57. Councilman Newton seconded the motion. Roll call vote. The vote was unanimous 5-0 in favor.

L. Action Item: Transportation Tax Vote Letter. *(By City Attorney, Ryan Loose)*

Mayor Alvord reviewed the edits to the tax vote letter (Attachment H).

The City Council determined to take out the language about it costing \$200 per family. They also determined to add websites to the letter that directs people to get information regarding the tax vote. The websites that will be included will be the city website, the Utah Taxpayers Association, The Utah Transportation Coalition, the website for Proposition, the URTI, and the Americans for Propriety.

The City Council determined that they would include the figure 25 cents for every dollar spent.

The City Council determined to include in the letter the language that “their present choices can have significant impact on future generations.”

Councilman Seethaler noted that if the Salt Lake County residents approve this, it is going to be applied county wide, all or nothing.

Councilman Newton made a motion to approve the Transportation tax vote letter, as amended.

Councilman Rogers amended his motion to include an addition to the letter clarifying “if the proposition passes by Salt Lake County voters.” Councilman Shelton seconded the motion. The vote was unanimous in favor.

Mayor Alvord indicated that he would sign the letter, as edited.

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

This item was done later in the meeting.

Councilman Newton made a motion to go into an executive session for the purpose of discussing the purchase, exchange, or lease of real property. Councilman Barnes seconded the motion. The vote was unanimous in favor.

Councilman Newton made a motion to come out of closed meeting, go back into an open meeting, extend the City Council meeting to go past 11, and then go back into a closed meeting for the purchase, exchange, or lease of real property. Councilman Seethaler seconded the motion. Roll call vote. The vote was unanimous 5-0 in favor.

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

Councilman Seethaler made a motion to come out of closed meeting and go back into a City Council meeting. Councilman Shelton seconded the motion. The vote was unanimous in favor.

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

Mayor Alvord said they met one last time as a Mountain View Corridor Committee. Representatives from the Jordan School District were there. The shuttles will continue for the next few months getting kids across the busy roads. They may need to ask for an additional shuttle in the future.

Councilman Rogers noted a lunch he had with Mayor Alvord and Mia Love. They discussed housing issues at the federal level and addressed planned parenthood and the federal budget.

Councilman Rogers noted that they met as a TEC Committee. If they add up the total value added from the RDA projects in the city, they have increased the tax value over \$1 billion from the base rate.

Councilman Rogers said he is also going to push again to try to get rid of the bridge to nowhere. He said it is effecting their economic development in the area. He feels it would be worth it to invest their own money, if needed, to get rid of the bridge.

Councilman Seethaler said he had a great time at the taste of South Jordan event. It was well done.

Councilman Seethaler said he will be out of town for the October 6th City Council meeting. He would like to participate electronically for the RDA portion of the meeting.

Councilman Seethaler said at the TEC meeting yesterday, it was noted that many communities have moved to extend the time of their RDA areas. South Jordan has not done that. They have one more RDA area due this year; other areas are forthcoming. He said the taxing entities on the TEC are impressed with how South Jordan sets up and manages the RDA areas.

Councilman Barnes also noted the taste of South Jordan event that he attended last night.

Councilman Barnes said the County Health Department released a press release last Friday that they have the first human case of west Nile virus reported this year.

Councilman Barnes asked about the resident that came in tonight about his cats. Mayor Alvord said Mr. Higham has 12 cats. A family member alerted the County Health Department, and they alerted the city to the Ordinance violation. For most cities, the limit is 2 cats; some allow up to 5 with a hobby license.

City Attorney Loose said they addressed household pets in the city a few years ago. Most wanted the limit at 2, some were okay with 3 or 4.

Councilman Barnes noted that the Mosquito abatement district would be happy to come do a presentation for the City Council, if they are interested.

Councilman Newton noted that he attended the Jordan School District strategic priorities planning meeting.

Councilman Shelton asked that they discuss handling skunks in the city, at a future work session. CM Whatcott said they have been handling raccoons that are causing problems. He said Sandy City pays for the skunk service. He said they can't take a skunk to the animal shelter. He will get all of the information to the City Council on that issue.

CM Whatcott expressed frustration that the Legislature left the cities to take care of the wildlife problem when they chose not to fund it. They have not relinquished the duty, they just defunded it. City Attorney Loose said he would talk to the League and find out where they stand on that issue.

CM Whatcott said the cost for Marv Allen to do the secondary water study, including designing the project feasibility, is \$26,000. He briefly described the scope of the project. He said he would bring the item back, if the City Council is interested. The cost would come out of the water fund. The City Council indicated that they would like to talk about the issue further.

Councilman Rogers, Councilman Barnes and Councilman Newton said they were okay with the study. Councilman Seethaler expressed concern about using federal funds for the project. It is a similar issue to him as the CDBG funds. He is also concerned about the cost benefit to the residents.

CM Whatcott said staff is spending time on the project. He said they want to see if the City Council really wants to get behind it.

CM Whatcott noted that the project is to reuse water for potable use. He explained that the front end is all recycled water. The idea is to do a demonstration plant. Councilman Newton said he is fine with that project.

City Attorney Loose said the current law does not allow direct reuse.

Councilman Rogers suggested the issue be put on a future work session agenda. Councilman Newton and Councilman Rogers expressed support for the project.

Councilman Seethaler said Utah still has the lowest cost per gallon in the nation. Utah water reuse is a long ways a way.

CM Whatcott said because they have no shares or water rights, they are leaving the cost of the water in the hands of future retailers. Their only other option is through recycled or secondary water. He said he would bring this back on a work session agenda. They will start by talking

about the issue in its entirety to make sure the City Council supports it. He said for the first time, they have representatives from the state willing to discuss the issue with them. If there isn't support for the project, there is nothing to discuss.

The City Council decided to postpone the discussion until right after the November election so they can involve the City Council elect. City Attorney Loose said they can't wait too long because they are talking about sponsoring legislation for a demonstration project.

It was noted that the City Council will not be meeting on the 5th Tuesday of September or the 1st Tuesday in November. CM Whatcott said there is a possibility that they will have to schedule a special meeting to discuss a Kennecott issue.

ADJOURNMENT

Councilman Newton made a motion to allow for Councilman Seethaler to participate electronically for the October 6th City Council meeting, and to adjourn tonight's meeting. Councilman Shelton seconded the motion. The vote was unanimous in favor.

The September 15, 2015 City Council meeting adjourned at 11:48 p.m.

This is a true and correct copy of the September 15, 2015 Council Meeting minutes, which were approved on October 6, 2015.

Anna M. West
South Jordan City Recorder

SOUTH JORDAN CITY
City Council and RDA Combined Meeting
SEPTEMBER 15, 2015
6:00 P.M.

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME	PRINT ADDRESS
Rick Bradley	9429 Dunbar Cv. S. 84095
Kris Cahill	10356 Millerton Drive
Dave & Mandy Barnes	11044 S. Amini Way
Amy Dorsey - SVS -	P.O. Box 1028 - WJ, 84084
Glen Braun	5072 Rosewood Drive
Alan Lind	11000 Amini Drive 84085
Covalee Knadler	2855 W. Amini Way 84095
Emma Knadler	" "
Alexa Knadler	" "
Olivia Knadler	" "
Lisa Zimmerman	9930 W. Chapel Ridge Dr. 84095
Jon and Larissa Frank	10651 S. Bison Trail Cove 84095
Susan Holt - DAR	10814 Heather Ridge Sordly 84070
Joe & Aimee Lindley	11002 S. Amini Way
Cindy Higgins	3278 Conner Dr.
Mark Pizzini	4596 Warm Canyon Lane
Mike Bonsey	11002 Amini Way
Traci Hancock	11002 Amini Way
Max Gordon	4497 Pale Moon Ln
Alie Bleak	2818 Amini Way
Kirk Reese	2839 W. Proudfoot Ln
John Jeffery	2831 Amini Way

Attachment B
9-15-15 C.C. Mtg.

Jolie R. Pope DVM
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Branson West, MO 65737
417-699-8098
joliepope@gmail.com

August 28, 2015

To whom it may concern,

I have known Ron and Cindy Higham for approximately 14 years. I provided veterinary services during this time until I retired from clinical practice on March 15, 2014. Ron and Cindy's love and devotion to their kitties was obvious and they took exceptional care of their cats. Their pets were always current on vaccines, spayed and neutered, fed good quality food, and received regular veterinary preventative health care, as well as diagnostics and medical care to treat any health concerns when needed. Both Ron and Cindy are very bonded to their cats and consider them as part of their family. They do not have any biological children and their cats are very important to them. All of the Higham's cats are geriatric and some have health concerns, such as diabetes, that require medical care. Their cats would likely not be adoptable and most, if not all, would end up euthanized. This would cause both Ron and Cindy severe emotional trauma as it would any person who was bonded to their pets. The emotional stress could also jeopardize Ron and Cindy's health, as to my knowledge they both have heart disease. I encourage you to work with Ron and Cindy to help them keep their kitties until they have all passed away from natural causes.

Thank you,

Jolie Pope DVM



September 14, 2015

Irwin Laroza
3248 Corinne Dr.
South Jordan, UT. 84095

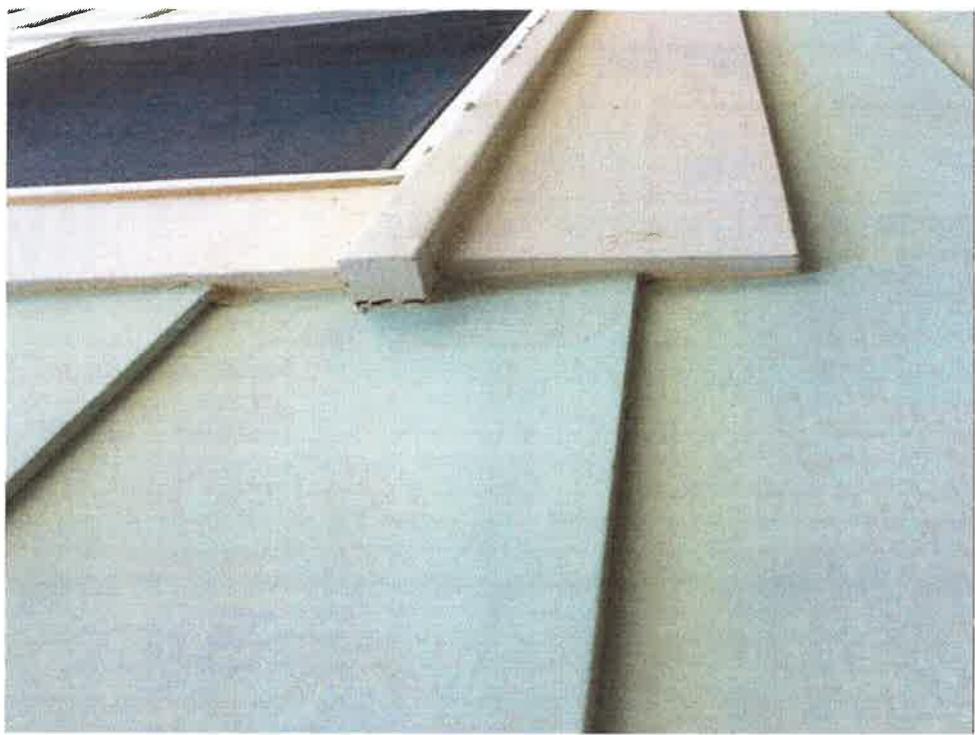
To whom it may concern,

My name is Irwin Laroza and I have been the Higham's next door neighbor for almost the past 5 years. During this time, the Higham's have been excellent neighbors. We understand and know that the Higham's own several indoor cats. As their neighbor, I've only seen one cat that I believe lives both inside and outside the Higham's home. None of his cats have been a nuisance to our home.

Sincerely yours,

Irwin Laroza

Attachment C
9-15-15 C.C. Mtg.



Rainey Homes
Address:
Millerton Drive
10200 - 10400 S.
4200 W.





**Infrastructure Improvement and
Maintenance & Operation
Program**

Quarterly Update



FISCAL YEAR 2014-2015

DIVIDE ZONE 4 INTO TWO ZONES

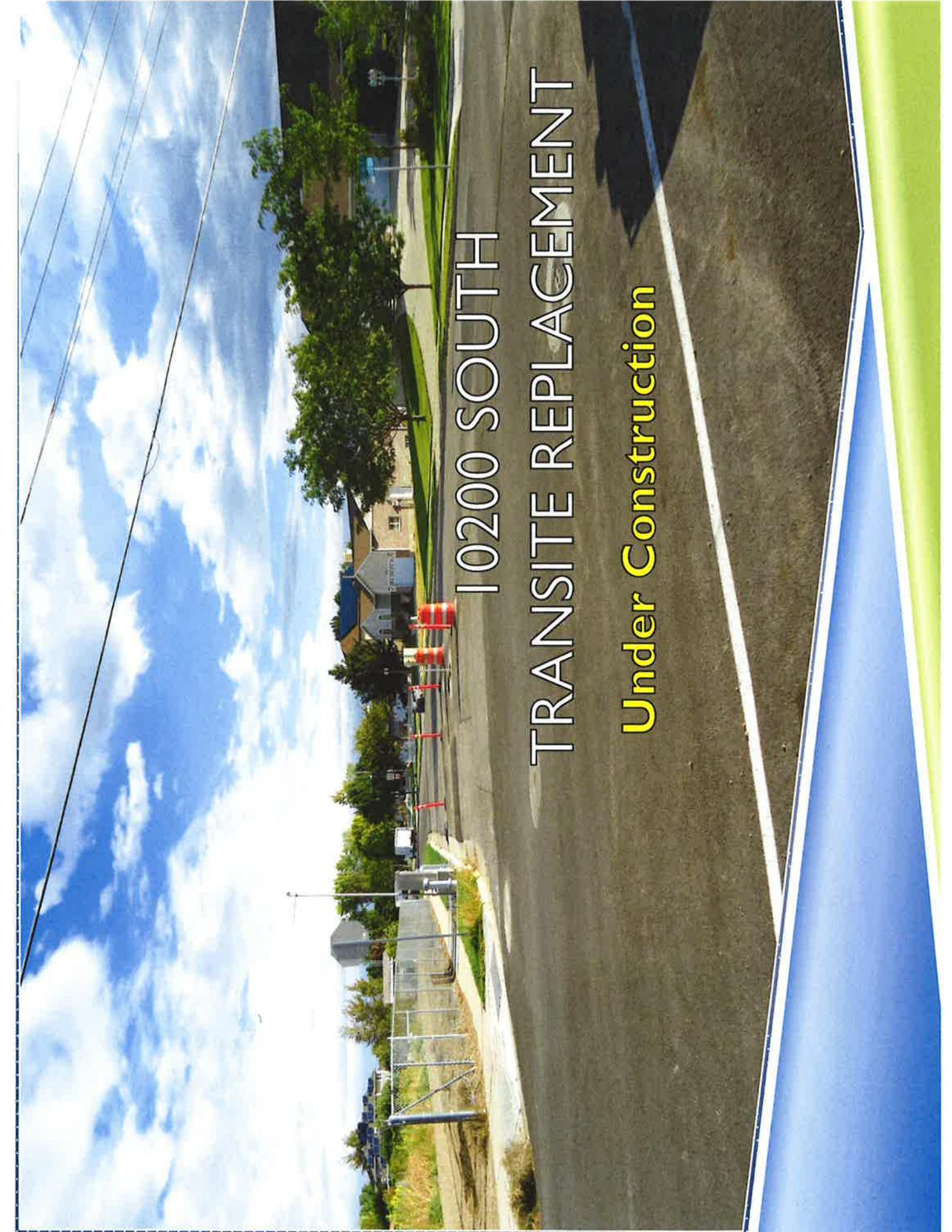
Bid documents completed



ZONE 4 VAULT UPGRADE

Completed

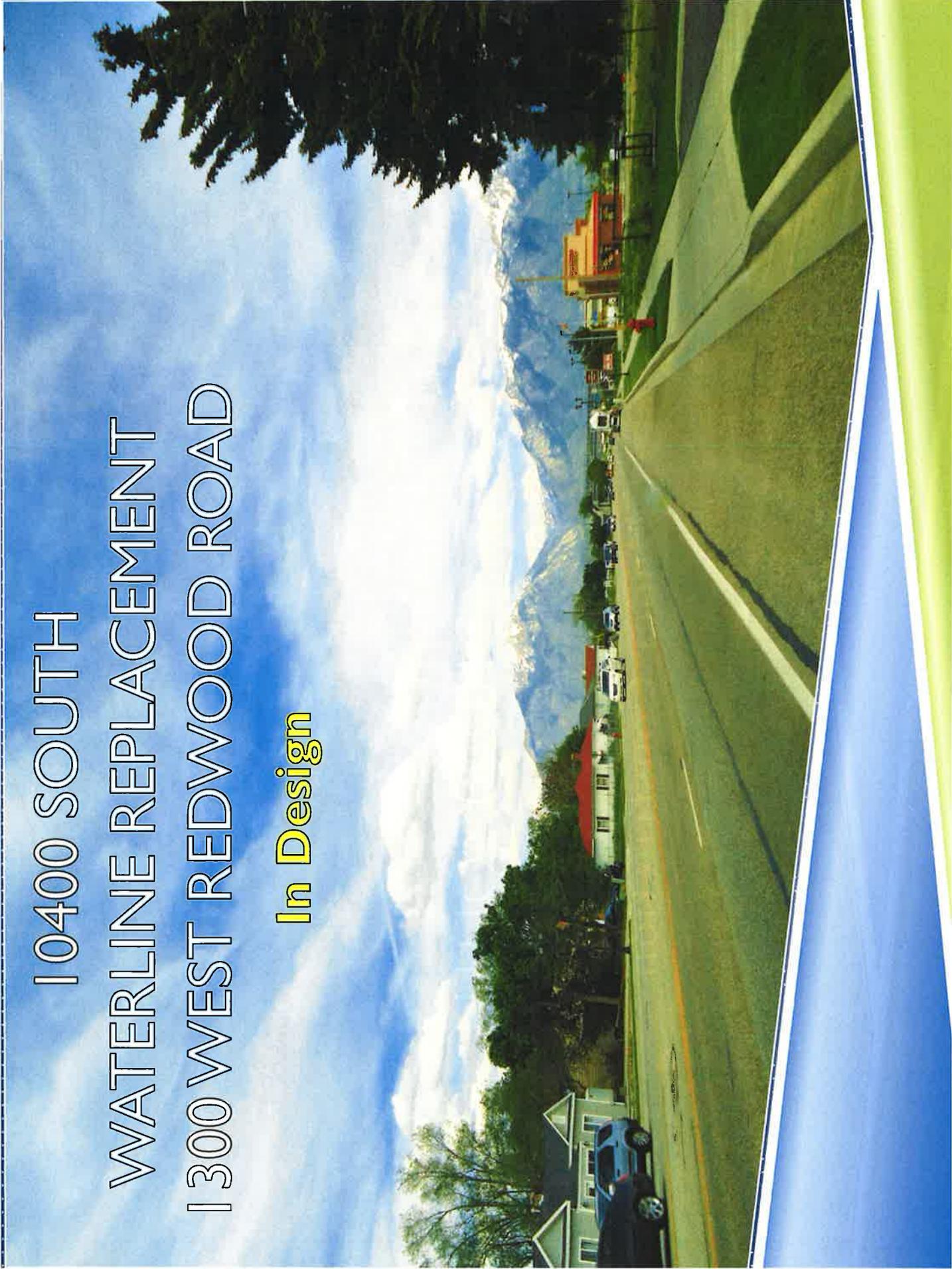


A photograph of a road under construction. The road is paved with asphalt and has a white line on the right side. In the background, there are orange traffic barrels, a fence, trees, and a house. The sky is blue with white clouds. The text '10200 SOUTH' is written vertically in white, and 'TRANSITE REPLACEMENT' is written vertically in white below it. 'Under Construction' is written vertically in yellow below that. The bottom of the image has a blue and green decorative border.

10200 SOUTH
TRANSITE REPLACEMENT
Under Construction

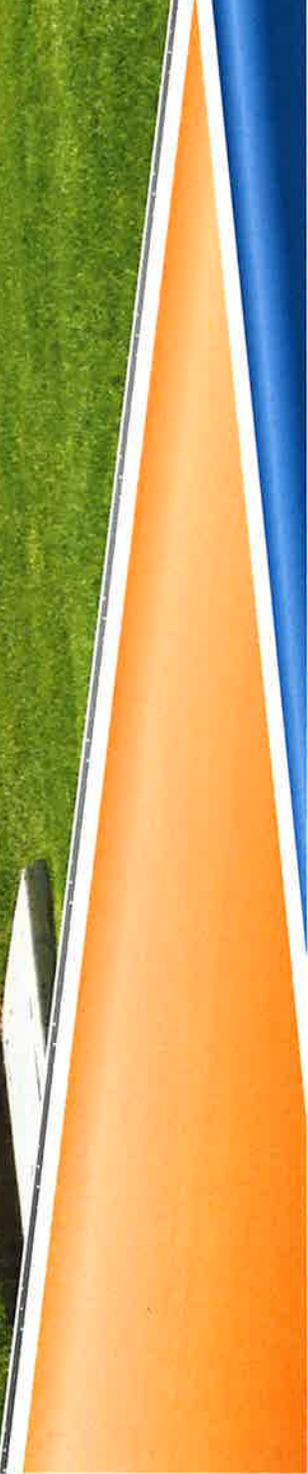
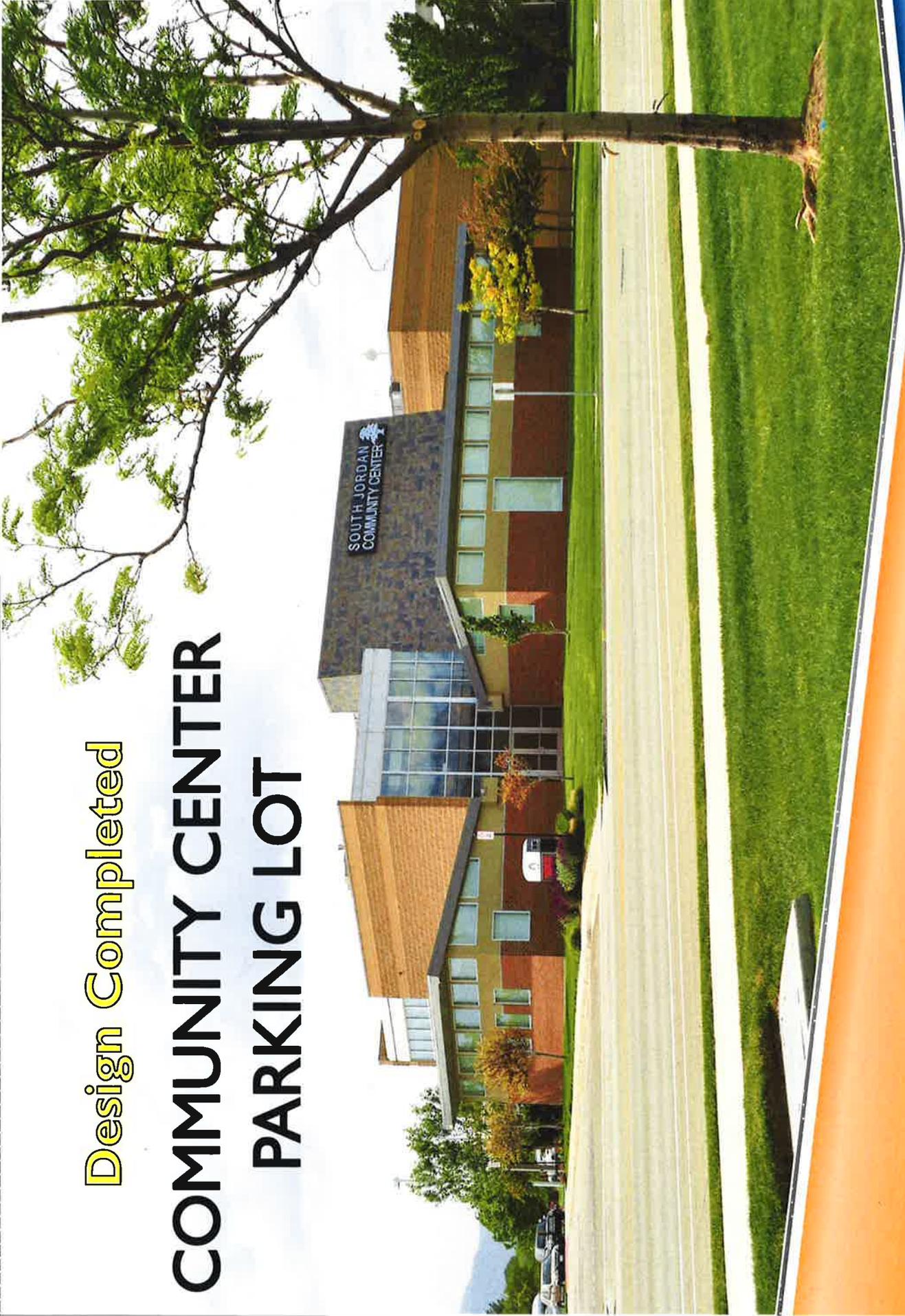
10400 SOUTH
WATERLINE REPLACEMENT
1300 WEST REDWOOD ROAD

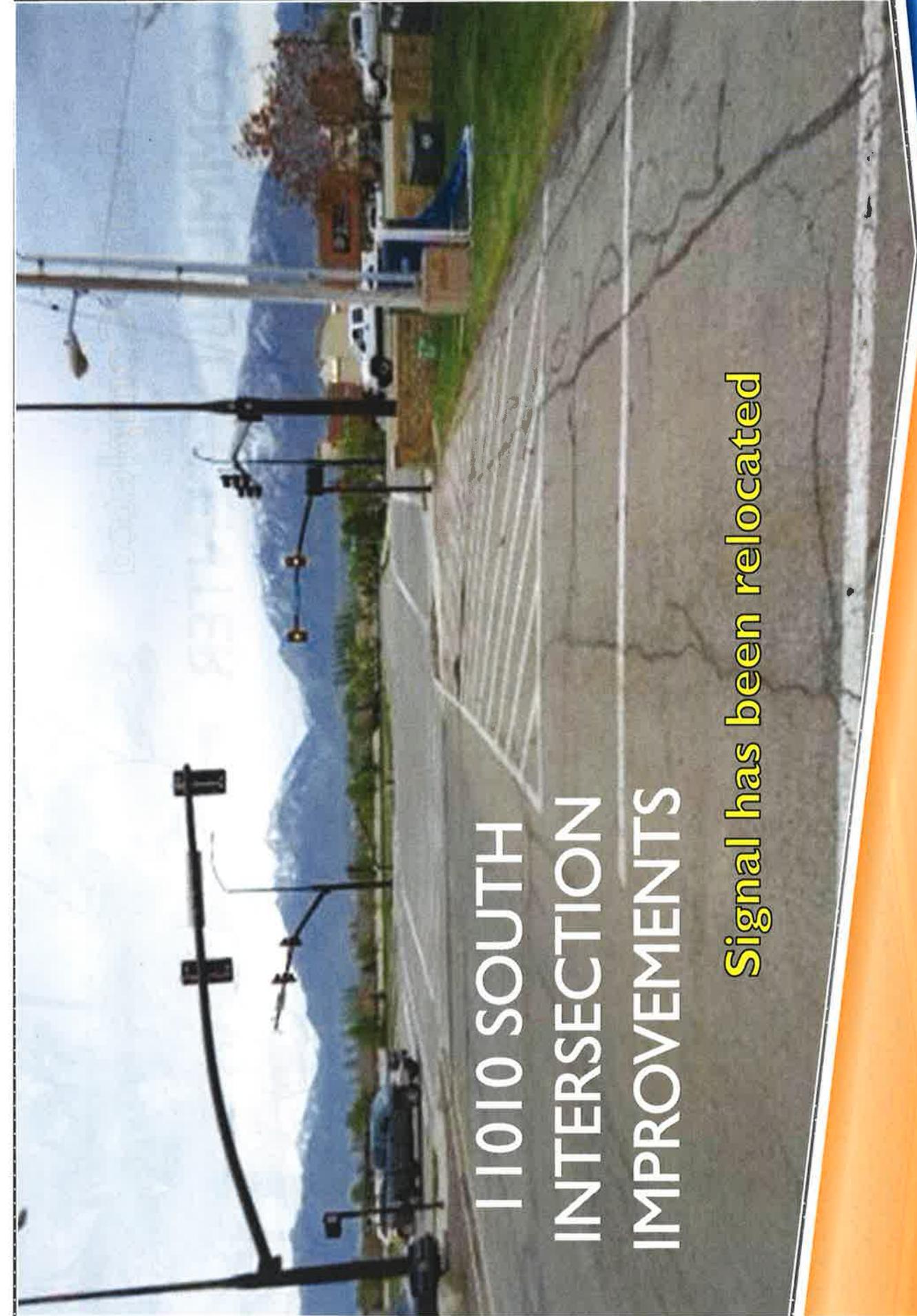
In Design



Design Completed

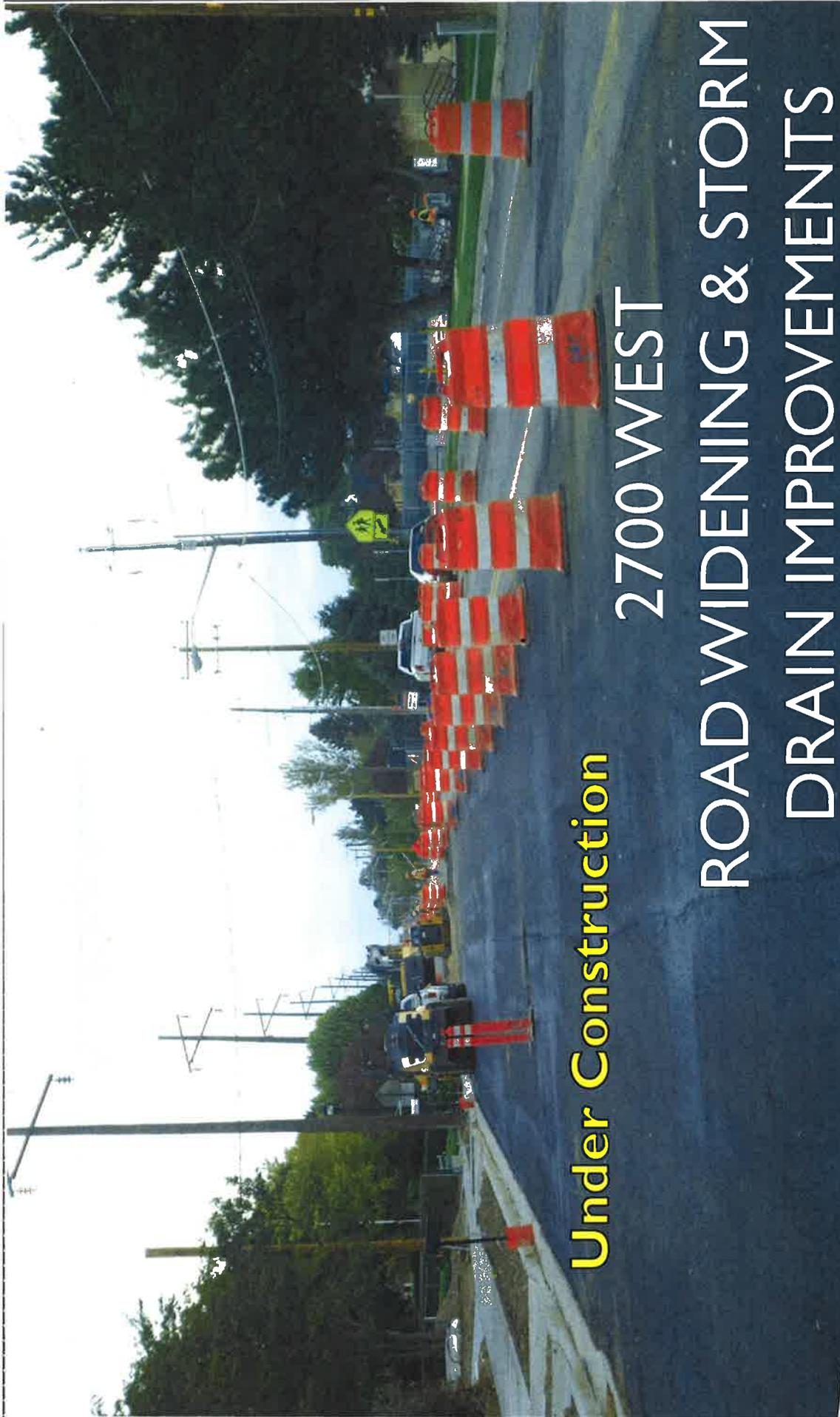
COMMUNITY CENTER PARKING LOT



A photograph of a multi-lane road intersection. In the foreground, there are several lanes of asphalt with white lane markings. A traffic light pole stands on the left side of the road. In the background, there are mountains under a cloudy sky. The text '11010 SOUTH INTERSECTION IMPROVEMENTS' is overlaid on the image.

11010 SOUTH INTERSECTION IMPROVEMENTS

Signal has been relocated



Under Construction

2700 WEST

**ROAD WIDENING & STORM
DRAIN IMPROVEMENTS**

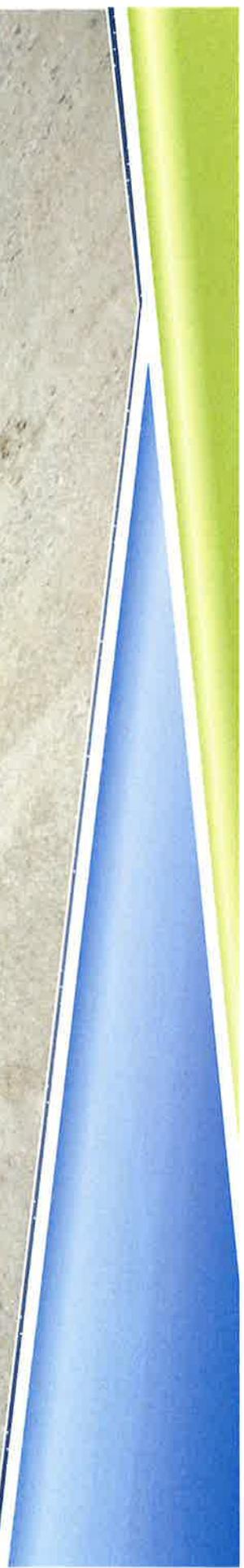


FISCAL YEAR 2015-2016



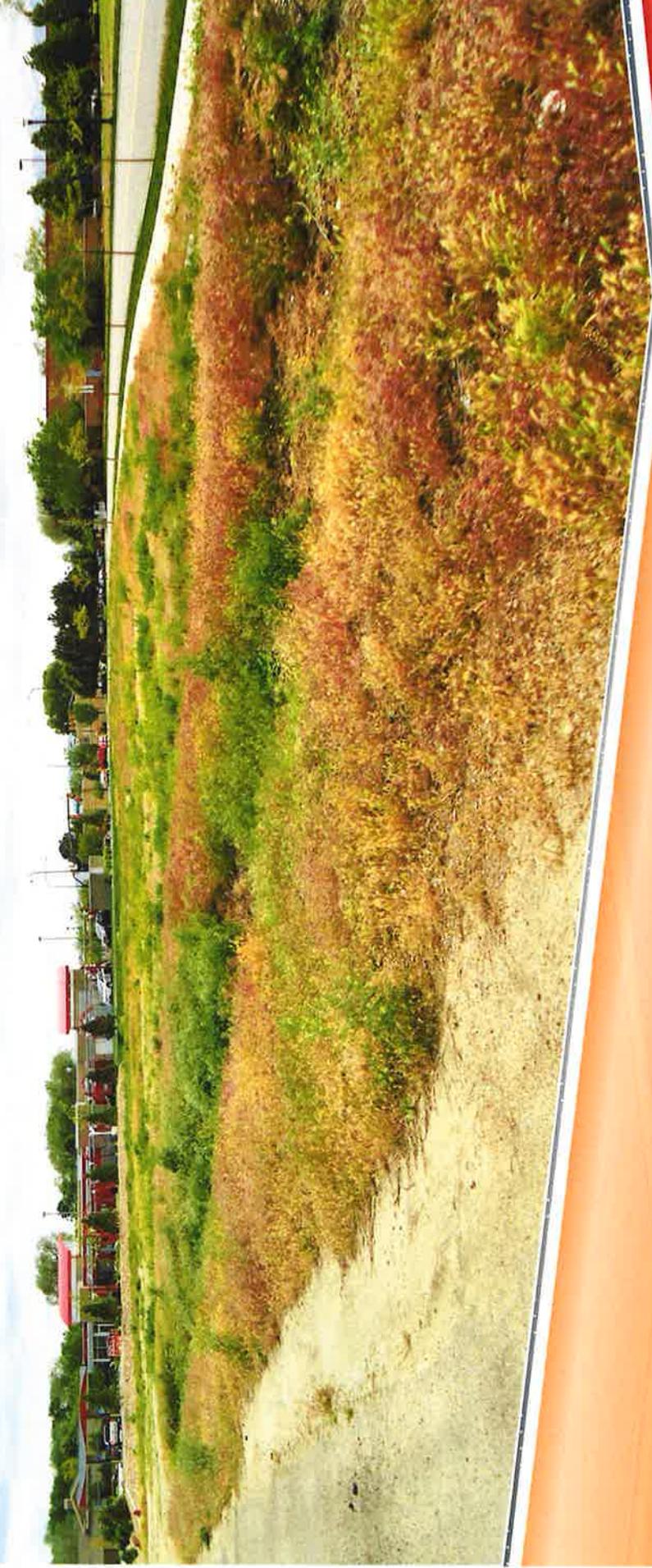
CONVERTING PARKS TO SECONDARY WATER

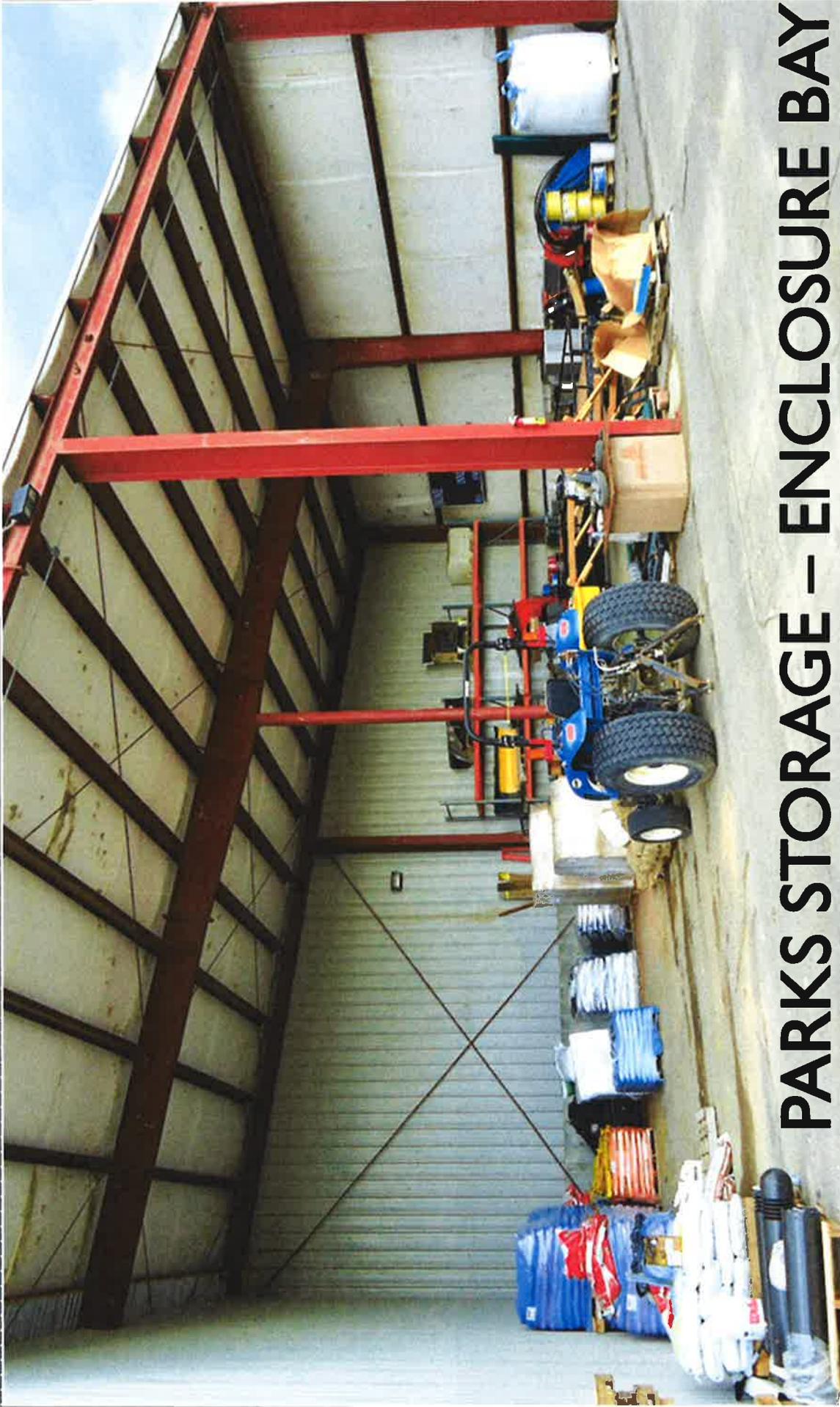
RFP is under review



FIRE STATION 63

In Process





PARKS STORAGE – ENCLOSURE BAY

Not Started

SOUTH CITY PARK MASTER PLAN DESIGN HERITAGE PARK PLAZA RECONSTRUCTION

Bid has been awarded



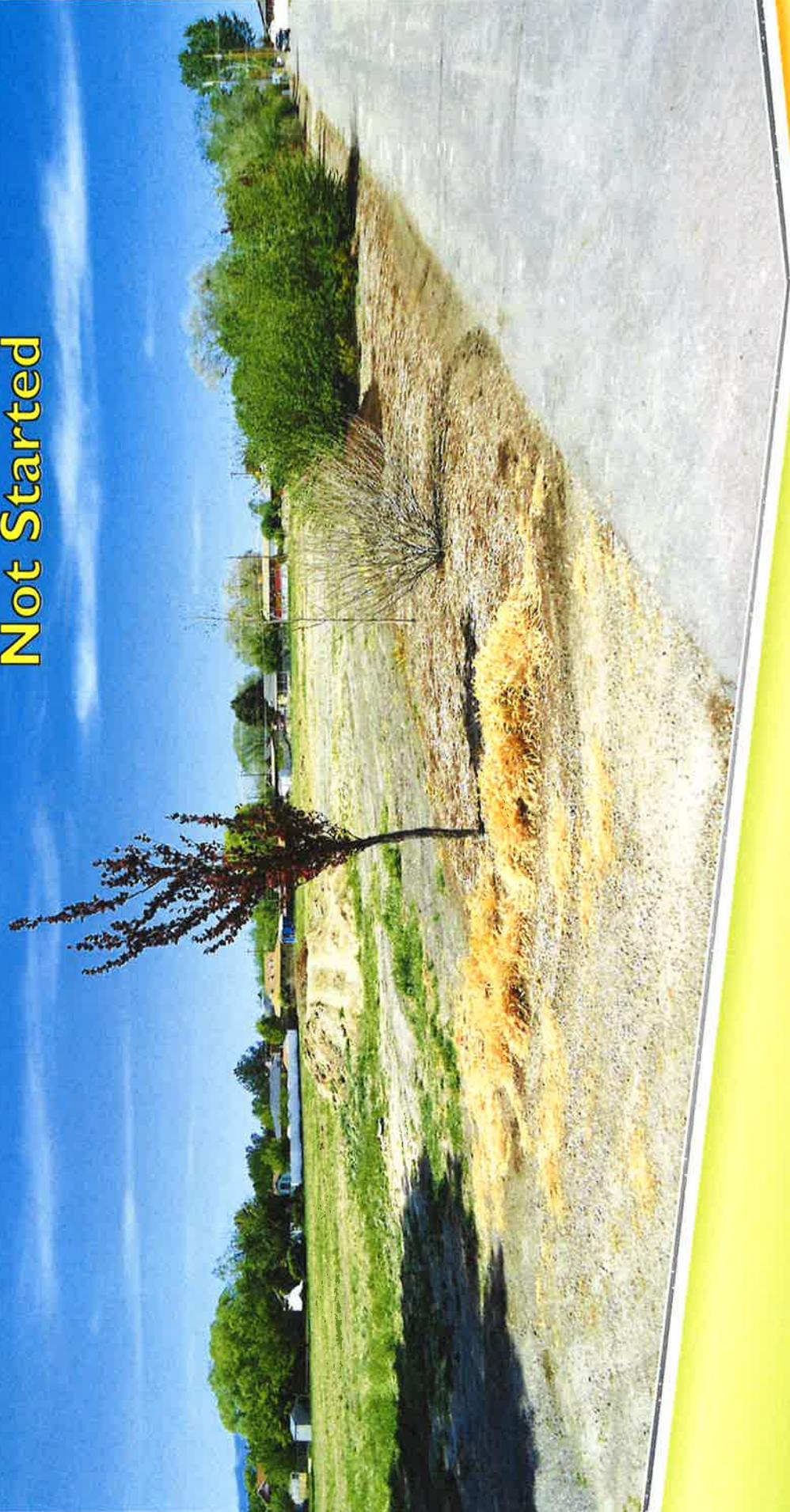
HERITAGE PARK | MASTER PLAN



b10 conceptual plan

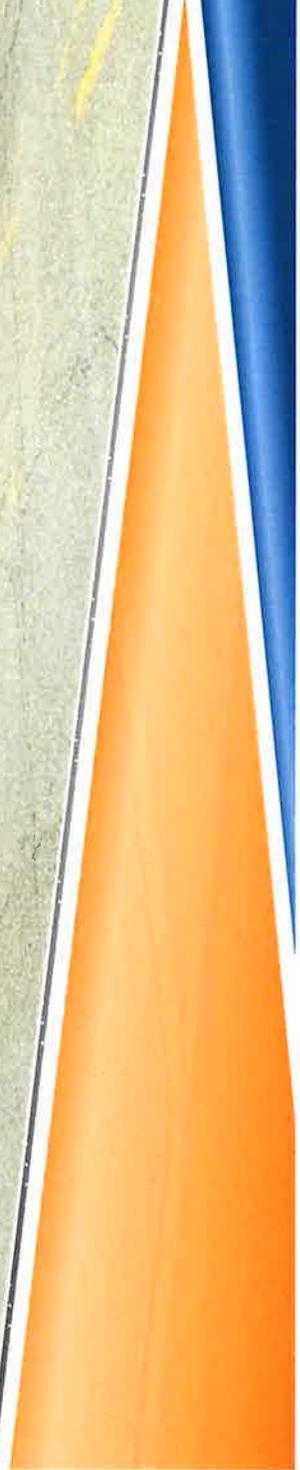
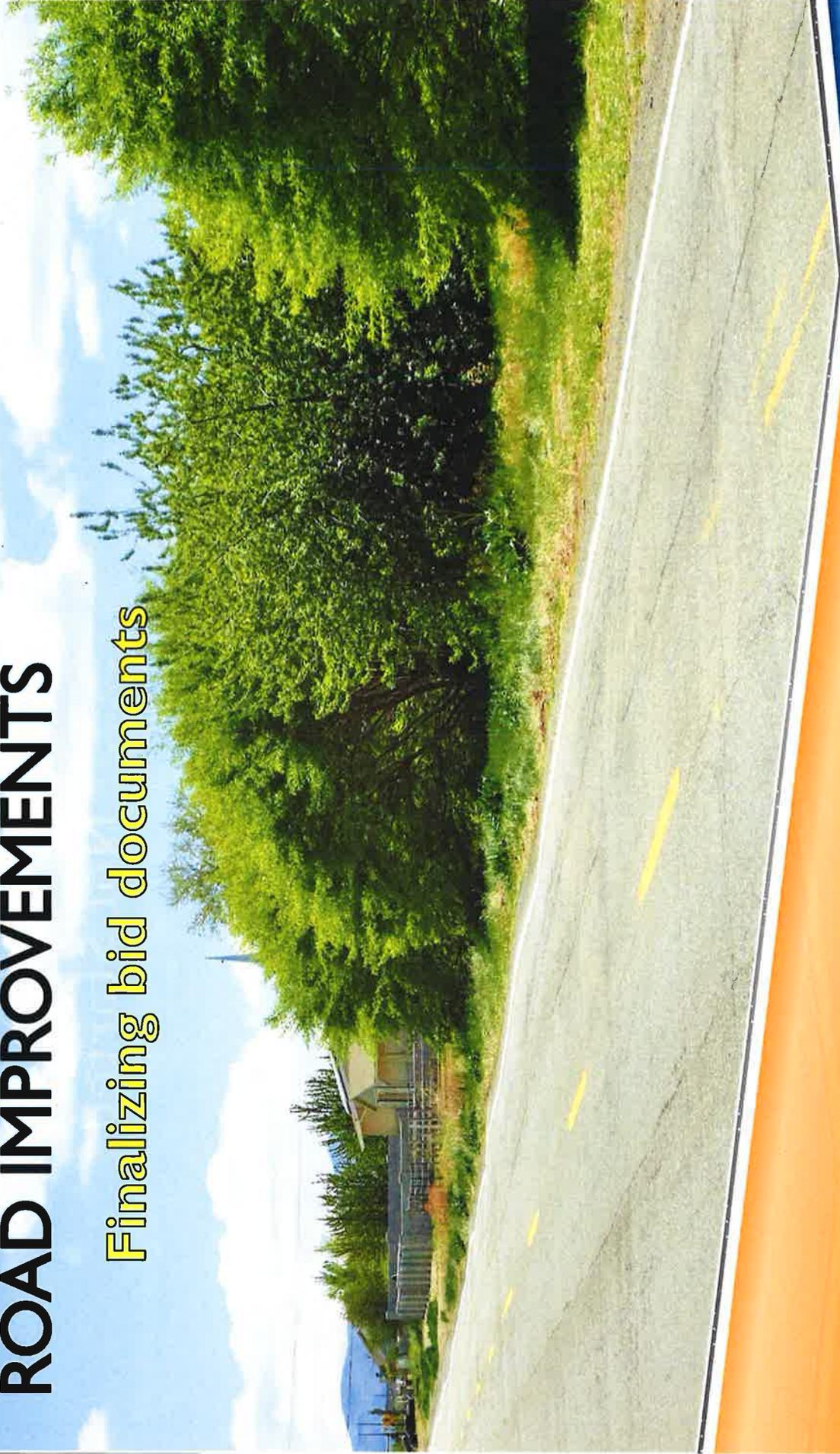
CEMETERY LANDSCAPING IMPROVEMENTS

Not Started



3200 WEST ROAD IMPROVEMENTS

Finalizing bid documents



SOUTH RIDGE TRAFFIC SIGNAL

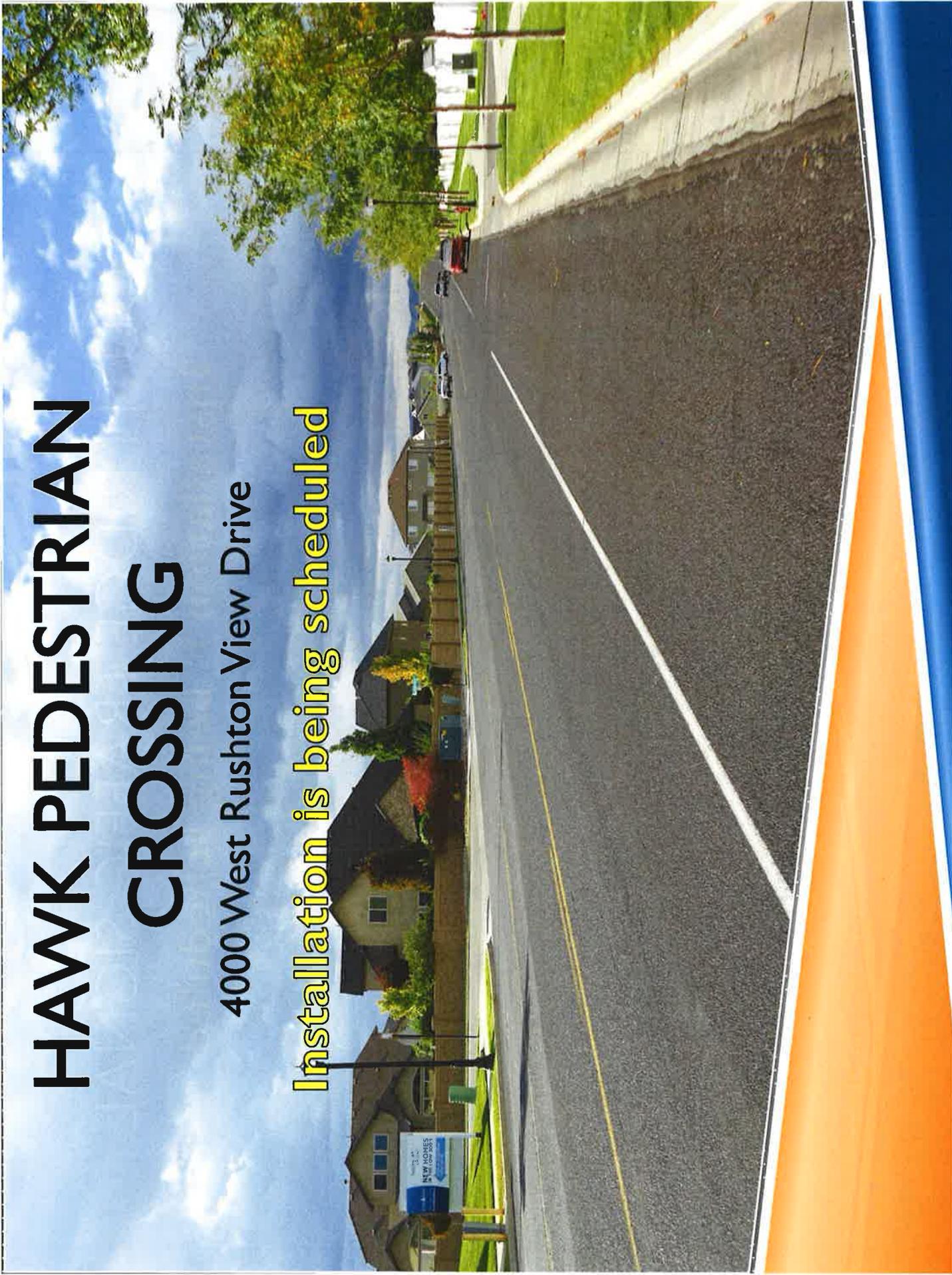
Installation is being scheduled

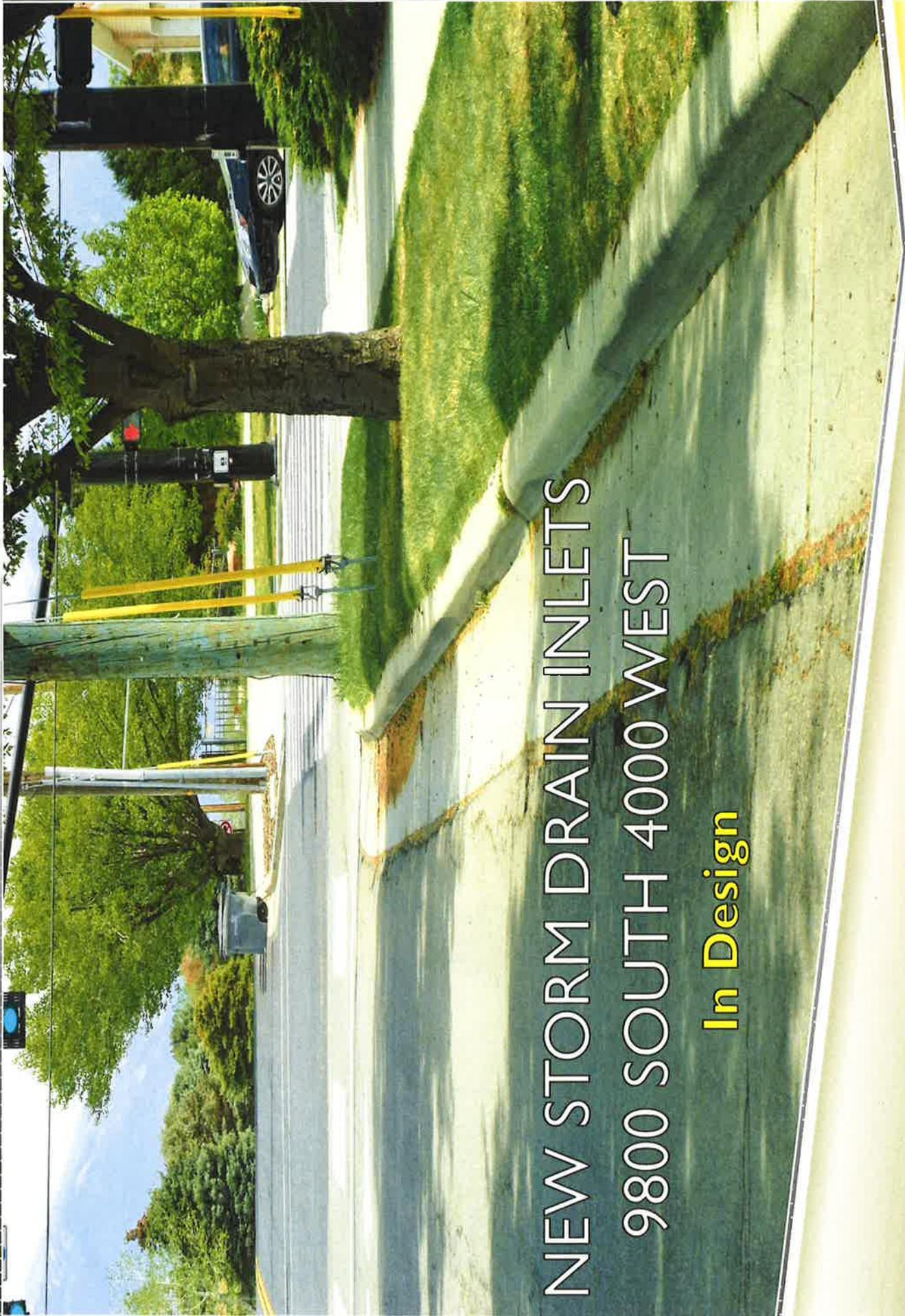


HAWK PEDESTRIAN CROSSING

4000 West Rushton View Drive

Installation is being scheduled



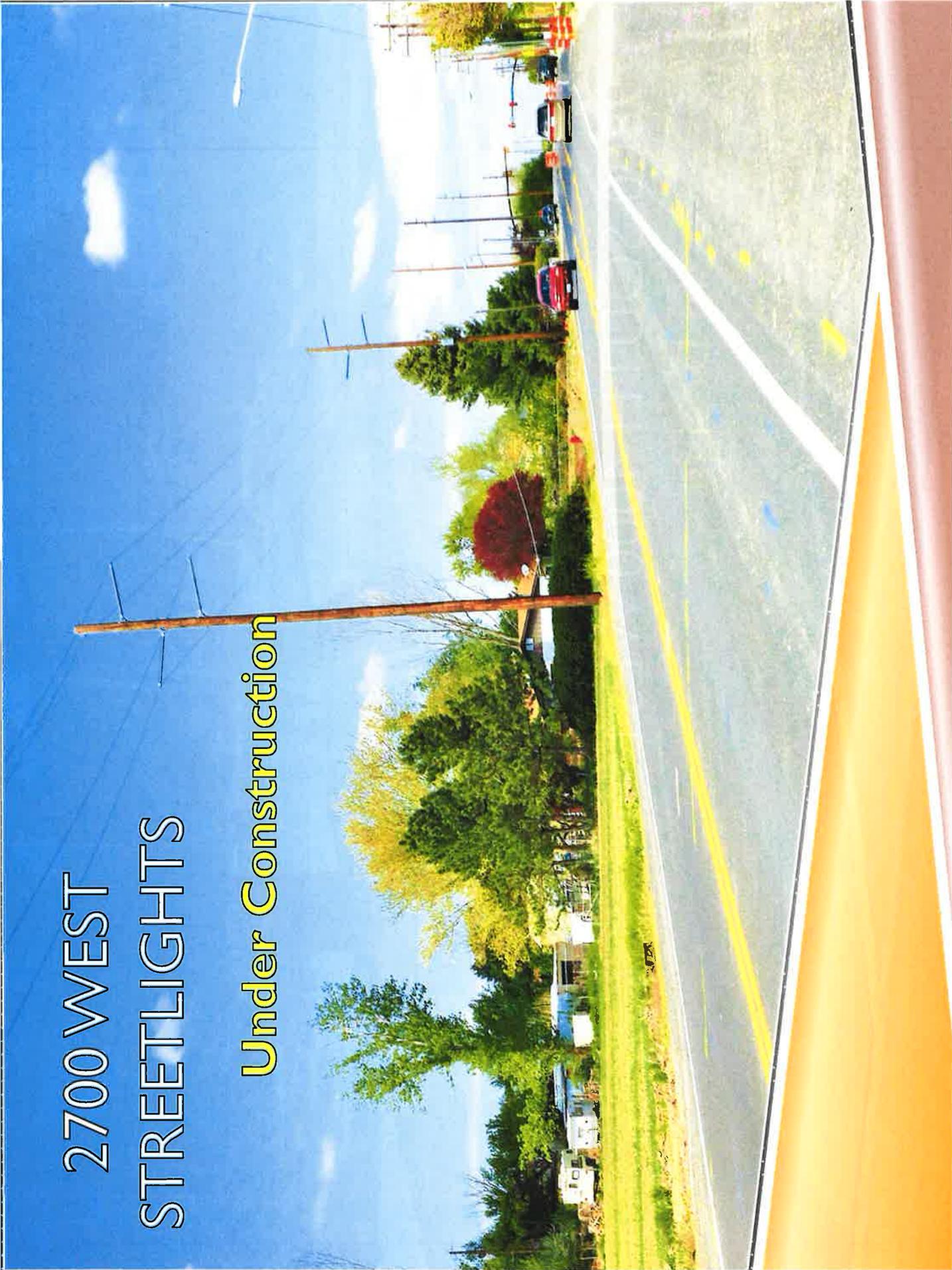


NEW STORM DRAIN INLETS
9800 SOUTH 4000 WEST

In Design

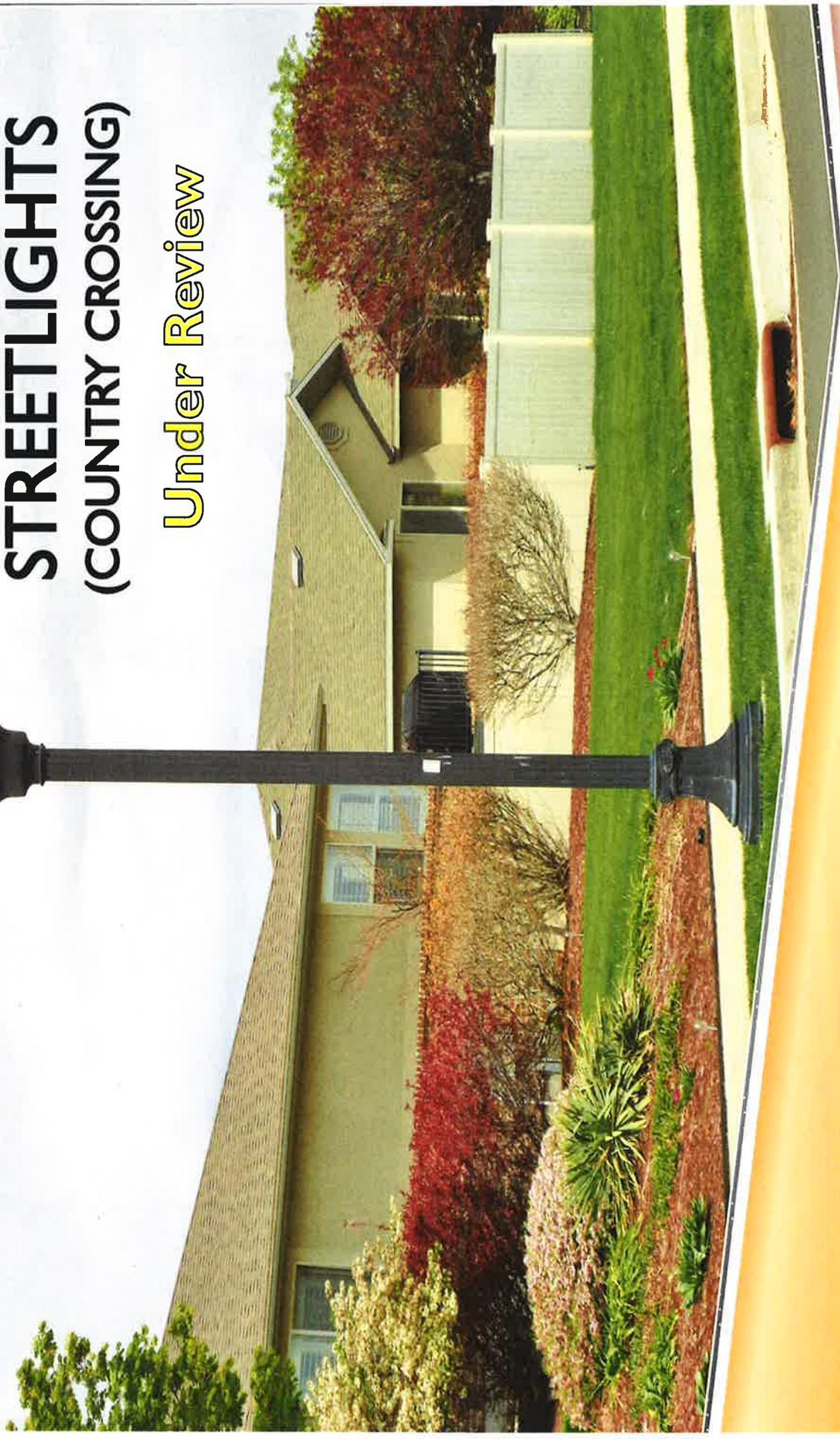
2700 WEST STREETLIGHTS

Under Construction



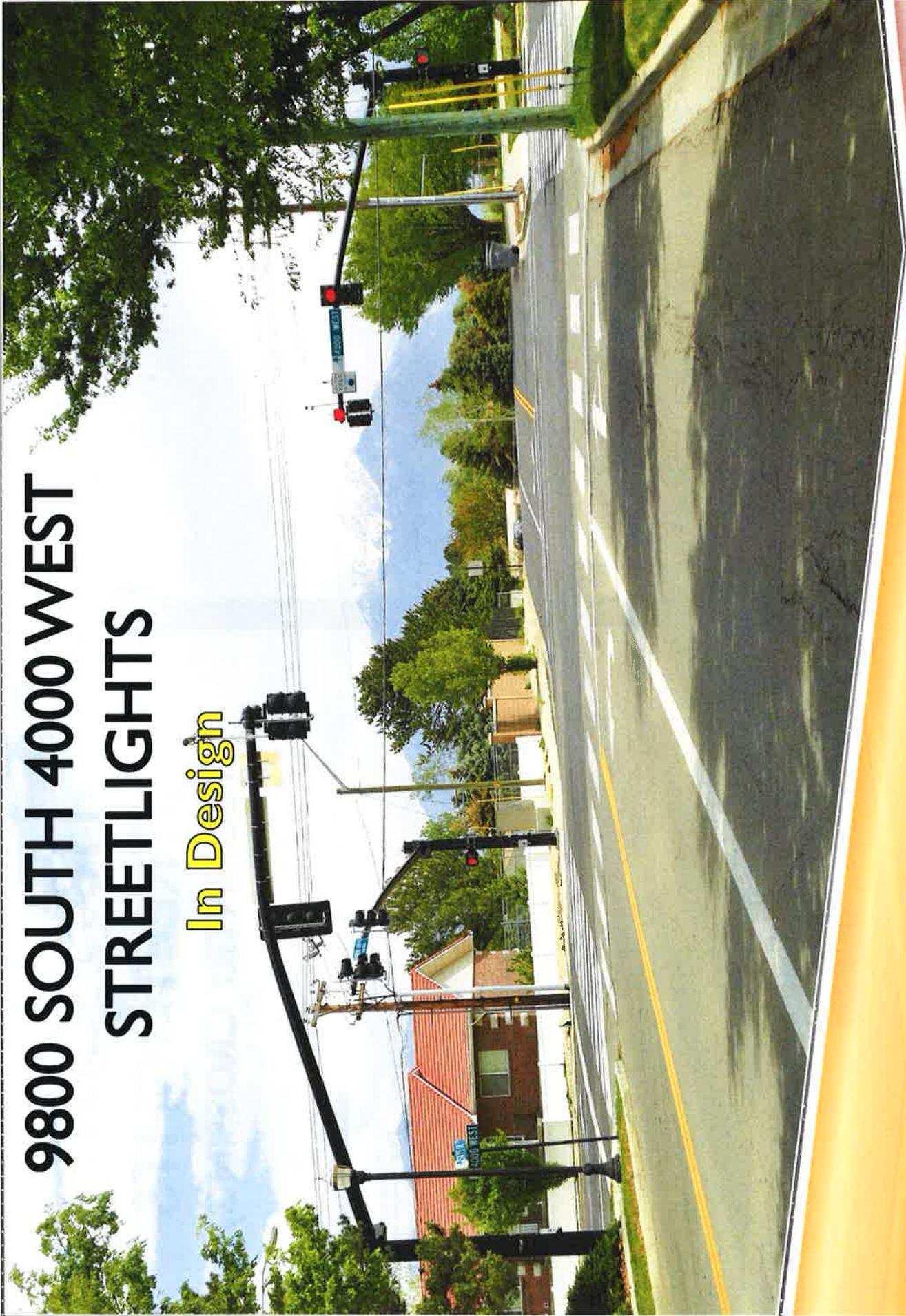
11800 SOUTH STREETLIGHTS (COUNTRY CROSSING)

Under Review



9800 SOUTH 4000 WEST STREETLIGHTS

In Design



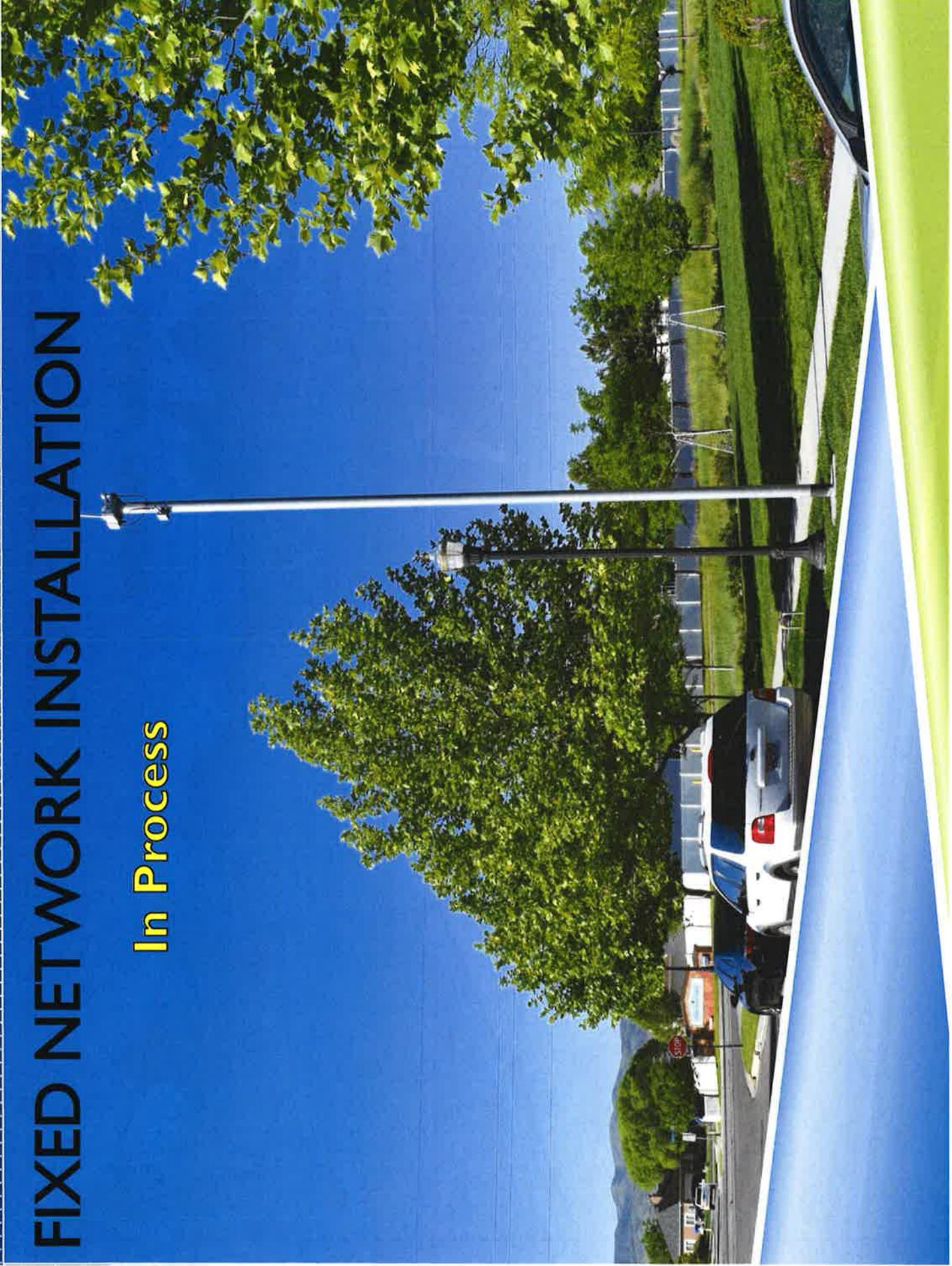
REPLACE TRANSITE PIPE

RFP under review



FIXED NETWORK INSTALLATION

In Process



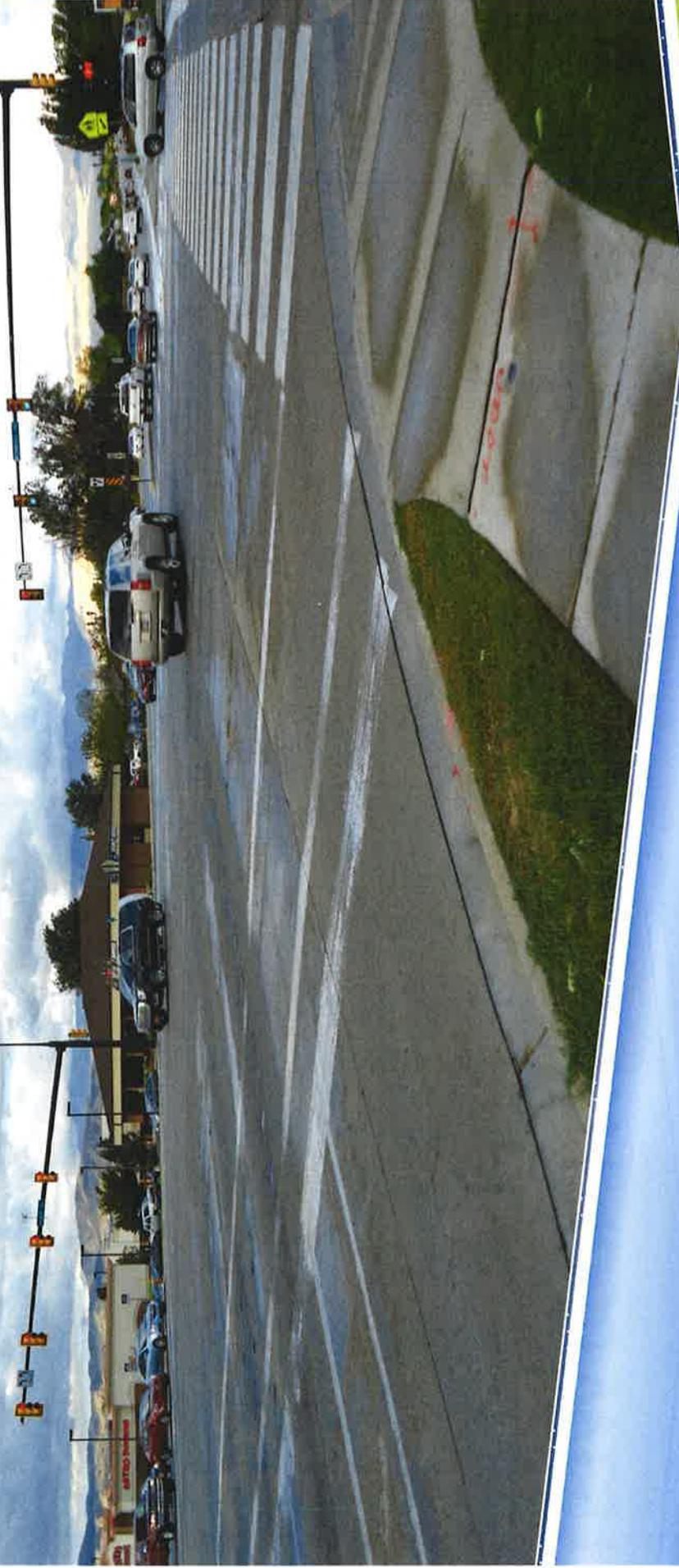


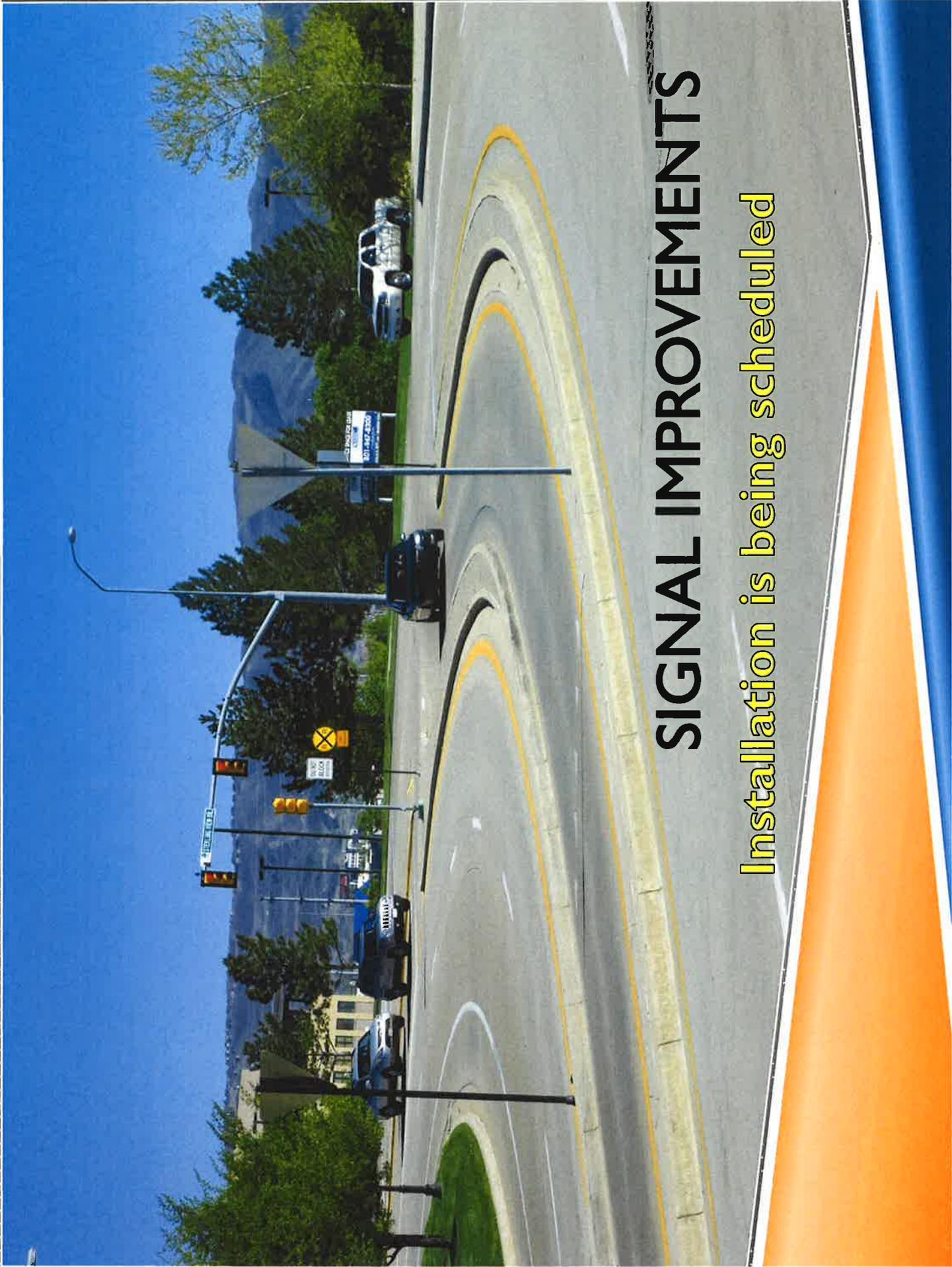
In Design

**WATERLINE REPLACEMENT
9800 SOUTH 4000 WEST**

WATERLINE REPLACEMENT 10400 SOUTH & REDWOOD

Investigating Options





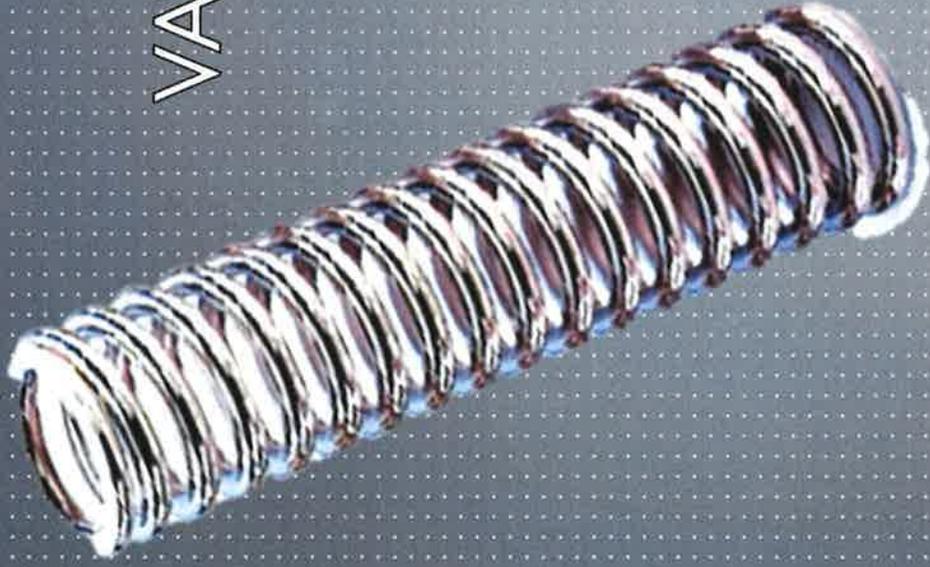
SIGNAL IMPROVEMENTS

Installation is being scheduled

VAV BOX HEATING COILS

Replace heating coils at the Gale Center

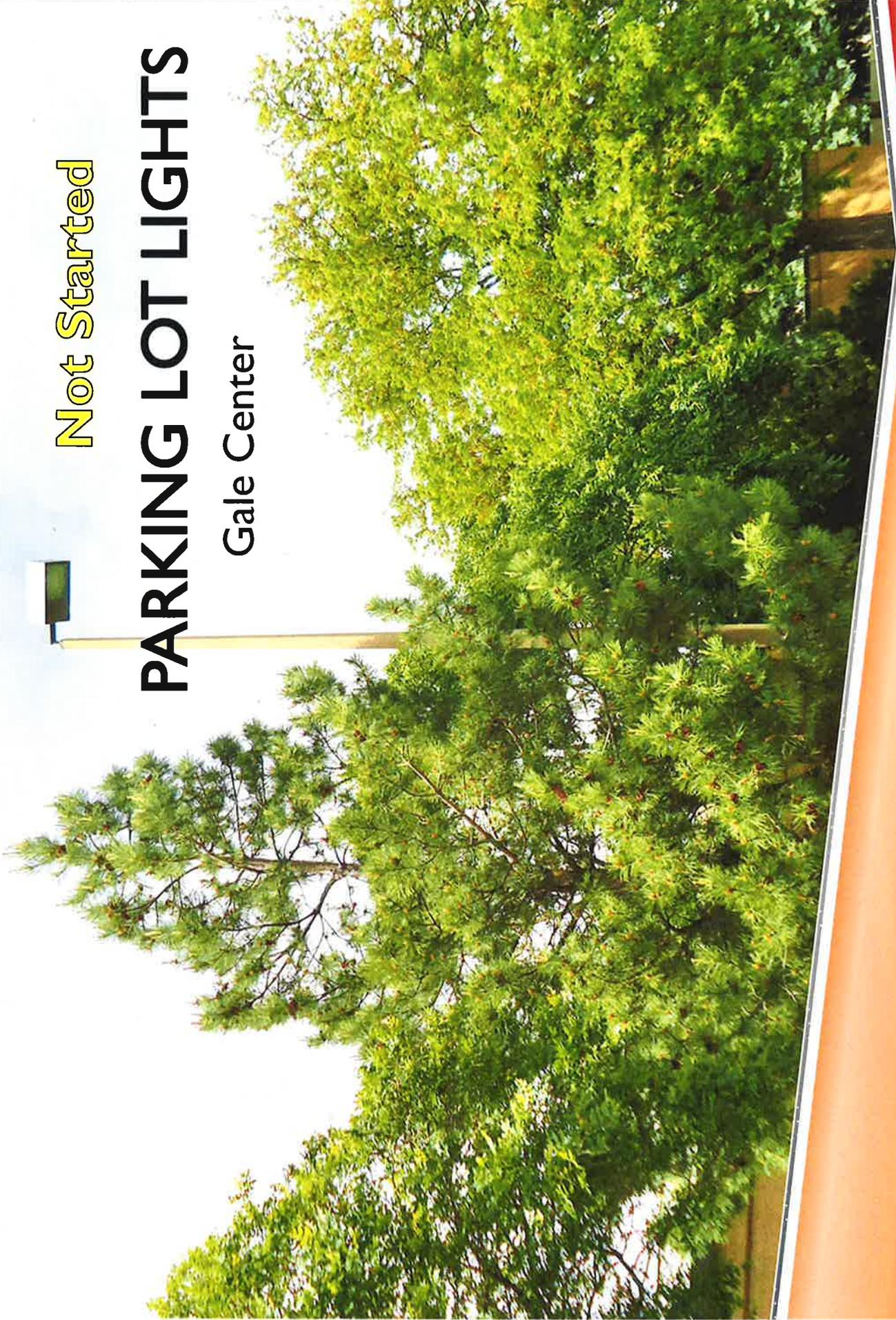
Not Started

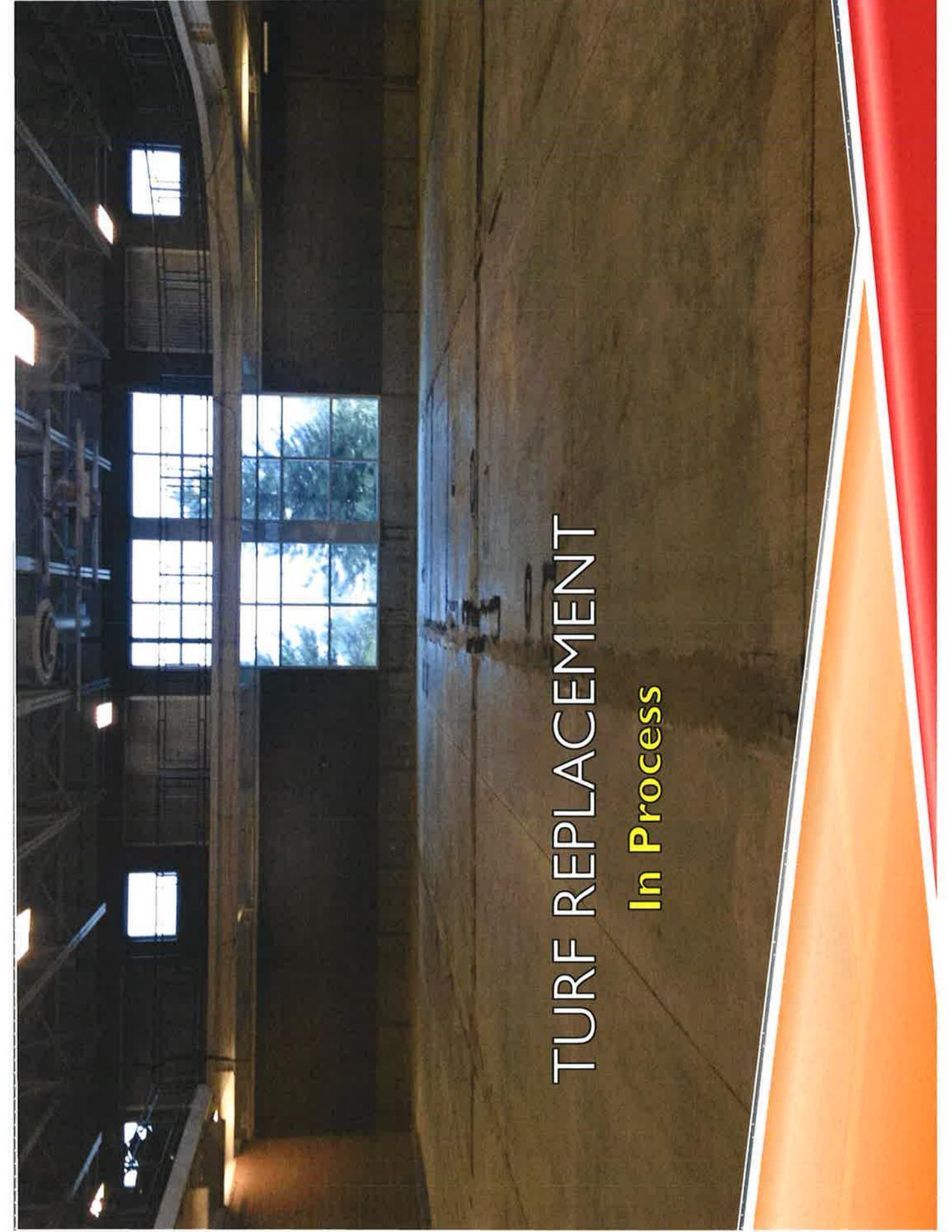


Not Started

PARKING LOT LIGHTS

Gale Center





TURF REPLACEMENT

In Process

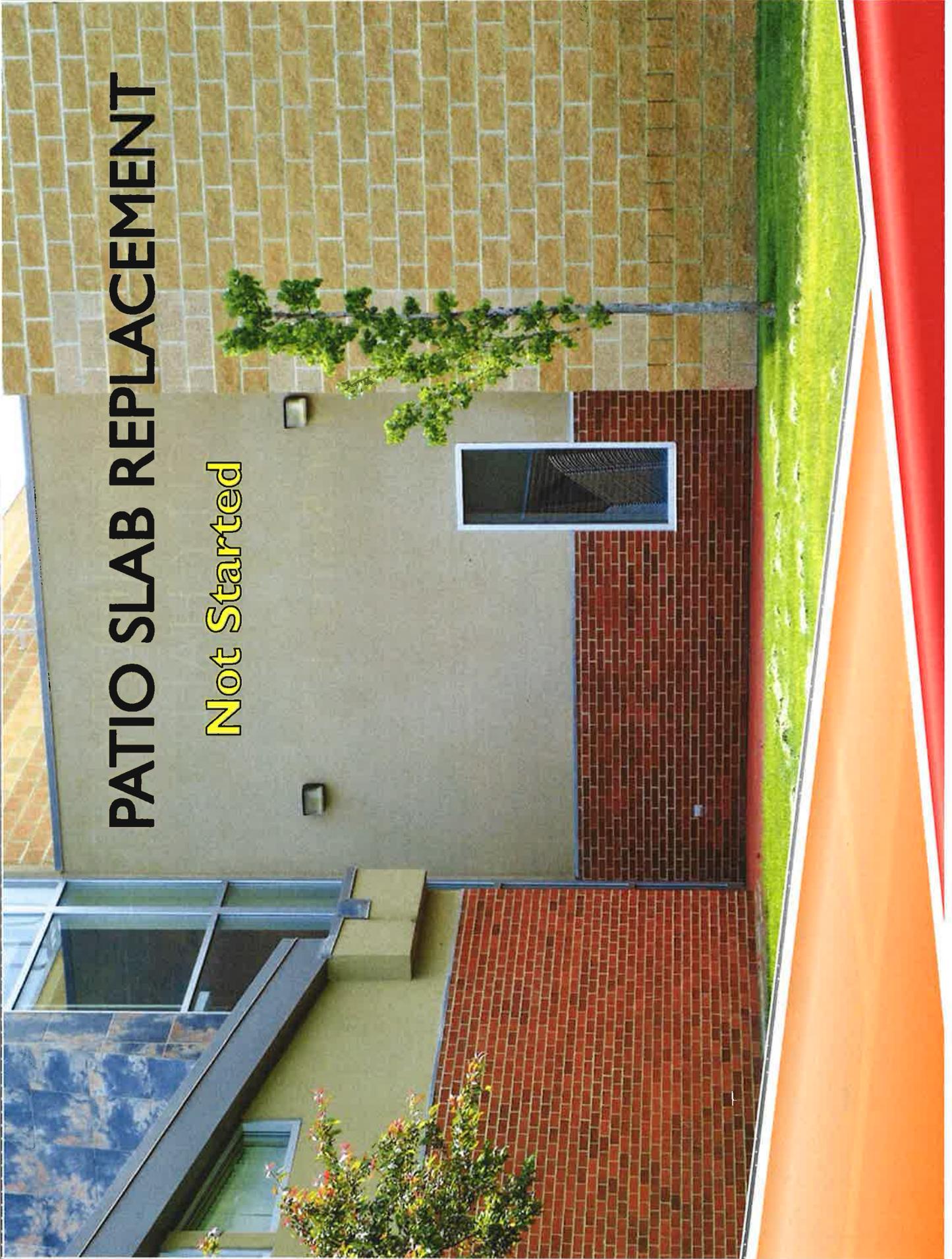
GENERATOR FEASIBILITY STUDY FOR CITY HALL

Not Started



PATIO SLAB REPLACEMENT

Not Started





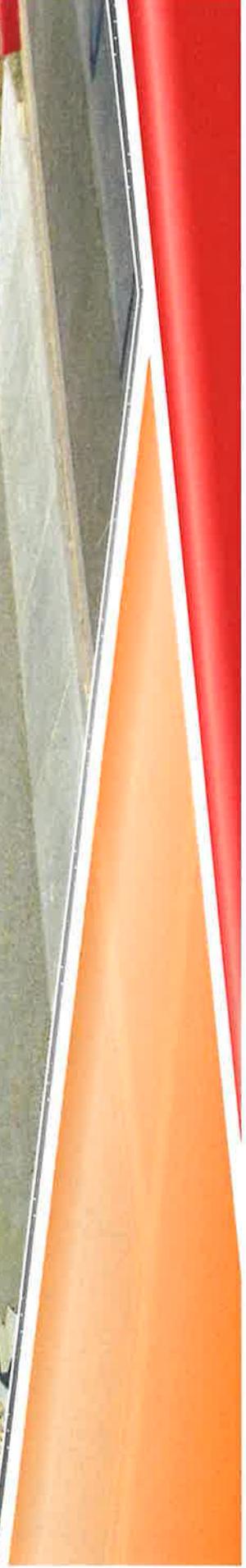
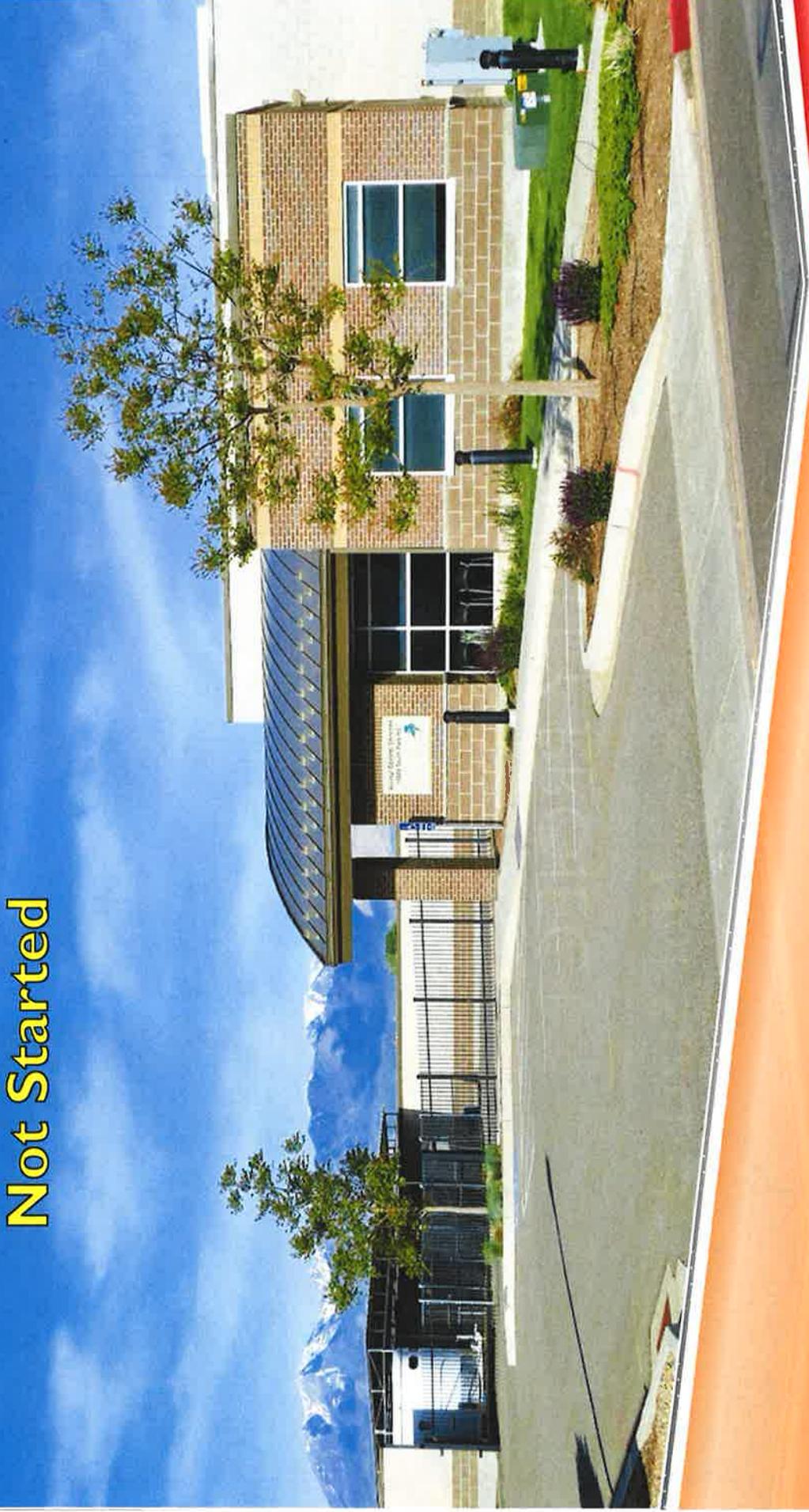
SECURITY PROJECT

Not Started



FOOD STORAGE SHED

Not Started



FIX WATER SEEPAGE

Fire Station 61

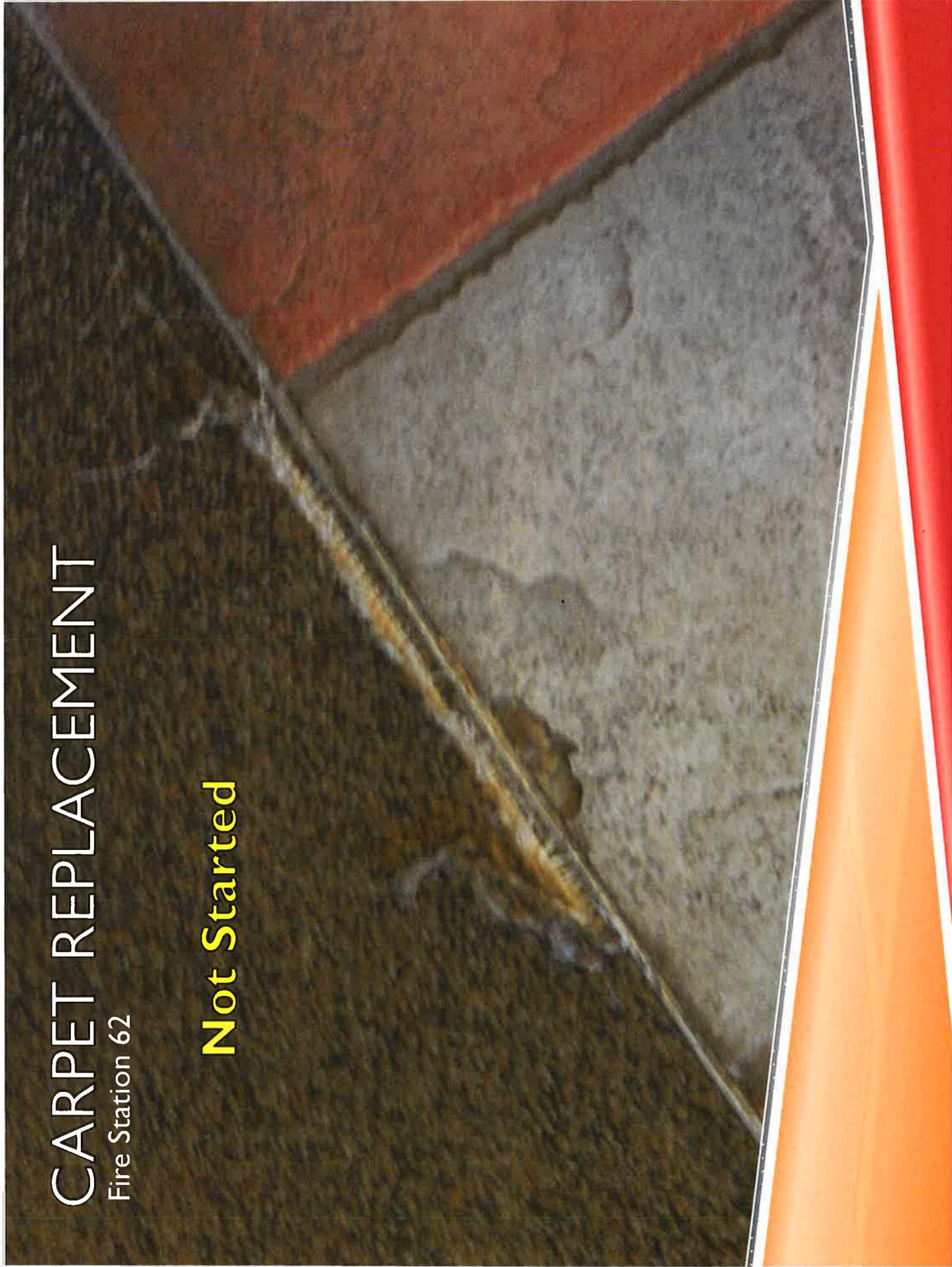
Not Started



CARPET REPLACEMENT

Fire Station 62

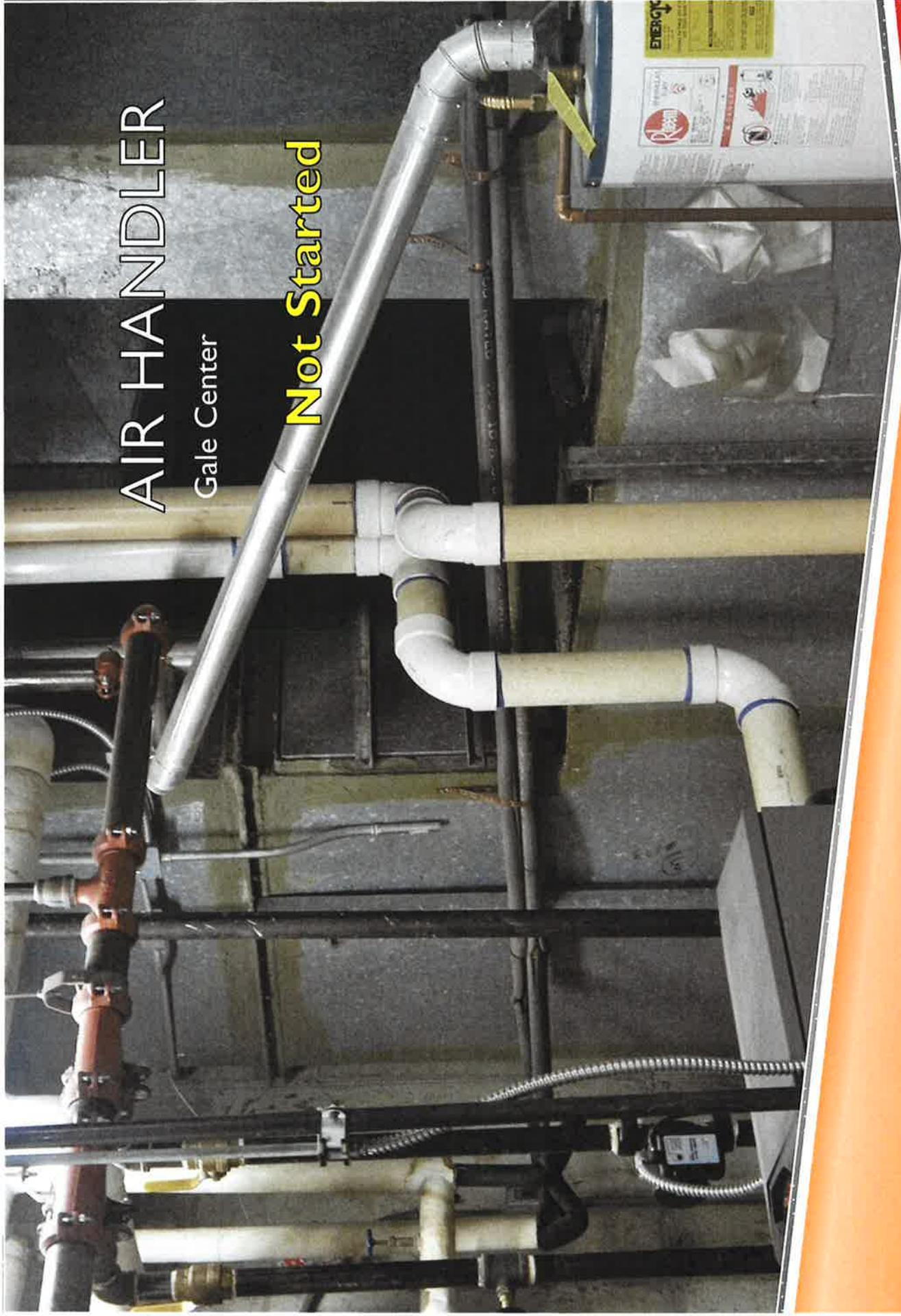
Not Started



AIR HANDLER

Gale Center

Not Started



Not Started

CARPET REPLACEMENT

Fitness Center





BUILDING ACCESSIBILITY

Not Started

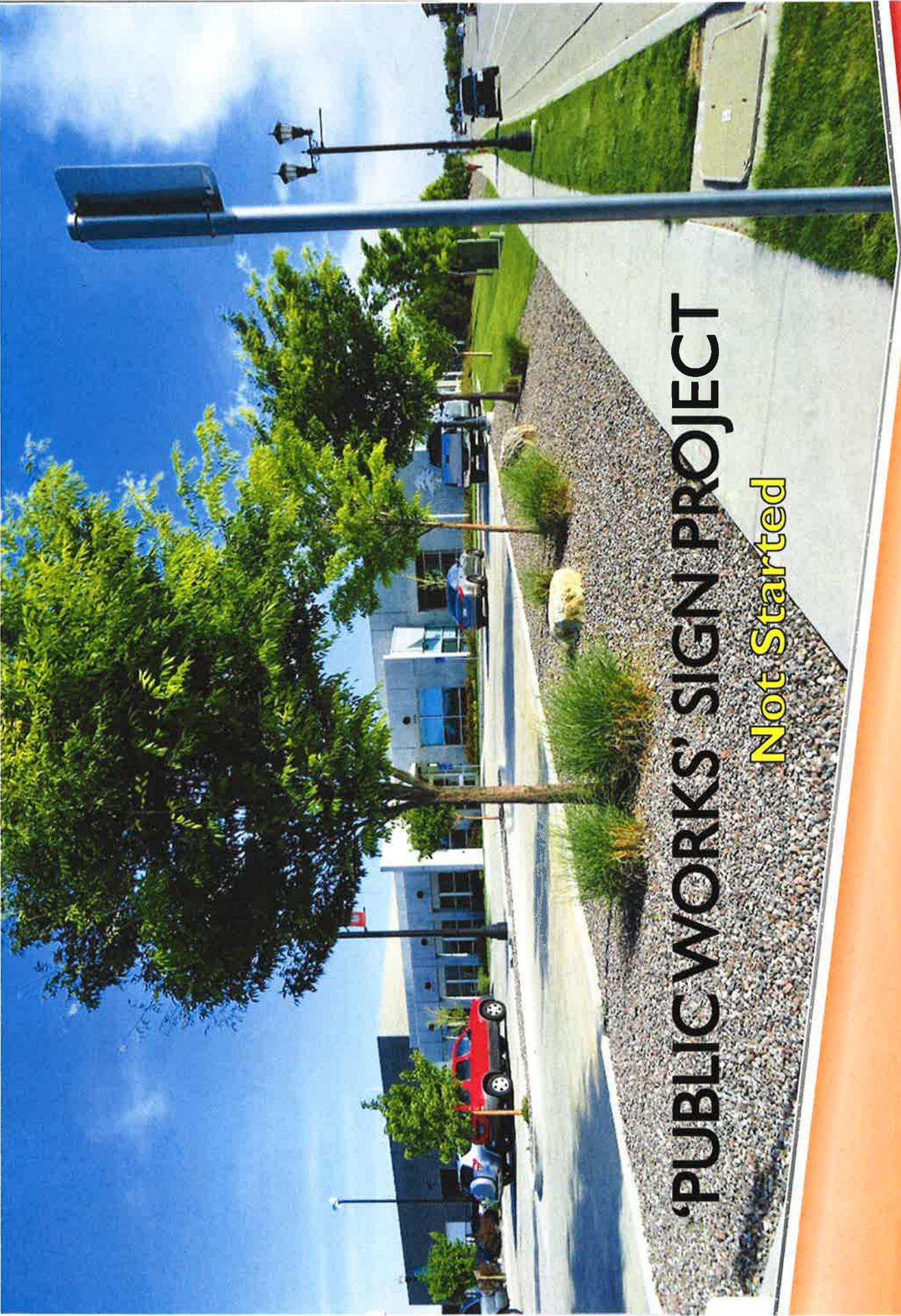




FACILITY FEASIBILITY STUDY

Not Started





'PUBLIC WORKS' SIGN PROJECT

Not Started



Not Started

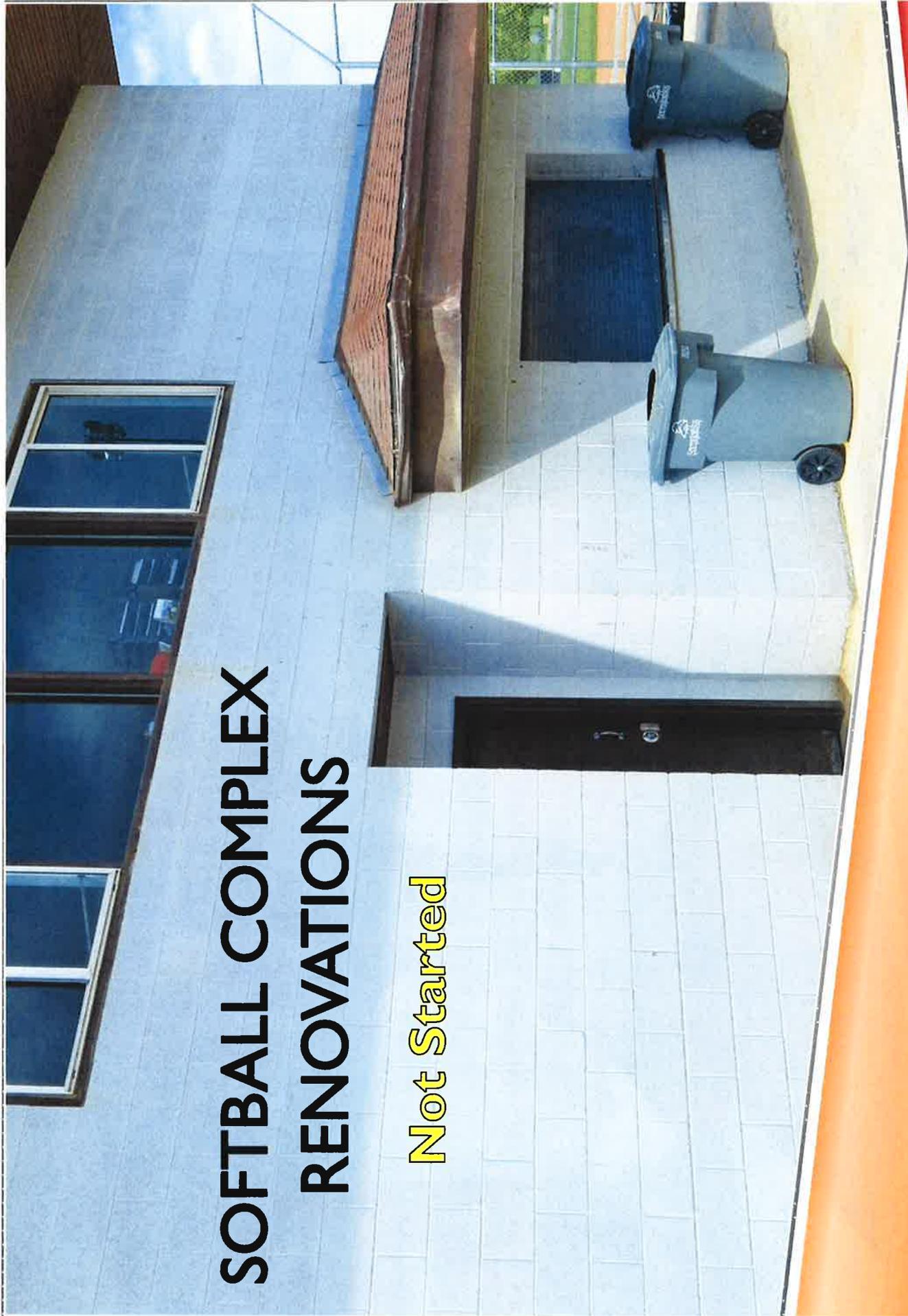
CARPET REPLACEMENT

City Hall



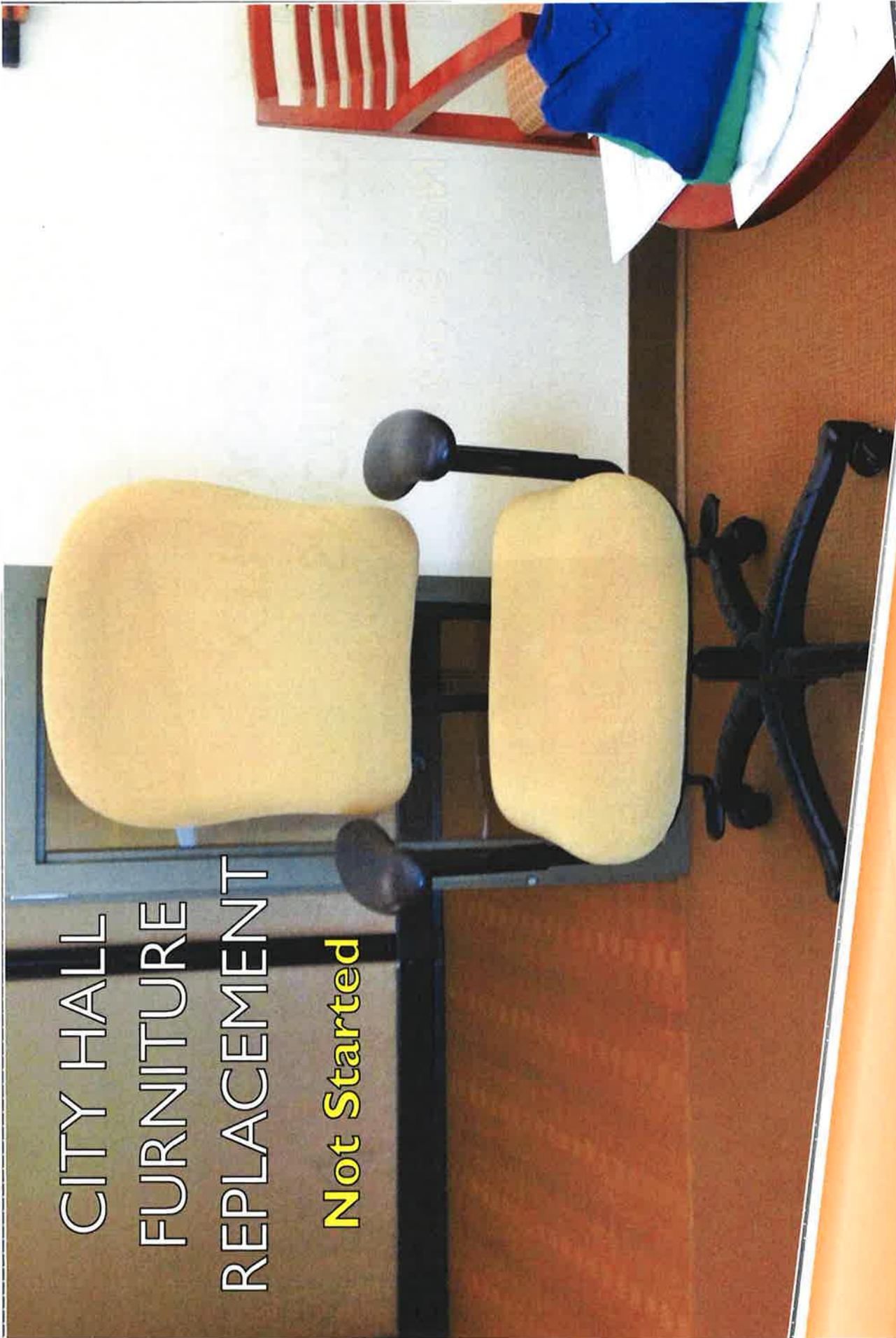
SOFTBALL COMPLEX RENOVATIONS

Not Started



CITY HALL
FURNITURE
REPLACEMENT

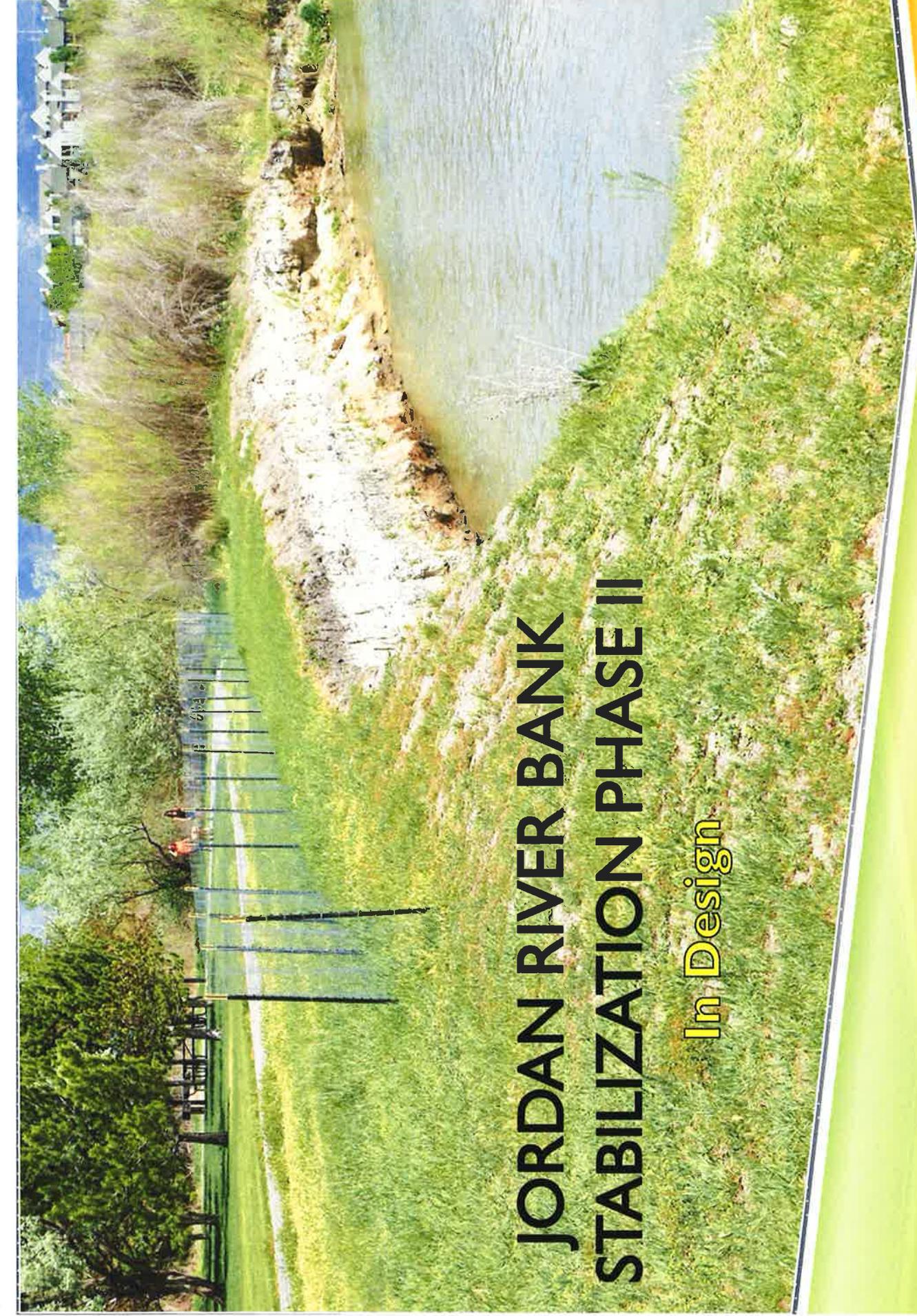
Not Started



CEILING TILES REPLACEMENT

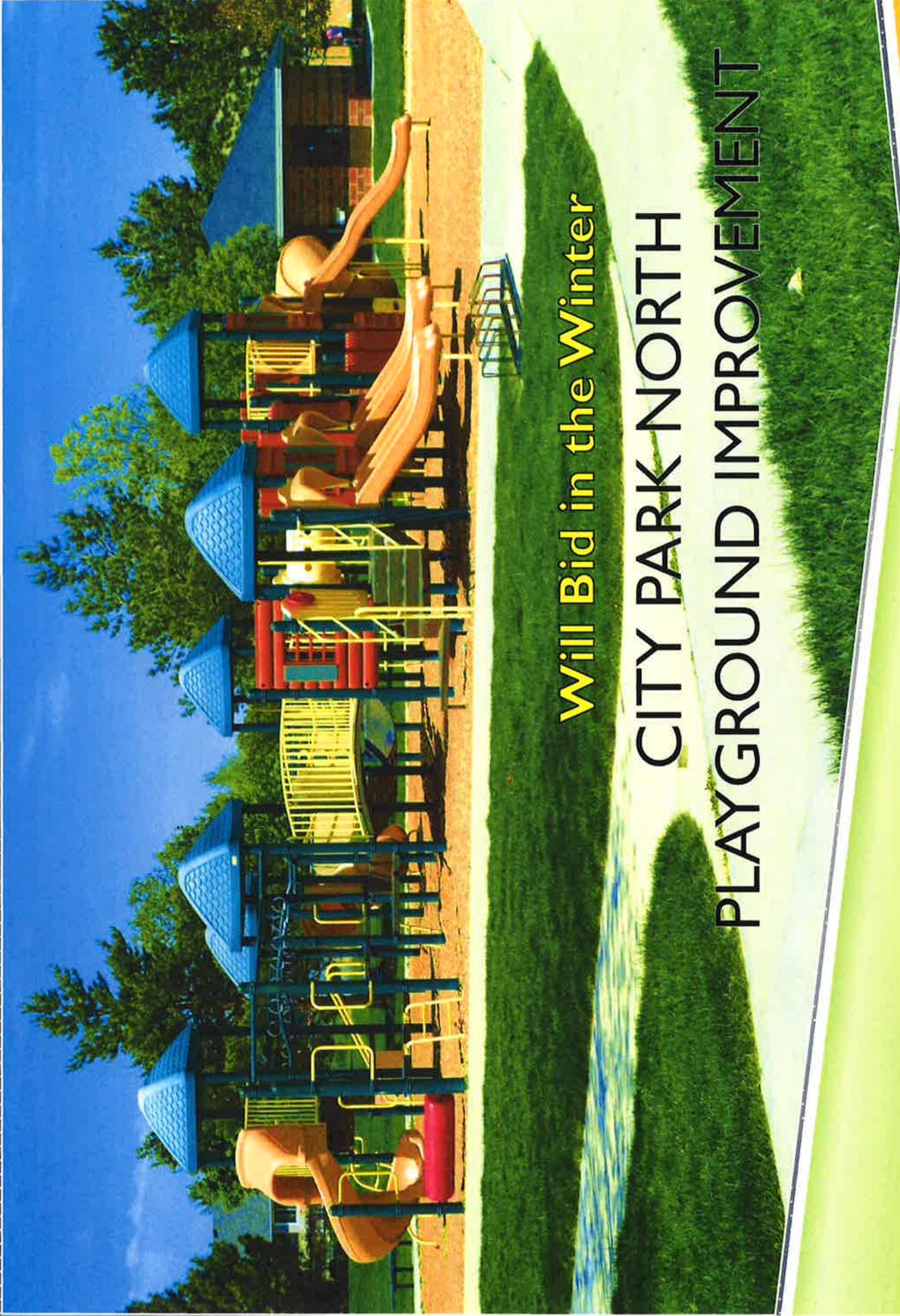
Not Started





JORDAN RIVER BANK STABILIZATION PHASE II

In Design



Will Bid in the Winter

CITY PARK NORTH PLAYGROUND IMPROVEMENT





PARK SIGN REPLACEMENT PROGRAM

Not Started



EAST RIVERFRONT PLAYGROUND IMPROVEMENT

Will Bid in the Winter

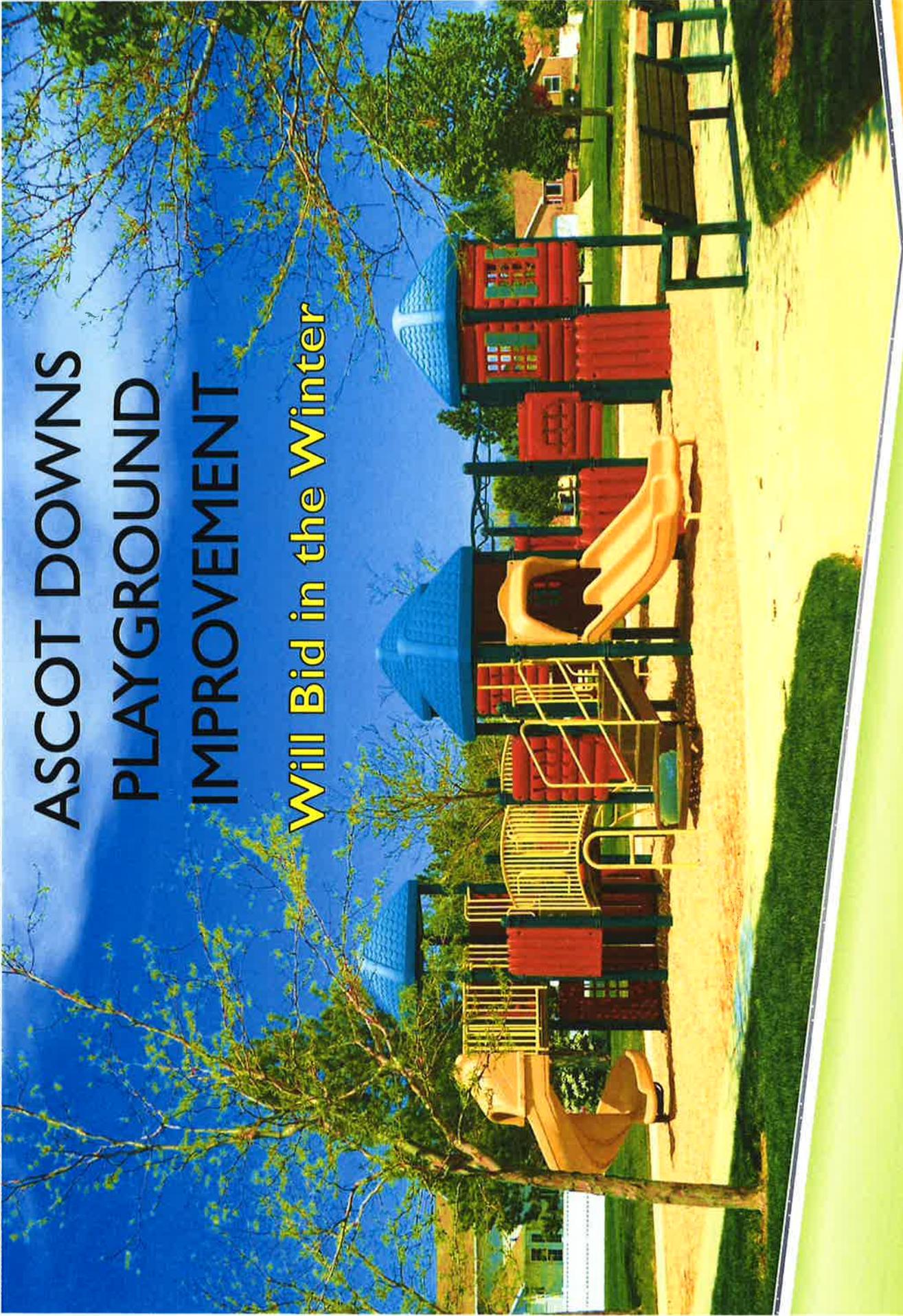


WEST RIVERFRONT PLAYGROUND IMPROVEMENT

Will Bid in the Winter

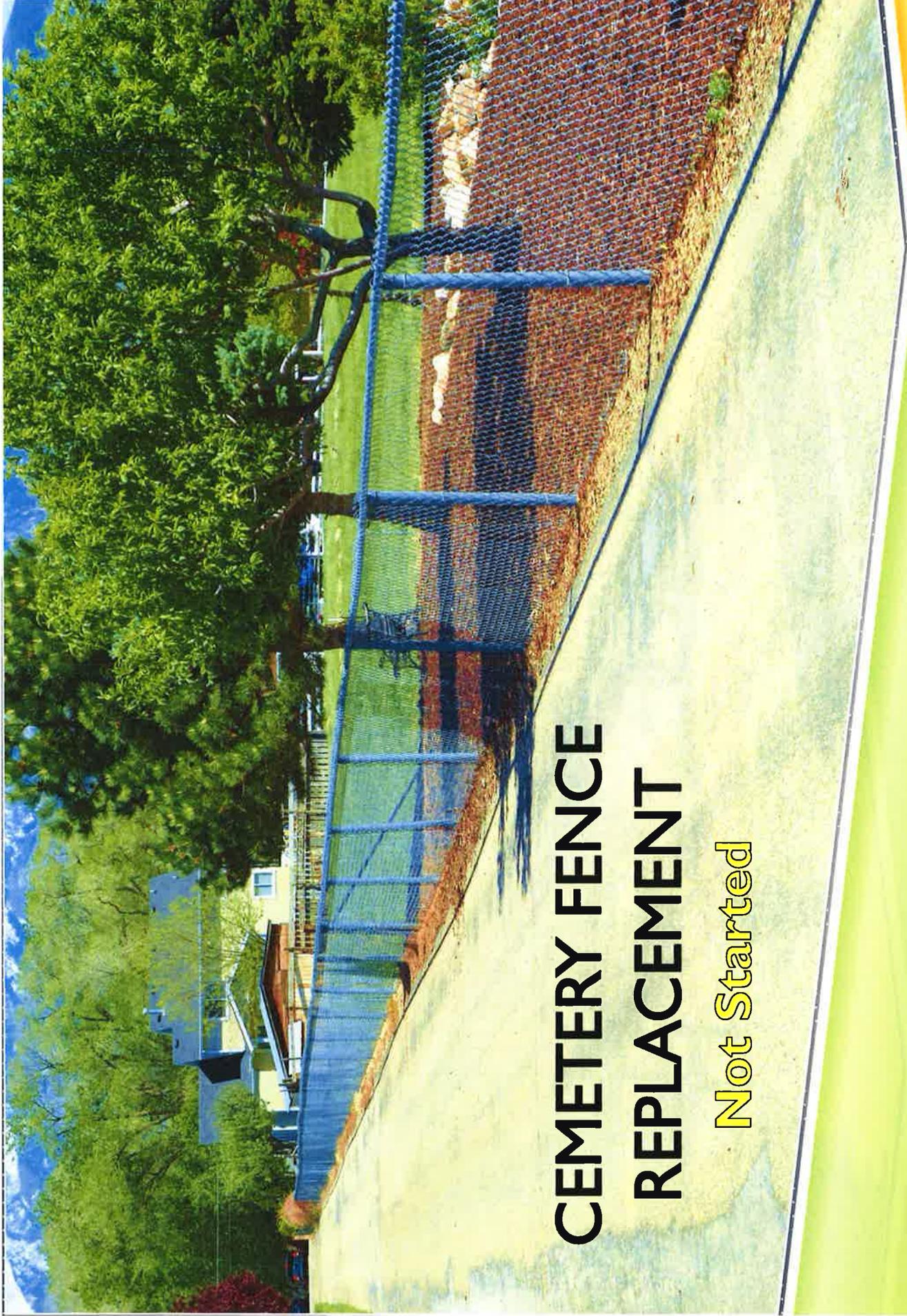


ASCOT DOWNS PLAYGROUND IMPROVEMENT Will Bid in the Winter



CEMETERY FENCE REPLACEMENT

Not Started



RAPID FLASH PEDESTRIAN CROSSING

4000 West Cedar Wood Lane

Not Started



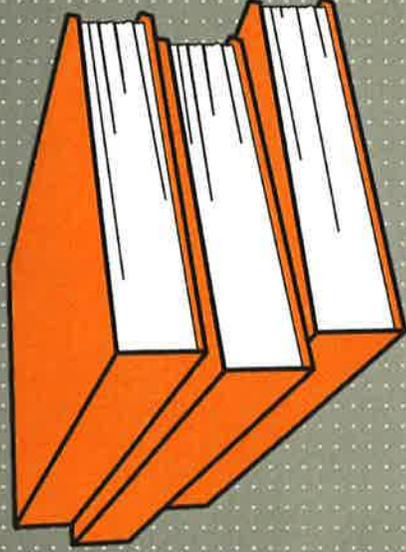
CITY WALL REPAIR

Not Started



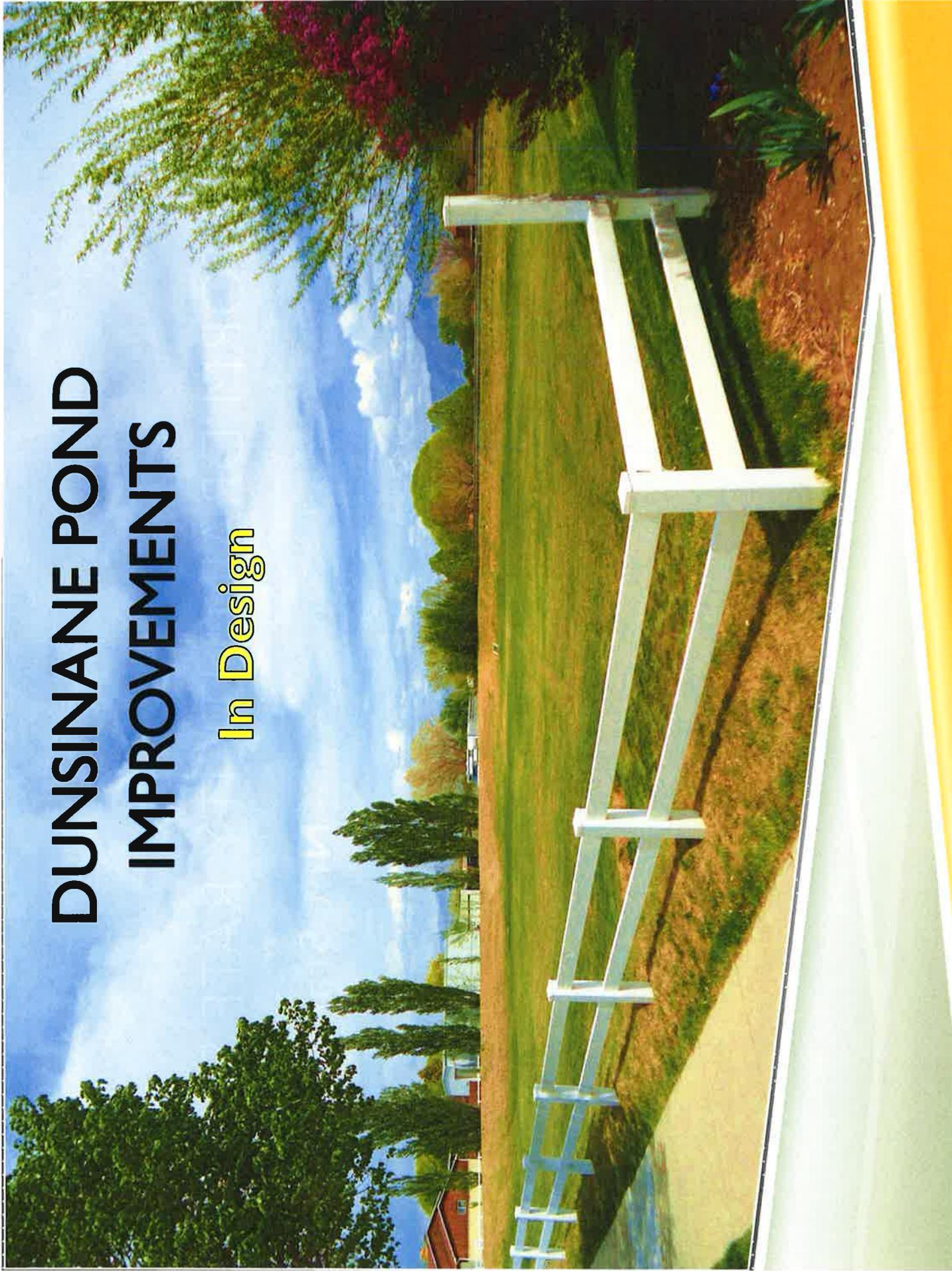
STORM DRAIN UTILITY RATE STUDY

Not Started



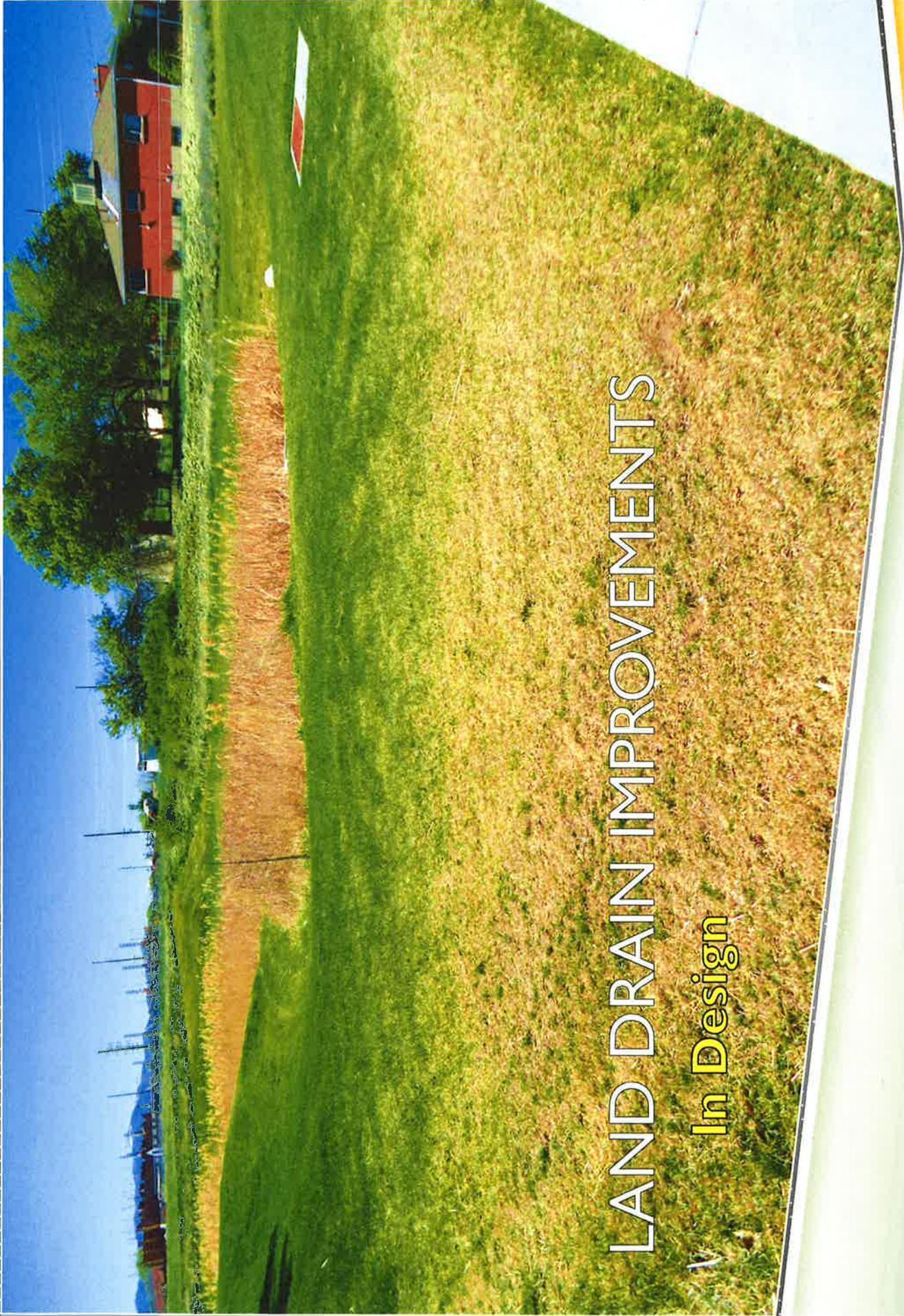
DUNSINANE POND IMPROVEMENTS

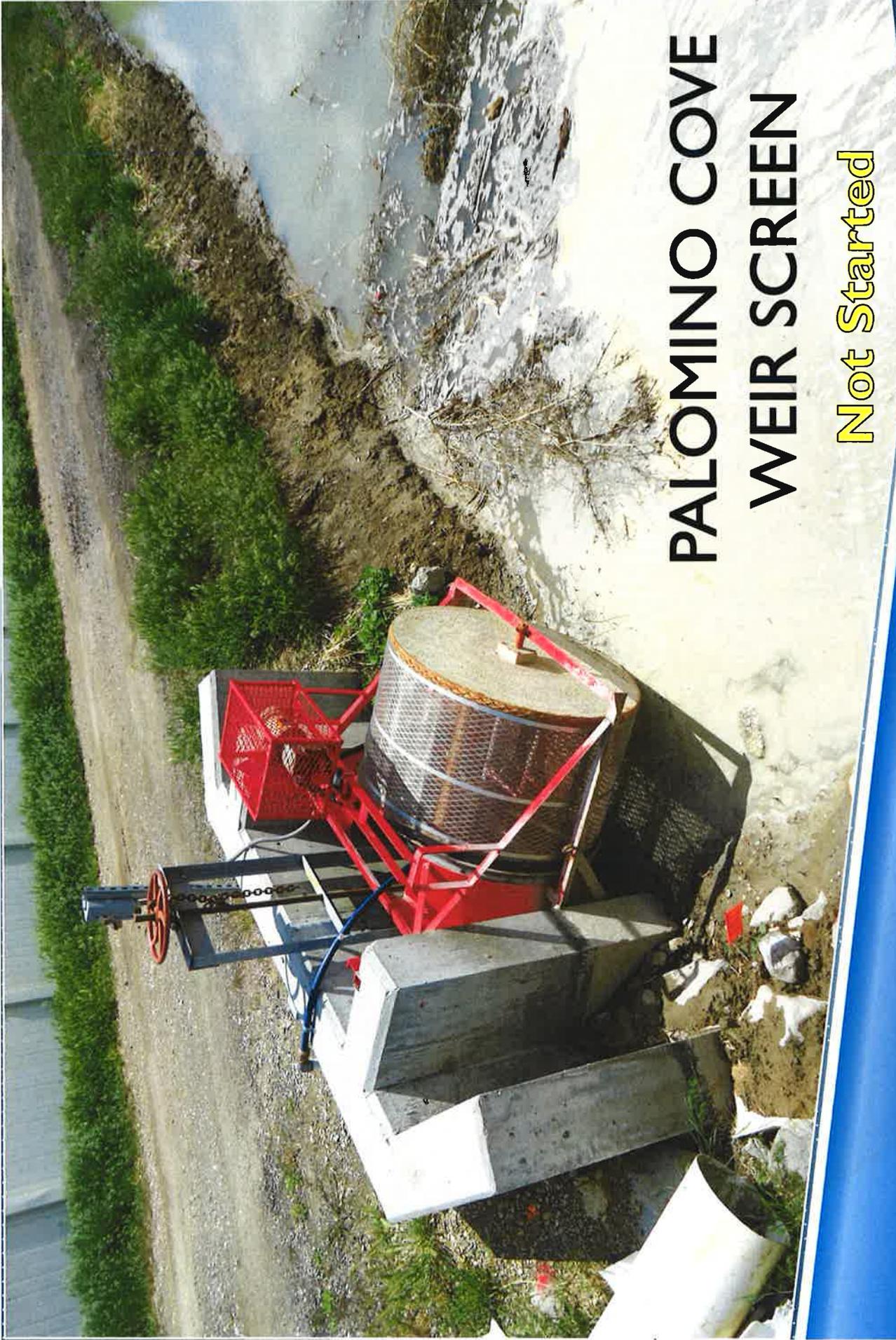
In Design



LAND DRAIN IMPROVEMENTS

In Design





PALOMINO COVE WEIR SCREEN

Not Started

Attachment E:
9-15-15 C.C. Mtg.

2014 CAPER: CDBG YEAR-END REPORT

Consolidated
Annual
Performance
& Evaluation
Report
(CAPER)

City Council
Sept. 15,
2015

**GOAL: SUPPORT HOMELESS
PREVENTION, SHELTER, AND SERVICES**

PROJECTS ALLOCATED EXPENDED

- **Road Home \$5,000 \$5,500**
- **12 individuals (372 shelter stays)**

GOAL: SUPPORT SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE

PROJECTS	ALLOCATED	EXPENDED
■ South Valley Sanc.	\$5,000	\$5,000
■ 1 individual (does not include hotline assistance & community resource center)		
■ Legal Aid Society	\$3,500	\$3,500
■ 49 individuals (165 dependents)		

GOAL: ADDRESS NEEDS OF FAMILIES IN CRISIS AND SPECIAL NEEDS POPULATIONS

PROJECTS	ALLOCATED	EXPENDED
■ Family Support Cent.	\$5,000	\$2,072
■ 15 individuals (141 nursery hours, 4 clinical hours)		
■ CHC	\$2,000	\$2,000
■ 150 individuals		
■ Salt Lake CAP	\$3,720	\$3,720
■ 143 individuals		

GOAL: MAINTAIN EXISTING HOUSING STOCK

PROJECTS	ALLOCATED	EXPENDED
----------	-----------	----------

-
- Assist \$10,000
 - 2 households (roof repairs)

\$6,363

GOAL: INCREASE AFFORDABLE HOUSING

PROJECTS	ALLOCATED	EXPENDED
----------	-----------	----------

■ (no 2013 project)	\$0	\$0
---------------------	-----	-----

- 8 ALU permits

GOAL: IMPROVE PUBLIC FACILITIES USED BY SENIORS

PROJECTS	ALLOCATED	EXPENDED
■ Senior Center	\$120,583	\$30,882.4
■ 254 individuals (Completed: bathroom remodel, auditorium flooring)		

GOAL: ADDRESS ACCESSIBILITY DEFICIENCIES AT PUBLIC FACILITIES

PROJECTS	ALLOCATED	EXPENDED
----------	-----------	----------

■ City Hall	\$10,000	\$0
-------------	----------	-----

- Courts front counter remodel

ADMINISTRATION & PLANNING

PROJECTS	ALLOCATED	EXPENDED
----------	-----------	----------

-
- Gen. Ad. & Plan. \$25,000 \$22,265
 - Includes \$10,000 match for Redwood Road Study

EXPENDITURES BY CATEGORY

<u>CATEGORY</u>	<u>ALLOCATED</u>	<u>EXPENDED</u>	<u>% of TOTAL</u>
Public Services (15% cap)	\$29,220	\$26,979	13.8%
Housing	\$10,000	\$6,363	3.3%
Public Facilities	\$130,583	\$30,882	15.9%
<u>Administration (20% cap)</u>	<u>\$25,000</u>	<u>\$22,265</u>	<u>11.4%</u>
TOTAL	\$194,803	\$86,489	44.4%

UNEXPENDED FUNDS

UNEXPENDED FUNDS	\$108,314
UNLIQUIDATED OBLIGATIONS	\$103,338
Senior Center	\$89,701
Courts Remodel	\$10,000
Home Repair	\$3,637
REPROGRAMMABLE	\$4,976

2015-2019 CONSOLIDATED PLAN

GOAL SUMMARY

- **Maintain existing housing**
- **Improve and provide adequate senior facilities**
- **Provide senior services**
- **Correct accessibility deficiencies**
- **Provide improvements in deficient neighborhoods**
- **Support essential services and training programs**
- **Increase access to affordable housing**

ORDINANCE 2015-12 & R2015-42

City Council Meeting
September 15, 2015



Ordinance Changes

- **13.04.280** – Culinary Water System
- **13.08.210** – Secondary Water System

- A: Authorizes City Manager to enact water use restrictions when water supply has been reduced.
- B: Provides procedures to be taken for water restriction violations



Restriction Phases

	Phase I	Phase II (80% Supply)	Phase III (70% Supply)	Phase IV (60% Supply)
Lawn Watering	Unrestricted	Voluntary	Mandatory	Mandatory
Swimming Pools	Unrestricted	Unrestricted	Voluntary	Mandatory
Outdoor Fountains & Ponds	Unrestricted	Unrestricted	Voluntary	Mandatory
Vehicles Washing	Unrestricted	Voluntary	Mandatory	Mandatory
Recreation Sprinklers and Outdoor Water Toys	Unrestricted	Unrestricted	Voluntary	Mandatory



Ordinance Changes

- Violation:
 - 1st violation = warning, to be remedied within 15 days
 - 2nd violation = \$100 fine (can be waived if attend water education class)
 - 3rd violation = \$500



Water Shortage Management Plan

- Tool to manage water demand in times of reduced supply
- Implement now to be prepared





Ordinance 2015-12 & R2015-42

- Staff recommends passing ordinance changes and adopting WSMP
- Questions?

9-15-15 CC Meeting
Attachment 6

WATER METER FIXED NETWORK CIP

September 15, 2015

Fixed Network Project Review

Changes meter reading from drive-by to automated collection

Benefits: less manpower, leak detection, water conservation, water theft detection, time savings



Fixed Network Review



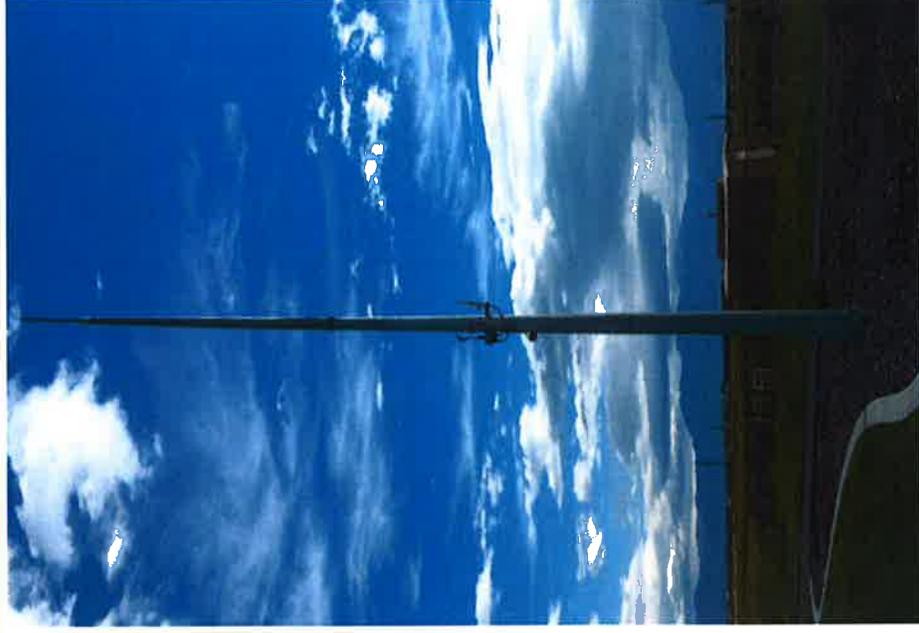
Fixed Network Review



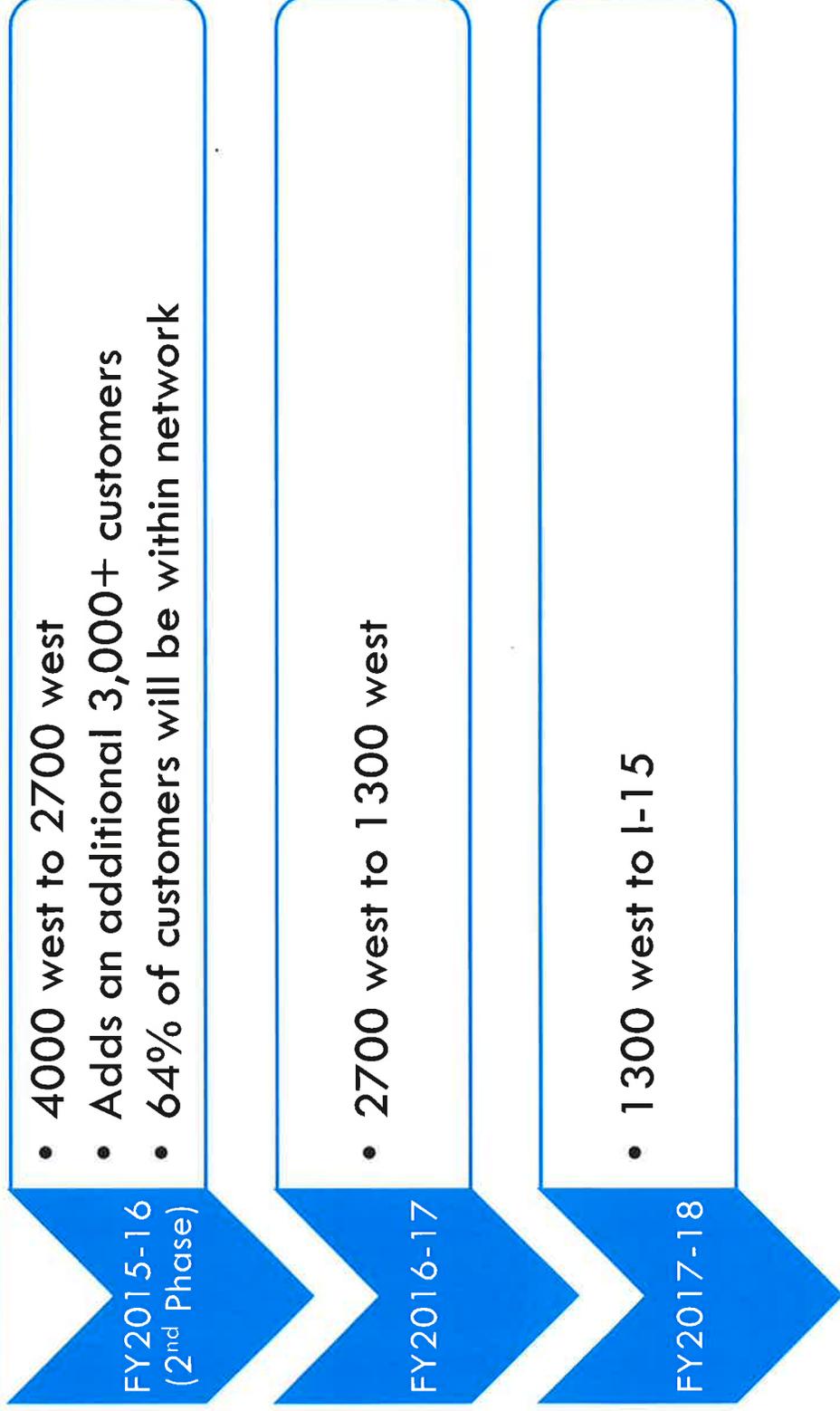
Fixed Network

1st Phase
operational
June 2015

- 252 potential residential leaks identified
- Water use customer portal coming online soon
- No “roll-thru” of meter truck



Fixed Network – Future Phases



Fixed Network CIP



Questions?

South Jordan City Council -- Statement on Proposed Transportation Sales Tax
-ROGERS EDITS

~~For the last three years, we've~~ As one of the highest growing cities in the country, South Jordan
City has been planning for the future transportation infrastructure needs of our City for several
years and is reviewing options for funding both current and future road repairs.

A quality road system allows us to shop, take the kids to school, ~~travel to our jobs, and~~ engage
in family and community activities, ~~and travel to our jobs thereby supporting our residents'~~
~~numerous activities.~~ A safe and efficient transportation system enhances our quality of life, but
more than that – it ~~assists cultivates~~ economic growth, ~~and improves air quality!~~ We also
recognize the direct financial impact to South Jordan residents, through their taxes, to pay for
transportation infrastructure.

~~For these reasons, and the others below, the City Council voted~~ asked the along with 110 other
cities ~~across the state to request our respective counties~~ Salt Lake County Council to place the
decision in your hands ~~– the voters --~~ to choose how to pay for growing future transportation
infrastructure costs.

~~As a result of Salt Lake County Council action, this decided to put this initiative – Proposition 1--~~
~~will be on the November 2015 ballot. The question is whether or not to impose a 0.25% general~~
~~sales tax increase (exempting food purchases) dedicated to funding transportation across Salt~~
~~Lake County. If the proposal passes, the funds will be allocated as follows:~~

- 0.10% to UTA ~~as the county transit provider;~~
- 0.10% to cities (including South Jordan), towns, and unincorporated county areas;
- ~~0-.05% to Salt Lake~~ County to be spent on projects in the County including those in
cities.

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This proposed sales tax increase equates to an increase of 25 cents (\$0.25) for every \$100.00
spent or an estimated increase of approximately \$200 per family per year.

The South Jordan City Council encourages voters to carefully consider the potential impacts
resulting from supporting or denying the 0.25% general sales tax local option. This potential
change in transportation infrastructure funding through a sales tax requires your vote.

We understand that as our City continues to grow, the infrastructure is aging, and the
transportation maintenance costs will increase in the coming years. Our present choices can
have a significant impact on the choices we have ~~5-10 & 10-15 years in future generations down~~
~~the road.~~

~~As a Council, we've sought to be fiscally responsible in regards to taxes as we recognize the~~
~~impact on City residents by paying an additional .25 cents on every \$100 of sales tax paid.~~

Fiscal Responsibility always means making hard choices. Deciding how to vote on this initiative
may be a hard choice. ~~Voting for~~ If the proposal proposition passes, may increase your sales tax

~~expenses will increase modestly, and voting against. If the proposition fails, it may means necessitate that a future City Council may raise property taxes or to reduce services or reprioritize current spending to address transportation needs, depending on future budgets.~~

To assist you in your decision-making process, the South Jordan City Council has placed charts, powerpoint presentations, and other information presented to the South Jordan Council by staff at our City Council meetings, along with the South Jordan City Council resolution passed asking the Salt Lake County Council to place this issue on the ballot all on our City website. In this manner, you will have the same information we have had.

We hope the information will help you – please go to www.sjc.utah.gov, and look for the link that says “Transportation Information”. Clicking it will take you to the information.

The South Jordan City Council awaits your decision and hopes that all residents will take the time to study and understand this important issue, and remember to mail in your Vote By Mail ballot before Nov 2nd.

Signed, Mayor