

SOUTH JORDAN CITY
CITY COUNCIL MEETING

July 19, 2022

Present: Mayor Dawn Ramsey, Council Member Tamara Zander, Council Member Brad Marlor, Council Member Don Shelton, Council Member Jason McGuire, Council Member Patrick Harris, City Manager Gary Whatcott, Assistant City Manager Dustin Lewis, City Attorney Ryan Loose, Assistant City Attorney Greg Simonsen, Strategic Services Director Don Tingey, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, City Recorder Anna Crookston, Director of Public Works Jason Rasmussen, City Engineer Brad Klavano, Planning Director Steven Schaefermeyer, Fire Chief Chris Dawson, Director of Recreation Janell Payne, IT Director Jon Day, Senior IS Tech Phill Brown, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun, Planning Commission Member Steve Catmull

Others: Ellen Brown, ravery, Aaron, Steve McIntyre, Jodee Packer, L. Blake Bowthorpe, Austin Bowthorpe, Matt Olsen, Sarah Riding

7:42 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - *By Mayor Dawn Ramsey*

Mayor Dawn Ramsey welcomed everyone and introduced the electronic meeting.

B. Invocation – *By Council Member Tamara Zander*

Council Member Zander offered the invocation.

C. Pledge of Allegiance – *By Fire Chief Chris Dawson*

Chief Dawson led the audience in the Pledge of Allegiance.

Mayor Ramsey introduced the new Deputy City Manager, Dustin Lewis, who has been serving as the city's Assistant City Manager. Current City Manager Gary Whatcott will be retiring in a year and during that year, there will a transition period to make sure everything moves smoothly when Mr. Whatcott retires.

Council Member Marlor motioned to amend the agenda, moving agenda items down to allow the addition of Action Items as Item H, and Items H.1. and H.2 as part of that section. Council Member McGuire seconded the motion; vote was unanimous.

D. Minute Approval

D.1. June 21, 2022 City Council Study Meeting

D.2. June 21, 2022 City Council Meeting

Council Member Zander motioned to approve the June 21, 2022 City Council Study Meeting minutes and the June 21, 2022 City Council Meeting minutes, as printed. Council Member Marlor seconded the motion; vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Don Shelton had a visit with an employee Connor Oswald from the South Jordan Water Department, this was due to a letter he received nine months ago telling him there was a leak at his home. He finally contacted the Water Department and Mr. Oswald was sent out to check things out. There was no water leak, but they were very helpful and professional, and it was a great experience for him as a resident. He attended the Music Man, it was a great show. He attended a similar community theater program the night before, and without mentioning the specific community he wanted to share the Music Man was a much better production. He is very grateful to the Arts Council for all their hard work. He met with the Senior Advisory Committee this afternoon. Several new members have been appointed to that group and they are making things happen, he is excited about the new energy on that committee. They would like each of the council members to submit some photos to Jamie Culbertson, one of when they were a child, and a recent photo. They are having what they call Generation Day on August 31, and everyone is invited to attend; it starts at 8:00 a.m. and goes until 1:00 p.m. There will be a contest trying to match up child photos with current photos. He also brought up a discussion they had during their meeting earlier in the day, a request to have a “recorder” for that meeting. He knows those are public meetings, and that they’re posted, and he assumes they should be keeping minutes for that meeting and possibly other committee meetings.

Director of Recreation Janell Payne noted that for the Arts Council and committee in the past, it has always been handled by staff or they’ve had someone assigned from the committee who volunteered to do it. The Senior Advisory Committee has discussed rotating that responsibility and getting some additional training so it’s done appropriately.

Council Member Shelton would like to have this brought back as a proposal from staff, regarding having a recorder. When you are keeping minutes and on a committee, it’s hard to keep accurate minutes and participate actively in that committee. He believes having accurate minutes could be valuable, so if it’s not a big expense for the city to do it, he thinks it should be considered.

Council Member Patrick Harris asked if he would like to see this at all committee meetings.

Council Member Shelton responded yes.

Mayor Ramsey asked if that is required, as at the state level committees do not have to do that. Commissions do, working groups do not, and it’s based on what the group is called.

Deputy City Manager Lewis said they will look into it, and if it's required staff will take care of it.

City Attorney Ryan Loose said that the way we have our committees and boards set up, they would require meeting minutes. They have already been posting an agenda plus a brief summary of what happened at the meeting, and those minutes they have been publishing have been meeting any requirements. He is on the Indigenous Defense Commission and their minutes are very succinct compared to what the city council meeting minutes are, but the items they deal with are generally different than the council. He will work with the city recorder to ensure they are meeting all legal requirements in terms of who does it and how it's done. The way the groups are set up through the city code, it would require us to take minutes as they are public bodies and their meetings are noticed.

Council Member Shelton repeated that he does think it's a disadvantage to have a member of the committee doing it because of how it would impair their ability to participate in the conversation. There may be a simple solution that enables the folks that need to participate, including staff, to handle this but he does think that if they are going to keep minutes it would be an advantage to take that burden off the committee members specifically, and off of staff that is actively participating as well.

Council Member Patrick Harris thanked City Staff for their great job at the South Jordan SoJo Glow Race Series. It was fun for the kids at the initial race with all the neon bracelets and necklaces, both of his kids had a blast. There were a lot of people who showed up for the race and rucking as well, and it was well done as always.

Council Member Brad Marlor also enjoyed the Music Man, and he thanked Council Member McGuire and the whole Arts Council for putting that on. He has seen three plays in the last month, and this was certainly a highlight. He had an Architectural Review Committee meeting with one item on the agenda, and he noted that they do take minutes at those meetings. He specifically thanked Rachael Van Cleave who had published and provided some tax education information that is helpful for the council as well as our residents.

Council Member Tamara Zander said they just returned from the Utah Special Olympic event, and gave a huge thanks to the mayor for her participation in these types of organizations; without her dedicated involvement, they as a council wouldn't be invited to these things. They went to Glenmoor Golf Course before this meeting for the first awards ceremony for the local Utah Special Olympics Golfers. These athletes were so thrilled to get medals and awards, and it was delightful to be there; so many people do so much to encourage these athletes and it was heartwarming. She sent a huge thanks to Darci Olsen, who runs Glenmoor, and all the sponsors and people who contributed to the event. Last weekend was the Fizz Fest, and Jodee in the audience tonight came and told her how much she enjoyed it. This is an arts event in Daybreak, and the Zander Real Estate Team office was able to host the art show. Last year they had probably 100 pieces of art, this year was probably double that and it was so fun to see local artists displaying their art there, to walk around with no charge to observe everything. Coming up in August is the Dragon Boat Festival, and it's such a fun event; she is hoping the City of

South Jordan is able to get a team together for this year. This is the only dragon boat racing in the State of Utah and last year was the first one ever. They bring the boats in from Canada on semi-trucks, and anyone can get a team together.

Council Member McGuire thanked all those who attended the Music Man, a lot of work went into that by the Arts Council and the whole crew for the show. He also thanked Director Payne and Triana Ord for their efforts, as well as Jamie Culbertson who is over the senior programming for making the space at the Community Center available for the show. This year things were done a little differently with the Music Man compared to previous shows, they saved some of their set pieces. This makes an investment into the theater program because a lot of those pieces can be reused for future shows with repainting, and he thanked Director Payne for working to find storage for all those pieces. He also went to the Fizz Fest event, and as part of that he was looking for artists for the South Jordan Arts Council to team up with in the future and he made a few contacts there. One of them he met did the baseball mural recently for the city, and it was neat to see him doing something else. He also attended a farmer's market in Daybreak, and what stood out to him was what a blessed land we live in. As a City Council Member, when you attend events you tend to look at things through a different lens, and seeing the different mix of people interacting freely with each other with no contention was something that stood out to him.

Mayor Ramsey said she knows these reports take some time during the meetings, and noted that this isn't common practice for most cities, but she thinks it is important. The council wants residents to know what they are spending their time doing, how they're representing the residents and what services their elected officials are giving. They had the Jordan Education Foundation Golf Tournament, which pays for the classroom grants program they offer districtwide. The Unified Golf Championship and awards they just returned from are a first time event, and this is the first time this has existed in the whole state. There was a South Valley Chamber meet and greet at Mulligans, and the turnout was huge. It was an invitation for businesses in South Jordan to come and meet the South Valley Chamber, and over 80 businesses signed up for the South Valley Chamber that night at the event. She met lots of great business owners and those who had never engaged with the South Valley Chamber were very excited to be a part of it. She joined the governor speaking at his press conference on fireworks, and the city has had lots of feedback regarding fireworks. There are some residents frustrated that they can't do fireworks this year, along with residents in other neighborhoods requesting more restrictions on fireworks. The city has heard both sides and she wanted to make it clear that the fire danger continues to be very high. The state legislature controls whether or not there can be a ban on fireworks, and there is not currently a ban; there is not even an ability to ban fireworks in the state unless the legislature decides to, and the city does not have the authority to ban them outright. The city does have the authority to not make them allowed in areas that our professionals in the fire department label a danger zone. The last few weeks we have seen how devastating some of those fires in the state have been already, there have been many fires that have not made the news, but some that were featured in the news were very large. We are doing all we can to keep everyone and their homes safe, and not to be overly restrictive knowing that the city doesn't have the authority to do so. She hosted the Sacramento Valley Region Association of Governments, which is similar to our

own Wasatch Front Regional Council of Governments that handles all the planning organization for the whole Wasatch Front. The Sacramento Valley Region, which encompasses a lot of communities, came to town and she had the chance to visit with them and show them some of the planning that has taken place in our city by taking them to Daybreak and showing them the way that master planned community was put together. She mentioned the Martha Hughes Cannon display that was at the Gale Center last week, and hoped that lots of people had the chance to see that traveling exhibit. This smaller exhibit was a precursor to the larger one that is currently at the state capitol that will go back to Washington, D.C. and represent the State of Utah as one of the two statues in the nation's capital. She met with the Miller Group and Jordan School District. She attended the BusinessQ's 40 under 40 awards where she was able to see Senator Romney's Chief of Staff receive one of those awards, along with Jared Olsen who is a resident and on the Compensation Committee for the city. There were some big meetings for The Point, as a board of trustees they took the recommendation of their subcommittee and named the development partner for Phase 1. Those moving to the new prison have been moved, and things are going to start moving going forward. Phase 1 is only 10% of the project area at about 60 acres, but there is a lot going on there. She attended a statewide conference for teachers this last week, hosted by First Lady Abby Cox, and they were able to get enough sponsors to not have to charge anything for the educators to attend. There were close to 3500 educators there and she couldn't stay all day, but the Show Up for Teachers Conference was a huge hit; she met Tim Shriver, who was the keynote speaker there and it was a great event. She hosted the Salt Lake Chamber and Ivory Homes, who brought the Affordable Housing Coalition and met her and staff at the Bingham Court project where we partnered with Ivory Homes. Afterwards, they were brought to City Hall for a Q&A panel with the different industry leaders statewide regarding our out of the box work towards affordable housing in a community where the land is expensive. She had various board meetings and news interviews. The Music Man was incredible, and she thanked the Arts Council and everyone else who worked on that. Lastly, she wanted to extend a special thank you to Planning Commissioner Mike Peirce, who was in attendance tonight, for his service as an alternate commissioner on the planning commission as her appointee.

Mike Peirce thanked everyone for the opportunity to serve, and for their trust in allowing him to serve. He has lived in this city for almost 30 years and he and his family love this city, all the hard work that everyone here has put in to make it a city they love and want to remain in for another 30 years.

Council Member McGuire encouraged everyone to find and take the survey about The Point, to weigh in on its "hub" of the development.

Mayor Ramsey added that prior to putting out this survey, they had already heard from over 10,000 residents in the State of Utah. Now that this survey is available, they want to hear from even more people.

F. Presentation Item

F.1. Fire Update *(By Fire Chief Chris Dawson)*

Fire Chief Chris Dawson began by pointing out that we are in the midst of fire season, and wanted to share where they are at, what they are up against, and what they are doing to protect the residents. He reviewed his prepared presentation (Attachment A).

Council Member Harris asked if Team Rubicon, referenced in Attachment A, was a contractor.

Chief Dawson said they are a volunteer group, primarily made of veterans and first responders, who are very organized and have done some large scale fuel mitigation. They recently did a large project down in Moab, and they work in other states as well. They will respond at times of crisis too, but their focus is mitigation and prevention. He continued his review of Attachment A on firework restrictions. He noted that of all the calls they receive regarding fireworks, the majority of calls are residents requesting additional restrictions in their area at a rate of 10:1. As discussed earlier, the city cannot add additional restricted areas based on resident calls; he is only aware of one area they were able to add to the restricted area list that was missed so far. He added that the Sunstone Development was the one neighborhood that got pulled into the restrictions this year, and this is where they have had the most concern from residents. He spent several weeks concerned about that, but they believe that is the right thing to do. There have been fires in and around that area, and it does present a hazard. He noted that the vast majority of the most severe fires are on the west side of Mountain View Corridor. The map of outside fire calls from 2017-2021 was mislabeled as being through 2022, but the information on the map is consistent with the dates 2017-2021. He continued his review of Attachment A, discussing the interface fire from July 7, 2022 that was started on a hot windy day by a lawnmower that was out there knocking down the grass to prevent a fire; he hit a rock, and the spark from the rock is what started that fire that burned about 20 acres. It would have been much more significant except the time of day allowed for the Trans-Jordan Landfill folks to come out with their huge water trucks and a bulldozer. They were able to help put a line around the fire very quickly. The potential for that fire was very significant since it was a windy day, and in the picture you can see the houses through the field not too far away.

Council Member Harris suggested they invite anyone from the Trans-Jordan Landfill that participated in that to come meet the council and allow the council to thank them for their work.

Chief Dawson said that would be great.

Council Member Zander also suggested bringing Team Rubicon.

Chief Dawson said that as they get involved with the city he will make sure they are introduced to the council. He continued by noting that fires that start on the outside of a building and burn in, burn much, much faster than those which start on the inside and burn out. The issue we have is that if they have a small field fire that then runs in to the side of a house, up into the eaves and starts a roof on fire it will auto-extend to other houses very, very rapidly if the wind is pushing it. He has very significant concern based on the development in the west side of the city regarding their ability to lose entire tracts of homes out there, and that is a large part of why they are restricting the way they are. He brought up the Paradise Fire in Oregon, where some of our employees actually went up there to help; that fire went through entire communities that were

leveled. Fortunately, many of these fires happen during the day, and people are able to get away from them. He fears what would happen if that type of fire started in the middle of the night. He continued reviewing Attachment A regarding the Bingham Creek Ready, Set, Go! Program that the fire department is pushing in the community.

Mayor Ramsey noted that she received a phone call from a resident who was very frustrated that they had spent \$800 on fireworks, then found out they weren't allowed to do them in their neighborhood; they were frustrated that they were for sale so close to a restricted area. She tried to explain to them that the city has no control over that, we cannot determine where they can or cannot be sold, and asked if Chief Dawson had anything to add in terms of what the city can do and what they currently do in terms of fireworks vendors.

Chief Dawson said that is something state legislature has looked at over the past two years, preventing fireworks from being sold in restricted areas; they have not pulled the trigger on that yet, but it is something they have been talking about. He has personally asked our fire inspector to deliver our fireworks restriction map when he inspects these fireworks sale locations, so that people have access to that. The fire department has also been working with our streets department to put some large notification boards on 10400 South and 11400 South as you drive into those restricted areas, so people are made aware of that; they will continue to do that, and expand those measures and educate the public according to the restrictions every year.

Mayor Ramsey noted that those maps are on display where you can buy fireworks, showing the restricted areas.

Chief Dawson added that they are typically printed in a large format, laminated, and then given to the vendors. Again, he has asked the inspector to make sure those are up and visible.

Council Member Zander asked what happens when a neighbor calls out another neighbor in a restricted area. She lives in a restricted area and people are unfortunately still lighting off fireworks, so she wonders what the police officers do when they get a call.

Chief Dawson said that both fire and police will respond to those areas. He also noted that every holiday weekend they put out extra patrols, with every one of his fire units out and about. They have really taken an approach of education to the community, because they realize that some of these restrictions are new. They are going out and taking the time to talk to them and educate them about the hazards of fireworks. Depending on the situation, they certainly can be cited, and it's a fine of up to \$1,000 as a Class B misdemeanor to light fireworks in a restricted area. As of now, he doesn't believe they have levied any citations as they are really trying to take an education approach with the community. He discussed the Marshall Fire from December 30, 2021, happening in the middle of the winter, and showed a video that can be found at <https://coloradosun.com/2022/01/06/marshall-fire-boulder-county-timeline/> (link also listed in Attachment A, slide 27). Much like we are facing now, they had a heavy spring with a heavy fuel load, then kind of a dry fall with really no snow. What put this fire out was a heavy snowfall on January 1, but 1084 structures were lost in that short period of time and he thinks it's important to look at this. This is what he fears the most as a fire chief, that exact scenario on our city's west side. We have all the potential in the world to leave a swath of foundations, and that's why they

are doing what they are doing. He wants everyone to know that they are doing everything in their power to make it right and put appropriate restrictions in. He recognizes that it's inconvenient for some, and added that he has lived in a fireworks restricted area for a long time and he gets it. The goal is never to take away anyone's fun, but what is more important to him is what has been seen in many recent viral videos showing how quickly fires happen due to fireworks, and the injuries they cause. Even something as simple as putting hot fireworks away in your garbage can and that starting your house on fire in the middle of the night, if backed by a wind, is going to be through multiple homes, probably before they can even get there. In the Marshall Fire situation, it was an absolute miracle nobody died, but it was also at 11:30 a.m. on a Thursday so people were able to get out and in front of it; had that been 11:30 p.m., who knows how many lives would have been lost. He doesn't want to be an alarmist, but it is important to recognize the potential that exists. The entire western United States is on fire right now, and it is every single year. Our fire seasons often now reach into December, and they have gone on deployments in other states in December. These fires are getting more and more aggressive, and they are losing more and more communities as a result over the last several years. He does believe we are in a good place, and they are doing everything in their power to put good prevention measures in the community and to protect the residents, and they will continue to do that.

Council Member Harris asked if with the dry conditions here, are we set to be able to man our crews here with these EMAC deployments.

Chief Dawson said yes, they are in a great position right now and are very well staffed with excellent equipment. They have been in a rebuilding phase over the past couple of years and they were not able to support the EMACs as they were rebuilding and staffing for Station 64 and replacing some equipment. Right now they are very well set with excellent equipment, well trained firefighters that can support these EMACs, and they can do that very comfortably at this point.

Council Member Shelton said he is grateful for the efforts of the fire department, public works and our city leadership in mitigating the risks in Bingham Creek. He walks through there every day and part of it gets behind his home, and he sees the work they have done. It is interesting to note how much of the risk is on private land, so he thinks it's brilliant to have this other group involved that can help with that.

Chief Dawson said it is a great thing to have them available to help those private residences. If you walk through that area and look, his biggest areas of concern are the areas with trees that are running up the hill into their eaves. If a fire starts like that, there is zero chance they are going to save that home.

Council Member Shelton said that he is one of those people that has a tree line going right up to his home, and he has been trying to convince his wife to change that. Two years ago there was a fire behind his home, fortunately it was across the other side of 4800 W, but it was a scary feeling to wake up at one in the morning with flashing lights outside your bedroom window and the reflection of fire coming through your blinds.

Chief Dawson noted that there was some additional information included in the last slide of Attachment A, and he asked the council to reach out if they had any questions.

Mayor Ramsey thanked Chief Dawson and his entire team for all of their work, their efforts, and the thoughtfulness that goes into the best way to keep the residents, their homes and their businesses safe in South Jordan. There was an article today, she thinks from KSL, talking about the Jacob Fire that was a week ago just over the mountain on the west side. That was human caused, and at this point they are estimating the cost of that fire at \$5.2 million. She also appreciates the patience of the residents; we are living in an extreme drought and high fire dangers, so everyone is trying to make the best decisions possible.

G. Public Comment

Mayor Ramsey opened the public comment portion of the meeting.

Steve McIntyre (Resident) is here because of the accident that took place on 11400 South. They buried a young man, and his partner in crime will have a difficult life ahead of him. He lives on the corner where that happened, and that is the third time in 14 months that Life Flight has landed on that corner. In May, there was a young man who is probably still laying in the University of Utah Hospital with severe brain damage. The purpose of him being here today is that we need to do something with 11400 South. It is the perfect road for what it was designed for, it moves a lot of people up and down, but there is a lot of danger that has taken place. He wanted to back up to 2009, UDOT wrote him a big check to take a piece of his property, and in the meantime had discussions, he believes with the mayor who was Kent Money at the time, about a stoplight; the light ended up on 2200 West which they had no idea if that was good or bad at the time. The light on 2200 West feeds into an almost dead-end subdivision. Some of the things that need to be done with that road is understand the traffic. The equestrian park is across the street, it was sold to Utah State. He has sat on the board for five years, so they have a pretty good idea of the number of people that use the equestrian park. In 2019, 169,587 people used that park that bought a ticket; that was the only way they figured out they could track them. Each one of those people equaled three vehicles, that didn't include the 110 boarders that come every day. Now we are feeding close to a half a million vehicles, 500,000 vehicles on to 11400 South and 2200 West. He went to UDOT last week, thanks to Anna Crookston, who if he was running a business he'd steal her from the city and pay her twice what they're paying her. He went to that meeting on short notice and had this same conversation with them. He went with the purpose of asking them for a study on 11400 South. Fortunately, or unfortunately, they are just finishing their study. As he asked them some questions, he doesn't think South Jordan was involved in the study and maybe there's someone here that can tell him if the city was involved, but they are going to reopen their study. He lives on Gold Dust Drive, and it's the only street that connects 11800 South or 10600 South without a stoplight. It is a straight through street, there is no turn. They came in front of the city council twice before to have this discussion, and right now they are feeding all the people off of Gold Dust Drive with all the people cutting through that go to Monte Vista, Bingham High School and the equestrian park on to that street. One of the things they heard when they were here before was that 11400 South was UDOT, the city has no control over it. If you talk to UDOT about Gold Dust Drive, they say that's a city street that they have no control over, it's a police issue and they have to enforce the regulations on 11400 South. His

question is, at what point do we stop and look at this. He has some numbers given to him from the city that showed between July 6, 2021 and July 11, 2022, between Redwood Road and 2700 West they had 51 responses for lights and sirens. That doesn't maybe sound like a lot in that short period, but he tried to find something to compare it to. The fire department responded from the freeway to Mountain View, keep in mind that's five times the distance from Redwood to 2700 West, and they responded 43 times; how could that be. The other thing that Anna Crookston taught him was that the systems don't speak to each other, the city has changed systems a few times over the years so it's hard for the city to gather this data. We don't really know what kind of activity has taken place in that area. He'd like to see the city at least have someone work with UDOT, take a look at that area between Redwood Road and 2700 West, understand that the equestrian park is now sold to Utah State University so he thinks we will get more traffic than what we currently have and understand that Gold Dust Drive is the only road in the city that is a straight through without a stoplight that connects 11400 South and 11800 South. That's a lot of traffic, and he has lived there for 38 years. He enjoys it, enjoys the city, and appreciates everything the city does; he can't speak highly enough about all the contacts that he's had, but at some point we have to figure it out. We might need to start moving people on right hand turns only, decrease the speed limit by 5 mph and increase the fines by 25%, increase enforcement, look at putting a stoplight on Gold Dust Drive which is an inconvenience to him personally. The last thing he wants is a stop sign outside his bedroom window, but if that's what it takes, we aren't going to get any smaller.

Austin Bowthorpe (Resident) has a rezone application that will be addressed later, but as everyone knows the rezone application is on 11400 South, on 2555 West, which is close to the accident that occurred. If the rezone is approved, they will share a lane with the family that did lose the young man. A little bit of history, his dad bought the property in 1999 and he has lived there. He used to be able to ride his bicycle up and down 11400 South when it was a two lane road. As an adult, he wouldn't ride his bicycle up and down that road. With this rezone application, he is the person who hopes to build a home there. When they heard about this accident, he has a son that is 8 years old and around the same age, and they actually went out there where he told him "whatever you do, don't go on the shoulder, always stay on the sidewalk." However, he was an 8 year old once, and he knows that some things dads say to kids go in one ear and out the other. He strongly asked that the city looks into this and look into a way to improve safety on the road. They have four kids and hope to live here, they will be going to Monte Vista Elementary School and noticed that there is no school zone lights there. He assumes the kids cross the lights with a crossing guard when it turns red, but there is still traffic going into the intersection. He would ask the city look into this, do what they can to improve safety. Just some visual things he has looked at is on 10400 South when you're close to Daybreak it's 40 mph, then once you get closer to Bangerter Highway it jumps up to 45 mph, then when it goes through the neighborhood portion again it drops down. On 11400 South it's 45 mph, but then when you cross over into Sandy it drops down to 40 mph. He's thinking that if maybe we can reduce the speed it would be a help in his mind.

Mayor Ramsey closed the public comment portion of the meeting.

H. Action Items

H.1. Resolution R2022-31, Appointing members to the Senior Advisory Committee *(By Director of Recreation Janell Payne)*

Director of Recreation Janell Payne said that as staff, they are recommending appointing LeeAnne Whittaker to the Senior Advisory Committee.

Council Member Marlor motioned to approve Resolution R2022-31, Appointing LeeAnne Whittaker to the Senior Advisory Committee. Council Member Harris seconded the motion; vote was unanimous in favor.

H.2. Resolution R2022-32, Appointing Aaron Starks as the Mayor's appointee to the South Jordan Planning Commission *(By Director of Planning Steven Schaefermeyer)*

Director of Planning Steven Schaefermeyer had an opportunity to chat with Aaron Starks after the study session, and he had lots of questions. Director Schaefermeyer appreciated all the great questions, and it seems like Mr. Starks will be engaged as a member of the planning commission. Staff feels good about Mr. Starks joining the planning commission and recommends approval.

Council Member Zander motioned to approve Resolution R2022-32, Appointing Aaron Starks as the Mayor's appointee to the South Jordan Planning Commission. Council Member McGuire seconded the motion; vote was unanimous in favor.

I. Public Hearing Items

I.1. Jordan Valley Water Conservancy District Proposed Property Tax Increase for Water Service Purposes *(By Assistant General Manager Matt Olsen)*

Matt Olsen introduced himself and noted that because of state statutes, they are required to go before the legislative entities and present this proposed tax increase. It was tentatively approved by their board, and there is a public hearing coming up on August 10, 2022 at 6:00 p.m. at Jordan Valley's offices in West Jordan to discuss this property tax increase. It ends up being a 7.8% increase and he referred to a handout (Attachment B) that goes over some of the main concepts regarding this property tax increase.

Mayor Ramsey opened the public hearing for comments. There were no comments and the hearing was closed.

I.2. Zoning Ordinance 2022-06-Z, Rezoning property generally located at 2555 West 11400 South from the A-5 Zone to the R-2.5 Zone, applicant Austin Bowthorpe *(By Director of Planning Steven Schaefermeyer)*

Director of Planning Steven Schaefermeyer reviewed background information from the Staff Report and Attachment C.

Council Member Marlor asked about what is at the end of the private lane.

Director Schaefermeyer responded there is a property at the end of the lane. There is not a cul-de-sac at the end of the lane, the properties along the lane are existing and not a part of this application. There could be a potential hammerhead added for emergency turnaround, but because this is a private drive with so few homes and the distances required, the hammerhead would not be required as part of this subdivision. However, we would require a fire hydrant, which is a significant upgrade to the private lane.

Director of Engineering Brad Klavano added that city code allows up to two lots on either side before you have to do a turnaround. They are just adding a second lot in, and there is an existing situation. It would be very difficult to have them go down to the end on property they don't own and put a turnaround in, and things have been this way for a long time.

Council Member Zander asked to clarify that the property owner at 11521 South 2570 West, at the end, owns the entire lane. The current applicant has gotten permission to access this private lane on 2570 West and she asked to confirm that there will be no direct access to 11400 South.

Director Schaefermeyer confirmed that she is correct. The existing home would remain, and that existing home has a driveway with access to 11400 South which will remain.

Council Member McGuire asked if the access agreement is recorded with the property, so there are no access issues in the future.

Director Schaefermeyer said the applicant can discuss their agreement, but it could be recorded on the subdivision plat or a separate document; that would be part of our requirement for subdivision and it cannot be a verbal agreement, it must be recorded.

Austin Bowthorpe (Applicant) said they are increasing the density of the city by one lot. They do have an easement with the property owner and it is recorded with the county; it's a utility and access agreement. Originally this was a two acre parcel, the home just to the south was also a part of this property previously; there is an easement for that home to use the road as well.

Mayor Ramsey opened the public hearing for comments.

Jodee Packer (Resident) has family property as well that is on Jackson Downs and is within 300 feet of this property. Part of what brings her here is that when they purchased property for family on Jackson Downs 11 years ago they went to the city specifically and asked about the property behind them, hoping it would not be some kind of apartments or something similar in the future. They were told there would be no building behind them, it was agricultural and because of the narrowness of the lane and inability for fire to get down it to turnaround or come back out, nothing else would be built back there besides the three existing homes. In the meantime, property was subdivided and another home was built, so they now have a fourth home on that property. They would love to have Austin Bowthorpe and his family live nearby, but they have some real concerns about how narrow that road is. Adding to this, they are concerned about it setting a precedent for the next property down to have the opportunity to subdivide theirs, and the next down, and the next. Pretty soon you have a very full little street

with no real fire access, and it's a concern. If you haven't had the opportunity to drive down this street, she wondered if it was possible to table this and take a drive down that street. She thinks you'll see the real genuine concern they have for people on both sides, should something go wrong and there not be an option to bring in equipment and crews to take care of an issue. Again, their big concern is the narrowness of the street. Being so close and having to pull out of that street, it is one lane, not two; you cannot get a car on and off at the same time, and there are multiple entrances and exits to 11400 South within a very short span making it very crowded and very easy for accidents to happen in that area. That is their main concern, setting a precedent for those other lots to be subdivided and developed, because they were told they wouldn't, and it has already happened once; this would be the second and they are concerned about it continuing on.

Sarah Riding (Resident) said the private lane runs directly behind the wall in her backyard, and she is close with the neighbors that live at the end of that private lane. They have the wonderful opportunity of having a somewhat rural property in South Jordan, which she knows was a wonderful part of this city. She knows we are growing, but she loves having them as her neighbors. She knows it was discussed, but there would really be no opportunity for a turnaround on their property as they have horses and things like that. They are concerned about whether or not this would affect the whole lane and they were not able to be here, so she offered to share their feelings. She feels strongly as well, with Ms. Packer, regarding the narrowness of the road. There are some children there and the north end of her street opens on to 11400 South, and with the wall that runs behind her property there is not a great visibility when you are turning to head east onto 11400 South. There is that private lane coming out, along with the daycare/preschool and another residential road that feeds out. She is a little concerned and thinks that the accident we've mentioned several times today has them worried. She appreciates the things that have been said about the concern. She had the opportunity to be the spokesperson for the family who lost their son and she appreciates their kind words, but she wanted to let her feelings be known. She hopes the council will consider the concerns and she agrees with Ms. Packer that it's not that they don't want new neighbors, but that their worries are equally as important as their desire to live there.

Mayor Ramsey closed the hearing for public comment.

Council Member McGuire asked for the width of the public lane.

Director Schaefermeyer referenced the infrastructure report that was attached to the staff report, saying there isn't a specific width on there, but the statement is that it "meets minimum width requirements" and it is paved.

Director Klavano added that the width ranges from roughly 22 to 25 feet, based on measurements from our GIS.

Council Member McGuire asked for the average road width in the Daybreak Community, where the roads are typically narrower.

Director Klavano responded that in Daybreak they are 26 feet of asphalt, the fire code requires

a minimum of 20 feet. The lane itself is wide enough with asphalt, but per one of the public comments, the drive approach seems a little narrow and that could be a little bit of a conflict with cars going in and out but with so few homes, it wouldn't create a lot of trips.

Council Member Zander asked to confirm that when it snows, none of our equipment goes in there to plow or do any other work; this means they have probably never had a firetruck drive down this road before.

Director Schaefermeyer noted that is correct regarding the plowing.

Fire Chief Chris Dawson said there is a good chance they have not been down that road with a fire apparatus.

Council Member Zander acknowledged that it meets our minimum requirement, being over 20 feet wide, but she asked how they would put out a fire unless they pulled in forward and then backed out. What would the fire department do if house number three, the private lane owner, had a fire; how would fire crews handle that.

Chief Dawson said they would head straight down that lane, but they would probably not park directly in front of the house, opting for something called alley lays which are common for a variety of setbacks in the community where they set larger hoses up and work off of those. They would commit fire apparatus down that lane, and those further down the lane are his bigger concern, but they already exist. Speaking quite frankly, he said that adding a second house at that distance is well within their capability to fight fire. However, if either of the other two lots further south were developed and they tried to add something there, he would be very insistent that they had a turnaround at that point.

Council Member Zander asked staff, based on Chief Dawson's comments, when these other lots develop in the future how the city would insist a turnaround.

Director Schaefermeyer said that would be a part of the subdivision requirement improvements. Whether public or private roads, the city identifies any improvements needed to a lane or road in order to accommodate. In this case, it appears they would require a fire hydrant as part of that second lot; that is an example of an improvement that would be hooked into our system, that a fire hydrant is required as part of their construction plans.

Council Member Zander asked where the nearest fire hydrant is located.

Director Klavano said that, based on the water maps he can see, one is showing on the back of the property that is being subdivided.

Mayor Ramsey asked if this is approved because it has been determined that it is within the fire department's ability to service, and additional parcels to the south applied for the same thing in the future, would our process dictate they can't do things the same way unless a turnaround is added.

Director Schaefermeyer noted that with the A-5 zoning in place, in order to add an additional lot they would have to go through this process again with the city council. In addition, whenever there is a rezone it is typically taken to a DRC or they distribute the application among staff including Engineering, Fire and Building to try to anticipate some of these issues and give them a preliminary assessment of what staff will be recommending to the planning commission, as well as the council.

Council Member Marlbor noted that when staff is asked questions, the response is typically based on what's in place at that point in time; that doesn't mean things can't change in the future.

Council Member Harris is glad the applicant is here to answer questions, and he always appreciates when applicants come in with something reasonable. This request is only to add one home, often times a development comes in with many things that are more troubling and that have to be worked out. He also respects the residents who came in, who live down that lane, and are concerned about traffic. This body right here seems to be all on the same page regarding concerns about future development in there, in that there would be a turnaround required. From a traffic perspective, Austin Bowthorpe's father lives in the first house, so they won't be passing by any of the houses further down the lane, which doesn't increase the traffic further down the lane. It's getting harder to maintain these larger parcels with water restrictions, and we need to be able to add more homes into our community. He thinks this one home is very reasonable and he thanked everyone for handling this meeting so well.

Council Member Marlbor asked about the lot, and got the response that it's legal nonconforming and 0.95 acres. Both of the resulting lots would actually meet the requirements of the R-1.8 zone in terms of lot size, but the density requirement would have to be R-2.5. He then asked how many houses could potentially be added off this lane.

Director Schaefermeyer said that without seeing the exact potential situations, hypothetically there could be two additional homes. However, based on the way things have been built many of the other existing homes and lots are closer to the lane. Those are the things they would look at, and there are requirements for distance on dead end streets. Since the last property has control over the lane, the city may require them to improve, widen or change the lane, possibly requesting a turnaround as well. Anyone desiring another home would have to go through the rezone process first, and they would have to comply with the zone to build. There are other opportunities at rezone for the council to weigh-in on specific requirements via development agreement as well.

Council Member Harris noted that there is a lane like this very close to his home, and he believes they are adding three homes close to the size of this one. He thinks this is a very reasonable request to add just the one home. The legislature is talking about removing the city's ability in the future to rezone, or have zoning authority at all, and down the road there could be a situation where you have multiple homes crammed in a tight spot. The fact that Mr. Bowthorpe is looking at moving there is very good for the community, because things could be much different down the road with the possibility of the legislature taking away zoning authority.

Mayor Ramsey said last week at the Growth and Transportation Subcommittee of the UEOC, she had her first official presentation proposing just that. They called it a partnership between the state and local government, where the state would tell the local government that they no longer have a choice and will decide the zoning for them. She could see herself being the only “no” vote again on the UEOC, but we will see what happens with that.

Council Member Shelton appreciated the presentation and comments from residents. He received an email (Attachment D), as did Council Member McGuire, articulating the same concerns as residents here. He finds the application to be reasonable, and thinks it will be a nice addition to the community as long as our professional staff feels it meets all the requirements.

Council Member Zander is comfortable with the zoning and density, along with the fact that Mr. Bowthorpe wants to put a house at the back of this 0.95 acre lot. However, by voting yes to this, to the residents’ concerns this is now opening the door for the following subsequent properties. She is still uncomfortable with the safety of the lane, and the inability to add a requirement. The person who owns the lane will not spend any money unless the city requires them too. Is it possible to do that now, rather than waiting for a future council to make that decision.

Director Schaefermeyer noted that the owner of the lane is not before the council as an applicant, and improvements such as that, unless the city wants to use eminent domain and condemnation to go in, are only triggered if someone wants to develop their property. If an applicant was required to do an offsite improvement, they would have to do another analysis to determine if that offsite improvement is directly related to what they are proposing, not what could happen in the future. If it is connected to offsite impacts, or what could happen down the lane, then we are on the hook for those improvements.

Council Member Zander added that she does feel comfortable with the due diligence that has been done for this lot. She is not comfortable with the letters she received from Ms. Packer, Mr. Miles and the comments from Ms. Riding that we are setting a precedent for the next lot. We all know how things are trending at the legislature, this next lot could be divided three times and then we’d have three more families offloading to a tiny lane. This council will most likely no longer be here, and these residents will come back and voice their concerns. She feels bad for the neighbors that we can’t give them a resolution for safety.

Director Schaefermeyer said that this would be a different discussion if they were discussing a subdivision further down the lane. They have had discussions about the idea of precedence in the past when making these decisions on zoning. Ultimately, each zoning application is different and whether it’s before this council or a future council, they can take all of that into consideration.

Council Member Zander hears what is being said, and wants the residents to know that they are hearing what they are saying as well. We have to make a decision about the current application, and are unable to advocate for future lots at this time, and she is very sorry for that.

Mayor Ramsey echoed what Council Member Zander said.

Council Member McGuire echoed those sentiments as well and added that he is concerned about the future of the area, but doesn't have an issue with what's actually being proposed tonight. It is in harmony with the existing community, which is something he always looks for, and he is grateful it is not a higher density project being brought forward.

Council Member Harris motioned to approve Zoning Ordinance 2022-06-Z, Rezoning of property from the A-5 Zone to the R-2.5 Zone. Council Member Shelton seconded the motion. Roll Call vote was 5-0, unanimous in favor.

I.3. Ordinance 2022-12, Amending Sections 17.16.010 of the South Jordan City Municipal Code to add a sixth Planning Commissioner and make other changes to the Planning Commission *(By Director of Planning Steven Schaefermeyer)*

Director Schaefermeyer said this is before them tonight because it was tabled for an issue with the title of the ordinance. He apologized for that and noted it has been fixed. There was also a question about what happens in a tie vote, and they included a subsection A in the ordinance before them tonight to clarify that. The wording doesn't directly say what happens in a tie, but it does say that you have to have a majority of those in attendance. This is very similar language to the council's rules, and the difference between the planning commission and the city council is that the mayor can weigh-in on a tie vote and break the tie. However, in the past they have seen a situation where four council members were present, the mayor was absent, and a vote ended in a 2-2 tie. As a result, according to Robert's Rules, the motion dies in that situation. In that situation in the past with the planning commission, that 2-2 vote would forward a negative recommendation because it was a tie vote.

Council Member Harris said that the planning commission could still convey to the council that the vote was a tie.

Director Schaefermeyer said they usually include the vote with the recommendation for the city council.

Mayor Ramsey opened the public hearing for comments. There were no comments from the public and the hearing was closed.

Council Member McGuire motioned to approve Ordinance 2022-12, Amending Section 17.16.010 of the South Jordan Municipal Code. Council Member Shelton seconded the motion.

Council Member Marlors said having served on a planning commission here in the city, it has taken a bit for him to get comfortable with this. If someone were, for example, to do this on the city council he would say no as he doesn't believe it would work. It strikes him that they have had more problems with three or four planning commissioners showing up, as opposed to always having six. From that standpoint, he understands and will not oppose this, but it has been an adjustment for him and he will be interested to see how it goes.

Mayor Ramsey appreciated Council Member Marlor's words, as well as the planning commission's unanimous support of this and that Chair Michelle Hollist came and spoke in support of the ordinance, agreeing that it would be helpful for them.

Council Member Harris is supportive of this. One of the reasons this is being discussed is because we don't always get enough Planning Commission members there. He would like it if the council occasionally got updates on attendance so they can address that accordingly.

Director Schaefermeyer said that all the council members should be getting a copy of the action summary from Planning Commission that has attendance included. However, based on the previous discussions he did make a note to set calendar reminders for attendance reports twice a year. He noted that they also encourage each commission member to reach out to the council member who appointed them, and they have discouraged them from coming and commenting on every application brought before the council. Sometimes it is appropriate to do that, but in general they have discouraged them from coming to council meetings and instead reaching out to the council members and have discussions about specific recommendations.

Council Member Shelton said that based on the discussions, he feels okay about this. He does understand Council Member Marlor's discomfort and the possibility of tie votes, but if they are regularly shorthanded at the planning commission, he thinks this is a good way to help that. He wonders if we are regularly being shorthanded, is there something that they ought to be doing as a city to encourage these folks to serve more faithfully.

Director Schaefermeyer wanted to give credit to the commissioners, as some have announced they will be out of town and then when it's discovered there isn't a quorum they change their plans to be present. He is having a hard time thinking of a specific meeting that was cancelled because there wasn't a quorum, it is just difficult and becomes burdensome particularly for the chair and vice chair to feel like they have to fill that gap even though they were planning to be gone. If meetings were being cancelled consistently because of numbers, they would be hearing from developers. There is a provision to replace a commissioner, and that can be done fairly quickly just in case. Since they are doing administrative items, it is generally pretty clear what the vote should be. If staff has missed something and the planning commission catches it, generally they will table it to give staff an opportunity to fix those mistakes on an application. However, they are really a public check so everyone can see that the ordinances are being followed. In the past, we have had some protest votes because they don't like the ordinance, and those are discouraged. In the case of a no vote for an application that staff thinks applies with the ordinances, they ask the commissioners to state their reasons for their vote on the record. Our current Planning Commission stays in their lane pretty well, and he has heard them express that they don't like something but still vote for it.

Roll Call vote was 5-0, unanimous in favor.

J. Staff Reports and Calendaring Items

Deputy Manager Lewis said on 9800 South between 3200 West and the canal, Utah Power has identified some trees that are in the power lines and need to be trimmed. During that

process, there were also some trees identified that are disrupting the sidewalk and need to be removed or replaced, along with some trees with a fungal disease. If that disease is not treated the trees will eventually die, some are bad enough they might be lost entirely and this does spread to other trees. A plan has been worked out with Utah Power to remove the trees that would need to be trimmed and replace them. There is also a plan to treat the other trees and repair the sidewalks. This currently affects about 13 homes. Staff is going to go door to door with those homes and members of our Public Works Department are going to meet individually with those affected homeowners to discuss those plans. The crew will be putting in the foundation tomorrow for the Gold Star Monument in front of the Public Safety Building. Beck Construction is donating their time and talents for that installation. We should have the monument itself shipped to the city in August, so once the foundation is set and cured we can start working on dates for installation and unveiling.

Council Member Zander wanted to make sure Beck Construction gets plenty of accolades, as that donation deserves recognition.

Deputy Manager Lewis added that there is still time for members of the community to donate to the Gold Star Monument, and that information is available on the city website. The last time he checked, the amount donated was just over \$25,000, which was their original goal.

Mayor Ramsey said they had a resident who is a veteran that stepped up and volunteered to work with staff, the community and our Gold Star Family member on the fundraising efforts.

Deputy Manager Lewis said unfortunately, Woody Williams, who put this together recently passed away; we were sad to lose him before this was installed. He was the last recipient of the Medal of Honor from WWII.

Director Klavano sent an email to the council regarding the contract that starts next week on Skye Drive, replacing the water line from 4000 West all the way to 4800 West, along with some storm drain work in that stretch. The space between 4000 West and Yorkshire will be closed to thru traffic on 9800 South for a few days during working hours. Once they pass Yorkshire they will keep one lane open and either flag traffic or use a temporary traffic signal. They wanted to get that first part done before school starts, and Public Works has been working as well to get all their stuff done on that road this year.

Police Chief Jeff Carr said the first Tuesday night in August is the National Night Out. Our city will be participating in that with lots of demonstrations and displays of equipment. This is also council night, but it will start at 6:00 p.m. and he'd love to see the council there at some point.

Mayor Ramsey reminded everyone she may miss the meeting on August 2. She thinks her son will be leaving that day or night, but they are not sure of the time. She will also be working from home for the next two weeks to spend some more time with him.

Council Member Harris motioned to adjourn the City Council meeting. Council Member Marlor seconded the motion; vote was unanimous in favor.

ADJOURNMENT

The July 19, 2022 City Council meeting adjourned at 10:16 p.m.

UNAPPROVED