

SOUTH JORDAN CITY
COMBINED CITY COUNCIL &
REDEVELOPMENT MEETING

May 21, 2024

Present: Mayor Dawn R. Ramsey, Council Member Don Shelton, Council Member Jason McGuire, Council Member Patrick Harris, Council Member Kathie Johnson, Council Member Tamara Zander, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Strategy & Budget Don Tingey, IT Director Jon Day, Director of Public Works Raymond Garrison, CFO Sunil Naidu, City Engineer Brad Klavano, Director of Administrative Services Melinda Seager, Director of Planning Steven Schaefermeyer, Police Chief Jeff Carr, Fire Chief Chris Dawson, Communications Manager Rachael Van Cleave, Recreation Director Janell Payne, Senior Systems Administrator Phill Brown, GIS Coordinator Matt Jarman, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Business Licensing Executive Assistant Ambra Holland, Deputy Director of Finance Nick Geer, HR Director Teresa Cook

Absent:

Others: Brian Nielsen, Koen, Chase, Roman Reynolds, Gavin Alldredge, Zack Demler, Maddison Riehl, iPhone, Natelie, Travis Ferran, Billie Lawrence, Terry Bouck, Alexa Jensen, Kjersin Cox, Ryker Tonney, Ashton Stevens, Jaycen Cox, Brandon McHenry, Cindy Spilt, Ian Campbell, Izzi Beauchesne, Nolan Druce, Dan Ramsey, Savannah Dial, Diana Ziska, Nancy Lowry, Robin Pierce, Tammy Loertscher, Charles Bouck, Tucker Hale, Gavin Griott, Cody Griott, Seth Palmer, Berkli Cromar, Alex Kirkland, Javier Delgado, Samantha LaMunyon, Annie Buresh, Dakota Zulick, Nola Kelly, Kaylee Gurney, Jackie Gurney, Pierson Schorter, Hayden Song, Ziya Davis, Ancel Davis II, Owen howes, Jameson Hendmie, Samuel Robinson, Tate Bonian, Davis Pessetts, Alex Wolfe, Devon Dowdell, Parker Dowdell, Gavin Colrin, Austin Hinds

6:43 P.M.
REGULAR MEETING

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

Mayor Ramsey welcomed everyone and introduced the meeting.

B. Invocation – By Director of Strategy & Budget, Don Tingey

Director Tingey offered the invocation.

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

Director Garrison led the audience in the Pledge of Allegiance.

Council Member Johnson motioned to move Item G.2. to directly after Item D for scheduling purposes. Council Member McGuire seconded the motion; vote was 5-0, unanimous in favor.

D. Minute Approval

D.1. April 2, 2024 City Council Study Meeting

D.2. April 2, 2024 City Council Meeting

Council Member Zander motioned to approve the April 2, 2024 City Council Study Meeting and April 2, 2024 City Council Meeting minutes as published. Council Member Harris seconded the motion; vote was 5-0, unanimous in favor.

G.2. Resolution R2024-27, Adopting an updated Business License Cost of Services Fee Study and Fee. (*By LRB Vice President, Fred Philpot*)

Fred Philpot shared his prepared presentation (Attachment A).

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

Council Member Shelton motioned to approve Resolution R2024-30, Adopting an updated Business License Cost of Services Fee Study and Fee. Council Member Zander seconded the motion.

Roll Call Vote

**Yes – Council Member Shelton
Yes – Council Member Zander
Yes – Council Member McGuire
Yes – Council Member Harris
Yes – Council Member Johnson**

Motion passes 5-0, vote in favor.

E. Mayor and Council Reports

Council Member Don Shelton

- Met with Executive Board of the Jordan River Commission.
- Attended Legislative Policy Committee Meeting with the ULCT, hearing reports on interim legislative meetings.

Council Member Tamara Zander

- Serves on the South Valley Chamber of Commerce Board of Directors currently, helping to represent South Jordan City on a Utah Delegation that recently visited Washington. There was a delegation of about 90 in Washington, D.C, who were able to speak with elected officials who took time out of their schedules to meet with them about what's happening in Utah and what they can do to help. There are so many good people doing a lot of good in Washington, which is contrary to what is seen in the media. She was very encouraged and came away with a deeper respect for those she met with.

Council Member Patrick Harris

- Attended South Valley Sewer Board Meeting.
- Attended ULCT meeting.
- Attended RIMS RISKWORLD with his private employer, and noted there were cities in attendance as well.

Council Member Johnson – Nothing to share

Council Member Jason McGuire

- Art on the Towne Event and Quilt Show
- Tickets available for Joseph and the Technicolor Dreamcoat.
- Attended some events hosted by the Jordan School District and thanked them for being a great group.

Mayor Dawn Ramsey

- Discussed Joseph and the Technicolor Dreamcoat, including her experience participating.
- Represented the City of South Jordan, along with other key staff members, receiving a national award from the American Civil Engineering Companies for the Pure SoJo Project. She discussed all the opportunities this has opened up for groups around the country to visit and share about the project.

F. Public Comment

Mayor Ramsey opened the public comment portion of the meeting.

Dan Ramsey (Resident) – I just wanted to give a quick shout out to Parks & Recs for the work they have done at the baseball fields. I have been managing little league baseball over there for about 15 years now and I am pleased with the cooperation and collaboration that takes place with Sam and Chet over there. Also with the City Council and the safety nets put in place, the signage that has been placed at the fields; thank you very much for your support and efforts to make sure we have a safe place for our children to develop and encourage them to show forth strength in their endeavors with baseball.

Nancy Lowry and Diana Ziska (Residents) – We have been residents of South Jordan for 25 years. We just need to make sure that we are being heard about this parking lot that the city is possibly going to grant Travis Ferran the conditional and temporary lease agreement for the 28 spot lot. I am not sure who knows, but we own part of that driveway. We did a real property agreement back in 2017 with the city so part of that driveway is ours and we are strongly against this parking lot. Our home is for sale, we are in the middle of an offer right now, but we still do not want the parking lot there so I need to know that everybody is aware of this.

Mayor Ramsey closed the Public Comment portion of the meeting.

G. Consent Action Items

G.1. Resolution R2024-23, Adopting South Jordan Historic Preservation Committee Bylaws to replace the existing bylaws. *(By Director of Recreation, Janell Payne)*

G.2. Resolution R2024-27, Adopting an updated Business License Cost of Service Fee Study and Fee. *(By LRB Vice President, Fred Philpot)*

****Agenda amended, Item G.2. moved to directly after Item D****

G.3. Resolution R2024-30, Authorizing Mayor Ramsey to sign the Agreement for the Sale and Purchase of Real Property for a parcel needed to complete Grandville Ave between the City of South Jordan and the Utah Transit Authority. *(By Director of Strategy & Budget, Don Tingey)*

G.4. Resolution R2024-34, Authorizing the Mayor of the City of South Jordan to sign a Franchise Agreement with SummitIG Utah, LLC. *(By Director of Strategy & Budget, Don Tingey)*

Council Member Zander motioned to approve the following Consent Items: Resolution R2024-23, Resolution R2024-30, and Resolution R2024-34, as stated above. Council Member McGuire seconded the motion.

Roll Call Vote

**Yes – Council Member Zander
Yes – Council Member McGuire
Yes – Council Member Harris
Yes – Council Member Johnson
Yes – Council Member Shelton**

Motion passes 5-0, vote in favor.

H. Public Hearing Items

H.1. Resolution R2024-28, Stating proposed compensation increases for specific City Officers. *(By City Attorney, Ryan Loose)*

City Attorney Ryan Loose reviewed background information from the Council Report.

Mayor Ramsey opened the Public Hearing for comments; there were no comments and the hearing was closed.

Council Member McGuire motioned to approve Resolution R2024-28, Stating proposed compensation increases for specific City Officers. Council Member Shelton seconded the motion.

Roll Call Vote

**Yes – Council Member McGuire
Yes – Council Member Shelton
Yes – Council Member Harris
Yes – Council Member Johnson
Yes – Council Member Zander**

Motion passes 5-0, vote in favor.

H.2. Ordinance 2024-14, Fixing the compensation for the South Jordan Elective and Statutory Officers. *(By CFO, Sunil Naidu)*

CFO Sunil Naidu reviewed background information from the Council Report.

Mayor Ramsey opened the Public Hearing for comments; there were no comments and the hearing was closed.

Council Member Shelton motioned to approve Ordinance 2024-14, Fixing the compensation increases for the South Jordan Elective and Statutory Officers. Council Member McGuire seconded the motion.

Roll Call Vote

**Yes – Council Member Shelton
Yes – Council Member McGuire
Yes – Council Member Harris
Yes – Council Member Johnson
Yes – Council Member Zander**

Motion Passes 5-0, vote in favor.

H.3. Resolution R2024-29, Adopting a Final Budget; making appropriations for the support of the City of South Jordan for the fiscal year commencing July 1, 2024 and ending June 30, 2025 and determining the rate of tax, and levying taxes upon all real and personal property within South Jordan City, Utah and taxable by law for the year 2024. *(By CFO, Sunil Naidu)*

CFO Sunil Naidu reviewed background information from the Council Report and his prepared presentation (Attachment C).

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

CFO Naidu and Council Member Shelton reviewed questions emailed to him prior to this meeting from Council Member Shelton (Attachment B).

Council Member Shelton also had CFO Naidu explain why, even though the city is not raising property taxes this year, that does not mean residents' taxes will not go up in general this year.

CFO Naidu explained that the city is not the only entity setting a rate for taxes, any of the other entities included in property taxes can raise their rate separately which would cause a higher amount of taxes due. Taxes are also evaluated based on the property's location and any specific districts it might be located in, which can lead to properties in the city having different rates as well. Property taxes are calculated in Utah with a very complex formula, but the amount the city itself gets does not change if they choose not to raise taxes for the year.

Council Member Harris motioned to approve Resolution R2024-29, Adopting a Final Budget for the fiscal year commencing July 1, 2024 and ending June 30, 2025. Council Member Zander seconded the motion.

Roll Call Vote

**Yes – Council Member Harris
Yes – Council Member Zander
Yes – Council Member Johnson
Yes – Council Member Shelton
Yes – Council Member McGuire**

Motion passes 5-0, vote in favor.

Council Member Johnson motioned to recess City Council Meeting and move to Redevelopment Agency Meeting. Council Member McGuire seconded the motion; vote was 5-0, unanimous in favor.

RECESS CITY COUNCIL MEETING AND MOVE TO REDEVELOPMENT AGENCY MEETING

H.4. RDA Resolution R2024-02, Adopting a Final Budget for the Redevelopment Agency of the City of South Jordan, Utah, for fiscal year 2024-2025. *(By CFO, Sunil Naidu)*

CFO Naidu reviewed background information from the Council Report.

Board Chair Dawn Ramsey opened the Public Hearing for comments; there were no comments and the hearing was closed.

Board Member McGuire motioned to approve RDA Resolution No. R2024-29, Adopting a Final Budget for the Redevelopment Agency of the City of South Jordan, for fiscal year 2024-2025. Board Member Johnson seconded the motion.

Roll Call Vote

**Yes – Board Member McGuire
Yes – Board Member Johnson
Yes – Board Member Harris
Yes – Board Member Shelton
Yes – Board Member Zander**

Motion passes 5-0, vote in favor.

Board Member Zander motioned to adjourn Redevelopment Agency Meeting and return to City Council Meeting. Board Member Harris seconded the motion; vote was 5-0, unanimous in favor.

ADJOURN REDEVELOPMENT AGENCY MEETING AND RETURN TO CITY COUNCIL MEETING

H.5. Resolution R2024-32, Amending the Future Land Use Plan Map of the General Plan of the City of South Jordan from Open Space (OS) to Stable Neighborhood (SN) on property generally located at 10749 South 2200 West as depicted on Exhibit A (Lot 1 only); South Jordan City (Applicant). *(By Director of Planning, Steven Schaefermeyer)*

Director Schaefermeyer reviewed background information from the Council Report.

Mayor Ramsey opened the Public Hearing for comments; there were no comments and the hearing was closed.

Council Member Zander motioned to approve Resolution No. R2024-32, Amending the Future Land use Plan Map of the General Plan of the City of South Jordan. Council Member Johnson seconded the motion.

Roll Call Vote

**Yes – Council Member Zander
Yes – Council Member Johnson
Yes – Council Member Harris
Yes – Council Member Shelton
Yes – Council Member McGuire**

Motion passes 5-0, vote in favor.

H.6. Zoning Ordinance 2024-07-Z, Rezoning property generally located at 10749 South 2200 West from the A-5 (Agricultural) Zone to R-1.8 (Residential) Zone (Lot 1) and to OS-P Zone (Lot 2); South Jordan City (Applicant). *(By Director of Planning, Steven Schaefermeyer)*

Director Schaefermeyer reviewed background information from the Council Report.

Mayor Ramsey opened the Public Hearing for comments; there were no comments and the hearing was closed.

Council Member Harris stepped out of the meeting.

Council Member Zander motioned to approve Zoning Ordinance No. 2024-07-Z, Rezoning property. Council Member Shelton seconded the motion.

Roll Call Vote

**Yes – Council Member Zander
Yes – Council Member Shelton
Yes – Council Member Johnson
Yes – Council Member McGuire
Absent – Council Member Harris**

Motion passes 4-0, vote in favor. Council Member Harris absent from the vote.

H.7. Zoning Ordinance 2024-06-Z, Rezoning property generally located at 905 West 10400 South and 873 West 10400 South from A-5 (Agricultural) Zone to the R-2.5 (Single-Family Residential) Zone. *(By Director of Planning, Steven Schaefermeyer)*

Council Member Harris rejoined the meeting.

Director Schaefermeyer reviewed background information from the Council Report.

Tammy Loertscher (Applicant's daughter) – Confirmed everything has been turned into the county, but they were told it takes time to get everything into the system.

Charles Bouck (Applicant) – Confirmed everything has been recorded and was given a map with the new lot lines as recorded at the county. Mr. Bouck noted that he currently is zoned for animals, and has animals on his property that he would like to be able to keep there. His nephew claims he owns 15 feet of the lane, but they were involved in a court battle and Mr. Bouck owns a prescriptive right-of-way on that whole lane. He has a copy of that as well if needed showing they have two way traffic down that road, they can't stop any of the traffic coming up and down that lane.

Mayor Ramsey opened the Public Hearing for comments.

Terry Bouck (Resident) – I am the nephew. The prescriptive easement that he has is for him only, it is for him and his guests, not for residents. She has a 15 foot right-of-way, I have the other 22 feet of the dirt road so how are they going to access this, when it's rezoned and he wants to build more houses what is going to happen to the road because that will affect me quite a bit. The court battle was quite expensive, and cost me and my father quite a bit of money and there is a lot of dissension in the family. As of right now, them driving on my property is trespassing, so they have a 15 foot right-of-way to get up and down the lane; my name is not on that and I don't have any say in that whatsoever. Charles has the prescriptive easement and no one else, not his wife, not his kids, no one. Are the utilities down there big enough for the capacity of more houses, will it need to be upgraded. I would like to be notified of future meetings by mail or whatever because this will affect me, them traveling and coming down the lane.

Nola Kelly (Resident) – My question is, speaking about the lane, seeing as how it goes in back of my house, is this going to be a dirt road continuously if this goes through or are we going to pave it because that is going to put a lot of dust in my backyard.

Nathan Gedge (Resident) – I am the property directly north of this rezone and we are in favor of it changing to R-2.5 as that mirrors our neighborhood and the existing homes around that. Regarding the ordinance on page 378, it references a Jeff Domm, who is the architect, but not the actual homeowner. I would suggest referencing Tammy Loertscher and Charles Bouck since that is who will actually be occupying and building that property.

Mayor Ramsey closed the public hearing.

Council Member Harris asked about the issues with the lane width being discussed and what they may need to talk about in the future regarding those issues.

Director Schaefermeyer noted this is currently a rezone, so they are not discussing the specific issues with a house being built on the reconfigured parcel. In terms of access where it's private, the city generally tries to stay out of that. If city ordinances are needed, the appropriate permits

are provided. However, if there is a dispute between neighbors that doesn't involve a city road, unfortunately that is between the property owners.

Council Member Zander asked if the owners of a private lane, in a rezone like this, are responsible for paving the lane.

Director Schaefermeyer noted that if they came in to subdivide Parcel 1 in the future, the development requirements would start to kick in related to infrastructure, potentially including road improvements along a private or public lane. Since these are existing parcels, they are allowed to rezone this as proposed with no changes to the lane. Regarding animal rights, since this is an existing lot, if he can show he has had animals on the property that predate the ordinance that would remove those rights, and wishes to continue keeping them there, that is fine.

City Attorney Ryan Loose noted he will have to look at the minutes from the Planning Commission meeting regarding what Assistant City Attorney Greg Simonsen might have said about animal rights, but grandfathering usually comes into play when a change is made that was not initiated by the property owner.

Mayor Ramsey invited the applicant up to discuss the animals he does have and whether he is willing to continue with the rezone application at this time, knowing that staff still needs to research whether the animal rights will remain.

Mr. Bouck currently has cows on the property, sometimes there are chickens and/or a pig. There are currently two cows. There are no animals on the section being discussed for the rezone.

Director Schaefermeyer noted the application is currently for R-2.5, which matches the land around them, but R-1.8 would allow a farm animal floating zone.

Attorney Loose noted the council has to consider the application before them, as changing the application to have the larger parcel as R-1.8 during this meeting would not be appropriate. They may be able to do R-1.8 on the bigger lot to keep those rights, but that is not what was presented on the application being discussed tonight.

Council Member McGuire clarified that if they applied to make the larger lot R-1.8 they could come back in the future and get it rezoned for other uses, it would just require repeating this process.

Council Member Zander suggested tabling this while the applicants discussed their priorities in terms of animal rights since the current application is for a zone that does not allow animal rights.

Attorney Loose added that it appears this would not qualify as a preexisting nonconforming use or being grandfathered in since they are changing the zone themselves. He needs to do some research to give a definitive answer however.

Staff, Council and the applicant discussed options. It was decided the best course of action was to vote on the application for the R-2.5 before them tonight. If it turns out Mr. Bouck loses his animal rights as a result of that, he can come back and apply for a rezone for his larger piece of property to the R-1.8 zone to get those animal rights back since that piece qualifies.

Council Member Harris motioned to approve Zoning Ordinance 2024-06-Z, Rezoning property. Council Member Johnson seconded the motion.

Roll Call Vote

**Yes – Council Member Harris
Yes – Council Member Johnson
Yes – Council Member Shelton
Yes – Council Member Zander
Yes – Council Member McGuire**

Motion passes 5-0, vote in favor.

H.8. Ordinance 2024-09, Vacating a segment of Lake View Avenue from 7050 West to the South Valley Water Reclamation Facility property line, approximately 1,020 feet containing 1.388 acres. *(By Director of Planning, Steven Schaefermeyer)*

Director Schaefermeyer reviewed background information from the Council Report and his prepared presentation (Attachment F).

Mayor Ramsey opened the Public Hearing for comments; there were no comments and the hearing was closed.

Council Member Zander motioned to approve Ordinance 2024-09, Vacating a segment of Lake View Avenue. Council Member Johnson seconded the motion.

Roll Call Vote

**Yes – Council Member Zander
Yes – Council Member Johnson
Yes – Council Member Harris
Yes – Council Member Shelton
Yes – Council Member McGuire**

Motion passes 5-0, vote in favor.

H.9. Ordinance 2024-10, Amending portions of Sections 17.08.010 (Definitions) and 17.130.030 (Accessory Dwelling Unit Floating Zone) of the South Jordan Municipal Code related to the Definition of Internal Accessory Dwelling Unit and

Single-Family Zones where Guesthouses may be built. *(By Director of Planning, Steven Schaefermeyer)*

Director Schaefermeyer reviewed background information from the Council Report and his prepared presentation (Attachment G)

Mayor Ramsey opened the Public Hearing for comments; there were no comments and the hearing is closed.

Council Member Zander clarified for residents that these ADU changes do not apply to Daybreak residents, their ADU rules are governed by the Daybreak Master Development Agreement.

Council Member Johnson motioned to approve Ordinance 2024-10, Amending portions of the South Jordan Municipal Code related to the Definition of Internal Accessory Dwelling Unit and Single-Family Zones where guesthouses may be built. Council Member McGuire seconded the motion.

Roll Call Vote

**Yes – Council Member Johnson
Yes – Council Member McGuire
Yes – Council Member Harris
Yes – Council Member Shelton
Yes – Council Member Zander**

Motion passes 5-0, vote in favor.

I. Staff Reports and Calendaring Items

Staff and Council discussed upcoming activities including Memorial Day events and Summerfest.

Director Payne gave a brief review of the events coming up and what the council members can expect with their participation.

Council Member McGuire motioned to adjourn the May 21, 2024 City Council Meeting. Council Member Johnson seconded the motion; vote was 5-0, unanimous in favor.

ADJOURNMENT

The May 21, 2024 City Council Meeting adjourned at 9:29 p.m.