

SOUTH JORDAN CITY
CITY COUNCIL MEETING

February 7, 2023

Present: Council Member Tamara Zander, Council Member Patrick Harris, Council Member Don Shelton, Council Member Brad Marlor, Council Member Jason McGuire, City Manager Gary Whatcott, Deputy City Manager Dustin Lewis, CFO Sunil Naidu, Director of Strategy & Budget Don Tingey, Director of Commerce Brian Preece, Director of Public Works Jason Rasmussen, Director of Administrative Services Melinda Seager, City Attorney Ryan Loose, City Recorder Anna Crookston, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown, IS Specialist Ken Roberts, Director of Planning Steven Schaefermeyer, Deputy City Engineer Jeremy Nielson, Fire Chief Chris Dawson, Police Chief Jeff Carr, Associate Director of Recreation Jacob Druce, Meeting Transcriptionist Diana Baun, Communications Manager Rachael VanCleave, Planning Commission Chair Michele Hollist, Strategy & Budget Analyst Abigail Patonai

Absent: Mayor Dawn Ramsey

Others: Seth Drew, Zackary Adams, Bronson, Brian Child, Bennion Gardner, Sandy, Marti Dumas, Katie's iPhone, Kathy Burk, Bryan Farnsworth, Charles Judd, Mike Lorenc, Jen Elizalde, Janalyn Sainsbury, Scott Sainsbury, Kate Sainsbury, Spencer Burkert, Caitlin Burkert, Milo Tenney, Sandra Tenney, Travis & Melanie Hiatt, Resh Jefferies, Kristin Tenney, Lynn Brown, Mitchell Sadowski, Matthew Sadowski, Don Reese, Sam Bishop, Mike West, Daniel Bird, Gary Garner, Karen Christiansen, Bennion Gardner, Bronson Mullen, Carmen Rufner,

6:31 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - *By Mayor Pro Tempore Patrick Harris*

Mayor Pro Tempore Patrick Harris welcomed everyone and introduced the meeting. He excused Mayor Ramsey, who was absent from tonight's meeting.

B. Invocation – *By Council Member Tamara Zander*

Council Member Zander offered the invocation.

C. Pledge of Allegiance – *By Assistant Director of Recreation Jake Druce*

Associate Director of Recreation Jake Druce led the audience in the Pledge of Allegiance.

D. Minute Approval

D.1. January 17, 2023 City Council Study Meeting Minutes

D.2. January 17, 2023 City Council Meeting Minutes

D.3. January 31, 2023 City Council Budget Meeting Minutes

Council Member Shelton asked about the possibility of having the attachments included with the draft minutes that are sent to the council.

City Recorder Anna Crookston discussed options with the council and she will include those attachments in the future.

Council Member Shelton motioned to approve the January 17, 2023 City Council Study Session Meeting Minutes, January 17, 2023 City Council Meeting Minutes, and the January 31, 2023 City Council Budget Meeting Minutes as published. Council Member Marlor seconded the motion; vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Jason McGuire attended the Herriman High School Chinese New Year Celebration, the budget meeting last week with the rest of the council, and the circus while in town. He is grateful to have the equestrian park in the city and to Utah State University for continuing to offer programming at the facility, including the circus.

Council Member Tamara Zander sits on the business committee for the South Valley Chamber of Commerce and reported that is going well. Members of the business community that are sitting on that committee have organized an event in March for veterans in the city, recognizing the new VA Clinic in Daybreak. The event is being done in an effort to thank and celebrate the veterans in the city. Dinner will be supplied by volunteers, and there is a wonderful comedian volunteering his time to come and entertain everyone there. This morning she attended the Business Accelerator Class with the South Valley Chamber, which is another service provided by the chamber for anyone in the city with their own business.

Council Member Brad Marlor attended an Architectural Review Committee meeting on January 25 for one new building that has been approved and will be moving forward. He attended the Utah League of Cities and Towns lunch with members of the city's youth council and legislators. All of our city's legislators were invited and attended, sitting with our city at the lunch. He had lunch with a few of our Planning Commission members over the last 2 weeks where they were able to talk about ways to better collaborate between the planning commission and council. He also attended the budget meeting, which was very well done. He very much appreciates the staff and what a great job they always do. He went on a tour with a prominent developer in the city who has some great ideas for things that will enhance the city in years to come; he appreciated that opportunity. On a personal note, he shared his story about recently applying for Social Security and Medicare, noting that he was born in the Philippine Islands which caused some issues proving his citizenship during the application process.

Mayor Pro Tempore Patrick Harris also attended the Utah League of Cities and Town event downtown, it was nice to be able to spend time with our legislators and discuss the issues our city is facing and hear their thoughts. He added that the governor spoke at that event and he always enjoys the governor's positive outlook for the state of Utah. He attended the budget meeting with the other council members, as well as the sewer board meeting where he is pleased to report everything is going well.

Council Member Don Shelton also attended the luncheon and budget meeting described previously. There have been three Legislative Policy Committee meetings since the last council meeting that he has been a part of, along with Council Member McGuire. He attended the Jordan River Commission meeting this last Thursday, where he was elected the Vice Chair of that commission. He also had the chance to take the same tour through the city as Council Member Marlbor with the developer.

F. Public Comment

Mayor Pro Tempore Harris opened the public comment portion of the meeting.

Don Reese (Resident) – My wife and I have resided there for the past 52 years. This is a follow-up on a meeting that I had on January 25 with Gary Whatcott and two city planners. We were talking about 1055 West, and that is still a real concern for us. It was decided in that meeting that Mr. Whatcott would forward the letter from the citizens to the mayor and the city council. I am here for a couple of reasons this evening. Number one, I want to find out if you received that letter from Mr. Whatcott. Number two, did you get a chance to read it. What that represents is 40 members of 1055 West that are very concerned. We are concerned that the options talked about in the letter should be addressed by the city. It should be noted in the minutes tonight that 98% of the people on this street, who reside there, have signed this letter. We have 40 signatures of people that want to be heard. They want to be heard on the idea that you need to look at that street that runs from 1055 West to the new subdivision on our street. There are some real concerns about that, if you would address that we would be happy to address that with you; we have copies if you would like to look at it. I would appreciate you at least answering us back on that, because the 40 citizens are concerned that the safety issues have not been addressed properly.

Sam Bishop (Resident), Mike West (Resident) and Daniel Bird (Lehi Resident)

Sam Bishop – I was up here a few months ago and mentioned that I, along with a few others, had formed a group called Bike Walk Southwest Valley. Since then we have reduced both the geographical scope of our group and the length of our name. We are now Bike Walk SoJo and are here this evening to ask the mayor and council to create an active transportation committee. Of our existing committees, I am picturing something most similar to the Arts Council, where the main focus is on encouraging public good that we tend to overlook otherwise.

Mike West – What we are thinking about is taking ideas from what Provo City has done. They have an active transportation committee that has been in place for years. They do things to try and help encourage people to cycle, walk, and get around by other means without having to drive a car necessarily. Some of the things they have done for example are events like Bike to Work or

Bike to School Day, which can include bike, walk or roll. They can encourage kids to get to school with other means, especially where we can find safe routes to do that. The committee can have a planning guide that can help school administrators as they plan for that as well. May is also Bike Month, and there are a couple of different events you can do for Bike Month, including doing a bike-in instead of a drive-in movie theater, setting up a screen and getting kids and others in the community to bike, walk, or anything else to come to that event. You could do a stroll or roll along the Jordan River Parkway, Provo does that along the Provo River Parkway and we have some options for that along with a Bike to Work type of day. We could hold similar events in May, and even in other parts of the year, and that's a lot of what an Active Transportation Committee could do. We could also take the lead in applying for a bicycle friendly community award, which is what Mr. Bishop has just passed out to you (Attachment A). The American League of Bicyclists has an application that can be submitted with a \$50 fee, and the committee could work on submitting that application. The award levels go all the way from bronze up to platinum, they provide feedback to the city on what's going well as well as ways the city can improve to help with cycling. Specifically, we would like to look holistically at active transportation, but they can give us great advice on cycling. The award designations are good for four years, and what you have in front of you (Attachment A) is a report card that was done for Draper. There is also one other organization that we can look at, called America Walks, and they have a similar program with ratings.

Sam Bishop – I know sometimes it has been challenging to staff committees like the Arts Council, and what we are proposing would take a good number of volunteers. Mr. Lewis has talked a number of times about how members of the HAM Radio Club coordinate with city staff and help, we propose a similar relationship between the Active Transportation Committee and Bike Walk SoJo, or another organization like it.

Gary Garner (Resident) – I wanted to bring up the latest Making the City Great, by the city manager. Frankly, it left me a little cold and I gave it to my wife and it left her a little cold too. There is a lot of rhetoric in here about making the city great, and maybe that's the job of the city manager to take a 35,000 foot overview of what the city is, but I found this lacking specifics. He starts out here saying that the environment is one of the main things that is on South Jordan City minds. I looked at some surveys from the Daily Herald, and from the Dan Jones and Associates, and the environment wasn't mentioned once. The things citizens are worried about are growth and housing costs. On my street, probably half the houses have basement apartments in them now because people can't afford to buy a whole house; they either have to share it to make the payments or make room for their kids and other people. Citizens were also worried about education, crime, jobs, tax reform, water, quality of growth, and inflation as the main things. In the Dan Jones survey, they looked at 10 areas and none of them mentioned anything about environment. I'd like to say that a leader once told me the main thing is to keep the main thing the main thing, and I am thinking that maybe you are missing the mark a little bit. Another thing that gave me pause here is this strategic planning. I haven't seen that document, but back in the eighties I spent 10 years on the planning and consulting commission, and I remember the sweat and tears that were used when we developed a city master plan, building plans, and other kinds of plans that went before the city council and the public. He is talking about a strategic plan that could easily be changed to meet the needs of the community; I think that's a little too loose, and lets people maybe be dictators or make the plan whatever they feel like it is. You talk about your

budget here, and I haven't been able to review the budget, but to me I think if the city council would take a position that we aren't going to allow growth in the budget, I know I paid a little more tax this year to South Jordan City, a zero growth budget would make my heart feel better. He talks about being lean and mean, and I agree with that, I would do that. However, I don't see any freezes in hiring, and I looked at the city hiring and there are four to five positions out there for hiring. I think maybe next time we do one of these, it ought to come down to some more specifics and things we can sink our teeth into.

Janalynn Sainsbury (Resident) – I live directly straight across from the Rise Development. I have written a couple of letters over the last few months addressed to all of the city council members, and I haven't gotten any responses at all so I am not sure if you received them or not. One of them was regarding the historic road and I got up in December and talked about that. I think some of you may have said that you received that, and I know that is all said and done, but the last one that I wrote was just a couple of weeks ago. It was regarding the one way road proposal that Mr. Reese was talking about before. I am just wondering if you have received that, and specifically I would like to know why the one way road into the development is not being considered. I do not accept the reason given by the city manager that it will be too confusing to the residents, or that it can't be enforced. As with any new road, residents will learn the entrance and exits quickly; this is very concerning to us. I know I speak for a lot of the residents as a lot of us feel that decisions with high density and roads are made before City Council meeting and those meetings are just a formality.

Mike Lorenc (Resident) – My concern is that I was on the Utah Water Savers website and plugged in my address to see what I was eligible for in terms of water conservation money, because I saw a lot of money flowing in from the state. South Jordan seems to be the only city that does not allow us access to the new state funds and I can't really seem to understand why. When I plug in an address my size but call it West Jordan, I am eligible for something like \$4,000, where here in South Jordan I might be eligible for \$1,000 or \$1,300 for the stuff that you guys are providing. It does seem like it just needs to be a decision to let us do it, because the money is coming in from the state and the program is being managed by the water district, so you guys really don't have to do anything but just allow it. I would like to see some reconsideration on allowing us access to the new state money for water conservation in our landscapes.

Mayor Pro Tempore Harris asked staff to comment on Mr. Lorenc's comments.

Director of Public Works Jason Rasmussen responded that the city gets grant money from Jordan Valley, and we administer our own program because we feel that is more effective and we are able to do more with it. As far as the level of funding, and all the numbers he has seen, we actually provide more to residents than the Utah Water Savers Website does. There is a lot more he could share, but the city gets a lot more bang for the buck doing our own program and we get more participation through how we spend our money. Our funds do come from Jordan Valley, and we will be receiving some additional funds based on what is being allocated to Salt Lake County for water conservation. The city feels like they are spending their money more effectively, and reaching more people, by having our own program versus going with the state

program. The city's website is watersmartsojo.org and our Water Conservation Coordinator is Connor Oswald, and he can walk through the dollar amounts and all the programs available.

Karen Christiansen (Resident) – My family residence is here in South Jordan, directly south of this concept plan from the Rise Development. I came to the meeting on January 17 when we were to be allowed time to address some of these issues, and I stayed about four hours but I get up at 4:00 a.m. the next day and I had to leave so I just got tidbits from everybody else. Our main concern, is that we are the neighbors right next to the development where my mom's property will be shadowed by all of this many, many units of rentals. I have talked to the city a little bit, and I know that you have had someone talk about your road systems and saying that there is plenty of access for this kind of development to have road access in and out. They are telling me that they think 70% of the road will go down, not on 1055 West, but I have been studying this since that meeting and I cannot imagine that after going down on that lower level with the office buildings. That is such a crowded area and if I were a parent I would never take that road. I know that in the summertime they have soccer and sports down there and that is a nightmare. I just do not believe that this plan is going to be conducive to having the traffic not be a nightmare and will really hinder this 1055 West, I don't know how that is going to handle it. Then, we are going to have developments later on, down the road eventually too, and this is really a very big concern. Another concern I have is that our family property has about a 10 foot or more drop from where that is. I know they are going to be covering the ditches and all of those kinds of things, but I am very much concerned about whether we are going to have any retaining walls that are going to protect us from having the slide and runoff into our property because it slopes so far down. I have talked to a few of the development people but I don't get any answers from them on how they are going to handle that. They tell me they are going to have a wall, but I can't imagine a fence wall can contain what might happen with the runoff of water right next to our family property.

Charles Judd (Resident) – Handout (Attachment B). My grandchildren live on 1055 West, and I am concerned about the road system that is there. I have a Master's Degree from the University of Utah in traffic engineering and I have tried to find out what is going on to be comfortable with what the city is proposing. I have looked at a number of drawings, information, and cannot find enough information to feel comfortable about what is being proposed. Specifically, about the intersection that is proposed out on to 1055 West. I am concerned that if this were approved at this point, with the information that you have, that you will be giving the engineers in your department actually an impossible task. I know that it seems to be that what we want to do is move this forward and then have the engineers figure this out, how it can be done safely and properly, and having been in that position before I would not want to be handed this intersection and told to try and make it work. I have listed here in a simple form (Attachment B), an outline of things that should be considered when you do a simple intersection, and I have highlighted for you some of the concerns that you should look at. There are a lot of them in there, I don't have time to go through them all, but there is one major concern that is clear, you should not build an intersection there. Under #4 in Attachment B, alignment and profile, in the yellow it says "grades in excess of 3% should therefore be avoided" or "those in excess of 6% should not be allowed." I went out there today with my surveying equipment and looked at the slope. I don't know for sure where you are going to put the intersection, but if you put it to the north you are going to run into problems with right of way and the house that is right there. If you move anywhere else on there

the slope is greater than 6% and that is something that is not even supposed to be allowed, and I can see a big problem. If you move forward here, say “go do it,” then I can see the city either getting a huge bill to somehow level that whole hill out so that it is less than 6%, and even that is not really a good idea, but you might get hooked with a lot of money to try and put in a proper intersection. I haven’t seen things about how fire trucks are supposed to get around that corner, right of way, the view to get around trees and other things, crosswalks that are going to be built where they can’t be seen. That is my biggest concern, that my grandkids are on there and with an intersection on a slope like that you are going to have cars flying over that hill and all of a sudden there is going to be a crosswalk. There are just a lot of things, as an engineer, I would not want to see here. I am planning to maybe do a GRAMA request to see if there is information I haven’t seen, because everything I have looked at I haven’t seen the answers to so many questions.

Resh Jeffries (Resident) – I want to echo some of the things that they have said about the intersection there and the issues as far as there not being a one way road. I haven’t heard the initial reporting, until Mrs. Sainsbury indicated that there was a report that it was too confusing for it to be a one way road; I hadn’t heard that was the explanation, but I think that should be looked at again. I don’t know how confusing one way roads are, but that seems kind of insulting to the future residents of that property. I am a personal injury attorney by nature and one of the things I wanted to underscore that is the bus stop location for our kids that we drop off in the morning, just off of 1055 West and I believe the cross street is 10550 South. I have four kids of my own that I drop off there in the morning. There are cars that sort of line the edge of that road that wait in the winter hours for the busses to come, and I think that is maybe something that hasn’t been considered and I wanted to echo that is where we drop off our kids. If we add another 164 residents, with presumably 100-200 cars during the morning commute at that intersection that could present a problem. I think what Mr. Judd indicated, that there would definitely need to be a crosswalk, and the issues with the slope and grading and that road coming up to the crosswalk, does present what seems like an issue.

Kate Sainsbury (Resident) – I am also addressing the traffic flow regarding that intersection. If you are unfamiliar with the sport of pickle ball, which I understand was a gift to the city by the developer, it is very popular among the youth of South Jordan and their families. If you try to go to any pickle ball court in South Jordan or anywhere in any neighboring towns, it is very, very crowded. Having another pickle ball court will just bring more traffic flow, which from what I understand is not expected through that entrance. Also, to go along with that, cemeteries are supposed to be respectful and reverent. I know that because I have lived next to one my whole life. I would just like to invite you to think about how that would affect those mourning, if it is very loud with traffic, and lots of traffic causes accidents as you all know.

Scott Sainsbury (Resident) – You should know me by now, I have been here for the last several months trying to petition some common sense into this situation and the last place I want to be is at a City Council meeting with my daughter before she leaves on her mission in the morning. The way I look at this situation, as you all work for us, the people, we pay your salaries, but I don’t feel like our voices are being heard. I have talked to literally hundreds of people in the City of South Jordan and nobody wants more high density housing in the City of South Jordan. I grew up in Washington State, Seattle is a mess, I have lived in L.A. and L.A. is a bigger mess. The

reason that we moved here is because we don't want to live in high density housing. We picked this specific area of South Jordan because we have the best neighbors, dead ones. We also have a lot of neighbors that have agriculture area, and we know that development is coming. Nobody is against development here, but we would like you to stick with the standard third acre lots that make a lot of sense. It doesn't make any sense to move from agricultural zoning to high density zoning, but apparently if you donate a couple of pickle ball courts you can get what you want with this council. My biggest concern is that I have worked in the river bottom for a while, and I know that at 5:00 p.m. when everybody is getting off work, as soon as they figure out there is another exit out of there, one of the city planners estimated about 5% of that traffic will be coming up through there if it is a two way street, but you are wrong as it is going to be closer to 15%. I know there is a couple of different exits, but there will be more people coming up there than you think. The other big concern is that I sat and watched this council while everybody was shaking their head "no, we haven't made any decisions, we are all trying to figure that out," but it sounds like you have known from the very get go what exactly you are going to do. One of my good neighbors came up with a brilliant idea, a win-win compromise, and we have got basically every signature on our street recommending that we go with a one way street. This is a happy medium, it allows first responders to get into the neighborhood immediately without any restrictions, but it will curb our biggest concern of too much westbound traffic out of that neighborhood. People aren't going to exit from the east, they are going to exit from the west because that is where they are going to go grocery shopping, and dropping their kids off at schools. The only reason you exit to the east is if you are going up to Salt Lake City or down to Utah County or east of the freeway, and that is the minority of the time that people are coming out of that area. I just would like you to highly consider the logic, and the sensibility of having a one way street heading eastbound into that neighborhood; I think it makes a lot of sense. As my daughter politely said, with respect to the kindred dead of previous mayors of this city and their families, let's give the cemetery the peace and respect that our dead deserve. That will go away if we make it a two way street.

Bennion Gardner (Resident) – I am here virtually with the Bike Walk SoJo Group, following Sam Bishop's lead. Mr. Bishop has been great to lead and organize, giving some of us residents who want to see safer streets here in South Jordan some means to organize and work on that. I also wanted to thank my council member, Jason McGuire, for his support and interacting with us as well and supporting that, along with Council Member Shelton who has responded to some issues that I have let him know about in the past and who has worked to improve some of the trail access along Bingham Creek. I just wanted to echo what Mr. Bishop and the rest of us have spoken about. Part of the reason I moved to South Jordan and Daybreak was because it's marketed as a very walkable and safe place to be on foot or bike, and it is, and I think that's great and we should embrace that. I think we can do even better across the city to improve access for active transportation. I think even for people who primarily get around by car, I promise there are people in front of you when you are stuck in traffic who, if there was a safe option to get around on a bike or on foot, they would be out of your way and doing that instead; I know that's my case a lot of times. It is kind of a scary prospect in a lot of places to get around on a bike. You have a lot of residents here that have a lot of energy and enthusiasm, and want to help improve the city, we are just looking for an outlet or a way to do that. One option I wanted to mention, that I'm sure you're all aware of and watching, is the model that Herriman has been implementing with the Friends of Herriman Program. They are using a nonprofit, separate from the city, which gives

them some flexibility and allows them to access some funding and grants that might not be available to the city, and that might be something to look at as well. I actually have volunteered and am on the subcommittee for Friends of Herriman for their Trails Committee because I use those trails on a regular basis for recreation. They are open and taking all the input and help they can get, and I think South Jordan would be wise to follow suit and give residents an option to be more involved and help improve our city.

Bronson Mullen (Resident) – Wanted to say nice job everybody on 1055 West, hopefully it doesn't take that much effort to get my concerns considered. I hope everybody is listening and that gets taken into account. I just wanted to get some direction on how to proceed in getting proper safety measures in place at Aspen Elementary for the children walking to school. We have been in contact with the principal and the police department that is responsible for the crosswalk and crossing guards in the area, unfortunately we are feeling like we are getting a bit of misinformation, getting the run around from the police, and we are facing some excuses and I just want to figure out some solutions. The school has been open for almost two years, and for all that time we have been trying to improve the safety of the crosswalks; one of them in particular has a lot of traffic in the morning and afternoon, and several dozen students that cross. The police have told us that the number of people crossing do indeed merit a crossing guard, however we have yet to get that to happen. We haven't even been able to get a crosswalk painted, which is really frustrating. There is not a single school zone sign anywhere around the entire school with four intersections, let alone any flashing lights that say 20 MPH or anything like that, not even a sign that says it's a school zone. After having extensive conversations with the police department and the principal, we were originally told that the issue was that there wasn't crossing guard availability, so we worked to resolve that. Now that is resolved and the latest reason is that there is a lack of funding. I just want to know what steps to take, to get some direction on how we get proper signage, a crosswalk painted, then where to go for funding for additional crossing guards in all the places that have the traffic meriting a crossing guard.

Mayor Pro Tempore Harris instructed Mr. Mullen to contact our City Manager Gary Whatcott, and he will help with answers to those questions.

Carmen Rufner (Resident) – I am here to talk about that street that is being discussed on the building development that is coming. I, along with others of my neighbors, have signed a petition to ask for a one way street versus a two way street. My house faces that other side of the road, so for me it has a big impact because I would have cars coming and going, and me coming out directly from the driveway into the street when cars are coming in and out; for me that is a safety issue, even though I do still pay attention. I also have my children playing on their bikes, who would still need to pay attention just like in any other community. I think a one way street going into the community, versus coming out, would have less impact. I know it's a smaller width, and I think that it would be a little more doable. I just think that the impact to our community, and right there in front of my house, is pretty big for the people that live there and walk every day. We know that we have to adjust to new and modern things that have to happen in our community, but I wish that you would hear that option and have it open to the developers present here, if there are any. It would be nice if they would take that into account.

Mayor Pro Tempore Harris closed the public comment portion of the meeting. He asked staff to get in touch with Mr. Bishop in regards to his committee proposal. He asked Manager Whatcott to comment on the road.

City Manager Gary Whatcott said Deputy City Engineer Jeremy Nielson is the traffic engineer for the city. Our City Engineer Brad Klavano is not here, but was in the last meeting where residents met with him and Planning Director Steven Schaefermeyer. They did discuss the one way street, and there were concerns with the city engineer and himself with making sure they made a street that worked right. There are other roads inside that subdivision, and they are affected with a street being made one way. They want to make sure this doesn't create more liability for the city with improper or confusing signage that might not work right or create more traffic issues related to safety. There are still more remedies to refine, and the way the council left that direction was for staff to look for more solutions; he doesn't believe they have all those answers yet, but they are still certainly looking. Anyone in the audience is always welcome to contact the city and speak with him or any of the engineering team with questions on the project.

Director of Planning Steven Schaefermeyer noted that there always seems to be some confusion about what was and wasn't approved, what the next steps are. He clarified that the developer has submitted what is called a preliminary plat, the document once recorded at the county recorder's office will actually subdivide the property so they can start building. That preliminary plat goes to the planning commission in a public hearing after staff has had a chance to review those plans, as what was presented before was just a concept. They would then be getting into things like grading and getting very specific about what the property will look like. There will be notices sent out for that meeting, no date has been set yet for that meeting because there are still corrections that need to be made by the developer and developer comments that need to be addressed from staff; part of that review is of course the street. That is the latest update on where they are in the process. Once that preliminary plat is approved by the planning commission, and they have to approve it if it complies with all the city ordinances, then a final plat is recorded and they move forward with building permits.

Council Member Zander asked Police Chief Jeff Carr to comment on the crosswalk by Aspen Elementary.

Police Chief Carr is unsure of the specific concerns, he was just trying to text the lieutenant over that area to see what kind of conversations have already taken place. They will certainly look at that, as the city is responsible for the crossing guards and there is a process they go through to determine whether a crossing meets that threshold. It sounds like the resident has maybe received information that it does meet that threshold, so they would typically look at that. They try not to fund them mid-year, but if the need arises they will try to do that. He will do some follow-up with the lieutenant to find out what has been done there. They do the safe walking routes usually once a year, ahead of the school year, to determine where they want those routes to be. The city is part of that process with the school, and they will look into it. Mr. Mullen can reach out to Chief Carr for additional help.

Council Member Zander noted that in addition to the crossing guard, she would like to know if the city would look into that crosswalk not being painted and why that's the case.

Deputy City Engineer Jeremy Nielson will check into that. He knows the signs were put up as of six months ago, because he checked them, but he hasn't driven out there in a bit and he will confirm they have made it through the winter.

Mayor Pro Tempore Harris would like to understand more about the one way road, but today during public comment is not the time to add an agenda item. He asked staff to provide a bit more information to the council after this meeting to help understand the one way road issues and concerns.

G. Action Item

G.1. Resolution R2023-09, Authorizing the Mayor to enter into an Interlocal Cooperation Agreement with Salt Lake County for 2022-2028 UPDES Media Campaign Cost Sharing (*By Director of Public Works Jason Rasmussen*).

Director of Public Works Jason Rasmussen reviewed background information from the Council Report, as well as his prepared presentation (Attachment C).

Council Member McGuire motioned to approve Resolution R2023-09, Authorizing the Mayor to enter into an Interlocal Cooperation Agreement with Salt Lake County. Council Member Zander seconded the motion. Roll Call vote was 5-0, unanimous in favor.

H. Public Hearing Items

H.1. Resolution R2023-08, Amending the Future Land Use Plan Map of the General Plan of the City of South Jordan from Economic Infill Opportunity (EIO) to Stable Neighborhood (SN) on the property located at 10827 S. 1055 W. and 10828 S. 1055 W.; Devon Hatch (Applicant). RCV (*By Director of Planning Steven Schaefermeyer*)

Planning Director Steven Schaefermeyer reviewed background information the Council Report, as well as his prepared presentation (Attachment D).

Mayor Pro Tempore Harris invited the applicant up to address the council.

Devon Hatch (Applicant) said he personally plans on making his home one of the lots on the top, so he has a personal interest in this development. When he first came here and saw it, he loved the feel of the neighborhood, and that's why he chose to go with the larger lots. He wants to keep this a nice place and stay along with what he fell in love with when he drove through. He thanked staff and the planning commission for their professionalism. He knows that change isn't always welcome, and to the residents around there he wanted to say that he is excited to work with them if they want to reach out to him. They are trying to make good neighbors there, and he plans on living there so he would like to have conversations if they have concerns and work through them. He would like to make it a beautiful community and not go high density, as he could have gone that route, but since he is going to live there he is excited to try and keep it a nice area.

Mayor Pro Tempore Harris opened the public hearing for comments.

Travis Hiatt (Resident) - Asked to have staff display images from Attachments E & F. The first issue I want to bring up is water, it was mentioned a couple weeks ago our concerns about the water. There are 14 homes that access the irrigation line that is being turned into a driveway basically, according to this proposal and images 1 and 2 from Attachments E & F. That is only part of it, it actually runs to the north quite a ways and down. No one has brought forward a workable proposal to address the irrigation water. The proposed driveway is directly over the irrigation line and what they are actually saying is that there is going to be a problem. They admit there is going to be a problem, but no one has really said how we are going to mitigate it so that's concerning for everybody; especially those 14 water users. Known and expected problems should be avoided, at the very least given workable, reasonable solutions, of which there have been none. From South Jordan Planning Commission notes dated November 8 regarding the Rise Townhomes also being built on 1055 West, Deputy City Engineer Jeremy Nielson said "they have a legal responsibility to ensure the water goes where it has historically gone," no part of this plan is going to make that happen so we are obviously concerned about that. The existing water table also changes, as will runoff and flow of the water to the existing homes. He showed the tree line that was abruptly removed in images from Attachments E & F. Those trees to the right of the white building are also gone now too. The existing water table will change, that tree line is going to disrupt that and there was also some springs under those trees that will be disrupted. The Rise Development is adding 155 townhomes which we spoke about earlier, we have heard several comments about that. We had the same concerns about the increased traffic and I think that was pretty well spoken to this evening. We spoke a couple of weeks ago specifically to the negative impact to property value and legal counsel basically told us there was no substantiation. It was a little bit patronizing to be honest, because when we bought the house we had trees and the mountains. Now, we have the view shown in Attachments E & F, and it is almost impossible to imagine that is the same backyard. I think we do have substantiation, and we have been talking to some appraisers and ran out of time. We weren't able to get an appraisal put together in this short amount of time, but we will be doing that and bringing that to the council for the next meeting. We believe that we do have substantiation for property value loss. We are pretty passionate about this.

Melanie Hiatt (Resident) – I want to note that on our public notice we received, I sent the email several times and it bounced, and the phone number is no longer in service. I did get someone nice to help me get that sorted out, but thought you should know that on the letter going out it is not working. Gary Whatcott is popular tonight in his South Jordan newsletter, he said "Most cities in Utah have to cope with rapid growth and urbanization on an unprecedented scale. These challenges are dealing with the fallout of haphazard growth, and planning is the engagement of residents. Our elected officials want everyone engaged, we want to listen to neighborhoods. The story of change is about the engagement of residents." Awesome, here we are, the residents, and the herd that just left are here for the same reason as well. We are against the developer who is requesting an agricultural area of zoning be zoned to residential. This provided plan is extremely unusual, does not integrate environmental thinking, is not cost efficient, and does not make our lives better. The growth is unprecedented, hazardous and unwanted. We were patronized by the zoning commission that losing a tree is difficult, and that change is hard; however, we were not talking about a tree, we were talking about a tree line that was home to a family of Red Tail Hawks, owls and other animals. It was in fact a small forest, hundreds of years old that was literally bulldozed down as shown in Attachments E & F; it will have a detrimental effect on the

neighborhood. Lots has been said about this one lane road with no curb or gutter. My images 8-10 on Attachment F show where this development is actually happening, where it is a one lane road, the road with my vehicle on it. There are no plans to improve the road conditions to manage the more than doubling of traffic to impact that neighborhood. The proposed driveway is our biggest concern, and the cul-de-sac of this development will run through numerous backyards. They are literally proposing a roadway be added to tree line, farmland and pasture. Cars will now be driving through our backyards at approximately a 10%-20% incline, so that headlights will be shining into our houses. The required angle of the proposed driveway would make their suggested fence line completely useless in blocking traffic and light pollution to the existing neighbors. At the zoning meeting, and it was said again this evening, the developers claim to want to be team players and good neighbors who want to work with the neighborhood and just want to be peaceful, coexist, etc., yet there has been zero communication with the existing neighbors. Not one call, not one letter, not one email, not one knock on the door. This is not a developer wanting anything that is best for the neighborhood when 98% of us are saying we don't want this, they are only interested in what's best for their pocketbook. So after zero communication from these peaceful developers they brought in bulldozers and took out a 100 year old tree line and eight fresh water springs; their actions are speaking loud and clear. Just because Utah is experiencing unprecedented growth does not mean that we should be. Maybe some agricultural zoning should be left for the neighborhoods and residents of South Jordan that want it there, maybe every remaining scrap of grass should not be turned into townhomes or luxury homes or density housing, and maybe we like the cemetery road the way that it is, quiet, one lane, unobstructed and undeveloped. Not having solutions for irrigation, not having solutions for roads and traffic, not having solutions for current existing neighbors and homeowners loss of property is simply unacceptable.

Kenyan Clark (Resident) – (Attachment G) submitted a letter brought and read by neighbor, Travis Hiatt.

Charles Judd (Resident) – On the drawing that was shown before, it shows that coming down 1055 West there is now a cul-de-sac in the middle of the road, and then a cul-de-sac up. I'm wondering if the plan is to end the road there because it doesn't seem to make a lot of sense to end the road there. The drawing shows curb and gutter and sidewalk and everything there, and I do know that we need to consider other people that live down that road; that's just something that needs to be considered.

Mayor Pro Tempore closed the public hearing to comments.

Council Member Zander asked for clarification on Mr. Judd's comments regarding the two cul-de-sacs and where they will be placed.

Engineer Nielson said the reason for the two cul-de-sacs is that the road to south is private property. With both cul-de-sacs, it will provide a good turnaround for the snowplows and other city services, like garbage trucks, that use 1055 West.

Council Member Zander said she drove down 1055 West after the last discussion, and was able to see where it became a private lane. However, when proceeding to the very end of 1055 West, she noted there didn't appear to be an outlet and asked for confirmation on that.

Engineer Nielson said it is a dead end to the south, and that has been a problem for the snow plows who have had to turn around on private property, which has caused some problems.

Director Rasmussen said the snowplows have to go partly down so they can turnaround. That area further south that they use to turnaround is not ideal and there have been some incidents of plow trucks hitting things.

Council Member Zander asked to confirm that this proposal with the cul-de-sac would have a through cul-de-sac.

Engineer Nielson noted that it is more of a knuckle, with a road going to the west and drive access to the south for the private lane to continue. There will be a 90 degree bend, or the knuckle that goes to the west, then there will be a formal cul-de-sac at top of the hill.

Council Member Marlor noted that the applicant owns property on the east side, so that shouldn't be a problem as he understands.

Engineer Nielson agreed with Council Member Marlor and said that was his understanding as well.

Council Member McGuire asked regarding the rezoning, if they are basically only looking at what the actual rezoning will be, not dealing with any water issues that would be resolved later in this process.

Director Schaefermeyer said this is hard because we are changing the land use in preparation for actual physical changes. As a result, they are asking the council to think about this in more general terms, while also considering the context of the area and what is around it. The ordinance also requires the developer to provide a concept plan. Things like water and existing canals are always things that, until staff addresses them with the developer, are hard. It is helpful to have that information at this stage, but it's hard to provide a lot of answers. The developer isn't expected to spend all the money to create those solutions when there is a chance the council could vote no on the proposal. That is one of the challenges, staff can only require the developer to provide so much information before there is a determination of whether they can actually proceed, and that's the decision being made tonight. All the issues being presented tonight will be addressed during the subdivision process. Not only is it the subdivision plat that is recorded with the county, but there is a set of construction drawings that talk about everything from grading to water to existing conditions and how to address them.

Council Member McGuire noted that he is very sensitive to the Hiatt's concern over the water table issues. His place of business was built on top of some warm springs and every time there is a construction project it changes the water flow through the area to the area across the street. In turn, when they make a change across the street his area suddenly has water issues, so he wanted to make sure that concern was addressed.

Attorney Loose said there was a quote shared about the historic flows of water that had the correct sentiment, but the legal conclusion being drawn is probably incorrect. It is not that historic flows have to continue to run exactly where they have always ran, the developer or applicant is just required to deal with historic flows. Essentially, the applicant can't require those upstream to turn off the water, they have to allow the water to continue flowing to them and then deal with it. That can be done a number of ways including piping it and taking it in another

direction, but they just can't ignore it by making someone else deal with the problem. That is generally not dealt with 100% at a rezone, it is generally a subdivision issue, but all of that does weigh into the council's decision if the zoning and the amount of density is correct for this area and the future land use being considered.

Mayor Pro Tempore Harris noted at some point the applicant will have to do testing of the water flows to prevent water table issues in the future, and asked what other kinds of testing will be required in conjunction with that.

Engineer Nielson responded they will be doing geotechnical studies, borings on the site to understand the water table, etc., and developing any mitigation needed based on those results. That will all be a part of the site plan approval, which happens after this rezone step.

Mayor Pro Tempore Harris asked if staff felt those studies would address the concerns mentioned tonight.

Engineer Nielson responded yes, as that is the purpose of the geotechnical studies, to look at the water underground and the soils.

Mayor Pro Tempore Harris brought up the concerns about the irrigation canal, now that it will be somehow covered up or blocked, and asked for more information on that from staff.

Engineer Nielson responded yes, as part of that site plan they will have to work with the ditchmaster to ensure those with access previously will continue to have their access to that water. It may not be through the same means, as there may be a turnout from the pipe instead of a ditch, but that will happen as part of the subdivision plan.

Council Member McGuire asked the developer if he had considered any other additional layouts to his proposed site. There is the road wrapping all the way around and he asked if the developer has looked into other options for that.

Mr. Hatch responded yes, they did look into a couple other options. However, the difficulty is that the land has a very steep drop off and a hill there. They have tried to come in from many different ways and places, but this seems to be the only way to get to those other two lots above and still meet some of the requirements the city has for the roads and the sizing there. Regarding the water concerns, they have looked at the ditch there and most likely they have the means to pipe it and cover it up so it still flows through; that will be addressed through the proper process.

Council Member Zander addressed the developer, noting that while looking at the map with regard to slope, one of the neighbors tonight spoke to the grade during public comment. She asked if the northwest corner down to the road is the slope, or if the slope going a different direction like north to south.

Mr. Hatch said the slope is from the west to the east, and in addition there is an existing sewer line running through the property that they are working on locating on the sloped hill. It's a challenging piece of property to develop and they have had to really work hard in figuring out how to get this to work. They feel like they have addressed a lot of those sloping challenges and issues with this current plan. The sewer line and drop off are the reason why they had to maneuver that private road around to get it up here. They do plan on lowering that road quite a

bit, and he knows there was concerns over lights shining in windows. That road will be low enough that with the fence there shouldn't be any issues with lights in homes at that point.

Council Member Zander asked about a possible retaining wall along the west border.

Mr. Hatch said yes, it can be seen on the plan as a solid black line.

Council Member Zander asked to confirm that Lots 1 and 2 will be at a higher elevation than the other four lots, and that they will be level with the neighbors to the west.

Mr. Hatch responded that is all correct.

Council Member Shelton referenced the road that circles around, coming out of the circle on the property, and asked if that will also be a public street.

Director Schaefermeyer responded that road will be a private road or driveway. Regarding the comments on the challenges with 1055 West and the improvements, this is generally how roads like this are improved; as properties come the owners improve the sections they are on. Since this owner owns both sides of this section on 1055 West, they will be improving 1055 West as they develop.

Council Member Shelton asked if this section of 1055 West will be wider with sidewalks, curb, and gutter.

Director Schaefermeyer responded yes.

Council Member Marlbor noted that what they are seeing here, and on the Rise Development, is change, and it is very difficult to deal with change. In his experience on the council, every subdivision, change and road is hard to deal with. It's not fun to see trees that you have grown to love disappear, but it is going to happen throughout that entire corridor, just as we have seen throughout almost all of South Jordan. There is not very much property with large acreages left, so he is not surprised that these are being developed. His heart goes out to the residents that are there, because they would just as soon never see a change happen, but people have a right to develop their property and that is going to happen there and throughout any undeveloped area in our city. His feeling is that everyone has to work together and realize that these individuals do have rights to develop, and those impacts are unfortunate, but they do have the right to move forward with their properties, investments, etc. It is the council's responsibility to make sure that it meets all codes and ordinances, that it will be safe, and all those kinds of things that need to take place from the city's standpoint.

Mayor Pro Tempore Harris asked the council if they would allow one individual comment from someone in the chambers, as a member of the audience indicated they had something to add.

The council members all agreed they were fine with one more comment.

Milo Tenney (Resident) – I live down at the south end of 1055 West. I want to first make what I think is a correction, as I understand that it is not all private land beyond that point. I have researched it, but when I bought the property I was told that the city owned the street in front of my house which is well down that lane. I don't know to what extent we are going to get cut off from snowplows and all that kind of stuff for the rest of that lane, but I don't think it's all private. You are approving a whole lot of change on 1055 West right now, there is a whole lot of very

rapid change going on there and I hope you can consider that we expect change, but it doesn't have to happen all at once.

Council Member Marlor asked staff for more information on the last comment regarding the lane and where it ends in terms of public right of way.

Engineer Nielson thinks there may be pockets of public space along that road, but that is where a large stretch of private lane starts as well. Staff is unable to access the maps for verification of this, currently due to an internet issue.

Council Member Marlor asked if Engineer Nielson is saying that from the base of the proposed cul-de-sac on 1055 West there could be bits and pieces of public right of way, but for the most part it is a private lane.

Engineer Nielson said that is correct. The property line is where the public right of way ends, but further down to the south there are pockets of public right of way.

Council Member McGuire noted he was finally able to pull up the Salt Lake County Assessor's website, and it does show pockets of public right of way further south. It looks like the Rodriguez property is the first section that is private road, and then it opens up to some public right of way after that.

Director Schaefermeyer is unsure of the entire history, but at some point when the Park Place development came in there was discussion about whether or not to connect that road. When that development came in, the city council vacated a sliver that had been dedicated to the city because at some point there was a plan to connect 1055 West all the way down through. As a lot of these subdivisions west of 1055 West and this private drive were developed, the city at the time required them to dedicate portions of their property with the idea that there would be a road going through. He believes that is the most likely reason for those pockets of public right of way.

Engineer Nielson added that he is not aware of the city changing any of their services because of this break in the private lane, especially on those public road sections. There might be an option for a smaller plow truck on the private lane, but it would still be of benefit to have that cul-de-sac there as turnaround.

Council Member Zander asked about Jordan River Drive and where it initially broke through from the west to the east a few years ago.

Director Schaefermeyer said there was an existing stub road connected to the new development that then connected that down through the park.

Council Member Zander noted from the map it looks like 1055 West essentially dead ends about 50 yards from Jordan River Parkway, and asked for confirmation of that.

Director Schaefermeyer responded yes, there were several lots that were part of the Park Place subdivision that cut off that access to Jordan River Drive. In addition, just east of there he speculates that the parcels to the north along that mostly private drive were required during development to dedicate because of potential connection at the time.

Council Member Zander said it looks like Jordan River Drive has a home or two directly at the end of 1055 West, so she assumes that 1055 West will never be a through road.

Director Schaefermeyer said that is correct, unless private property owners get together or the city has a purpose to condemn it; however, that has not been the general practice of this council, to condemn for things like that. Based on his memory, the lot at the end of 1055 West was actually included in the Park Place subdivision but it accesses from 1055 West, not from any of the Park Place roads.

Council Member Marlor motioned to approve Resolution R2023-08, Amending the Future Land Use Plan Map of the General Plan of the City of South Jordan. Council Member Shelton seconded the motion. Roll Call vote was 5-0, unanimous in favor.

H.2. Zoning Ordinance 2023-02-Z, Rezoning property located at 10827 S. 1055 W. and 10828 S. 1055 W. from the A-1, A-5, and P-O Zones to the R-1.8 Zone. RCV (*By Director of Planning Steven Schaefermeyer*)

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

Council Member Zander motioned to approve Zoning Ordinance 2023-02-Z, Rezoning property as stated. Council Member Marlor seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

H.3. Ordinance 2023-02, Adopting an amended and updated Impact Fee for Water and Transportation within the “Last Hold Out” properties; establishing certain policies related to Impact Fees for Water and Transportation Facilities; establishing Service Area; and/or other related matters. RCV (*By Director of Strategy & Budget Don Tingey and LYRB Vice President/COO Fred Philpot*)

Director of Strategy & Budget Don Tingey indicated that the next two items (Items H.3. and H.4. on tonight’s agenda) are similar in nature. Item H.3. is dealing with the “Last Hold Out” property, which is in the middle of Daybreak. The other property in Item H.4. is on the west side of Daybreak, just east of the current U-111 alignment. He gave a brief history of both properties from the Council Report.

Fred Philpot reviewed the prepared presentation (Attachment H) and background information from the Council Report.

Mayor Pro Tempore Harris opened the public hearing for comments. There were no comments and the hearing was closed.

Council Member Shelton asked if the facilities, along with the infrastructure had already been built.

Director Tingey said they have in some cases, and some is to be built in the future.

Council Member Shelton asked if the facilities already completed were done by the developer at Daybreak.

Director Tingey responded yes.

Council Member Shelton asked if when those fees are collected the city pays part of them to the developer at Daybreak.

Director Tingey said yes, and there will be an agreement with the developer as soon as they go into place. In addition, part of that fee will be used by the city to build additional infrastructure.

Council Member Zander asked if by adopting this, the city is agreeing to the maximum amounts stated.

Director Tingey responded yes, it would be full reimbursement.

Council Member Shelton asked if the owner of the properties happens to be the same, and if they have been notified.

Director Tingey responded yes, the owner happens to be the same and they received copies of the studies years ago, along with any updated ones.

Attorney Loose noted that at one time the owner asked the city to draft a contract where, instead of going through this process, the owner of those properties would just contractually pay those fees back, commiserate with what is being seen. However, they recently said that it would work better to do it as an impact fee analysis and that is why the city went through this process. That being said, the owner is very well aware and has never objected to the concept of what's happening; they just preferred this route over the contract that was drafted in 2018.

Director Tingey said this is very familiar to the development world. Paying impact fees keeps this straight forward, even though the other way may have been simpler with a contract.

Council Member Marlboro asked if the impact fees are considering when the facilities will actually be built, and that if it takes more time those facilities could be more expensive. He also asked when they are anticipating these will be built.

Director Schaefermeyer said there is some inflation built in.

Mr. Philpot added that if those costs change there may be a need to amend the impact fee analysis to account for those changes in cost.

Director Tingey said City Engineer Brad Klavano will be watching those costs as the projects come online.

Council Member Zander asked for a ballpark of acreage with the Lark Meadow Property and the Bastian Hold Out Property.

Director Tingey responded the Lark Meadows property is 180 acres, the school district piece on the west side of Mountain View Corridor is 103 acres, and the Bastian piece on the east side is about 35 acres.

Council Member Zander asked if the properties are still owned by the Bastians and the school district, and who owns Lark Meadows.

Director Tingey responded that Doug Young has it under contract, but it is still owned by Bastians with an option for Mr. Young.

Council Member McGuire motioned to approve Ordinance 2023-02, Adopting an amended and updated Impact Fee for Water and Transportation within the "Last Hold Out" properties; establishing certain policies related to Impact Fees for Water and

Transportation Facilities; establishing Service Area; and/or other related matters. Council Member Zander seconded the motion. Roll Call vote was 5-0, unanimous in favor.

H.4. Ordinance 2023-03, Adopting an amended and updated Impact Fee for Water and Transportation within the “Lark Meadows” properties; establishing certain policies related to Impact Fees for Water and Transportation Facilities; establishing Service Area; and/or other related matters. RCV *(By Director of Strategy & Budget Don Tingey and LYRB Vice President/COO Fred Philpot)*

Mayor Pro Tempore Harris opened the public hearing for comments. There were no comments and the hearing was closed.

Council Member Shelton motioned to approve Ordinance 2023-03, Adopting an amended and updated Impact Fee for Water and Transportation within the “Lark Meadows” properties; establishing certain policies related to Impact Fees for Water and Transportation Facilities; establishing Service Area; and/or other related matters. Council Member Marlor seconded the motion. Roll Call vote was 5-0, unanimous in favor.

I. Staff Reports and Calendaring Items

Manager Lewis reminded everyone of the upcoming SoJo Date Dash, and due to expected council member attendance it will be noticed as a potential quorum.

Director Rasmussen gave an update on the signage discussed at the December Strategic Planning meeting. Staff has been working on that and they have ordered new border signs that will be installed over the next week. Staff has also been working on all collector street signs to replace the faded ones and straighten out others where needed. The new city welcome signs will also be replaced within the next week. He also wanted to address the public comment regarding the water conservation rebates, noting that the gentleman shared with him afterwards that he is an employee of Jordan Valley, which was not shared during his comments. This has been looked at in the past, and the city really gets so much more by managing the program internally. This allows us to offer the residents more and get them involved in more rebates, rather than having a random employee from Jordan Valley or Utah Water Savers come. Staff can give the residents more attention and feel that they are providing a better service to those residents rather than what Utah Water Savers does. Connor Oswald does a fantastic job and Director Rasmussen feels South Jordan’s program would be ranked as top in state.

Attorney Loose gave legislative updates. Regarding SB 174, Senator Fillmore came out. This is the first of the local land use development revisions, and Representative White came out as well. He gave kudos to Senator Fillmore, from where he started and where he was getting input, the bill is actually very moderate. It’s not exactly where the city and League would want it, but it certainly is more in line with what has been proposed with substantial changes to the subdivision process for cities that still have their city council involved in administrative items. Our city was part of the example showing that the council doesn’t have to deal with all the administrative items, and this council gave that up thanks to involvement from Director Preece around 2006; Council Member Marlor was also on the council at that time. Those are changes going into state law, and the penalties are still being

negotiated, but they are much closer to what the League can live with; they are certainly not where the development groups want them. He thanked the council for speaking with Senator Fillmore, inviting him to sit at their table, as all of those little things help him understand what his constituency and the residents of Utah are feeling. There aren't a lot of other big impact bills right now, but there are currently some regarding retirement and he thanked City Manager Whatcott and Director Seager for their efforts in keeping him updated. They are working on getting costs for the city in regards to some of the current bills, including the public safety retirement bill from Representative Gwynn. That bill specifically would be a direct hit that would have to be poured into public safety retirement, which would then affect how other benefits are done. The League has no allies to kill that bill, so it has a lot stronger chance this year over the previous years that something similar has been attempted.

Council Member McGuire asked if those retirement costs would be yearly and ongoing.

Attorney Loose responded it will be an annual thing that escalates over time. There are a number of unfunded mandates similar to that, along with direct cost revenue reductions with the gas tax, which is a big one. The cities have been told they will be able to make those costs up, however there are two issues at the state level. Firstly, the state has lots of money, but the local levels don't through their revenue streams, and in turn the state is cutting taxes thinking everyone else is flush. The League is continuing to remind them that isn't correct, and he encouraged the council members to remind them of that as well as at the local level that we are having to increase property taxes and doing what needs to be done because the revenue streams just are not there. Secondly, revenue neutral on a large basis, does not mean it is equal to everyone. The Sand and Gravel Bill has that effect, with some cities being winners and others losers; same with the gas tax bill. As was seen here when the taxes went away with the manufacturing bill, those losses of \$1 million a year can really create large deficits. The council needs to reinforce with them that they may not want to change too much at once, and be very thoughtful of how that impacts their constituents.

Council Member Zander noted she wanted to do some follow-up texts and phone calls to some of the elected officials she knows well. She asked if she were to note that as they are looking at the tax revenue stream to please consider the effects it has on the city, who on the staff she can send them to with questions.

Attorney Loose responded she can contact either Manager Whatcott or himself.

Council Member Zander asked about SB 174, Senator Fillmore's Bill.

Attorney Loose said he would send links for both Senator Fillmore and Senator White's bills to the council for review.

Council Member Zander would like to contact those representatives and share her opinion with them, as well as compliment them on progress made.

Attorney Loose reminded the council about the meeting this Saturday at 8:00 a.m. at the hospital, and that there is no virtual option.

Manager Lewis said that should be on everyone's calendars multiple times in case they are interested.

Council Member Marlor shared he had dinner Saturday night with a friend named Paul Pugmire, who is the Director or CEO of First Tee of Utah. First Tee of Utah's mission is to get youth involved in golf as young as second and third grade for recreation and exercise. Mr. Pugmire noted that he felt his relationship with Assistant Director of Recreation Jake Druce and the other folks at Mulligans is terrific, and that he is grateful for the relationship and feels that things are going very well.

Manager Whatcott mentioned the bill being proposed that would require an SRO in all the charter schools. That language was adjusted from "shall" to "may," so the fiscal impacts are quite a bit different. The substitute draft came out much more favorable for the city from a fiscal standpoint, but the school districts are still on the hook for a lot on that bill.

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

ADJOURNMENT

The February 7, 2023 City Council Meeting adjourned at 8:54 p.m.