



**SPECIAL BLUFFDALE CITY COUNCIL
MEETING AGENDA
Tuesday, January 19, 2016**

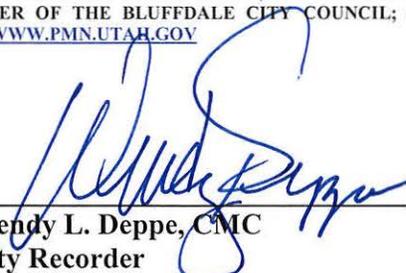
Notice is hereby given that the Bluffdale City Council will hold a meeting Tuesday, January 19, 2016 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **6:30 p.m.** or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means via telephonic conference call.

BLUFFDALE CITY COUNCIL BUSINESS MEETING 6:30 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. Reconsideration of the following application – Site Plan Application for Summit Academy K-8 Bluffdale Campus Charter School, located at approximately 1930 West 14400 South, Pace CM, applicants.
3. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
4. Adjournment

Dated this 14th day of January, 2016

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET MORNING NEWS; POSTED AT THE BLUFFDALE CITY HALL, BLUFFDALE CITY FIRE STATION, AND THE COMMUNITY BULLETIN BOARD AT THE BLUFFS APARTMENTS; EMAILED OR DELIVERED TO EACH MEMBER OF THE BLUFFDALE CITY COUNCIL; ON THE CITY'S WEBSITE AT WWW.BLUFFDALE.COM AND ON THE PUBLIC MEETING NOTICE WEBSITE, WWW.PMN.UTAH.GOV



Wendy L. Deppe, CMC
City Recorder

In compliance with the American with Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City Hall at least 24 hours in advance of this meeting at 801-254-2200. TTY 7-1-1. *Contact the City Recorder if you desire to give the Invocation.

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Present: Mayor Derk Timothy
Alan Jackson
Ty Nielsen
Justin Westwood (Via Teleconference)
James Wingate
Boyd Preece

Staff: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Blain Dietrich, Public Works Operations Manager
Michael Fazio, City Engineer
Grant Crowell, City Planner/Economic Development Director
Jennifer Robison, Associate City Planner
Paul Douglass, Associate City Planner
Wendy Deppe, City Recorder

Others: Jeremy Searle, Hales Engineering
Ryan Hales, Hales Engineering
Tyler Bodrero, Academica West
Josh Jensen, Silver Peak Engineering
Derek Blaylock
Steve Crandall, Summit Academy President
Scott L. Sackett, Young Hoffman, LLC
Connie Pavlakis, Planning Commission Member and Resident

BLUFFDALE CITY COUNCIL BUSINESS MEETING

Mayor Derk Timothy called the meeting to order at 6:30 p.m.

1. Roll Call, Invocation, and Pledge.

All Members of the City Council were present.

Michael Fazio offered the invocation.

Randy Wall led the Pledge of Allegiance.

2. Reconsideration of the Following Application – Site Plan Application for Summit Academy K-8 Bluffdale Campus Charter School, Located at Approximately 1930 West 14400 South, Pace CM, Applications.

Tyler Bodrero from Academica West presented changes made to the site plan that was previously considered at the January 13, 2016 meeting. At that meeting there was extensive discussion of the studies that were conducted and mitigation efforts that were incorporated into the site plan to

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address traffic concerns. After discussing the issues in greater detail, changes were made to the site plan. The changes consisted of the following:

- Moving the entire footprint of the school to the north. The shift allowed for additional on-site stacking and an additional fourth lane in the pickup/drop off area. This was done in an effort to accommodate additional on-site vehicular traffic. Although multiple studies were conducted, looking long term at the maximum number of students at build out, the addition was added to ensure that there is additional on-site stacking.
- The right hand out only movement was modified to include additional signage that would be more conducive to the flow of traffic.

With the proposed changes, Mr. Bodrero stated that the site can accommodate an additional 45 cars. He noted that it does not include parking or school children that will be bussed or walk to school.

Mayor Timothy opened the public hearing.

Connie Pavlakis gave her address as 14469 South Frost Court and clarified that she is not opposed to the school but commented on public safety and traffic issues. She felt that staff had not protected the citizens and like the applicants, the citizens have rights too. She focused on the following:

1. Off-site parking. She asked to be provided with the Off-Site Parking Plan.
2. Traffic flow. She commented that the study was incomplete and does not address the afternoon pick up.
3. Public Safety Analysis. She felt it was in the best interest of the citizens to obtain a Public Safety Analysis from the City's Public Safety officials to determine what the impact will be.

Mrs. Pavlakis considered the above to be the three key components yet no information was provided. She stated that there are many options that can be explored and commented that concerned citizens had very little time to prepare for tonight's meeting. Mrs. Pavlakis informed the Council that Representative Dan McKay indicated that he would be happy to speak to UDOT to help with an access to Redwood Road. She stated that great effort was put into compiling information to present to the Council and a group of citizens used their own funds to hire an expert to look at the issues that they believe have been overlooked.

Scott Sackett from the law firm of Young & Hoffman, LLC, was asked by a group of residents to address the Council. The citizens hired Engineer, Bruce Reading, who briefly reviewed the Traffic Impact Study. Revisions were made to the numbers that had not yet been reviewed due to lack of time. Mr. Sackett referenced a letter from his firm describing the City's legal ability to

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impose standards on the school. With regard to safety and traffic circulation, the Utah Legislature determined that municipalities are allowed to impose standards. As a general rule, schools are subject to land use ordinances but there are specific limitations.

Mr. Reading's memo identified a number of areas in the traffic study that he believed to be inconsistent or deficient. Mr. Sackett stated that the traffic study from the outset has relied on inconsistencies. A trip generation number of 0.65 was identified yet there was nothing in the manual used to obtain those numbers or anything directly relating to charter schools. The engineer indicated that a figure more in line with a private school would be more appropriate. A 2.19 student per vehicle ratio was calculated that specifically identifies charter schools in the state. If that number is applied to the proposed 1,000 students, the result is 456 vehicles. Mr. Sackett stated that that should have been the number upon which the study was based from the beginning, which it was not. As a result, the numbers set forth in the traffic study, regardless of additional on-site parking, do not take into account the 456 vehicles.

Mr. Sackett next addressed queuing and stated that the nature of a charter school is unique in that parents arrive early, park, and wait for students. The proposed school will exclusively use the queue since it will primarily be commuter based. Mr. Reading recommended in his memo that at the very least, additional study be done. Mr. Sackett stated that that is something the City is allowed to ask for based on the more accurate figures not provided previously. Mr. Reading offered to meet with the Council the following Thursday evening to fully address the issues presented in his memo. At a very minimum, the traffic study was based on improper figures and should be remanded.

Mr. Sackett displayed photos of another charter school in the area that can accommodate approximately 60 vehicles in their queue, which is less than Summit Academy. The pickup, however, is only 400 students, while Summit is planning for 2 ½ times as many students. In the photo cars are backed up 0.3 miles. The line starts at 2:40 p.m. in the roadway and remains until 3:25 p.m. Mr. Sackett pointed out that they have a very good flow. There are 15 teachers assisting with pickups and drop offs. He used this as an example of what a school of only 400 students can do in terms of backup. The same was true for several other charter schools in the area.

Scott Pavlakis gave his address as 14469 South Frost Court and explained that he has five years of experience picking up students at different schools and has seen how traffic backs up. He stated that it is the City Council's job to keep Bluffdale safe. He suggested that the school be forced to resolve the problem and he expressed concern with safety if approval is granted.

Connie Robbins gave her address as 14455 South 2585 West and stated that last Friday she filled out a GRAMA request for reports and information from the City. She asked for information on police calls near Summit Academy in Bluffdale and the number of times the police have been called there. She stated that the police have indicated that they go there five times a day to address various traffic issues. She was informed by a member of City staff that it would take a long time to compile the information requested and that it would be available prior to tonight's meeting. Ms. Robbins was also informed that she would be charged for time and materials involved in

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obtaining the requested information. She expressed concern with taxpayer money being spent on the request.

Mont Robbins gave his address as 14455 South 2585 West and turned his allotted time to Mr. Sackett. Mr. Sackett reported that a peer review was conducted by Parametrix who said that the school will create a safety issue. That was compounded by the fact that 14400 South is a single lane roadway in each direction with very narrow shoulders. As motorists stack up in the queues, they often get impatient and do things to avoid delay. This can include dropping children off in unsafe situations and making illegal U-turns. None of that was analyzed by the City. Mr. Sackett further stated that the traffic recommendations contained on page 17 were never included in the Council packet.

Carey Palmer gave his address as 2432 West Bridle Meadow Circle asked if an environmental study was taken into account that analyzed the impact of 700 idling cars while waiting to pick up students. He also noted that students will come from other areas to attend the charter school.

Nate Cottle gave his address as 941 West Grizzly Wulff Drive. He reported that he moved to Bluffdale from Oklahoma where there was a school similar to the one proposed with one way in and one way out. The road that the school was on was five lanes wide with two lanes in either direction plus a turn lane in the middle. He picked his children up for four years from the school and traffic was blocked in both directions. He characterized it as a terrible experience to go through every day. He stated that those who are turning right will go down the street and make a U-turn to head the other direction. Other schools also get out at similar times which will further exacerbate the situation. The Summit Academy campus on the opposite side of the City causes a lot of traffic east and west and creates issues. He did not think Bluffdale should become home to all charter schools in the valley. He recommended the request comply with the City's guidelines and safety issues. Mr. Cottle asked that the Council consider that there will be children walking to other schools in the same area and recommended that all of the points raised be considered.

Richard Wilcox gave his address as 2004 West 14200 South and voiced his support for Mrs. Pavlakis and others who have warned about potential problems.

Becky Parry gave her address as 1972 West 14400 South, next door to the proposed school. She did not want to have to wait for cars to get in and out of her property. She did not support the proposal and did not want traffic in front of her home.

Wendy Cottle gave her address as 941 West Grizzly Wulff Drive and commented on the proposed site of the New City Hall Building, which will create even more traffic.

Ulises Flynn gave his address as 15192 South Skyfall Drive and felt that traffic issues need to be addressed in greater detail. He expressed concern with adding additional travel to 14400 South. He also suggested that the City look at an alternate location for the school.

Judy Dudley gave her address as 2590 West 14400 South and stated that when she left the last meeting, the plan had been denied. She did not see any of the details being disseminated to the

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public. Many citizens she had spoken to were astounded by what was taking place. As a citizen she wanted to know what was going on. She stated that the citizens voted the Council in to office and they are supposed to represent the community. None were opposed to the school but have concerns about safety and how their way of life will be impacted. Ms. Dudley was of the opinion that the proposed school will negatively impact every citizen because it is on a major thoroughfare. She urged the Council to not make a vote behind doors again but to vote in public so that the citizens know what is going on in the City.

Steve Crandall gave his address as 1935 Rock Hollow Road and identified himself as the Director of Summit Academy Charter Schools. He stressed that safety is of utmost importance to them as is the impact on the neighborhood and the City. They do what they can to be good neighbors and good citizens. Mr. Crandall reported that the traffic study was done for 1,000 students and did not include statistics on bussing, which will serve approximately 120 students.

Louis Jones gave his address as 2888 West 15250 South and observed that all of the comments have been negative. He stated that typically the public takes the worst charter school in the valley and uses it as a model from which to make their assessments. He stated that currently his children attend a charter school that is very well run and the wait is minimal. He expressed support for charter schools overall. He preferred the proposed school rather than another overcrowded district-run school. Mr. Jones acknowledged that the community is growing and schools will be needed. He suggested that the City give a little and allow the school to proceed.

Amanda Pay gave her address as 1382 West Black Wulff Circle and reiterated what she had heard. She stated that the existing Summit Academy did a lot to accommodate the desires of citizens. Her children currently attend Summit Academy and she sees how well they address safety every day. Recently the principal sent letters out to parents urging them to not park on the street because it is not safe. She stated that Summit does its part to address issues and problems. Ms. Pay stated that several families that she knows would love for the school to locate in Bluffdale.

Don Rosenkrantz gave his address as 3526 West 14400 South and suspected that the school has done a good job of obtaining as much parking as they can in the area. He, however, did not believe that was the most significant issue since most of the traffic is drop and go. He stated that parking concerns will most likely arise during events at the school at which times cars will park on the street. He recommended the applicants work with the church that is nearby and make arrangements for parents to park there during events rather than on the street.

Erik Swanson gave his address as 751 West Star Spangled Drive and pointed out that the two most important things that a growing community like Bluffdale needs are schools and roads. He acknowledged that there is a critical need for schools in the City. His children all go to Summit Academy and he urged the Council to put the need for schools on the same level as traffic mitigation. He urged both parties to reach a compromise.

Mark Hales gave his address as 1651 West 14600 South identified himself as an Attorney and Land Use Planner. His child attends Summit Academy, which prolongs his commute each

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morning. He noted that the railroad trestle is a hassle. He felt that the proposed school is needed and noted that he has never had a problem picking up or dropping off at Summit Academy.

Randy Wall gave his address as 1973 West 14400 South and felt that the additional solutions are beneficial but more options need to be considered. He thanked the Council for all they do and urged both parties to continue working to reach a solution.

Roger Cottle gave his address as 963 West White Wulff Drive and stated that location is the most important issue. He had nothing against the proposed school but was concerned about it being on a main thoroughfare that ties together both sides of the City. He recommended the school be built in a different location.

Kimberly Graham gave her address as 2075 Oak Point Drive and was concerned about the safety of children who walk to school. She stated that the sidewalks are small, mailboxes obstruct the walkway, and there are no crossing guards.

Jack Asay gave his address as 2039 West 14400 South and stated that he has lived in Bluffdale for 31 years. Traffic has gotten bad on 14400 South and he asked when it will be widened. City Manager, Mark Reid, stated that it is scheduled for 2018. Mr. Asay turned the remainder of his time over to Scott Sackett. Mr. Sackett pointed out that the photos were not the worst-case scenario and were taken at a very good charter school. Traffic and safety were identified as the most important issues. He emphasized that it would be unacceptable for traffic to impact Redwood Road. With regard to parking in the church parking lot, Mr. Sackett stated that private property owners cannot secure parking for the school and the fact that it is available is irrelevant.

Mrs. Pavlakis relayed a conversation she and Kimberly Graham had with a crossing guard who crossed on Redwood Road. She reported that she had three children to cross but she never crossed them all together. She was happy about that because the light barely gave her enough time. If that is the case, Mrs. Pavlakis suggested that the length of time at the traffic lights be increased. Mayor Timothy had heard the same complaint and spoke to UDOT about it. He clarified that if the button is pushed, more time is allotted to cross. Mrs. Pavlakis hoped the Council would table the matter to give the professionals retained by the citizens more time to review the issue.

Stephanie Tuttle gave her address as 2179 West Oak Point Drive and was very concerned about the impact the school will have on the City. She cares about the rural character of the City and enjoyed her one-acre lot. She wanted the residents' voices to be heard and for information to be disseminated to all.

Mr. Robbins felt like the City was being manipulated. He had heard that equipment had been ordered to do the dirt work next week. He recommended the Council slow down and do the right thing. He did not want to rush the school through and then leave the City to resolve the issues at taxpayer expense.

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Lisa Childers gave her address as 14776 South Sage Crest Drive and asked for clarification on whether traffic will be routed through her neighborhood. She did not feel that the comparisons to other schools were realistic.

Karen Sonntag gave her address as 14473 Frost Court and reiterated that most of the busses for Bluffdale school children use 14400 South as their main route. She stressed the importance of them being able to get through during school start and end times. She questioned whether the Police Department has given their input on public safety.

Amy Stewart gave her address as 14744 Sage Crest Drive and stated that she is a supporter of charter schools. She noted that her daughter has attended Summit Academy for several years. They do a wonderful job, have excellent programs, and smaller class sizes. That said, she stated that she also lives in Bluffdale and where traffic will be routed was of concern to her. She recommended that all of the issues be considered.

Emily Swanson gave her address as 751 West Star Spangled Drive and stated that she did not make it clear at the last meeting that the school administration does a good job of working with parents. She was confident that they will do their best to get the parents to conform to the desired traffic pattern. She stressed that the problem is primarily between 3:00 p.m. and 3:30 p.m. She stated that the City is growing and more schools are needed. The increased population will also add to the traffic whether their children attend school in Bluffdale or not. She agreed that the traffic problems need to be resolved but thought the school would be an asset to the community.

There were no further public comments. The public hearing was closed.

It was noted that Mayor Timothy received an anonymous letter from a citizen, which he would not read aloud or have it entered into the record.

Mr. Bodrero commented that much had been said about the City growing and stated that there are planned improvements in relation to the projected growth. Plans are in place to work to accommodate it. Mr. Bodrero commented that Mrs. Pavlakis misrepresented a conversation that took place at the conclusion of the last meeting. She claimed that he said that money is not an issue and that there is viable property for sale to provide access to Redwood Road. His comment was that *if* money was not an issue and *if* there were some access or property to be sold that still would not solve her problem, which is the proposed location. He stated that the word “reasonable” comes into play. State Code was referenced with regard to what is reasonable to require. A gentleman spoke about parking in terms of stacking and traffic that is circulated through for pickup and drop off and stacking for night time or event parking.

Mr. Bodrero stated that State Code is specific in Section 10-9a-305-7(c), which states that parking requirements for a charter school may not exceed the minimum parking requirements for schools or other institutional public uses throughout the municipality. He stated that the Code specifies what the minimum is. For the proposed school with 1,000 students 53 parking stalls are required. Mayor Timothy did not consider parking to be the issue and felt it was queuing and traffic. Mr. Bodrero stated that the school has appropriated additional acreage on site for hardscaping and

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parking to accommodate that concern. There is not a requirement in the City ordinance dealing with queuing or stacking for pickup and drop off. The question was how many cars will show up at once.

State Code specifies that the City can ask for a traffic study, which was provided and addressed. The study was questioned and verified by the City's third-party group and additional information was incorporated based on the City's overall view of the planned growth and anticipation for the roadway. Mr. Bodrero stated that additional improvements can be made to address the concerns and additional impact. Section 10-9a-305-3(b) states that the school district or charter school shall participate in the cost of any roadway or sidewalk or a study of the impact of a school on a roadway or sidewalk that is not reasonably necessary for the safety of school children and not located on or contiguous to school property.

With regard to the impression that the school is trying to rush things, Mr. Bodrero stated that that is not the case and they have taken measures beyond an initial site plan application. As Summit County's representative, engineers and designers have met with City staff in DRC meetings since last summer and made corrections and addressed issues to mitigate traffic and safety concerns. Those efforts were compiled into a full set of plans that were submitted to staff in October. Upon further review there were other comments forwarded back that were reviewed and addressed. The purpose of the traffic study was to assess what is reasonably necessary for the safety of school children. It was determined that the measures shown have mitigated the impact created by the school. Beyond that there is nothing in State Code that states that the school should take into account queuing and stacking.

Mr. Bodrero stated that Summit Academy intends to come into the community and continue to be a good neighbor and resource. Stacking issues were discussed. Within school property, signage will be posted along with specifics about how pickups and drop offs should take place. Summit Academy will continue to work with the City as additional data presents itself in the future that will allow a change in the recommended traffic flow and the ability to provide more queuing or parking on site.

Mr. Bodrero read from the Code and stated that the only basis on which a municipality may deny or withhold approval of a charter school's land use application is the school's failure to comply with standards imposed under the subsection. He stated that they have met and complied with every item and Code standard they have been asked to. They also met early and often in the process. They have been patient with staff's requests to check and double check the process. Staff was confident that what is proposed will work. The City Council has an opportunity approve Phase 1 with a limited number of students and vehicular traffic and impose additional conditions prior to Phase 2 coming online.

Ryan Hales from Hales Engineering described his background and stated that he earned his Bachelor's Degree in Civil Engineering and has a Master's in Traffic Engineering. He served on a planning commission and understands the growing pains the City faces. Mr. Hales reported that the Institute of Transportation Engineers is a professional organization that uses materials from across the country. He is one of 15 reviewers in the U.S. that review the data. Within the manual

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there are private and public schools that are not charter schools. They conducted studies at charter schools to see what the trip generation would be. A claim was made tonight that their numbers are incorrect, which is a fallacy. Mr. Hales stated that they performed the counts along with the City's Traffic Engineer and both came up with the same results.

Mr. Hales read from a paragraph in the study dealing with trip generation. Because there are no trip generation rates for charter schools, it was calculated based on data created by Hales Engineering while working on similar charter schools in Utah. The overall expected trip generation rate for a K-8 charter school is 0.65 average trips per student during the peak hour. Mr. Hales reported that this is lower than the private school K-8 rate of 0.9 but slightly higher than rates for public elementary schools and middle schools, which are 0.45 and 0.54, respectively. The rate of 0.65 is near the average of private and public schools. Based on previous experience with charter schools in Utah, Hales Engineering believes that the rate of 0.65 trips per K-8 student will generate a reasonable estimate of trips during the peak hour.

Mr. Hales reiterated that the trip generation data and study were accurate. To pay someone else to review it would be a waste of money, in his opinion, because they will come back with the same trip generation rate. Mr. Hales stated that he has visited the Summit Academy Charter School in Bluffdale and has seen how they operate. He considers it to be a very efficient system. He noted that the system is very precise and at 3:01 p.m. the first group of students leaves to get on the shuttle, which then goes off site to their respective drop off points. At about 3:05 p.m. the students that are walking come out of the school. At 3:10 p.m. the remaining students are released. They are gathered in a common area where they are put in their carpool groups and wait for their number to be called. They are then escorted outside to their carpool. The time it takes for a carpool to leave the school site and start moving again is about 1.5 minutes. That was the longest he observed. The shortest duration was 30 seconds. Mr. Hales stated that multiple cars are being loaded at the same time and school officials are doing everything they can to keep the cars moving. From a Traffic Engineering standpoint, Mr. Hales believed the site will also circulate efficiently. With regard to the number of students, Mr. Hales stated that 1,000 students were evaluated on the site.

Boyd Preece asked City Attorney, Vaughn Pickell, his opinion on the direction of the two proposed studies. Mr. Pickell recommended the Council weigh both and decide which one seems more credible. Ty Nielsen commented that the study was geared toward the morning drop off and less about the afternoon pickup. Mr. Hales stated that they focused primarily on the a.m. drop off because it was of most concern.

Mr. Hales reported that UDOT has guidelines that apply to each of the four classifications for traffic impact studies. He explained that charter schools only require evaluation of existing and post project traffic conditions. The City's consultant looked at the entire corridor and evaluated the future conditions of 14400 South.

Jeremy Searle, from Hales Engineering, referred to page 17 of the Parametrix study, which contained their recommendations, and stated that it was not included in the Council Members' packets. It was noted that the recommendations included concern about how close the ingress and

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egress are to one other. One way to mitigate that is to make the exit right only. City Engineer, Michael Fazio, reported that he had seen the full report prepared by Parametrix and made recommendations to them.

James Wingate asked for expert opinions from City Planner/Economic Development Director, Grant Crowell, Mr. Reid, Mr. Pickell, and Mr. Fazio. He asked that Mr. Fazio and Mr. Crowell comment from an engineering and planning point of view about how comfortable they are with the proposed plan. He asked that Mr. Reid comment on whether staff has done their due diligence.

Ty Nielsen stated that they have been as open as possible and have not made any decisions behind closed doors. The last meeting was very long and the decision to revisit the matter was made late in the meeting. He indicated that the Council Members appreciate being elected and it was difficult for them to have their friends look at them with disdain. The Council was weighing all of the information in order to make a fair decision. He reiterated that the Council is not being sneaky and they have done nothing behind closed doors. They are considering both sides and trying to be as open minded as possible.

In response to a question raised by Alan Jackson, Mr. Bodrero confirmed that currently queuing is done curbside.

Mr. Reid pointed out that the site has been projected as a school site since 1950 by the Jordan School District. He was glad to hear that Summit Academy had selected Hales Engineering to perform their traffic study. Staff considers them to be professional and has seen their work on many different projects. Parametrix has also been hired and used for multiple projects. The City has studied 14400 South for a number of years in an effort to widen it and make it a safer road. That was mitigated by their desire not to have it appear to be a large road so that the projected 135,000 Herriman residents think it is their route to Redwood Road. They have looked at the right-of-way the City already owns and budgeted and set aside enough money to install curb, gutter, sidewalk, and a middle turning lane into 14400 South. This was done long before Summit Academy purchased the property.

With City Hall coming forward, the poor east and west circulation would make another four-way stop a detraction. As a result, they planned to construct a roundabout at 2200 West and 14400 South. That was planned a number of years ago, before the school was planned. When the school made their proposal, staff realized the proposed roundabout would help mitigate traffic on 14400 South. Mr. Reid stated that the trust of the City was turned over to professionals in City staff. He was bothered greatly that citizens would think that the City Council would do anything behind closed doors. He stressed that that would never happen. He explained that the road has been on the Master Transportation Plan and they have held multiple public hearings about it for years. The fact that most citizens do not come to public hearings shows that there is trust in staff until something happens that is unpopular.

Mr. Crowell informed the Council that his opinion was stated in the Planning Commission recommendation. Mr. Pickell stated that the Council's decision must be based on objective standards only. These include ordinances, the adopted engineering standards, and industry

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standards. The statute specifies that the only basis upon which a municipality may deny or withhold approval of a charter school's land use application is the school's failure to comply with the standard. He stated that the crux of the Council's decision is whether the applicants have met the City's adopted standards. He noted that the City does not have a standard for traffic circulation. To his knowledge, they have met every other adopted standard.

Mr. Fazio reiterated that 14400 South was important to staff and they had been studying the issue in combination with the Traffic Engineer's study. He stated that the applicants have been very cooperative and willing to work with the City and made various changes. The turn lane did not exist when the original request was submitted and they were willing to purchase more land to provide it. They also moved the egress to the west and agreed to additional changes as recommended.

Mr. Pickell stated that staff's opinion is based on the law and objective standards. Mr. Reid was confident in the professionals who reviewed the request. Mr. Crowell explained that the review is based on objective standards that he believed had been satisfied.

Alan Jackson reported that earlier in the day he counted cars at Hawthorne Academy, which is considered to be one of the worst charter schools in terms of traffic. What he observed was very educational. He stated that there was a lot of parking on the street but the queuing area was not even half full. He got to the school about 20 minutes before school dismissed and there were 15 cars parked on the road. There was a pocket right turn and "no parking" signs. No cars were parked between the "no parking" signs. When the queuing started to move there were 117 cars parked either in the queue or on the street. He noted that Hawthorne has 640 students and concluded that with 700 students, it would be necessary to queue 128 cars prior to traffic flowing. Currently, if they are queuing curbside and count both pocket lanes, 157 cars can be accommodated. With 1,000 students they would need to park or queue 182 cars on site to get everyone off the road. He noted that when traffic started to move it seemed to flow well. Council Member Jackson reported that he stayed until 3:25 p.m.

Justin Westwood commented that everyone is an advocate for public safety and should be good neighbors. Two traffic studies were conducted and both found that the level of service with the school is adequate with service measures in place. He said that 14400 South will be widened before the school reaches its capacity, which will help with traffic flow through the area. He did not question whether Summit Academy will mitigate any issues going forward. He considered them to be good neighbors who will help when, where, and however, they can. Bluffdale as a whole will benefit from the school even though it will impact traffic. Council Member Westwood had no objection to the school going in, as presented, based on the traffic studies conducted.

Alan Jackson added that the responsibility to control off-site parking rests on the City and not the applicant. It is the City's responsibility to provide a school for the children that will come to Bluffdale and those who are already here. He had a difficult time coming up with a better use of the City's money than providing for education for Bluffdale children. He noted that if the school isn't built, Bluffdale Elementary will be further impacted and the traffic will still exist. Adding a school and having control over the traffic will help mitigate some of the problems. He

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recommended the City not allow off-street parking. Council Member Jackson suggested posting “no school traffic” signs on Frost Court. In the beginning, police officers may need to patrol the area and issue tickets. He reported that representatives from Parametrix were present at the last meeting and expressed no additional concerns.

Boyd Preece referenced the attorney letter presented by Mr. Sackett and suggested that the proposed school be K-6 now and allow for additional traffic studies. Alan Jackson wanted to see a traffic study conducted while the school is in operation before any expansions are approved. Mayor Timothy stated that a traffic study can be required prior to allowing the expansion to add an additional grade. If it is questioned, another study could be conducted by the City.

With regard to police and fire protection, Mr. Reid stated that Fire Chief, John Roberts, attends every DRC Meeting and has met with Summit Academy representatives many times and has given input on multiple occasions. Mr. Reid also meets with representatives from the Police and Fire Departments every Monday morning and was not aware of any issues that they have not addressed. Alan Jackson stated that the Police Chief spoke at the last meeting and stated that regardless of where the school is located, it will present a public safety issue and generate a lot of traffic.

Mr. Reid stated that the Police Chief consistently asks for more officers. When Saratoga Springs began providing police service to the City, they had four officers and one supervisor. They now have two officers on duty at all times on both the east and west sides. The City has addressed the issue of adding officers, however, the Chief will always say that more are needed. At a cost of \$140,000 each, the City can only afford to add a few officers at a time as the City grows.

James Wingate asked if the Mayor would speak as if he were a voting member. Mayor Timothy refused to respond.

Ty Nielsen commented that traffic is inevitable and he felt that staff had done their due diligence. He could not take on the responsibility of the potential for future traffic problems and can only do his best within his capacity as a Council Member. He was happy to see that Jordan School District was not the applicant.

Mayor Timothy stated that he has been accused of certain things. At times he wished he was a voting member because sometimes he has information the Council doesn't. He has been very good about passing on information to the Council, whether it is positive or negative and he never has and never will tell the Council how they should vote. His participation is to ensure that the Council has as much information as possible to make the right decision. The Mayor only votes in the event of a tie but he is in a position to know both sides of most issues. If he feels that something is better addressed by staff, he makes sure they send the Council their opinion, especially when it involves a legal opinion.

Alan Jackson stated that last week he had concerns, which was the reason he voted against the request. After attending subsequent meetings, speaking with different people, and spending time at Hawthorne earlier in the day, those concerns have been addressed. He stated that the City has

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professionals they rely on, especially with regard to traffic studies in this case. He thought it would be irresponsible to put the City at risk of future lawsuits.

James Wingate felt that realistically the traffic will back up on 14400 South and potentially other places and as a society, they live with that. If the worst case scenario comes to fruition, action can be taken to stagger drop off times, include more busses or shuttles, or purchase more property from the Lions Club to make the turn pocket longer. If Summit Academy fails to take action when there are problems, he asked what the City's recourse would be. Mr. Pickell stated that the City would not have any recourse. He explained that the Council should make their decision based on objective standards that are adopted. If something happens in the future, adjustments can be made. Alan Jackson commented that that would have to be something to be taken into account before considering an expansion. He stated that he relies heavily on the City's experts.

Boyd Preece referenced the letter the Council received from Mr. Sackett and tried to weigh that against the other traffic studies. It seemed to him that the traffic studies conducted by the City seemed more realistic. He recommended future traffic studies be conducted before any expansion is permitted.

Justin Westwood stated that based on the recent comments, he found it ludicrous to think that the school would not consider making immediate changes if traffic backs up onto Redwood Road. They have been good neighbors and they want to be part of Bluffdale. He doubted they would want to expand immediately if there are traffic or safety issues. He was confident that they will ensure that safety is addressed.

Justin Westwood moved to approve the site plan for Summit Academy K-8 Bluffdale Campus Charter School, Application 2015-51, subject to the following conditions presented in the staff report dated December 30, 2015:

- 1. That the applicable requirements of the City Code and adopted ordinances are met and adhered to for this site plan.**
- 2. That the developer submit a Land Disturbance Permit to the City Engineer prior to any construction activities on the site.**
- 3. That all required City impact fees be paid by the applicants prior to the commencement of construction activities on the site.**
- 4. That the applicable Building and Fire Codes are met and adhered to for this site plan and as approved by the State Fire Marshal and independent building inspector.**
- 5. That the City Engineer, or designee, conducts inspections of the culinary water and fire suppression systems to be constructed in accordance with City standards.**
- 6. That all site plan features shall adhere to the approved site plan as presented.**

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7. That a site plan application be submitted to the City for future additions to be approved by City staff in accordance with the current approved site plan as presented.
8. That the applicants provide adequate secondary water shares to the City prior to the City providing service for the culinary water system.
9. That additional rights-of-way for street improvements shall be acquired by the applicants from the adjacent property owners.
10. That all final street designs and construction drawings be approved in accordance with City standards or as recommended by the City Engineer. The following are minimum required street improvements:
 - a. Turn pockets are to be built for both the eastbound left-turns and westbound right-turns. The westbound right-turn storage length is recommended to be a minimum of 100 feet with a 90-foot gap and a 15-1-foot taper. The eastbound left-turn storage length is recommended to be 150 feet with a 90-foot gap and a 115-foot taper (assuming 5.5-foot lane shift in each direction). Final designs to be approved by the City Engineer.
 - b. Adequate signage shall be placed in appropriate locations to identify traffic movements.
 - c. In accordance with the Utah Manual Uniform Traffic Control Devices (MUTCD), a School Crosswalk Zone, Reduced Speed School Zone (RSSZ), and Crossing Guard are warranted.
 - d. The crosswalk shall be moved to the west side of the 14400 South/Frost Court intersection or other appropriate location determined by the City Engineer.
 - e. The sidewalk on the school property must be in alignment with and connect the sidewalk to the east.
 - f. The designated fire lane shall be identified as the inside lane within the parking lot and the travel lane or egress access shall be moved to the outside lane on the west property boundary to allow appropriate distance for vehicle turning movements. The egress access will be a right-out only. Bollards or another gate mechanism is required on the access for the fire lane as approved by the Fire Chief.
 - g. The culinary water system connections shall be revised on final construction drawings according to the recommendations of the City Engineer.
11. That no parking will be allowed on 14400 South at any time.

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Approval was also subject to mitigation measures offered by Silver Peak Engineering. Additionally, a traffic review shall be required before expansion of the school and a mitigation plan will be necessary to resolve any existing problems with traffic and safety at that point. Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.

3. Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character, Professional Competence, or Health of an Individual, Collective Bargaining, Pending or Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including Any Form of a Water Right or Water Shares, Security Issues, or any Alleged Criminal Misconduct.

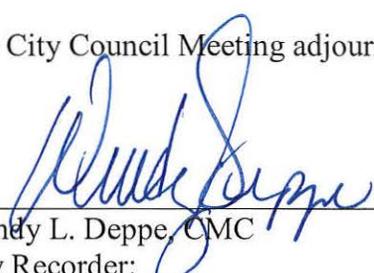
Ty Nielsen moved to go into a Closed Meeting pursuant to Utah Code §52-4-205(1) to discuss land acquisition. Alan Jackson seconded the motion. The motion passed with the unanimous consent of the Council.

The Council was in closed session from 9:13 p.m. to 9:37 p.m.

4. Adjournment.

Ty Nielsen moved to adjourn. James Wingate seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 9:37 p.m.



Wendy L. Deppe, CMC
City Recorder:



Approved: February 10, 2016

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Tuesday, January 19, 2016**

Present: Mayor Derk Timothy
Alan Jackson
Ty Nielsen
Justin Westwood (Via Teleconference)
James Wingate
Boyd Preece

Staff: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Michael Fazio, City Engineer
Blain Dietrich, Public Works Operations Manager
Grant Crowell, City Planner/Economic Development Director
Jennifer Robison, Associate City Planner
Wendy Deppe, City Recorder

At approximately 9:13 p.m., Mayor Derk Timothy called the meeting to order.

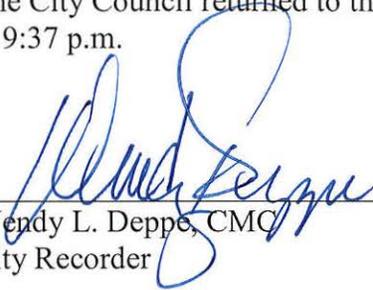
Motion: Ty Nielsen moved to go into Closed Meeting pursuant to Utah Code §52-4-205(1) to discuss land acquisition.

Second: Alan Jackson seconded the motion.

Vote on Motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.

Land acquisition issues were discussed.

The City Council returned to the City Council chambers to resume the open portion of the meeting at 9:37 p.m.



Wendy L. Deppe, CMC
City Recorder



Approved: February 10, 2016