

SOUTH JORDAN CITY  
CITY COUNCIL MEETING

October 18, 2022

**Present:** Council Member Tamara Zander, Council Member Patrick Harris, Council Member Don Shelton, Council Member Jason McGuire, Council Member Brad Marlor, City Manager Gary Whatcott, Deputy City Manager Dustin Lewis, City Attorney Ryan Loose, Director of Strategy & Budget Don Tingey, CFO Sunil Naidu, Director of Commerce Brian Preece, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, City Recorder Anna Crookston, Director of Public Works Jason Rasmussen, City Engineer Brad Klavano, Director of Planning Steven Schaefermeyer, Fire Chief Chris Dawson, Director of Recreation Janell Payne, GIS Coordinator Matt Jarman, IT Director Jon Day, Senior IS Tech Phill Brown, Meeting Transcriptionist Diana Baun, Strategy and Budget Analyst Abigail Patonai, Water Quality Technician Connor Oswald, Water Foreman Brandon Crookston, Associate Director of Public Works Ray Garrison

**Absent:** Mayor Dawn Ramsey

**Others:** Kevin W., William Evershed, Bridger Mason, Bronson Mason, Joseph Nation, Devika Rajeev

6:40 P.M.  
REGULAR MEETING

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

Mayor Pro Tempore Jason McGuire welcomed everyone and introduced the electronic meeting. He excused Mayor Dawn Ramsey, who was unable to attend.

**B. Invocation – *By Director of Strategy and Budget Don Tingey***

Director Tingey offered the invocation.

**C. Pledge of Allegiance – *By Director of Recreation Janell Payne***

Director of Recreation Janell Payne led the audience in the Pledge of Allegiance.

**Council Member Marlor motioned to amend the agenda and add an additional item to tonight's agenda as Item J, to allow an Executive Closed Session at the end of the meeting before adjournment. Council Member Shelton seconded the motion; vote was unanimous in favor.**

## **D. Minute Approval**

**D.1.** October 4, 2022 City Council Study Meeting Minutes

**D.2.** October 4, 2022 City Council Meeting Minutes

Council Member Shelton noted some corrections from the council packet, page 5, where he referenced the TRAX Station located on 4800; this was typed as 4800 South, but should be 4800 West. This also needs to be corrected where the location was referenced by Director Schaefermeyer on the same page. He also noted that on page 11, Kem C. Gardner Institute was misspelled and needed to be corrected as it is here.

City Recorder Anna Crookston noted those requested changes and responded that she will make sure those corrections are made.

**Council Member Shelton motioned to approve the October 4, 2022 City Council Study Meeting minutes, and the October 4, 2022 City Council Meeting minutes as amended above. Council Member Harris seconded the motion; vote was unanimous in favor.**

## **E. Mayor and Council Reports**

Council Member Don Shelton attended much of the League of Cities and Towns Conference, he was especially impressed with the talk by the fire captain who survived the 9-11 attacks whose story was very compelling. He had the opportunity to speak at the UFirst Ribbon Cutting ceremony, which went really well with a good crowd. The council and staff held a Strategic Planning Meeting and discussed high level direction for the city. He attended the Legislative Policy Committee Meeting (LPC) yesterday, provided feedback on a questionnaire given regarding what might work for the city on administrative land use decisions. He has often thought that they frustrate residents with public hearings on administrative decisions. Residents attend, share their thoughts, and as long as the proposal checks all the boxes and meets all administrative requirements it is approved, irrespective of their comments. There are times when someone may be able to share additional information about a property that wasn't previously known by staff, or new owners so there is some value to the process, but he would guess the majority of time it is a frustrating experience for residents. He wouldn't mind seeing some changes to that and allowing the public to provide their input earlier in the process, or in a different way. While he doesn't have the answers to that problem it was a question posed at the LPC meeting yesterday for feedback. Also, yesterday at the Western Growth Coalition they had 10 or 11 candidates come and speak. He had the chance to meet with Representative Pulsipher this morning, and he thinks she represents our city well; he appreciates her efforts at the legislature. He went with the mayor to the Southwest Mayors' Caucus Meeting, Mayor Ramsey has asked him to attend those meetings with her in case she can't be there, allowing him to fill in and understand what's going on. Riverton City prepared an interesting slide presentation at the meeting, and he asked staff to share that with the rest of the council members.

City Attorney Ryan Loose agreed to send those slides out via email during the meeting.

Council Member Shelton continued by noting he found it interesting that it was shared that per square mile, the density in South Jordan, Riverton, Herriman and Bluffdale is higher than the density per square mile in Salt Lake City.

Attorney Loose said density above is according to the data gathered, collected and compiled by Riverton; that has not been independently verified by South Jordan.

Council Member Shelton noted the presentation also showed the number of lots that have been entitled, but are not under construction in the southwest area, which is around 20,000. We can talk about a housing crisis, but with entitled lots not under construction, that isn't a city issue. He also asked Attorney Loose to share the information from the meeting regrading UTA currently doing a study for their five year plan, and if we want more services from UTA in our city we should participate in this study. For those who use social media, he thinks it would be great to push out that information so residents can provide feedback about the plans for service in our UTA Service Area.

Council Member Patrick Harris also attended the Utah League of Cities and Towns meetings, thought they were wonderful and that our mayor did good job leading them; South Jordan City was well showcased as well. There were a lot of good breakout sessions, he attended one on wildfires and enjoyed learning more about that. He also attended a session on the future of construction, and that was very insightful as well. One of his favorites was one by the City Manager of Millcreek, Mike Winder, discussing the future of retail. Redevelopment was done in Millcreek, and even though many say retail is dead, that redevelopment has done quite well. They bought up a lot of the existing commercial owners there and re-did the whole thing with both commercial and residential components. As our city looks at how to be successful in retail, he would suggest checking out what they've done, as they have a good example. He also enjoyed listening to the fire captain from 9-11 speak, his speech was remarkable. He was also able to listen to some of the political debates, and reminded everyone to make sure they vote.

Council Member Brad Marlor has been out of town since the last council meeting with family, so he unfortunately missed some of the annual meetings he looks forward to every year. He has attended three different lunches with some of our state legislators including Representative Jordan Teuscher, Senator Fillmore, and most recently Representative Susan Pulsipher. He believes it is very insightful and important for the council members to meet with them, letting them know they are very interested in the bills they are planning on running during the session. Some things are of concern, across the board, and the council wants to be aware of those and make sure they are lobbying for what makes sense for South Jordan. He also attended the Strategic Planning Meeting with the council and staff, everyone did a wonderful job there helping to plan for the city.

Council Member Zander also attended the Strategic Planning Meeting, felt it was really well done and thanked staff for that. There was great discussion and she is very appreciative of the competent, talented and trustworthy staff members in the city of South Jordan. She puts great stock in what the staff tells the council, and we are very lucky to have such talented people here. She also missed the ULCT conference for family reasons, and she loves attending those; she is

grateful for the council members that were in attendance to represent our city. Last night she was asked to attend the Rotary Awards Ceremony. She serves on the South Valley Chamber of Commerce, and one of the ladies that serves with her is the president of the South Jordan Rotary Group. They had an awards ceremony last week at AAI, where they honored two high school students from Bingham, two from Herriman, two from Paradigm, and two from AAI, along with a teacher from each of those schools. Council Member Zander and Tracy Miller were the two speakers that night, and it was an honor to be Ms. Miller's back-up speaker to say a few words. The theme of the night was related to the idea that in life you can choose to do many things, so choose kindness. The students recognized were not done so for their GPA or athletic accomplishments, but for their service and other things that school staff had observed. Stories were told about the students doing things around their schools like helping other students and welcoming new students. One of the award recipients even went out of their way to cover for their school custodian who got really sick, allowing the custodian to recover and his job to still get done.

Mayor Pro Tempore Jason McGuire said he attended a Rotary Event with his daughter earlier in October, and the president of the South Jordan Rotary Club sent him an email with some information that he will forward to the rest of the council; they will be doing that awards ceremony once a month until May. He attended the League Conference as well, was touched by the fire chief's message he shared and was eager to read his book. He loved the message that, as a country we need to be more unified, as we were the days following 9-11. He believes the name of the book was "Last Man Down." He also attended the Strategic Planning Meeting, met with the Arts Council and their next meeting will be a planning meeting to discuss what to do with the remainder of this year's budget and into the future. He recognized the members of our Youth Council in attendance tonight and thanked them for coming.

#### **F. Public Comment**

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

There were no public comments, and the hearing was closed.

#### **G. Presentation Items**

**G.1.** Proclamation in support of National Apprenticeship Week, November 14-20, 2022 *(By Mayor Pro Tempore Jason McGuire)*.

Mayor Tempore McGuire read the proclamation.

**G.2.** City Water Conservation Program update *(By Director of Public Works Jason Rasmussen)*.

Water Quality Technician Connor Oswald reviewed his prepared presentation (Attachment A).

Council Member Zander asked about the Daybreak HOAs, if they allow the rock options available in their landscaping, or if they require the bark.

Mr. Oswald responded that the HOA in Daybreak wants all the landscaping to be uniform on each property, so if the resident has bark in their front yard, they wouldn't be able to do rock in the park strip. If they wanted the rock from the city, they could get it for their park strip, but they would have to get additional matching rock on their own for the rest of their property.

Council Member Zander asked if there has been any progression in Daybreak allowing residents to go and get approval for these water conservation changes without the required fee.

Mr. Oswald responded that Daybreak has waived the fee, and they have seen an increase in the amount of Daybreak residents coming to him with their approvals from the Daybreak HOA.

Council Member Zander asked if the water audits being done are only to the exterior of the home, or if they are also done on the interior of the home.

Mr. Oswald said the water audits are tailored to the sprinkler system. They will do checks for the inside of the home to make sure there are no leaks, but water audit wise it's mainly the sprinkler system.

Council Member Zander asked what happens when they find a leak, does the city just identify there is a leak and then the resident is responsible for finding someone to fix that leak.

Mr. Oswald said they help the residents identify where the leak is by isolating the location, whether it's the service line, inside the home somewhere, or in the sprinkler system.

Council Member Marlor said one of his neighbors connected some plumbing incorrectly, then several weeks later received a letter from the city saying something was wrong with their water as it looked like they were using too much. The problem wasn't just a few gallons, they had gone through tens of thousands of gallons of water, and it was very expensive. It seems like the city is more prepared now to let residents know much sooner about leaks so they are informed. He thinks this is a great program. He also noted that he is not sure why, but in his subdivision alone, the flip the strip idea has really caught on. They will be redoing a bunch of homes on his cul-de-sac and he suggested to our City Deputy Manager Dustin Lewis and the council that they should select a major corridor and completely flip the strip in that corridor as an example, just as Merit Medical has done.

Director of Public Works Jason Rasmussen noted that a park strip master plan was mentioned earlier, and their plan is to bring that to share with the council in a work session. That will show the plans for all the corridors, beginning the start of next year.

Council Member McGuire would love to see the city's water savings celebrated with possibly a short video for social media, thanking the residents for saving that specific amount of water. He asked if it was possible on the water bills to include a graph showing water usage. He knows you can go to the water portal to see it, but many residents when they see their bill aren't thinking about going to the water portal.

Director Rasmussen said they have met with our utility billing, and they have gotten with the company that produces our utility bills. We have a ticket in with them to change up the bill just a little bit to show that, because he agrees it is very useful to see the yearly comparison.

Mayor Pro Tempore McGuire noted that they currently have the bar graph showing how you used water compared to your neighbor, however you don't know if that's comparing you to the neighbor next door with the same yard, or down the street where the neighbors have no yard. Seeing the graph showing personal usage compared to what has been used in the past would give him better information to base changes off of. He then brought up possible incentives for hot water circulators. Older homes require you to wait a few minutes for hot water, however his home he purchased in Daybreak came with a hot water circulator so you get instant hot water; he thinks that incentivizing that would also save money over time.

Director Rasmussen said he familiarized himself with that and spoke with a building official, but they haven't made a ton of progress as of yet. That is something that they have looked at, and can continue to look at. Some states actually require that because it saves water.

Council Member McGuire thanked the Public Works Department for all their hard work on water conservation, they are taking on a big effort to try and get residents to conserve water.

## **H. Action Items**

**H.1.** Resolution R2022-43, Authorizing and approving the execution of a loan agreement with the Utah Department of Transportation to Finance Transportation Infrastructure projects within the City; providing for the publication of a notice of this Resolution and the running of the contest period; and related matters (*By CFO Sunil Naidu*).

CFO Sunil Naidu reviewed background information from the Staff Report.

There was some confusion, as this was not published as a public hearing.

Attorney Loose said the published resolution did talk about a public hearing, so to be safe this could be tabled and noticed as a public hearing for a future meeting. There have not been any inquiries received that he is aware of in regards to this item from the public.

CFO Sunil Naidu said the resolution also requires him to publish this after approval with a 30 day contest period before he can take any action.

Attorney Loose said that if someone contested it during that time, it would be brought back to the council to rectify any possible issues. That being said, he still thinks it is okay to vote on this tonight if CFO Naidu feels comfortable with that.

Council Member Shelton asked if the timing is urgent on this, would it be an issue if this was tabled for a month.

Director of Engineering Brad Klavano said that in regards to the project, it would be okay to wait a month; they are still waiting for UTA to sell us the property and part of this money will pay for that.

Council Member Shelton said there might be someone out there looking to capitalize on something like this, so he thinks tabling it might be the safer option.

Council Member Marlor does think it should be tabled, but he also thinks that if there is anyone here to comment they should be given the chance to do so.

Mayor Pro Tempore McGuire opened the public hearing for comments. There were no comments either in-person or online, and the hearing was closed for comments.

**Council Member Shelton motioned to table Resolution R2022-43, Authorizing and approving the execution of a loan with the Utah Department of Transportation to finance Transportation Infrastructure projects within the City, until the November Council Meeting. Council Member Zander seconded the motion; vote was unanimous in favor.**

**H.2. Resolution R2022-44, Authorizing the Mayor to sign a Master Landscape Agreement with Utah Department of Transportation (By City Engineer Brad Klavano).**

City Engineer Brad Klavano reviewed background information from the Staff Report.

**Council Member Zander motioned to approve Resolution R2022-44, Authorizing the Mayor to sign a Master Landscape Agreement with Utah Department of Transportation. Council Member Marlor seconded the motion; vote was unanimous in favor.**

## **I. Staff Reports and Calendaring Items**

Deputy Manager Lewis reminded everyone the next meeting will be the Strategic Planning Meeting on November 9. Dinner will be provided at 5:30 p.m., and the meeting will start promptly at 6:00 p.m.

Attorney Loose thanked the council members for meeting with our representatives at the luncheons scheduled.

Manager Whatcott shared that he and Police Chief Jeff Carr will be testifying at a legislative interview meeting on the role of the Sheriff. Representative Jordan Teuscher is running legislation about the way the general fund is being collected for law enforcement services through the Sheriff's office, which is extracted from our residents. There has been some concern about how that money is dispersed to UPD and some controversy about how those funds are being used.

**Council Member Marlor motioned to move to Executive Closed Session from the Council Meeting. Council Member Shelton seconded the motion; vote was unanimous in favor.**

*ADJOURN COUNCIL MEETING AND MOVE TO EXECUTIVE CLOSED SESSION*

## **J. Executive Closed Session**

**J.1.** Discussion of the character, professional competence, or physical or mental health of an individual.

*ADJOURN EXECUTIVE CLOSED SESSION AND MOVE BACK TO THE REGULAR COUNCIL MEETING.*

**Council Member Shelton motioned to adjourn the City Council meeting. Council Member Marlor seconded the motion; vote was unanimous in favor. Council Member Marlor was absent from the vote.**

**ADJOURNMENT**

The October 18, 2022 City Council meeting adjourned at 8:22 p.m.

UNAPPROVED