

SOUTH JORDAN CITY
CITY COUNCIL MEETING

October 15, 2019

Present: Mayor Dawn Ramsey, Council Member Brad Marlor, Council Member Jason McGuire, Council Member Don Shelton, Council Member Tamara Zander, CM Gary Whatcott, Police Chief Jeff Carr, Administrative Services Director Spencer Kyle, City Commerce Director Brian Preece, Finance Director Sunil Naidu, Strategic Services Director Don Tingey, ACM Dustin Lewis, City Attorney Ryan Loose, Fire Chief Chris Dawson, Planning Director Steven Schaefermeyer, Engineering Director Brad Klavano, Public Works Director Jason Rasmussen, IT Director Jon Day, City Council Secretary MaryAnn Dean

Others: Attachment A

REGULAR MEETING

A. Welcome and Roll Call – *Mayor Dawn Ramsey*

Mayor Ramsey welcomed everyone present. She excused Council Member Harris.

B. Invocation – *By Council Member Don Shelton*

Krew Saunders, cub scout, offered the invocation.

C. Pledge of Allegiance

Charlie Rushton, Girl Scout Troop 1048, led the audience in the Pledge of Allegiance.

Mayor Ramsey recognized and introduced the scouts that were present.

D. Minute Approval

- D.1. October 1, 2019 Council Study Meeting
- D.2. October 1, 2019 City Council Meeting

Council Member Marlor made a motion to approve the October 1, 2019 Council study meeting minutes, and the October 1, 2019 City Council meeting minutes, as printed. Council Member McGuire seconded the motion. The vote was 4-0 in favor, with Council Member Harris absent.

E. Public Comment:

None.

F. Mayor and Council reports

Council Member McGuire reported on the Mulligans 25th anniversary celebration that he attended. He noted that the Arts Council meeting was rescheduled for this Thursday.

Council Member Zander said she met with a cub scout troop. The mosquito abatement district meeting was rescheduled for next week.

Council Member Marlor said he attended the architectural review committee meeting. They reviewed a large building being planned for 11400 South, west of Redwood Road. There will be a 55 plus community and a Jordan Credit Union headquarters. He also attended the Mulligans celebration. He hopes future City Council's will continue to preserve it. He also noted his attendance at an opera at the newly renovated Capitol Theatre.

Council Member Shelton said he met with the Chamber of Commerce president. They talked about plans for growing the Chamber of Commerce. He was interviewed by the southwest visioning study consultants. He took a tour of Roseman University. He would like to see them get some CDBG funds to help with their dental clinic. He attended the Mulligans birthday celebration. He met with a congressional candidate. He rode in the bike tour on Saturday. He indicated that the SOJO marathon/bike tour was cold and they should consider moving it to mid September.

Council Member Shelton said he visited with City Attorney Loose and Strategic Services Director Tingey about HB411. He indicated that there is a representative from Rocky Mountain Power present. He said he has a lot of unanswered questions about what it would cost the city to engage in this. He said there are opportunities to opt out. He has concerns engaging and then opting out later. He said while the effort would lead to Rocky Mountain Power having more renewable energy sources, and helping the environment, there would not be significant improvement in air quality in Salt Lake County as a result.

Lisa Romney, Regional Business Manager for Rocky Mountain Power, said cites that are working with them are Salt Lake City, Park City, Moab, Summit County, Holliday, and Cottonwood Heights. It was noted that these communities have had sustainability initiatives for many years. She said they don't know what impact this will have on rates. It is a great thing for the community to offer to residents. She said to be included the City would need to pass a Resolution by the end of the year that says they have a goal to be using 100 percent renewable energy for power by 2030. She said if the city opted in, the residents would have to opt out individually. There are other volunteer programs through Rocky Mountain Power.

Ms. Romney said this is not an air quality program. She said there is some power generated in Salt Lake County, but there are no coal plants in the valley. She said the plant on North Temple and Redwood Road is not planning to go offline.

Council Member Shelton said he would like to see the city move forward toward renewable energy such as solar on public buildings, more natural gas pumps, etc.

Council Member McGuire asked if they can trace where the energy comes from. Ms. Romney indicated that there is accountability of where the energy comes from. Council Member Shelton recommended they schedule Ms. Romney to make a presentation to the City Council in a work meeting.

Mayor Ramsey said she attended Roseman University's 25 year celebration.

Mayor Ramsey said she met with the national accreditation team for public works. Public Works Director Rasmussen said public works, engineering, and other city departments recently went through the accreditation process. They were originally accredited in 2011, then again in 2015, and they were just reaccredited. The process went well.

Mayor Ramsey said she attended the SOJO marathon. She thanked staff; the marathon was an excellent event. She said she attended the sewer board meeting; there are over 1000 miles of pipe in the sewer district. She attended the Mulligans 25 year anniversary party. She met with the state school board representative. She met with the Youth Council. She met with a candidate for Congress and a candidate for the State House of Representatives. She met with the southwest visioning consultants; she encouraged the City Council to schedule a meeting with them. She said they had a ULCT Board of Directors strategic planning meeting. She attended the EDCUtah Board of Trustees meeting. There are some areas in the state that are looking at having their County oversee economic development for them. That would work well in some areas, but not Salt Lake County. She attended the Point of the Mountain State Land Authority Board of Trustees meeting. She attended the Jordan Education Foundation Executive Committee meeting. She said if people want to volunteer for the Christmas for Kids event, they should apply through the Jordan Education Foundation website. She reported on the Regional Growth Committee meeting for WFRC; WFRC will be receiving input on the 2050 plan. She asked that each City Council member try to attend a WFRC open house. She met with a professor of Utah State and they presented some wellness data and how it relates to living in South Jordan. Overall, South Jordan ranked the highest.

G. Consent Items:

- G.1. Resolution R2019-57, appointment of Mike Peirce as replacement for Alternate Member Michael Haynes on the Planning Commission. *(By Planning Director, Steven Schaefermeyer)*
- G.2. Resolution R2019-58, Idle Free South Jordan. *(By City Attorney, Ryan Loose)*

Mayor Ramsey said her appointee to the Planning Commission is an alternate. Mike Haynes was recently appointed to be our representative on the State Board of Education so he can no longer serve on the Planning Commission. Mike Peirce is her recommended appointee to replace Mr. Haynes.

Mayor Ramsey said she attended the Governor's declaration for idle free cities. According to a Salt Lake County survey, air quality is the number one concern. This is an effort to make a small

difference. She read the Resolution. She hopes this will allow for more public education and remind people in efforts to help with air quality.

Council Member Shelton made a motion to approve consent items G.1. and G.2. Council Member Zander seconded the motion.

Council Member Zander recommended a campaign to notify the residents including putting it on social media. Mayor Ramsey said a press release should be done.

Roll call vote. The vote was 4-0 in favor, with Council Member Harris absent.

H. **Action Item:** Resolution R2019-48, South Jordan Justice Court Recertification. (By City Attorney, Ryan Loose & Administrative Services Director, Spencer Kyle)

City Attorney Loose reviewed the background information on this item.

Administrative Services Director Kyle said one major update was the security plan, and new security personnel. They now contract for bailiff services.

Council Member McGuire made a motion to approve Resolution R2019-48. Council Member Marlor seconded the motion.

Council Member Shelton said it is convenient for residents to be able to take care of issues locally. It is a service to the residents and it mostly stands on its own. Mayor Ramsey said she had a resident that recently complimented the judge for the way he treated people.

The vote was 4-0 in favor, with Council Member Harris absent.

I. **Action Item:** Resolution R2019-59, appropriation of funds from the Storm Water Fund for the Millerton and Chavez Drive Storm Water Projects. (By Public Works Director, Jason Rasmussen)

Public Works Director Rasmussen reviewed the background information on this item. He showed a map of the area (Attachment B). He said the money is in the storm water fund. He said the HOA will look at rehabilitation or installing new down wells to accommodate the ground water. They feel moving the storm water out will help the situation. The city is responsible for the storm water.

City Attorney Loose said they typically don't have down wells in basins. Daybreak keeps the basins and operates those. The city owns and operates the wells. If they move the storm water, it allows more capacity to deal with the ground water. If there is a big storm, the city could have some liability. The developer will also be spending money to fix the situation. It is a situation that could not have been foreseen.

Council Member Marlor asked if the water has been migrating out on a consistent basis? Mr. Rasmussen said it has been going on for some time, since the houses have been there.

Council Member Zander said she has helped sell a couple homes on that road. There was a home that had to get a french drain so they didn't flood. She said because of her seat on the Mosquito Abatement Board, she has learned that standing water is a problem. Because of those health threats, it is wise to not have standing water.

Mr. Rasmussen showed on the map how they are diverting the water.

Engineering Director Klavano said because they are tying this project with another project, there is a cost savings. He estimated it to be approximately 20 percent (over \$100,000). There is some urgency to get the project done by Spring, before JVVCD's work is done. After the JVVCD project, they will overlay 10200 South.

Council Member Zander made a motion to approve Resolution R2019-59. Council Member McGuire seconded the motion. Roll call vote. The vote was 4-0 in favor, with Council Member Harris absent.

J. **Public Hearing:** Westwood Heights Property – 3667 West 10200 South. (Applicant):

- Resolution R2019-41, Land Use Amendment from Office to Low Density Residential; and (*By Planning Director Steven Schaefermeyer*)
- Rezone Ordinance 2019-06-Z, Property Rezone – Rezoning the property from Residential (R-1.8) and Agricultural (A-5) to the Residential (R-3) Zone. (*By Planning Director Steven Schaefermeyer*)

Planning Director Schaefermeyer reviewed the background information on this item (Attachment C). He said they received two letters in support of this application (Attachment D).

Leslie Mascaro, Wright Group, said UDOT retained the portion that they need. She reviewed road connections in the area. They feel this property is appropriate for a residential use. She said the elements that are different between the 2 zones (R-3 and R-2.5) are density, lot size, and the frontage and depth of the lot itself. They are trying to make the lots close to 12,000 sq. ft.

Mayor Ramsey opened the public hearing for both the land use amendment and rezone.

Gideon Roberts, representing the building at 3672 W. South Jordan Parkway. He said that building is just south of this lot. Their only concern is that the road to the west was supposed to connect to 10200 South. With the Bangerter underpass that will be built, it limits traffic flow and changes the traffic pattern and access is a concern for the commercial buildings.

Tracy Vanderbart, 10219 Whispering Sands Dr., said she would like to have a residential development, not an office building. She does not favor an access to 10200 South. She said Whispering Sands is a narrow road. Her only concern is that the plan showed the property going out into the street by 5-6 ft., and the sidewalk won't go straight across. She reiterated that she does not want high density or an office building.

Mayor Ramsey closed the public hearing.

Council Member Marlor asked if the access on the west end was intended to go through to 10200 South? Engineering Director Klavano said the intention was not to go to 10200 South, but it was to serve the overall area. He said when the interchange is done, it will be a ¾ intersection. It will have a restricted left turn out. There is no effect to the overall circulation of the area. There could be less traffic because there will be 1 less building.

Council Member Shelton asked for clarification on the concerns of the Planning Commission about setting a precedent. Are they concerned about making an island of R-3 in this area, and other developers could ask for the same thing? Mr. Schaefermeyer said yes. He said for some it was a concern out of principle that the requests are always for 1-2 more lots.

Council Member Shelton asked with the R-3 zone, could they do more lots than is in the concept plan? Mr. Schaefermeyer said no. He said they need a larger piece of property to see a significant difference in overall density between R-2.5 and R-3 because the lots sizes are so similar. It was noted that there is no development agreement proposed with this.

CM Whatcott said the city determined that R-3 fits in the low density residential requirement. They are not moving the application to medium or high density residential. This is being placed in a low density residential area.

Council Member Zander asked about the sidewalks lining up. Engineering Director Klavano showed the area where the sidewalk will transition. There will have to be striping on the road in the area.

Council Member Zander asked if the proposed turnaround is sufficient for public safety vehicles? Mr. Klavano said it will have to be built to city standards, which will allow for public safety vehicles.

Council Member Marlor made a motion to approve Resolution R2019-41. Council Member Shelton seconded the motion. Roll call vote. The vote was 3-1 in favor, with Council Member McGuire opposed and Council Member Harris absent.

Council Member Shelton made a motion to approve Rezone Ordinance 2019-06-Z. Council Member Marlor seconded the motion.

Council Member McGuire said he had concerns moving away from the office use, but since the use has now been decided, he is okay with the rezone.

Council Member Marlor said they have encouraged commercial development in this area. Given the UDOT change, it would be difficult to ever get commercial development in this location.

Roll call vote. The vote was 4-0 in favor, with Council Member Harris absent.

K. Staff Reports and Calendaring Items

CM Whatcott said the first floor construction at city hall is nearly complete. The second floor construction has started. They discussed the rooms designated for City Council members to be able to meet with their constituents. It was also noted that the recreation department is occupying the annex area. CM Whatcott said he feels this plan is giving the building 25-30 years of life. Having the recreation staff in city hall is the long range plan.

The City Council discussed the priority list to be discussed at tomorrow's LPC meeting. Council Member Shelton asked for staff to write up something for the Mayor to be able to read from at that meeting. City Attorney Loose also talked about additional items that staff is watching in regards to state legislation including police retirement and asset forfeiture.

Council Member Zander made a motion to take a break. Council Member Shelton seconded the motion. The vote was unanimous in favor.

Council Member Harris joined the meeting electronically at this time.

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

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

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

ADJOURNMENT

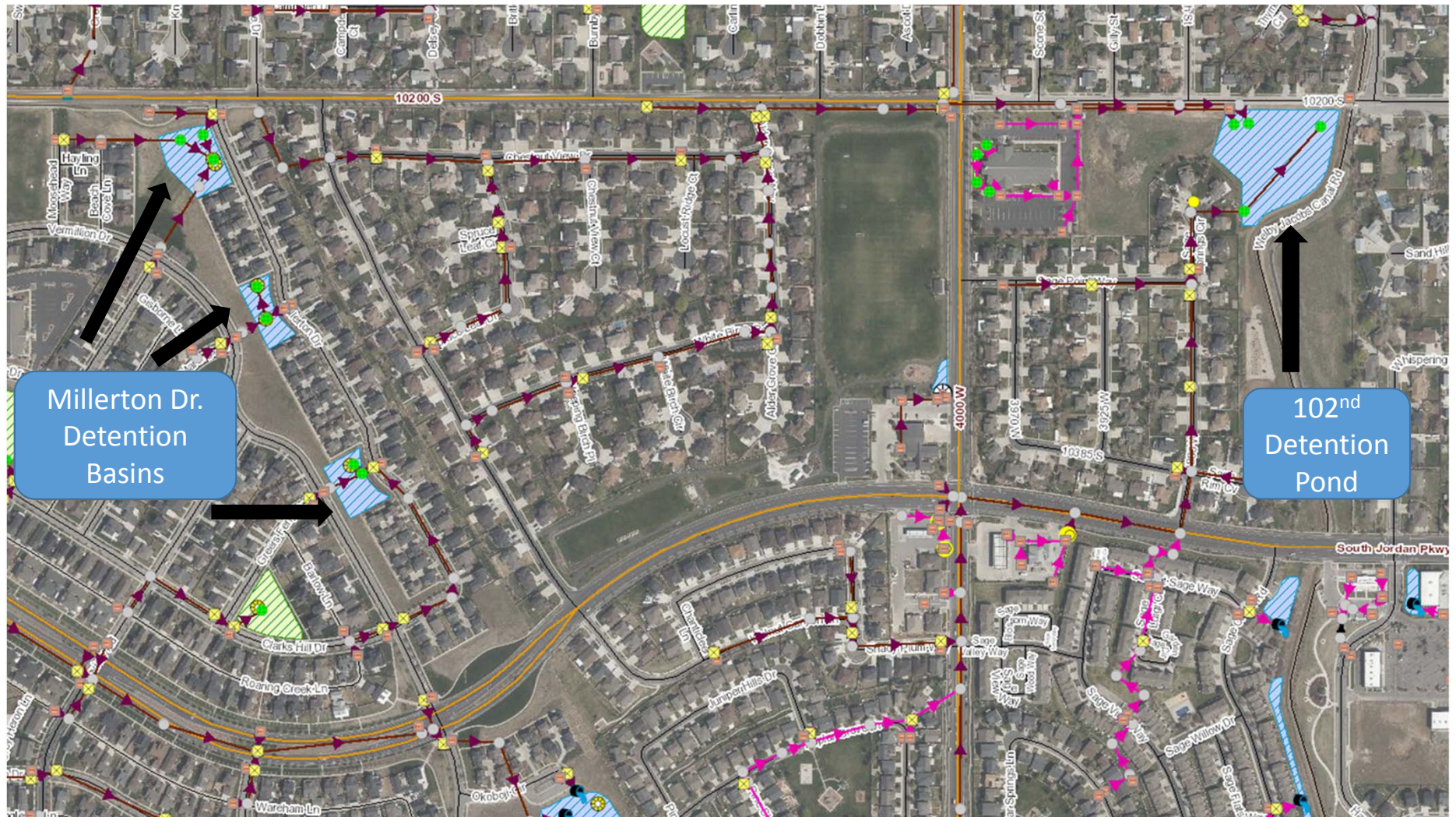
Council Member Zander made a motion to adjourn. Council Member McGuire seconded the motion. The vote was unanimous in favor.

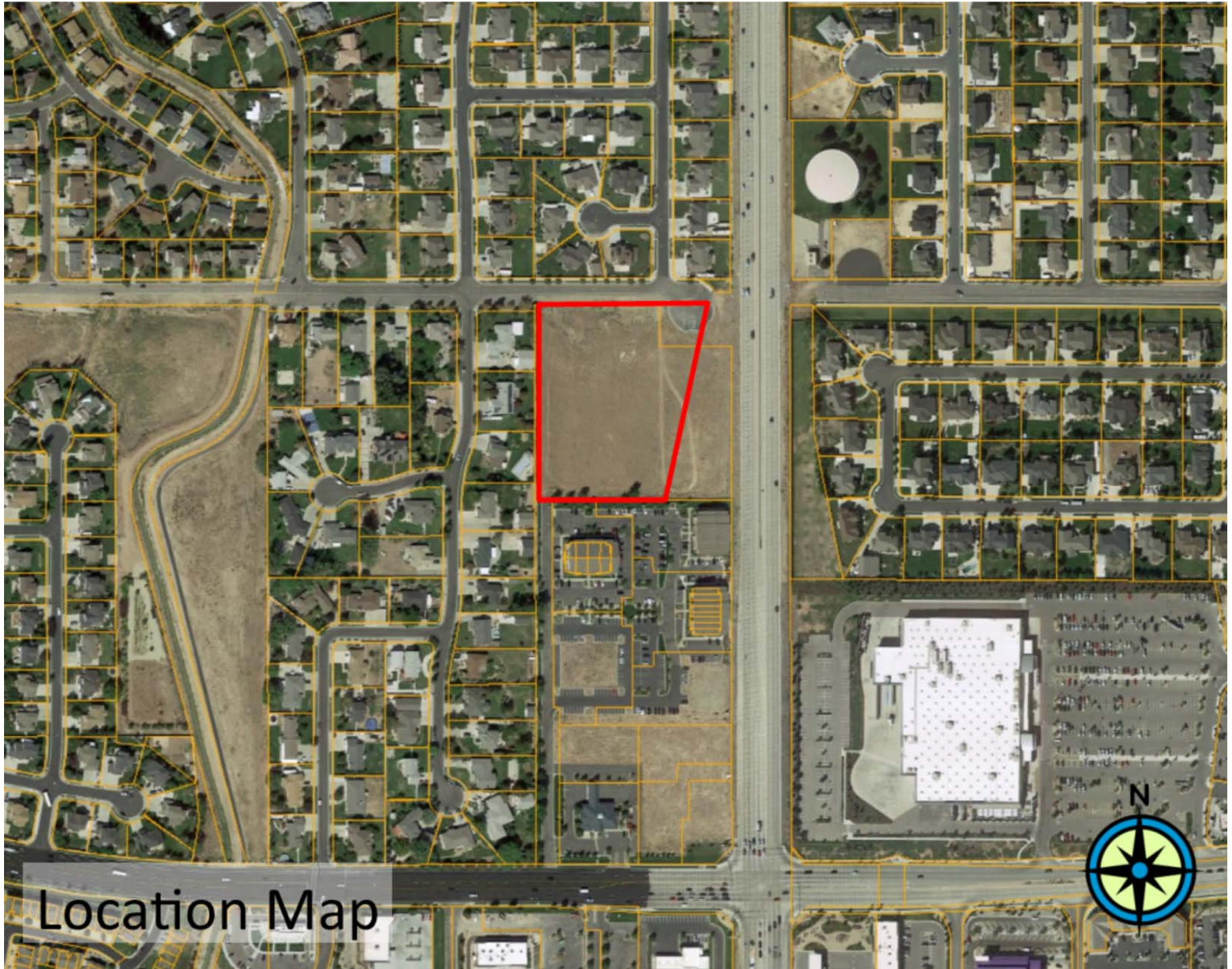
The October 15, 2019 City Council meeting adjourned at 10:08 p.m.

This is a true and correct copy of the October 15, 2019 City Council Meeting Minutes, which were approved on November 19, 2019.

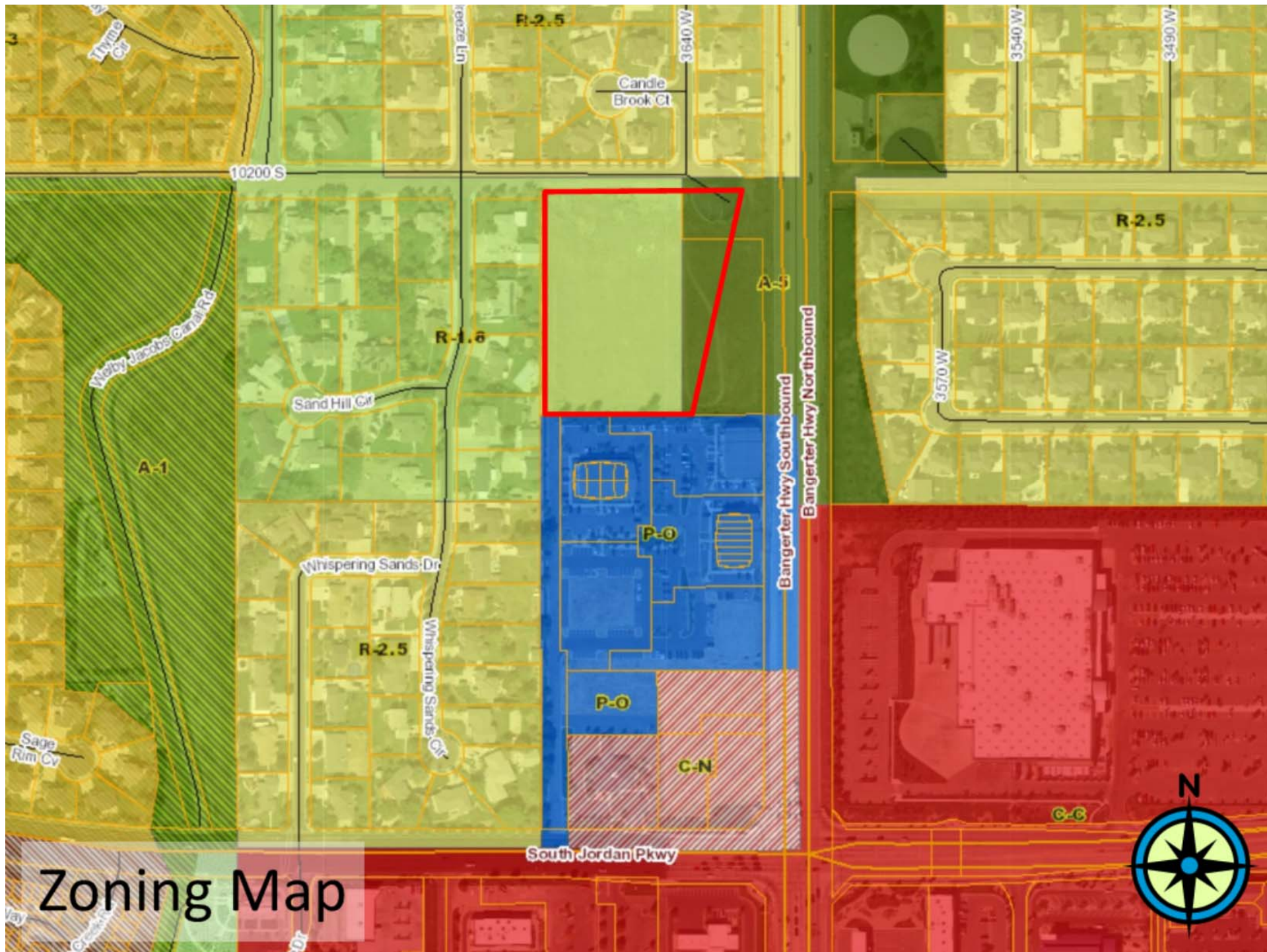

South Jordan City Recorder

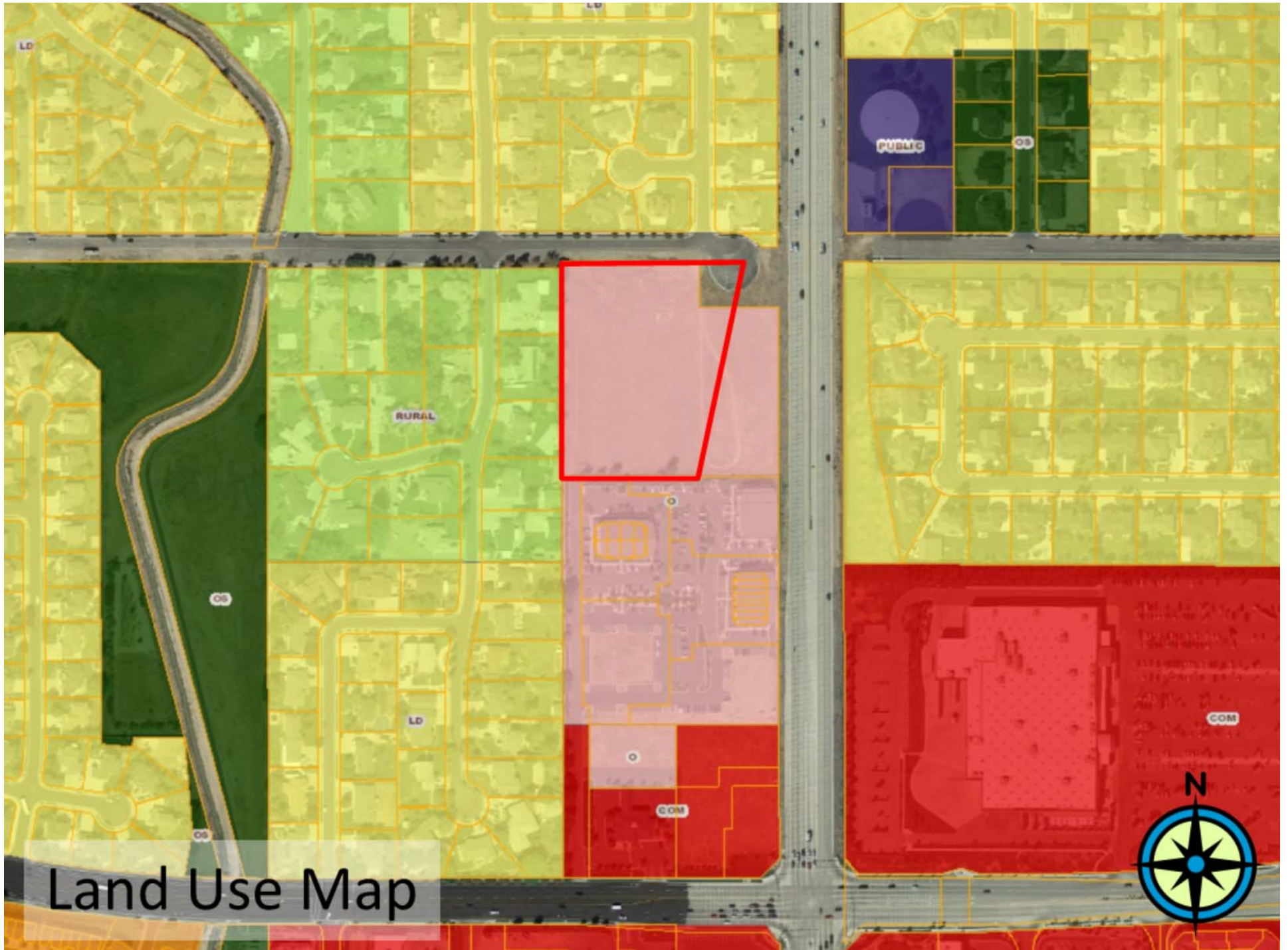
10-15-19 CC Meting - Attachment B





Location Map







Anna West

From: MaryAnn Dean
Sent: Thursday, October 17, 2019 8:33 PM
To: Anna West
Subject: FW: Second copy of letter to South Jordan City,

The letters included in this email are Attachment D for the 10-15-19 City Council meeting

From: Steven Schaefermeyer <SSchaefermeyer@sjc.utah.gov>
Sent: Tuesday, October 15, 2019 6:01 PM
To: MaryAnn Dean <MDean@sjc.utah.gov>
Subject: FW: Second copy of letter to South Jordan City,

MaryAnn:

See below. Two public comment emails to add to the minutes for Item J on tonight's agenda.

Thanks,

Steven R. Schaefermeyer | Director of Planning | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
O: 801.253.5203 Ext. 1260 | F: 801.254.3393



From: Leslie Mascaro <Leslie@wrightdevelopment.com>
Sent: Tuesday, October 15, 2019 5:50 PM
To: Steven Schaefermeyer <SSchaefermeyer@sjc.utah.gov>
Cc: David Mann <DMann@sjc.utah.gov>
Subject: Re: Second copy of letter to South Jordan City,

From: Greta Betts <gretabetts@gmail.com>
Date: October 15, 2019 at 2:18:11 PM MDT
To: bmarlor@sjc.utah.gov
Subject: Property on 10200 So

My name is Greta Betts and I live at 10343 So Whispering Sands Cir. I live near the property located on 10200 So and Bangerter Hwy that is on the agenda tonight. I am unable to attend the meeting tonight, but wanted my voice heard that I support the zoning to R3 to accommodate 12 residential lots to be built. I do not want that property to be zoned commercial. I am effected by the increase in traffic that will come through Whispering Sands and want to see it residential that closely matches the homes in the area. Leslie Mascaro has been upfront with us as neighbors and has a neighborhood design that fits the surrounding area Please support her proposal.

Thank you!
Greta Betts

Sent from my iPhone

Sent from my iPhone

On Oct 15, 2019, at 5:25 PM, Leslie Mascaro <Leslie@wrightdevelopment.com> wrote:

Great. Did you receive Greta's letter too? There are two. I'll forward hers right now.

Sent from my iPhone

On Oct 15, 2019, at 5:24 PM, Steven Schaefermeyer <sschaefermeyer@sjc.utah.gov> wrote:

I will mention that we received a letter in support and I'll forward it to the recorder for the minute. You are welcome to read it for the council if you'd like.

Sent from my iPhone

On Oct 15, 2019, at 5:00 PM, Leslie Mascaro
<Leslie@wrightdevelopment.com> wrote:

Will you read this in tonight's meeting minutes too?

Sent from my iPhone

Begin forwarded message:

From: DEAN L PETTIT <dean84095@msn.com>
Date: October 15, 2019 at 4:52:52 PM MDT
To: "Leslie@wrightdevelopment.com"
<Leslie@wrightdevelopment.com>
Subject: Second copy of letter to South Jordan
City,

October 15, 2019

Dean and Peggy Pettit

10381 Whispering Sands Cr.

South Jordan, Utah 84009

801-688-1003

To the South Jordan City Council

- Rezone Ordinance 2019-06-Z, Property Rezone – Rezoning the property from Residential (R-1.8) and Agricultural (A-5) to the Residential (R-3) Zone.

Peggy and I live in the Whispering Sands neighborhood to the West of the proposed property development. Together we want to voice our support for the proposed rezone and development of the property called Westwood Height Property 3667 West 10200 South.

We have reviewed the City's master planning for this area, which has this area mapped out for homes. We have also attended the planning and zoning meetings that were held in conjunction with this permit and have carefully reviewed the proposal for the rezoning to Residential (R-3). We are in favor of this zoning change and development to build 12 homes, that are compatible with the surrounding neighborhood.

This location is unique because of the changes being made to the Bangerter Highway. The proposed zoning and development change will fill in a property that will otherwise be difficult to develop with a plan that will be acceptable to our neighborhood.

We ask that you approve this zoning change.

Thank you for your consideration.

Dean Pettit

Peggy Pettit

Dean Pettit
dean84095@msn.com