

SOUTH JORDAN CITY
CITY COUNCIL MEETING

January 7, 2025

Present: Mayor Dawn R. Ramsey, Council Member Patrick Harris, Council Member Don Shelton (Electronically), Council Member Kathie Johnson, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Planning Steven Schaefermeyer, Director of City Commerce Brian Preece, Director of Public Works Raymond Garrison, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Fire Chief Chris Dawson, Director of Recreation Janell Payne, Communications Manager Rachael Van Cleave, CTO Matthew Davis, IS Senior System Administrator Phill Brown, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Planning Commissioner Laurel Bevans

Absent: Council Member Tamara Zander

Others: Shari Harris, Martin Batten, Jeri Batten, Sam Longhurst, Thalea Loghurst, Noah Christensen, Sandy Christensen, Richard Wimmer, Bryan Gutierrez, Raymi Lemisio, Paola Gutierrez Poulson, Maya Guteierrez, Grant Horwith, Aileen Tanielu, Jose Teddy Pezqueda, David Chatterton, Tyson Taft, David Batten

6:40 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction - *By Mayor, Dawn R. Ramsey*

Mayor Ramsey welcomed everyone present and introduced the meeting. She noted that Council Member Zander was unable to attend tonight's meeting and Council Member Shelton was attending electronically.

B. Invocation – *By Council Member, Kathie Johnson*

Council Member Johnson offered the invocation.

C. Pledge of Allegiance – *By Director of Public Works, Raymond Garrison*

Director Garrison led the audience in the Pledge of Allegiance.

D. Minute Approval

D.1. December 3, 2024 City Council Study Meeting

D.2. December 3, 2024 City Council Meeting

Council Member McGuire motioned to approve the December 3, 2024 City Council Study Meeting and December 3, 2024 City Council Meeting minutes as published. Council Member Harris seconded the motion; vote was 4-0, unanimous in favor. Council Member Zander absent from the vote.

E. Mayor and Council Reports

Council Member Patrick Harris

- Jordan Basin Sewer Meeting, everything is going well.
- Visited the ballpark for the Bees. Progress is on schedule, and it's looking great.
- Participated in the city's 5K race, which had excellent attendance and was well-organized.
- Met with residents and potential developers about future projects in the city.

Council Member Kathie Johnson

- Attended Carlos Marino's swearing-in with the County Council and congratulated him on representing part of South Jordan.

Council Member Jason McGuire

- Attended the South Valley Chamber's Junior Women in Business event, with Council Member Johnson. Grateful for the partnership with the South Valley Chamber, which has provided significant benefits for both businesses and residents in the city.
- Participated in the Shields Lane open house, working on the master plan to make the Shields Lane corridor more multi-mobile and transit-friendly. Appreciated hearing residents' ideas and support.
- Attended the "Light the Night" event, thanking Director Payne's department for their leadership in organizing the successful community event.

Council Member Don Shelton

- Attended various meetings with staff and developers regarding potential projects in the city, appreciating the expertise of the city staff during these discussions.
- Participated in a couple of Jordan River Commission meetings since the last December meeting.
- Attended a county council open house for elected officials retiring, while others attended the swearing-in events.
- Had the opportunity to tour the Bees stadium, impressed by the swift progress on the project.

Mayor Dawn R. Ramsey

- Attended several local business events, including those where school children participated in activities, holiday lightings, and other community celebrations.
- Participated in the 11th annual Christmas for Kids event, with the Jordan Education Foundation Christmas for Kids. 750 secondary students from Jordan School District went Christmas shopping, all organized by volunteers.
- Attended a farewell event for retiring Senator Mitt Romney and discussed his contributions to Utah.

- Announced that Aston Martin, the luxury car company, has chosen South Jordan for one of their 40 U.S. dealerships. This will be located at Salt Lake City Motor Cars, which already hosts brands like Lamborghini and Bentley.
- Attended and thanked everyone involved in the success of the "Light the Night" event.
- Attended the Utah Interfaith Fireside held in honor of the inauguration of Utah's state leaders (governor, lieutenant governor, attorney general, state auditor, and state treasurer) to promote unity and hope for the future.
- Traveled to Washington, DC, for the dedication of the Martha Hughes Cannon statue in Statuary Hall at the U.S. Capitol, recognizing her significant contributions as the first woman elected to a state senate and a prominent suffragist and physician.
- Met with Utah's senators and representatives during the trip to Washington, DC, to discuss ongoing city projects and secure their support.
- Had meetings with state legislators and other cities from the south valley to discuss upcoming bills and potential benefits for the region.

F. Chinese New Year's Celebration: *(By Herriman High School Chinese program students)*

The Herriman High School, Bingham High School, and Mountain Creek Middle School students performed for the Council and shared about the Chinese New Year Celebration at Mountain Creek Middle School on January 23, 2025 (Attachment A).

G. Public Comment

Mayor Ramsey opened the public comment portion of the meeting.

Brian Gutierrez (Taylorsville Resident) - Hello, South Jordan. My name is Brian Gutierrez. How are you doing? Chris Dawson, hello. I didn't want to come here today. You all know me, but I had to something happened this weekend that was very terrible news. We have another dead Utahn from this city, shot to death by Jeff Carr's team. That's the second Utahn shot to death in six months, by your team, Jeff. This is one of them. My brother, Marcelo, he can't be here today, so I am, and I'm kind of shaken at these words. We're proud of the way we do things here, Mayor, those are your words. I don't know where to begin. You scrub your contact info from your website. You take it down after I call your team. Are you proud of that? Are you proud of two deaths in this city in six months at the hands of police? Oh, my God, you guys. My mom, own words, this has been the hardest, Jeff, this has been the hardest Christmas for my family. My mom cries herself every night because our brother is dead from your police, from your team, dead, shot in him, bullets went through him and he is dead because your decision, or your team, you guys, decided to pull the triggers and kill him in this part in the parks of the city. So again, Mayor, we are proud of the way we do things here. Really, I can't take you serious. Patrick Harris, I can't take you serious. Patrick, Mayor Ramsey, Jeff Carr, Don Shelton, at home, I have a message for you guys. There are very respectable careers in this world. The ones you guys hold you guys are unfit to lead, your unfit leader, unfit leadership failed. My brother is dead, and now we have a second Utahn dead at the hands of South Jordan Police Department. We are proud of the way we do things here. Did you hear that, Kathie, did you hear that, Jason to the legal council member to the right. He always chimes in after I get up and speak, and he's like,

we're respecting the laws. We're respecting the DAs office. Can you please answer this question, why did this council take down their directory, their website, their phone numbers, and their bios. Jason's was my favorite. It said my greatest achievement is being a father, right? Jason, that's what you had, but my time's up. Thank you.

City Attorney Loose addressed the Mayor and Council, we've been contacted by the Gutierrez family attorney and have been asked to communicate exclusively through him. If he reaches out, Mr. Roberts Palmer Pearlstein, we will be happy to engage in any dialogue or address any questions the family may have through him, per their request. If I need anything from you, I will contact you directly.

Chris Thurman (Resident) – I just want to address you and thank you for the exemplary employees you have at the city, especially in the police and fire departments. I stand before you as a citizen of South Jordan and a former member of the South Jordan Fire Department for 15 years. It has been a pleasure to work with both the fire and police departments in my new position at Jordan Valley Hospital. They are exemplary, and you should be proud of the job they do. As a citizen, I truly appreciate their hard work. Thank you, Chief and Chief, for all that you do for us. It is very much appreciated. Thank you.

Raymi Lemisio (West Valley Resident) - My brother was just up here. I wanted you to know about my little brother—my "Little Big Brother" Marcelo, who loved mountains, hiking, and running. He learned to love fitness after struggling with his weight. Marcelo attended a young single adult's ward but struggled to socialize because he didn't know how. After graduating high school, he spent several years in my parents' basement because he didn't know how to go out and make friends. But when he lost weight, he gained confidence and tried to meet people. Unfortunately, people didn't always understand him. On December 24 last year, I went to the location where he was shot by the South Jordan Police. I sat on the rock where he was before the ambulance took him, and I cried. I cried so much that my soul hurt. I prayed. I haven't been an active member of the LDS church for a while, but I started to go back in early 2023 because I knew I needed God in my life, and I know forgiveness is necessary for me. I prayed on my brother's rock by the trail where his blood was. I prayed to God for strength and for the ability to forgive. But one thing still troubles me is I need to know what happened. That's all my family asks for. We just want to know what happened to Marcelo, how it happened. When I saw my little brother at the funeral home and saw the bullet wounds on his body—my Little Big Brother, who was a gentle giant suffering from mental illness, such as schizophrenia. It is hard to imagine how he could have been a threat. Even with the knife he had that day, it's difficult to believe he could have been such a threat to the officers there, especially since he could barely walk because of his weight. I miss his smile. I wish I could have had one more hug with him—a big bear hug. The last hug I had with him was when his body was so cold at the funeral home. We just want answers, that's all. I don't hate you, I don't hate anyone. We just want people to be held accountable, and we want to know the truth about what happened. I know everyone is human, and we all have bad days, and we get caught up in emotions, but we must hold ourselves accountable too. Thank you for listening.

Paola Gutierrez Poulsen (Taylorsville Resident) – I am also a sibling of Marcelo's, his oldest sister, and I miss my brother so much. There are nine of us, so you've almost met half of us, and

we'll continue to come because we can't just sit at home waiting anymore. On January 15, it will be seven months, and all we're told is, "Just wait. Just wait. Just wait." Would you wait? What would you do? We're doing what we can. We can't just sit at home and cry anymore. We got through his birthday in November, Thanksgiving, and somehow, we got through Christmas. Now it's the New Year, and we're hoping for some answers. It shouldn't take this long. I've called, I've talked to detectives, I've talked to different authorities, and all I get are scripted answers. Well, you know what? My family and I don't have a script for what happened. We just have the raw emotion and the loss of our brother. Everyone I've spoken to gives me a scripted answer, and that's what's missing here, the human side of all this. Your scripts, we're tired of them. We want answers. In Salt Lake City, their police department releases body cam videos within 10 days. Mayor Jackie Biskupski put that policy in place, and the next mayor, Erin Mendenhall, kept it. It's been seven months for us. I've heard your scripts, and I'm done waiting. We need answers. Our brother is dead. We don't know why. We don't know how. And all we hear is, "Just wait. Just wait. Just wait." Ma'am, you're the mayor. If other mayors can make it happen, I don't see why you can't. We've grown up in this city. Utah has been our home for over 30 years. We love living here. I never thought I'd find myself in this position. You hear about these situations in the news, in the media, but now my brother is dead, and we have no answers. It's just an investigation. I understand why people riot and protest in other cities. How do you just sit there and wait? It's hard, it's very hard to be in this position. But we're going to fight for our brother. We're not going to give up. We're going to keep coming until you've met all of us and everyone who wants to join us and help us, because we love our brother. He suffered from schizophrenia. He wasn't just some person walking around drunk, as the news describes it. He was a human being. He was my brother, my baby brother, and I will stand up for him wherever I need to. Thank you for your time.

Mayor Ramsey closed the public comment portion of the meeting. She noted that this is not a time for us to provide answers or solve things directly, but at the risk of sounding redundant, and in light of the tender emotions and very real pain expressed here today, I'm going to turn to our City Attorney, Ryan Loose, for two things. First, could you confirm that we are still waiting on the District Attorney's Office. To clarify, this is not a script, it is the reality that we are also waiting for their information. Second, could you provide a brief explanation, perhaps 30 seconds, about the difference in the form of government between South Jordan and Salt Lake City.

Attorney Loose provided an update regarding the District Attorney's (DA's) office and officer-involved critical incidents. He stated that under state code, the DA's office has 180 days to complete their review of such incidents. In certain circumstances, the timeframe can extend beyond 120 or 180 days, as outlined in the code. Currently, the case remains within the 180-day period, and the City has no control over the timeline. Chief Carr has been in contact with the DA's office as recently as this week to inquire about the status, and it is understood that the Gutierrez family has also reached out. The City hopes the DA's office will release the findings as soon as possible. He clarified that the City Council does not have access to any additional information beyond what has been publicly released through the news. Reports and investigations are held exclusively by the investigative team and the DA's office. He also explained the City's form of government, noting that South Jordan operates under a six-member council form of government, where the council holds both executive and administrative authority, with some responsibilities delegated to the mayor. This differs from the "strong

mayor" system, such as in Salt Lake City, where the mayor has broader unilateral decision-making authority. He noted that Salt Lake City is the only city in Salt Lake County that releases body camera footage or other related information before the DA has completed its investigation and issued findings.

Mayor Ramsey addressed the Gutierrez family, thanking them for attending the meeting and reaffirming that they are always welcome in the City Council chambers. She expressed her condolences for their loss and heartache and emphasized that the City is waiting for updates alongside them.

H. Presentation Item

H.1. Community Life Saving Award. (*By Fire Chief, Chris Dawson*)

Fire Chief Dawson thanked the Mayor and Council for the opportunity to present an important community recognition. He introduced Deputy Chief and Medical Division Chief Mike Richards to assist with the awards and share additional details. He highlighted South Jordan's commitment to cardiac wellness, emphasizing the City's long-standing ordinance requiring AEDs in various public-access locations. He noted the success of the program, which includes public AEDs and resident training in CPR and AED operation, resulting in numerous lives saved from sudden cardiac arrest over the years. He shared a personal story of how an AED had saved a life in his presence and recounted a recent incident reported by fire crews. This incident involved the life-saving actions of individuals who used an AED to assist Mr. Marvin Batten during a cardiac emergency. Their prompt and courageous actions restored Mr. Batten's pulse before emergency responders arrived. Chief Dawson expressed gratitude to those being recognized for their decisive actions and shared that Mr. Batten was alert and talking to the fire crew upon arrival at the hospital. He then invited Medical Division Chief Mike Richards to provide a brief synopsis of the incident.

Medical Division Chief Mike Richards presented the timeline of events surrounding Marvin Batten's cardiac arrest on September 27, 2024. Marvin and his wife, Jeri, had just finished shopping at Costco shortly after noon and were walking toward the exit when Marvin suddenly collapsed. Jeri managed to help him to the ground. Aileen, the membership manager at Costco, was at the membership desk assisting a customer when she noticed Marvin being held up by his wife. Aileen rushed over to untangle Marvin's arm from a cart, helping Jeri hold him upright in a kneeling position. Meanwhile, David, a shopper and director of clinical operations at South Jordan Health Center, was at Costco with his son. David had gone to Costco without a specific purpose and was near the customer service desk when his son noticed Marvin's collapse and called for David to help. David arrived to find Marvin with Jeri and Aileen. He checked for a pulse and, finding none, worked with Aileen to lower Marvin to the ground. David immediately began CPR while Eileen elevated Marvin's feet. Eileen then called for Jose, a front-end staff manager. Jose arrived, called 911, and instructed another employee to retrieve the AED from the wall. He also ensured the area was kept clear of other customers. After two cycles of CPR, the AED was brought to the scene. It was connected to Marvin and advised a shock, which was delivered. David and Aileen continued CPR until the South Jordan Fire Department arrived. Upon arrival, fire crews took over CPR and attempted to insert an oral airway into Marvin's

mouth to maintain his airway. Marvin gagged in response, prompting the crew to stop CPR and check for a pulse. They found that Marvin had regained a pulse and had started breathing on his own. Marvin was hooked up to monitors, placed on a stretcher, and moved to the ambulance for transport to CommonSpirit Holy Cross Hospital, Jordan Valley. During transport, Marvin became more responsive and began talking to EMS personnel. Though he could not recall the incident, he provided some medical history. At the hospital, Marvin was admitted to the ER and evaluated. He was later transferred to the ICU, where various tests were conducted to determine the cause of the cardiac arrest. No definitive cause was identified, but his pacemaker was upgraded to include an internal defibrillator. Marvin was discharged just four days later, on October 1, 2024. Chief Richards concluded by emphasizing that Marvin's survival was a result of the quick and decisive actions of David, Aileen, and Jose, showcasing the life-saving value of citizen CPR training. Representatives Christine McSweeney, CEO of CommonSpirit Holy Cross Hospital Jordan Valley and West Valley. Chris Thurman, EMS coordinator at Jordan Valley Hospital and Crystal Albrecht emergency service clinical nurse manager at Jordan Valley. Representatives of Zoll medical, the manufacturer of the AED that was used, were not able to be here, but also wanted to recognize the efforts of these three individuals, and have provided certificates and challenge coins for them.

Christine McSweeney expressed gratitude for the opportunity to work with the crews involved in the rescue effort. They stated their appreciation for the support provided during the incident and emphasized that it takes a collective effort to achieve such outcomes. They conveyed feeling honored and privileged to serve in their role within the community and thanked everyone for their partnership.

Marvin Batten thanked the fire department, paramedics, hospital staff, and specifically named David, Eileen, and Jose for their efforts. He expressed that without the help of everyone involved, he would not be here today. Marvin also addressed his family in the front row, mentioning that his grandkids were there.

Chief Dawson presented each Aileen Tanielu, Jose Teddy Pezqueda, and David Chatterton with the Community Life Saving Award.

I. Action Item

I.1. Resolution R2025-01, Proclaiming January 16, 2025 as Religious Freedom Day in the City of South Jordan. RCV (*By City Manager, Dustin Lewis*)

City Manager Lewis shared that several years ago, he had the opportunity to meet Mr. Grant Horwith, who encouraged the city to recognize Religious Freedom Day. He mentioned that they worked together to develop a resolution, which has been recognized in the community for the past couple of years. The resolution is recognized by both Congress and the State of Utah, and thanks to Mr. Horwith's efforts, some neighboring jurisdictions also observe January 16 as Religious Freedom Day. He highlighted the importance of the day, emphasizing that it provides the opportunity for individuals to believe or not believe as they choose. He brought the resolution back for the council's consideration.

Mayor Ramsey read Resolution R2025-01 (Attachment B).

Council Member Johnson motioned to approve Resolution R2025-01, Proclaiming January 16, 2025 as Religious Freedom Day in the City of South Jordan. Council Member McGuire seconded the motion.

Roll Call Vote

Council Member Johnson - Yes

Council Member McGuire- Yes

Council Member Harris - Yes

Council Member Shelton - Yes

Council Member Zander - Absent

The motion passed with a vote of 4-0. Council Member Zander was absent from the vote.

Mayor Ramsey thanked Mr. Horwith for his efforts and acknowledged that five cities in the area have now passed the resolution proclaiming Religious Freedom Day as a result of his work. She noted that this was the first resolution of the year and expressed pride in starting with such a meaningful one.

J. Public Hearing Item

J.1. Ordinance 2025-03, Vacating a portion of Right-of-Way on the east side of Ziggy Lane. RCV (*By Director of Planning, Steven Schaefermeyer*)

Director Schaefermeyer reviewed prepared presentation (Attachment C) introducing the proposed request to vacate a portion of right of way in Daybreak, describing it as one of the smallest requests the city has received, involving just 0.003 acres. He explained that the request was necessary to allow a lot with a chosen product to fit properly. He also mentioned that Tyson Taft with Larry H. Miller Real Estate was present for any specific questions. Schaefermeyer emphasized that the request would not harm public interest or materially affect any individuals, and he recommended approval of the request. He offered to take questions after the public hearing.

Tyson Taft, Larry H. Miller Real Estate (Applicant) added that the previous plan for the lot included townhomes, but the new plan calls for a single-family unit. He stated that adjusting the lot size would allow for the different type of home to be built.

Mayor Ramsey opened the public hearing for Ordinance 2025-03. There were no comments. Mayor Ramsey closed the public hearing.

Council Member Johnson inquired if the right of way vacation would affect safety or make any difference to the roadway.

Director Schaefermeyer responded that it would not and noted that a fee has now been established for right of way vacations due to the staff time involved. He also mentioned that the city has requested Larry H. Miller to group such requests together more comprehensively in the future, with the aim of presenting fewer of these requests, or at least less frequently.

Council Member McGuire motioned to approve Ordinance 2025-03, Vacating a portion of Right-of-Way on the east side of Ziggy Lane. Council Member Harris seconded the motion.

Roll Call Vote

Council Member McGuire - Yes

Council Member Harris - Yes

Council Member Johnson - Yes

Council Member Shelton - Yes

Council Member Zander – Absent

The motion passed with a vote of 4-0. Council Member Zander was absent from the vote.

K. Staff Reports and Calendaring Items

City Manager Lewis requested City Attorney Loose to provide an update on the legislative tour scheduled with some of the new legislators on Monday, January 13, 2025.

City Attorney Loose provided an update on the legislative tour scheduled for Monday. The tour will involve legislators, including Representatives Doug Fiefia, Tracy Miller, and Jordan Teuscher. The legislators will visit various development projects in the city, starting at 8:00 a.m. Due to scheduling constraints, the representatives will be in and out during the day. A short breakfast will be held, and the group will depart for Pure Sojo. Representative Miller will leave by 9:30 a.m., and the group will continue with site visits to show them development projects both in progress and approved. The goal is to provide the legislators with a broader perspective on how their decisions impact not just their district but the entire city, valley, and state. The tour is expected to end by 10:00 a.m. The group will visit locations including the Bastion Center, RDA redevelopment projects, and other key development sites. He asked for input on any additional sites to visit, emphasizing the importance of understanding water regulations and their impact on city development.

Police Chief Jeff Carr provided an update (Attachment D) on the city's victim advocate program, highlighting the essential work of the two full-time victim advocates. Over the past six months, they have primarily assisted domestic violence victims, with 108 cases in that category. Additional services have included support for victims of identity theft, fraud, assault, sexual assault, and child abuse, with case numbers detailed for each category. Chief Carr noted that the program is partially funded by a \$36,000 annual grant from the State Office of Crime Victims, which helps cover advocate salaries. He explained that the advocates assist victims from the time of victimization through the court and restitution processes, providing crucial guidance for addressing issues such as identity theft. Their contributions significantly alleviate the burden on police officers, ensuring victims receive the necessary support. He expressed gratitude for the advocates' work and emphasized their value to the community. He offered to answer any questions from the council.

Communications Manager Rachael Van Cleave noted it was the time of year when she needs to finalize the city's annual report. She thanked the council members for their responses, noting she had heard from nearly everyone and was awaiting input from a few remaining individuals. She

expressed appreciation for the feedback received so far. She requested that any outstanding submissions or edits be sent to her by the following day to ensure timely completion. She highlighted that the publication would be distributed to every household in the city. She praised Tyson Cole, Graphic Design Content Coordinator for his exceptional design work, describing the report as visually impressive and a strong representation of the city.

City Manager Lewis informed the council that the annual city survey would soon be distributed to a sample of residents. He explained that the survey gathers feedback on various city-related topics and noted that residents might mention receiving it within the next week. Once the survey results are compiled, the council will have the opportunity to review and discuss them in a work session, which is anticipated to occur in a few months.

Council Member Johnson motioned to recess the City Council Meeting and move to Executive Closed Session to discuss the purchase, exchange, or lease of real property and the deployment of security personnel, devices, or system. Council Member McGuire seconded the motion; vote was 4-0, unanimous in favor.

Roll Call Vote

Council Member Johnson - Yes

Council Member McGuire - Yes

Council Member Harris - Yes

Council Member Shelton - Yes

Council Member Zander – Absent

The motion passed with a vote of 4-0. Council Member Zander was absent from the vote.

RECESS CITY COUNCIL MEETING AND MOVE TO EXECUTIVE CLOSED SESSION

L. Executive Closed Session

L.1. Discussion of the purchase, exchange, or lease of real property.

L.2. The deployment of security personnel, devices, or system.

ADJOURN EXECUTIVE CLOSED SESSION AND RETURN TO CITY COUNCIL MEETING

Council Member Harris motioned to adjourn the Executive Closed Session and return to the City Council Meeting. Council Member Johnson seconded the motion; vote was 4-0, unanimous in favor. Council Member Zander was absent from the vote.

Council Member Johnson motioned to adjourn the January 7, 2025 City Council Meeting. Council Member McGuire seconded the motion; vote was 4-0, unanimous in favor. Council Member Zander was absent from the vote.

ADJOURNMENT

The January 7, 2025 City Council Meeting adjourned at 9:13 p.m.