

SOUTH JORDAN CITY  
CITY COUNCIL MEETING

September 20, 2022

**Present:** Mayor Dawn Ramsey, Council Member Tamara Zander, Council Member Jason McGuire, Council Member Brad Marlor, Council Member Don Shelton, City Manager Gary Whatcott, Deputy City Manager Dustin Lewis, City Attorney Ryan Loose, Strategic Services Director Don Tingey, Director of Commerce Brian Preece, Director of Administrative Services Melinda Seager, Police Chief Jeff Carr, Director of Public Works Jason Rasmussen, Deputy City Engineer Jeremy Nielson, Director of Planning Steven Schaefermeyer, Fire Chief Chris Dawson, Mulligan's Business Manager Jacob Druce, Senior IS Tech Phill Brown, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun, Strategy and Budget Analyst Abigail Patonai, City Recorder Anna Crookston

**Absent:** Council Member Patrick Harris

**Others:** Tina Falk, Tayler Cook, iPhone, Raina, Sean McCarty, Jill Lash, Robin Barnhill, Tami Pyfer, Monty Croft, Najili Ramirez Barrett, Barret Peterson, Scott Howell, Jeff Seaman, Mylee Wong

6:46 P.M.  
REGULAR MEETING

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

Mayor Dawn Ramsey welcomed everyone and introduced the electronic meeting. She excused Council Member Harris, who was unable to attend.

**B. Invocation – *By Council Member Jason McGuire***

Council Member McGuire offered the invocation.

**C. Pledge of Allegiance – *By Director of City Commerce Brian Preece***

Director Preece led the audience in the Pledge of Allegiance.

**D. Minute Approval**

**D.1.** September 6, 2022 City Council Study Meeting Minutes

**D.2.** September 6, 2022 City Council Meeting Minutes

**Council Member Marlor motioned to approve the September 6, 2022 City Council Study Meeting minutes and the September 6, 2022 City Council Meeting minutes as printed.**

**Council Member Shelton seconded the motion; vote was unanimous in favor. Council Member Harris was absent from the vote.**

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

Council Member Jason McGuire had an Arts Council meeting where the community mural was approved, and that will be installed on the 24<sup>th</sup> at 10600 South and the Jordan River. The muralist will just be doing the outlines, and the community will be able to come and help complete the mural. He was able to have a youth group come and tour city hall. He attended an LPC meeting and he noted that we really need to pay attention to what's going on with the moderate income housing and the direction that might be headed.

Council Member Brad Marlor said there were no Architectural Review Committee meetings held in the past few weeks. On September 7 he attended the Gold Star Monument dedication, and it was unbelievable how many people attended. It was carried out wonderfully and everyone who participated were respectful to those families who have lost a loved one. It was a couple hours long, and he was glad he attended and enjoyed the entire event. On September 9 he went on a tour of some property with a developer on the west end of South Jordan. There may be some opportunities for development there and that was quite enlightening. He also shared that he was able to get his Covid booster shot here in the city yesterday and was grateful for that.

Council Member Don Shelton also attended the Gold Star Memorial dedication. He was really grateful for the great job the mayor did, as well as staff and all those who helped support the memorial. He attended LPC with Council Member McGuire and City Attorney Ryan Loose. He visited at Mulligan's with Deputy City Manager Dustin Lewis and Director of Recreation Janell Payne, as well as Mulligan's Business Manager Jacob Druce. There will be a council report in the winter regarding plans there. He had a chance to walk the Bingham Creek Trail with Deputy City Manager Dustin Lewis and Associate Director of Parks Colby Hill, looking for opportunities to try and reduce motorized traffic on the trail; this includes motorcycles, ATVs and four-wheelers. They are working on plans for additions to the trail and education in the area since it's the local residents using the trail inappropriately. He golfed for the city at the South Valley Chamber golf event. He was glad our Director of Commerce Brian Preece, CFO Sunil Naidu and Mulligan's Business Manager Jacob Druce could be there to help scores. He had fun with members of the council and senior staff at a barbeque hosted at his home. Yesterday he attended the Western Growth Coalition and got an update from the WFRC on the regional transportation plan that is coming out shortly. One take away from that meeting was that it's not too far down the road that we will be expanding lanes on 11400 South and South Jordan Parkway. He feels the city should be aware of that as they consider projects along those roads.

Council Member Tamara Zander also attended the Gold Star Monument dedication, it was wonderful. It is always nice to pause and recognize those who served in the military and all that has been done for all of us. She also appreciated the respectful and reverent atmosphere for those families who have lost a loved one. On September 12 she attended a meeting for the South Valley Mosquito Abatement District, and it was reported there was a positive West Nile case here in our county; specifically that person is a resident of South Jordan City. She listened

carefully and had follow-up conversations with the board and directors. They were unable to share much personal information, but it was a positive case and she doesn't have any details about the condition of that resident. She shared that our county test ponds for larvae. We had our first positive test in August, and another positive test a few weeks later. A mosquito doesn't have the West Nile virus, they get it from a bird when they bite them and then pass it to the human they bite. When you have a pool that is stagnant with larvae from mosquitos, and that pool has access to birds, that might be a good opportunity for West Nile virus. Typically we go months, even years, without any positive human cases but we did have one this year. When a positive test comes back, the South Valley Mosquito Abatement District goes out and does fogging in that area. On September 18 and August 21 they went and fogged in various areas of South Jordan; she can share the exact areas with anyone who would like that information after the meeting. When it is windy they stop the fogging, and sometimes South Jordan is hard because there are so many active people on trails that they have to stop fogging and wait when someone walks by. All the catch basins in South Jordan have been treated twice, and if they find any larvae it gets treated again. Things are under control and we wish well the person with the West Nile Virus. On September 13 she was invited to go speak with an entrepreneurial class at Alta High School. The teacher is a real estate client of hers, and knew she sat on the city council and ran her own business. Council Member Zander had a delightful time speaking with them, and she even put in a plug for city government. She has been invited to go back and speak to other groups at the school and she appreciates that opportunity. On September 14<sup>th</sup> she was invited by a developer of Olympia Hills and other properties on the west side to go on a drive and get the lay of the land out there; it was very informative and she appreciated that opportunity. September 17 was a wonderful barbeque at Council Member Shelton's home. He and his wife are wonderful hosts, and it was a privilege to be at their home.

Mayor Ramsey said that in addition to everything mentioned previously, she had the opportunity to go up to Davis County with some of our city staff and council members and view the 9/11 memorial that was presented by the Major Brent Taylor Foundation in Weber County last year for its first year. The event was so popular they replicated it and held it in Davis County this year. We look forward to hosting the same even in South Jordan next year and the initial meeting is being scheduled right now to work everything out. Once they get all those details worked out, the city will be reaching out to the school district, business and opportunities everywhere to make sure that everyone is aware of what is happening. They will also be reaching out to other communities in Salt Lake County to get everyone on board and supportive of this event. Our Gold Star Memorial event was a highlight for her and a privilege to be there with those gold star families. She also appreciated the veterans who came, and all others who came to support this monument. After that event she has had multiple other cities reach out to her with questions and interest in their own Gold Star Families Monument. She was also able to attend Sandy City's dedication as a guest on Saturday and she appreciated that opportunity, they did a great job. She discussed the Salt Lake Valley Hospitals Board for Intermountain Healthcare where she serves as a member of the board. As the only elected official on that board there is quite a bit that can be related back to our city, as well as appreciated from the grant that Intermountain gave to the League of Cities and Towns, and Wasatch Front Regional Council this year in the amount of

\$500,000 each. Zion's Bank is also pitching in to work on projects for planning wellness in communities, working on what communities can do as part of their planning for active transportation, trails, and other things being worked on. She was able to attend the South Valley Chamber golf tournament, and thanked our team who was there representing the city as well as Executive Assistant to the City Manager, Melanie Edwards and City of Commerce Executive Assistant Ambra Holland who represented our city so well at the event. These are a great opportunity to meet with many business leaders and people with businesses in our city, as well as to participate in the chamber. It is always a treat to host that in South Jordan. The chamber is now large enough they have to have their golf tournament as three separate tournaments with one in Sandy, one in Draper, and one in South Jordan. Draper City had their international arts and crafts festival that she was able to attend, which is the result of their putting together a committee on ethnic diversity. The event was fantastic and popular, and it's brand new because the committee just started it with a small budget from the city. There was a very full League of Cities and Towns Board Meeting yesterday, and she thanked those who were able to attend LPC since she couldn't be there and there is a lot going on. She had the chance to be part of a podcast up in Kaysville this morning talking about our city. She had a very quick but productive trip back to Washington, DC and appreciated the chance to meet with all of our congressional delegation with one exception due to time constraints. There were some great conversations and discussions with a great deal of support for the projects being done here in South Jordan. In fact, Congressman Burgess Owens is coming to see our water projects and as a result of that trip Senator Romney will be coming to take a look at our re-use pilot project. She received commitments from all of them to do what they can to try and be supportive of helping us receive funding to continue to grow that project and make it what they believe it can be. She spent the first two days there with nine chambers of commerce from around the state, including our own South Valley Chamber. They met with the commerce department and their undersecretary, and some different federal leaders, to get their perspective. It was a good opportunity to represent the city and to work on some of those interests, she thinks it went well.

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

Mayor Ramsey opened the public comment portion of the meeting.

**Robin Barnhill (Resident)** – I appreciate your comments about loving this city, I do to, I love this city so much. My name is Robin Barnhill and I am running for Jordan School Board and I literally just came in tonight to introduce myself and tell you guys a little bit about me. I am a lot like you, I want to serve the city, and I want to make sure that it is a place where everybody feels welcome and where our kids can get the best education possible. A little while ago I started to see some things happening with the school that I thought were problematic, so I went to the board and voiced my concerns and I didn't feel like there was a really effective way for me to be heard. So, I got together with a group of moms, we specifically were having a problem with some of the library materials that we were finding in some of our schools and it is genuinely horrifying, if you're wondering. The board just didn't have a good way, even they kept saying "there isn't a good way for us to address your concerns" and we felt that was unacceptable. I went to my very, very intelligent and well-read friends and said "one of you has to run for school

board,” and they said that’s the scariest thing a person could ever do, not me, not it. It ended up being me, and thanks to them I am also very well informed and very excited for this chance to run for school board. When I leave office I hope to have left a legacy of building bridges between teachers, administrators and parents as well.

**Tami Pyfer (Resident)** – I have been here to speak with you before, I am representing Jordan School District. I do some community engagement outreach for them and I just wanted to tell you thank you for what you’re doing. As evidenced tonight, even by the plans you are making to engage the school children a year ahead of time, I know that’s always at the front of your mind. We appreciate the relationship we have with you as council members, Mayor Ramsey, and even your staff who works closely with members of our staff, especially when we are looking at growth, building issues, etc. I just came to say thank you, and the added bonus is that I live in South Jordan. I have told you this before, I have served on a city council before, I know what goes into the work that you do and that your city staff does. We have been here six years now and couldn’t be happier with the services we get here in South Jordan. I think I mentioned this before, that we said we’d never live in Salt Lake, we’d never live outside of Logan as there’s too much traffic, it’s too big, and there is no responsiveness. However, we love our neighborhood, we love South Jordan. We love all the services we get. We live by Jordan River Trail and it is kept beautifully. I have a pretty high bar when it comes to city services, so I wanted to personally thank you, especially my representative Council Member Zander, for all that is being done and I appreciate it so much. If there is anything I can ever do for you in connecting with anything happening in the school district, I am at your beck and call.

**Monty Croft (Resident)** – I am here to address an issue that I have with my property. (He presented pictures to the council as Attachment A). I have been living in South Jordan for 12 years. Twelve years ago we bought this property and it had this retention pond in the back of the property. I was told they were going to fill this property and when I was told that I thought okay, we can proceed. I have talked to many individuals about filling in this retention pond, and you have been copied on a couple emails that I have sent out. City Engineer, Brad Klavano has talked with me, I have a person that is working with me that has talked with Engineer Klavano, and he has said that they are going to fill it in, they just don’t know when, You guys have money allocated to do so and we need to use that money before it goes away. I have been told many different stories and I just wanted to come to the council and let you know that there is a way that we can fill this in and I would be apt to work with anybody as I am retired. I would be glad to hear what the council has to say and how we can fill this retention pond in. I had somebody that called Engineer Klavano and he indicated the same thing. I have taken notes over the 12 years, I have all these emails and people I have talked to, but I am running into a brick wall. I want you to know that I enjoy living in South Jordan, my wife and I are very happy here, but I have some property that I can’t utilize, that I am paying taxes on, and I don’t think that’s fair.

Mayor Ramsey responded that they will have a conversation and will ask staff to give the council an update on where this is at, as well as some of the history. Somebody will be in touch with him regarding the options. This is not something that they, as the elected body, know all of the answers to and they need to defer to staff to get a little bit more information.

City Attorney Ryan Loose said this is a project we have been working on for a while, and frankly we thought we had a deal with the adjacent property owners to put the storm drain through, that would then negate the necessity for the current basin. However, that deal fell through after the property owners showed an unwillingness to deal in good faith. Therefore, we have to look at what options are available if we don't go through their property. Short of taking their property for this, there are few and limited options. Ultimately, if they do not want to sell their property, unless the council is willing to take their property, the temporary storm drain basin stays there. We spent a lot of time, effort and money last year trying to acquire that land, around \$60,000, and they would not make a deal; that is money the city will never get back, and they still refuse to make a deal. This is west of 2700 West, adjacent to the Wheadon property, by where the tank is that was acquired several years ago on their property. The storm drain easement we were seeking last year was from the Wheadons, and we spent \$60,000 or so attempting to negotiate with them, only to have those negotiations be a fruitless effort as they were done in bad faith.

Mr. Croft said Derek Anderson, the person that you are talking about, said that is was South Jordan that backed out. I don't know, and I'm not here to point fingers.

Attorney Loose said we have the records showing the whole story regarding those negotiations, and they can be requested via a simple GRAMA request. Those records show it's very clear what happened during that deal and who decided to back out and why.

Mr. Croft said he would like to get those records if I may to see.

Mayor Ramsey said he just needs to fill out a GRAMA request and that can be done through the City Recorder's office.

**Sam Bishop (Resident)** – one of the few positive side effects of the Covid pandemic was a huge spike in the number of people riding bicycles. In some places like the west end of South Jordan the number is still high, in other places it has tapered off but that is to be expected because the old problems of safety and access have not gone away. Either way, the idea that perhaps we shouldn't build our cities to be so auto-centric has been planted or now it seems that advocacy groups are sprouting up to try and make our built environment more conducive to cycling. That is indeed my story. I, along with a few other citizens of South Jordan, West Jordan and Herriman have recently banded together to start a group called Bike Walk Southwest Valley. Why are we so focused on biking and walking? Our interests are certainly much broader than that. I will partially answer that question with an observation regarding this group and the planning commission. It seems that a good number of challenges you deal with are rooted in automobiles, streets that are loud, unsafe and congested. Everyone knows there is a housing shortage, but no one wants it built near them. Everyone wants easy access to commercial centers, but doesn't want them nearby. There are also the knock on effects such as the budgetary challenges that all this creates. Automobiles provide a service to the city for sure, but if this were a contracted service and we had a service provider that so thoroughly dominated the city's time and money, both collectively and individually, I expect that we would be working hard to reduce our dependence on them. I have more that I could say, but I don't have much time left so let me just touch on two things before I close. First, when you build a city centered around the automobile, then space is always at a premium. It encourages sprawl of course as I eluded to earlier, but it

also requires far more surface area than any other mode of transportation. I want you to consider for a moment how many parking spots we have in South Jordan, both on street and off street, per automobile. A pedestrian on the other hand doesn't need a parking spot, but as our need for parking grows and our streets get wider and more congested, our city becomes less of a place to be and more of a place to get through, a non-place. Costs rise while our sense of community drops. I think we have all seen communities that have grown that way, many in fact. I would like a different outcome for South Jordan. The other thing I wanted to say is that yes, this can be done. It is true we have snow, hills, altitude and accumulated car centric infrastructure, but what I am talking about is our long-term trajectory and a change in percentages. I look forward to working with you all, and I think you are doing a fantastic job.

Mayor Ramsey noted that development patterns have to continue to evolve and change in order to have a live-work-play scenario, being able to walk and bike to work and the store. That is not the way things used to be developed, but it is the way that we are working, especially in the west side of the city because there is a lot of opportunity there still, and that is the pattern developing across the state. That is something we are very aware of here in South Jordan and trying to create these centers with multi-use development where people can live-work-play and use bikes and walking trails. She mentioned the WFRC's active transportation plan, and encouraged him to look it up as that is a plan developed by all the communities in the seven counties of the WFRC region, it has both short and long-term projects on there. We also have our own maps, plans and projects we are working on so she appreciates him being engaged in that. She thinks he is absolutely right, especially during Covid we saw such an uptick in people's desire for outdoor trails and paths, and it has not died down as much as people might have imagined it would have. People are using their cars more, but they still want that more than ever and we are definitely focusing on that.

**Najili Ramirez Barrett (Resident)** – I am here because I applied for a business license and it was denied. I own two houses in South Jordan, one is really close to the other, at the end of the street about five houses down. I recently moved to this new house and I have been renting my other house. I bought my first house in South Jordan about 10 years ago, I have enjoyed living here. We left but recently came back and really wanted to come back and live here in South Jordan. The reason this business license was denied by the city was because my business license is for my second property that I have been renting for the last month. It has been really hard to deal with renters for us, and as a stay at home mom I have always stayed with my kids but I would like to start a new business and seeing this new vacant property I would like to open a daycare business. The state has new regulations where they offer this daycare business license, but if the city denies because the resident doesn't live on the premise, the state wouldn't allow it. I just wanted to have a second chance. I talked to someone here and she didn't know about this new regulation, but she also found out that it is correct, that I could be licensed in the state but the city doesn't approve it and I just wanted to have another consideration. One house is really close to the other, so I don't see the big difference. My husband works from home, I have a big crazy dog, and my family needs their space in the home. Recently, I had a teacher reach out to me, saying she has asked 17 people to watch her newborn baby and it was really hard, the need is there. I am originally from Mexico, we have lived here for the last 17 years and I have always tried to abide by the rules and that is why I am here, trying to find a way to utilize my second home as a home daycare business.

Mayor Ramsey responded that is something they will have to get more information about. Director Preece said the ordinance would have to be changed, as this would be a commercial business in a residential zone. We have been through those ordinances several times, but we have always required someone to live there in a residential zone to operate the business. If that is something the council would like to see changed, that can be discussed, but that is the current ordinance.

Mayor Ramsey would like to have a discussion to see if there is a way they can figure this out, as her request makes sense.

Director Preece added that those restrictions are in place to protect the neighbors and the neighborhood.

Mayor Ramsey understands that and said that staff will discuss this and take a look at what options exist. They will be in touch with her.

Mayor Ramsey closed the public comments portion of the meeting.

## **G. Harvest Pointe West Land Use Items**

**G.1.** Presentation on Resolution R2022-03, Resolution R2022-04, and Zoning Ordinance 20221-01-Z, all related to Harvest Pointe West proposed development *(By Director of Planning Steven Schaefermeyer)*.

Director of Planning Steven Schaefermeyer reviewed background information from the Staff Report. The final posted agenda is the development agreement currently being proposed. He reviewed some specific portions of the development agreement, as they address some of the comments that have been heard from the council, staff and residents in the area. Under the Developer's Obligation section, the density is 20 units. Setbacks are shown on the concept plan as 25 feet from the existing residential. There are provisions for the flashing crosswalk, as well as no parking signs and/or painting on the curb in front of the townhomes along Harvest Pointe Drive. Some of that already exists and it will be maintained and enhanced if necessary to ensure no cars are parking in front of those additional units. The developer will also construct seven additional parking stalls near the crosswalk, behind the existing Mountain Mike's. There are cars parking there in spots that are not currently parking spots, so that area will be enhanced with those seven additional spaces. It also indicates that the developer will complete those things before we go beyond 75% of occupancy for the townhomes. There are many provisions about architecture as the city is no longer allowed to regulate many things for single-family development, but it is different for multi-family developments and those have been included here. Each unit will have a two-car garage, with a minimum size of 22 feet by 22 feet and driveways that are at least 20 feet long; the concept plan roughly shows the driveways exceeding that minimum length. There is a requirement for privacy windows or clear story windows on the units abutting the existing residential on the south. Included in section E.6 under Landscaping, subsection B, there must be a landscape buffer with thoughtful placement of trees in between the townhomes and subdivision. They are also required to have parking enforcement, and there are



provisions regarding the subdivision streets as well as a waterline main that goes through the property, making sure that is protected and that the developer has access to the waterline to develop. Regarding parking, the garages and driveways equal four parking stalls per unit. The base requirement in our code is that three bedroom units are required to have 2.5 parking spaces, which makes the base requirement a total of 50 parking spaces; they are providing 80 spaces. Our residential multifamily ordinance, that used to regulate a lot of this, required one guest parking stall for every four units. The developer, after meeting with the council earlier in the month, added 10 parallel parking stalls in the heart of the townhome area. The requirement under the residential multifamily ordinance was that those should be accessible and clearly marked, and these are as central as you can get in this project. Under the old requirements, they would have been required to provide five guest parking stalls, and with these parallel parking stalls they are providing 10 guest parking stalls, in addition to the seven mentioned behind Mountain Mike's Pizza. At some point there is only so much he can require from a developer, and that's based on many factors including what the market will support. If there is going to be residential located in this area, staff supports this design being presented tonight as finalized in the development agreement.

Council Member McGuire asked to clarify that the parking spots shown on the west side of Harvest Pointe Drive, where the park is, are not part of this plan.

Director Schaefermeyer thanked Council Member McGuire for bring that up. They are shown on the concept plan, but based on the development agreement he thinks it is clear that the developer is not required to put those in. However, if before finalizing this agreement there needs to be a revision to the concept plan to make that more clear, that can certainly be done.

**Jeff Seaman (Applicant)** thanked everyone on behalf of Peterson Development. They appreciate working together on this. He thinks they have come to a good compromise on this project and that it is a beneficial project that is needed in this area.

#### **G.2. Resolution R2022-04 Public Hearing.**

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

#### **G.3. Zoning Ordinance 2022-01-Z Public Hearing.**

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

Mayor Ramsey noted she wasn't comfortable with the order of the vote as listed on the agenda, and asked staff if it was possible to vote on Items G.5. and G.6. before going back to vote on Item G.4.

City Attorney Loose said they can vote on G.5. first, but they do not want to grant the zone prior to granting the agreement, which binds the zone. He just asked that the last item they vote on is G.6.

Mayor Ramsey said that makes sense to her.

City Attorney Loose said the council can now have deliberation on all of the items at this point, and then vote when a motion is made.

Director Schaefermeyer added that the recitals of the development agreement explain this process to a degree, making the approval of the zone contingent on the approval of the development agreement.

Mayor Ramsey said they will have their discussion as a council, and then she intends to ask if there is a motion on G.5., then G.4., and then G.6.

Council Member Marlbor agrees with the voting order proposed by the mayor.

Council Member McGuire thanked Peterson Development, and he appreciates them coming back. The biggest concern he heard from residents after the last study meeting was the parking issue, and he is grateful the additional parallel parking was added as that helped solve some of those issues. As demonstrated by Director Schaefermeyer, Peterson Development has already gone beyond the requirements for the parking as well.

Council Member Zander referenced the development agreement, page 115 of the packet and Section 6B, speaking to Peterson Development and noting that it says they will do “thoughtful placement of the landscaping.” She noted that their thoughtful placement could be bare bones or robust, and she would ask again that they are generous with their trees and landscaping. She knows we are in a drought, but water wise is not attractive on the front of a house; especially when you are going along this parkway with the beautiful park, she would like to see green there. It doesn’t have to be on the driveways, but as she stated previously, she would ask them to please be thoughtful with trees, bushes and greenery. The city is not requiring a specific number, but they are trusting Peterson Development will be generous and thoughtful. She agrees with Council Member McGuire’s comments, this was a better outcome than she was hoping for and she is very appreciative. She also wanted to give huge accolades for the garages and driveways that are big enough. She will personally remember these dimensions and mention them to future developers, because we need to continue to improve the quality of our developments in our city, and she is very proud that during her time on the council they have done that. It hasn’t happened every time, and it hasn’t been perfect, but our city is making strides to ensure we don’t have these terrible developments where residents come back upset with the city, but it was the developer’s fault for not doing things right. She is personally going to hold future developments to this standard because they did such a great job of giving us what our residents need which is safety and parking.

Council Member Shelton thanked Peterson Development for staying engaged with the process, and when we tabled it in May he is grateful they didn’t give up. He is also grateful to Council Member McGuire for being so engaged this whole time, and he noted what a great suggestion the parking in the middle of the development was.

**G.4. Resolution R2022-03, Authorizing the Mayor to sign a Development Agreement pertaining to the development of property located at 3773 W. South Jordan Parkway in the City of South Jordan; applicant Peterson Development. RCV**

Council Member McGuire asked to make a motion with an amendment to the development agreement, adding to Section 4 of the development agreement that pertains to Traffic and Parking Improvements. He asked to add an Item D that clarifies the 10 parallel parking spaces are to be included.

**Council Member McGuire motioned to amend and approve Resolution R2022-04, Authorizing the Mayor to sign a Development Agreement, with the amendment that it include the 10 parallel parking spaces inside the development. Council Member Marlor seconded the motion.**

The council discussed and clarified that the 10 parking spaces were the parallel ones shown on the concept map inside the development.

Director Schaefermeyer asked to make a clarification regarding the trees in the development agreement. Although the development agreement does not mention trees specifically, they are shown on the concept plan and the agreement does reference our residential landscape requirements, which are based on the square feet of landscape area for this type of development. That means there is a minimum requirement there and it is understood that the council would like the developer to go beyond that and to be careful with what they do.

**Roll Call vote was 4-0, unanimous in favor. Council Member Harris was absent from the vote.**

**G.5. Resolution R2022-04, Amending the Future Land Use Plan Map of the General Plan of the City of South Jordan from the Economic (EC) to the Mixed Use (MU) designation on property located at 3773 W. South Jordan Parkway in the City of South Jordan; applicant Peterson Development. RCV**

**Council Member McGuire motioned to approve Resolution R2022-04, Authorizing the Mayor to sign a Development Agreement. Council Member Zander seconded the motion. Roll Call vote was 4-0, unanimous in favor. Council Member Harris was absent from the vote.**

**G.6. Zoning Ordinance 2022-01-Z, Rezoning property located at 3773 W. South Jordan Parkway from Commercial Community (C-C) Zone to Multiple Family Residential Planned Development (R-M-PD) Zone; applicant Peterson Development. RCV**

**Council Member Zander motioned to approve Zoning Ordinance 2022-01-Z, Rezoning of property. Council Member Shelton seconded the motion. Roll Call vote was 4-0, unanimous in favor. Council Member Harris was absent from the vote.**

Mayor Ramsey thanked Peterson Development and echoed what has been said, she is very pleased with how this turned out and the things they were willing to change. She thinks Peterson Development listened to the community, and took into account what is needed and fair.

## **H. Public Hearing Items**

**H.1.** Resolution R2022-34, Approve the submittal of the South Jordan City Annual Moderate Income Housing Report (*By Long Range Planning Analyst, David Mann*). RCV

Long Range Planning Analyst David Mann reviewed background information from the Staff Report.

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

Council Member McGuire thanked Planner Mann for including the screenshots of the online form submission.

Director Schaefermeyer said this is becoming a yearly activity for the city. This year, trying to catch up with all the changes was much better than previous years due to conversations with his current state contact.

Council Member Shelton said that he seemed to remember last year's data being completely erroneous, and asked if that was correct.

Director Schaefermeyer responded yes, that is correct. Staff is working back towards that to be data driven, but they aren't quite there yet. In contrast, last year there was no recognition that the data was wrong, and the state just wanted cities to check a box. Staff will be watching the additional changes that are for sure coming this year, and if there are questions as to why staff can't get other long range planning done, this is something we can point to.

City Attorney Loose noted that this has been mentioned as being a big deal with the legislature. This is becoming the way for many cities to defend themselves when they are accused of not doing enough for affordable housing. Many of the legislators and those making these policies have never been through the different areas that are developing and growing, they don't see or understand what is going on. To that point, he and the mayor were in a meeting with an executive from a utility company out in Daybreak, and the rep was surprised that there were homes there, let alone thousands of homes; he also had no idea that Mountain View even connected. He was going to his home in Park City from that meeting and staff suggested he might want to take Mountain View as it would be much quicker than trying to go east/west. Many of those making these policy decisions don't see what's going on and their impression of the population still in South Jordan and neighboring communities is horse properties and farmlands. These plans really are vital for us to be able to tell our story accurately because we will never get many of the legislators to drive 45-50 minutes to see what is really going on.

Council Member Shelton said that it seems like the amount of transportation funding we receive is tied to us doing a certain number of the options from their list. He wonders if we are implementing enough of those options that we are getting the maximum transportation funding, based on these rules.

City Attorney Loose said the report is due October 1, and there are other reports with varying timelines like the station area plans. All of these go into telling our story that answers the question. Right now, our noncompliance with this would render us ineligible for TIF monies. If

we had a project we were seeking TIF monies for, and we didn't have this plan and other HB 462 requirements in place, they would just tell us no. The development communities and others are pushing to tie our compliance to this new law with these road funds and other eligibility for monies. They haven't said it directly, but this would include authorization for bonds and other eligibilities being tied to what the state perceives as more density. Just from what he remembers from his recent meetings, there are thousands, if not 10,000 entitled units between the southwest part of Salt Lake County and the northwest part of Utah County that aren't being built because they just can't be built fast enough. The story being told is that the holdup is the cities, who aren't building the units fast enough. However, the reality is that there is no way to keep up with the demand. We have 5000-10,000 entitled units in South Jordan waiting to be built, and part of the story includes how fast the builders can get those units built.

Council Member Shelton asked if we are complying with whatever the current target is so we get the maximum funding available.

City Attorney Loose responded that yes, in addition to the moderate income housing plan here, we only have to be compliant in three of the areas, and we are meeting five of the area.

Planner Mann confirmed yes, we are meeting those requirements. However, he believes that there is additional priority stated if you selected even more, but not he doesn't believe those options were realistic.

Mayor Ramsey noted as a league, they are pushing back hard against proposals to consider tying all of this to B&C road funding because that is city money, not state money to be withheld from cities. The goal is to be able to measure this across cities in the state. We are a large city with sophisticated staff, and a longevity of process that is successful. We collect data, and we are data driven. However, not all communities are as fortunate, to even have the ability to do that. So far the goal of HB 462 is to make these decisions data driven, and that's something that she helped push this year, because all the anecdotal evidence and stories that are turning into legislation really need the data to prove there are some false narratives driving those policy decisions.

**Council Member McGuire motioned to approve Resolution R2022-34, Approving the submittal of the South Jordan City Annual Moderate Income Housing Report. Council Member Zander seconded the motion. Roll Call vote was 4-0, unanimous in favor. Council Member Harris was absent from the vote.**

**H.2. Resolution R2022-38, Amending the South Jordan Moderate Income Housing Plan as part of the South Jordan General Plan (*By Long Range Planning Analyst David Mann*).**

Planner Mann reviewed background information from the staff report in regards to this amendment. They are basically changing the plan from a more future focused view to creating laws and ordinances to fulfill the goals and strategies. There is also the addition of the station area plan. We are not required yet to create that until 2025, and that can change by either a qualifying land use element that is nearby a station, or if there is a creation of a new station it moves that deadline up. As of right now we still have some time to meet that requirement.

Mayor Ramsey said HB 462 is the new bible of what the expectation is, and it will only be added to in the next legislative session. There is a lot riding on compliance, and her heart goes out to

cities struggling with that compliance. The League is working on ways to help those communities, including working to proposed legislation that would appropriate funding to create some roving city manager positions, so people with that expertise in doing this can go and help. In the seven county area, there are 45 municipalities without a city administrator. Most have a town clerk as their only staff, with the council and mayor trying to fill the other roles while working with and depending on the county.

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

**Council Member Shelton motioned to approve Resolution R2022-38, Amending the South Jordan Moderate Income Housing Plan as stated. Council Member Marlbor seconded the motion. Roll Call vote 4-0, unanimous in favor. Council Member Harris was absent from the vote**

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

Mayor Ramsey and City Manager Whatcott shared some comments about their recent trip to Washington, D.C. She asked everyone to mark Monday, November 7 on their calendar, as that is the Wasatch Choice Transportation workshop. It was hosted here in 2018, when WFRC and colleagues from surrounding municipalities came and laid out all the maps while everyone uses a Sharpie to mark specific priorities for their long range planning. This will be in West Jordan this year from 4:00 p.m. - 6:00 p.m. at the West Jordan Public Works Building. The Wasatch Choice Vision that's updated every 4 years is the opportunity for staff and elected officials to go and give direct input. She serves as Chair of the Regional Growth Committee at WFRC who oversees this project for the entire region, and she really hopes our team is there. She wants to make sure that as we are doing our long range planning, we ensure that our areas are adequately represented. We have grown faster than the original plans, which are updated every four years, and there are some projects that are listed 30 years out that simply cannot be. We know that better than anyone else in the region, so this is a chance for everyone in their different roles to weigh in. She noted that they also need to highlight the need for an extension to the Red Line, so that it doesn't end at its current location in Daybreak. We need to bring emphasis to the reality that we would like that to be revisited as development plans for the region have continued to grow, expand and change. That Red Line is going to need to connect to The Point, and this is good time to bring that to their attention. The final version of the 2050 plan will be presented to the WFRC for final approval on May 25. She also mentioned the community partner luncheon that Herriman is hosting on September 28. She has a Unified Economic Opportunity commission downtown at the same time, and that is a big meeting. She just got another notification related to that, asking her to film a video. She asked if anyone is available from the city to speak at the U First Credit Union ribbon cutting on October 12. Council Member Zander had already expressed that she might be able to do it, and will wait until it gets closer to see if it works with her schedule.

Council Member McGuire reminded everyone that October 12 will also be the strategic planning meeting.

Mayor Ramsey said Burgess Owens will be here and she will be touring the water re-use plant with him and other staff.

Council Member Shelton offered to speak at the ribbon cutting if Council Member Zander is unable to.

Mayor Ramsey discussed the state's Ethical Leadership in Government Award that our city won a few years ago. She was asked to speak at the event this year, but she couldn't be there that day, and neither could the governor; she is hoping to speak next year. In 2018 she had a public community outreach representative from the Church of Jesus Christ of Latter Day Saints come to visit, she was meeting with all the mayors in the local area to find out what we thought the church could do to help the area. She proposed seeing an interfaith council being created, to bring together leaders of many faiths in our community to work together. She loved that idea, and she just heard back from her that they will be creating that interfaith council for the southwest part of Salt Lake Valley. This is the first time for something like this, and they asked Mayor Ramsey to come and speak because it was her idea. However, she and Manager Whatcott had the meeting with congress so she was unable to be there and speak. The Mayor of Herriman spoke with them in her absence.

Council Member Zander asked who is deciding who sits on that board.

Mayor Ramsey believes they reach out to the local congregations to see if there is anyone there interested.

Council Member Zander noted Robin Barnhill has served on an interfaith council in the past and is really effective, she would be a great option if we need a representative.

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

## **ADJOURNMENT**

The September 20, 2022 City Council meeting adjourned at 8:32 p.m.

**This is a true and correct copy of the September 20, 2022 City Council Meeting Minutes, which were approved on October 4, 2022.**

*Anna Crockett*

**South Jordan City Recorder**



