



*****AMENDED*****
BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, July 27, 2016

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, July 27, 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 REGULAR BUSINESS MEETING 6:30 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA** –
 - 3.1 Approval of the June 22, 2016 meeting minutes.
 - 3.2 Approval of the July 13, 2016 meeting minutes.
 - 3.3 Preliminary acceptance of Independence at the Point, Plat F Park & Trail, and beginning the warranty period.
4. Presentation and discussion regarding an Emergency Management System, staff presenter, Natalie Hall.
5. Consideration and vote on a resolution of the Bluffdale City Council adopting an Emergency Operations Plan, staff presenter, Natalie Hall.
6. **PUBLIC HEARING** – Consideration and vote on proposed amendments to the Bluffdale City Land Use Ordinance Chapter and Map designation, SD-R Independence Park, and to approve the associated Project Plan, located at approximately 14880 South Noell Nelson Drive; TBP 147, LLC, applicant, staff presenter, Grant Crowell.
- *** 7. Conditional Preliminary Acceptance of Bluffdale Heights Phase 4, and beginning the warranty period, staff presenter, Michael Fazio.
8. Mayor's Report

9. City Manager's Report and Discussion

PLANNING SESSION

Please Note: The planning session is for identifying future items and other council discussion in accordance with Utah Code § 52-4-201(2)(a). While the meeting may be open to the public, there will not be any opportunity for public input during the planning session.

10. **WORK SESSION** – Regarding the Concept Plan for Day Ranch, presenter, Dave Tolman.
11. 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).
12. Consideration and vote on a resolution of the Bluffdale City Council authorizing the execution of a Settlement Agreement with Newman Construction, staff presenter, Brittany Skinner.

Dated this 26th day of July, 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

Note: The Bluffdale City Council will take a recess at approximately 9:30 p.m. and will evaluate the time needed to complete items not yet heard on the evening's agenda. Items the Council determines may take the meeting past 10:00 p.m. may be removed from the agenda and re-scheduled for the next regularly scheduled meeting. 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 (arrived at 6:34 p.m.)
Ty Nielsen
Boyd Preece
Justin Westwood
James Wingate

Staff: Mark Reid, City Manager
Brittany Skinner, Assistant City Attorney
Grant Crowell, City Planner/Economic Development Director
Michael Fazio, City Engineer
Natalie Hall, Emergency Preparedness Manager
Bruce Kartchner, Finance Director
Blain Dietrich, Public Works Operations Manager
Wendy Deppe, City Recorder

Others: Ken Milne
Dave Tolman
Steve McCutchan
Johnny Loumis, Jr., Planning Commission Member

BLUFFDALE CITY COUNCIL REGULAR 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 with the exception of Alan Jackson, who arrived shortly thereafter.

Emergency Preparedness Manager, Natalie Hall, offered the invocation.

Ty Nielsen led the Pledge of Allegiance.

2. PUBLIC FORUM.

There were no members of the public wishing to address the Council.

3. CONSENT AGENDA.

3.1 Approval of the June 22, 2016 Meeting Minutes.

3.2 Approval of the July 13, 2016 Meeting Minutes.

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3.3 Preliminary Acceptance of Independence at the Point, Plat F Park and Trail, and Beginning the Warranty Period.

James Wingate moved to approve the consent agenda. Boyd Preece seconded the motion. The motion passed with the unanimous consent of the Council.

4. Presentation and Discussion Regarding an Emergency Management System, Staff Presenter, Natalie Hall.

5. Consideration and Vote on a Resolution of the Bluffdale City Council Adopting an Emergency Operations Plan, Staff Presenter, Natalie Hall.

The discussion on the above two agenda items was combined.

Emergency Preparedness Manager, Natalie Hall, reported that the City benefits annually from federal funding. As part of that funding, however, there are certain requirements. One is that the City approve by resolution its Emergency Operations Plan every two years. She noted that the last time the plan was approved was in 2011.

An Executive Summary of the plan was presented to the Council as follows:

Section 1: - Introduction

The purpose of the Bluffdale City Emergency Operations Plan is to establish a framework to integrate and coordinate the emergency response and recovery actions of all levels of government, volunteer organizations, and the private sector within Bluffdale City. The EOP is a comprehensive plan that is risk-based and all-hazards in its approach. As such, it is the blueprint for all of Bluffdale City's emergency and disaster operations.

Section 2: - Policies

The mission Statement of the Bluffdale City Emergency Management Division:

- Our mission is to prepare for, respond to, recover from, and mitigate natural and man-made emergencies and disasters in Bluffdale and to encourage and assist the citizens of Bluffdale to prepare themselves for these events.

Section 3: - Hazard Analysis

Section 4: - Concept of Operations

The EOP will be activated when an emergency has been declared by the Mayor or designee. A resolution was prepared for when an emergency needs to be declared. When this occurs, any spending that has taken place before the declaration, the City is responsible for and they cannot get reimbursed. During an emergency, the City works through the County who has a threshold they

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need to meet. If the Mayor is not available to declare an emergency, that responsibility would fall to the Mayor Pro Tem.

Bluffdale City uses its own resources first in an emergency or disaster. When additional resources are needed, assistance from jurisdictions in which the City has mutual aid agreements, and Salt Lake County, will be requested. When damage is widespread and severe, state and federal relief will be made available.

Declaring an emergency and the subsequent EOC operations will comply with FEMA standards. It was reported that the EOC operates under the ICS structure. Bluffdale City departments and agencies and volunteer organizations, function in their various roles. The roles are known as Emergency Support Functions (ESFs) and are the primary mechanism for providing response and recovery assistance to Bluffdale City throughout all phases of an incident.

Mayor Timothy stated that because the tracking of finances is so critical for reimbursement, staff should perhaps review the training and their knowledge on a regular basis. Ms. Hall stated that because of the federal funding, they are required to become NIMS compliant. In order to do so, the federal government requires every employee that would be involved in an emergency disaster or recovery take ICS classes. She noted that she keeps track of the training completed by every City employee. City Manager, Mark Reid, stated that staff members have been offered \$25 for each section they complete.

Ms. Hall indicated that the Council Members will not be part of the EOC. In order to understand their role in emergency management, there is a two-hour overview. The purpose of the course is to introduce the Council to ICS. She considered it a very good way for the Council to understand their role. The training was scheduled for September 7.

Ms. Hall reviewed the website and what is available on the Emergency Management page. She made minor updates, which were described. She reported that the ham radio information and the Neighborhood Emergency Plan is available online and has been updated over the past few weeks. Information on radon resources were also available online. Ms. Hall commented on the emergency training and stated that they are encouraging as many citizens as possible to take the training.

It was noted that each position must have a backup. Ms. Hall stated that currently the backup is the City's Communications Specialist. City Manager, Mark Reid's backup is City Attorney, Vaughn Pickell, in the event of an emergency. She explained that in an emergency, the City Manager becomes the Emergency Manager and she would become the EOC Coordinator. The Mayor asked if the backups would need the third and fourth class trainings.

Ms. Hall reported that as part of the compliance they are required to have their Continuity of Operation Plan in place. She stated that it still needs to be done and can be complicated. The various available trainings were discussed.

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Ty Nielsen moved to approve a resolution of the Bluffdale City Council adopting an Emergency Operations Plan. Justin Westwood 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.

6. **PUBLIC HEARING – Consideration and Vote on Proposed Amendments to the Bluffdale City Land Use Ordinance Chapter and Map Designation, SD-R Independence Park, and to Approve the Associated Project Plan, Located at Approximately 14880 South Noell Nelson Drive; TBP 147, LLC, Applicant, Staff Presenter, Grant Crowell.**

City Planner/Economic Development Director, Grant Crowell, presented the staff report and stated that there is a new zoning designation that is a formal action to change the zoning map by adding a new chapter that is specific to this geographic location. It also looks at a new development project plan to determine whether it fits the General Plan goals and objectives and the area. The General Plan provides guidance on what future development should be. The subject property is planned for mixed use. Other mixed use areas in the City were identified. It was noted that a portion of the property is zoned Heavy Commercial. The text of the ordinance was developed around the idea that the plan could work. The comment was made that it is basically a residential zone with a couple of unique features.

Mr. Crowell stated that very little public comment was received. One comment was made by Quester Gas with regard to a large gas line that runs through the area that corresponds with the linear trail area. Staff spent a significant amount of time examining the potential location for a fire station. The idea was not to just have a site for circulation for the Fire Department, but community space for meetings or trainings. As a result, additional parking was requested.

Mr. Crowell reported that in order to qualify to apply for the zone it is necessary to have a minimum acreage and a plan. A study session would also take place with the Council. The Planning Commission determined that the follow finding was necessary to forward a positive recommendation on to the City Council:

1. That no other zone classification exists that more appropriately suits the proposed development of the property.

The Planning Commission spent time discussing density and how to calculate it. The ordinance does not have a specified density range or requirement to calculate it any certain way and basically leaves the policy open. Mayor Timothy recalled that the goal in the General Plan is a park ratio of seven acres per 1,000 residents. Mr. Crowell stated that that provision was removed from the Capital Facilities Plan and a value basis is now used to determine that ratio.

Mayor Timothy asked if 1.35 acres of park is adequate for 700 people. Mr. Crowell stated that it may not meet all of their needs but pointed out that some of the needs are met through the \$5,400 per unit impact fee that is applied to other facilities in the community. The Mayor acknowledged that there will be a community room, which will get a lot of use. He questioned whether that will

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replace open space. He felt that the Fire Station with the community space adds a value that may be more equivalent to open space. He wanted all to be aware, however, that if this or a version of it is approved, the entire calculation is to the benefit of the community. The Mayor commented that a lot of variables will go into their decision and each needs to be considered individually.

Mr. Crowell stated that the Planning Commission discussed how to calculate density since as it grows, it is just over five units per acre. If the Fire Station is removed along with the park and the canal, it is in the range of six units per acre but there is no guidance for that. They can use the table and change the overall density but will still have the same plan. Mayor Timothy commented that this was not his preferred way to zone but it was created for special circumstances on certain properties where the current zoning does not fit. He was of the opinion that the Fire Station adds a great benefit to the property that needs to be calculated into the overall value and should be looked at next time the zone is requested.

Mayor Timothy pointed out that whether the request is approved or denied has no bearing on future requests and no precedent will be set. Every vote on the zone will stand alone from the next instance. It was noted that the Planning Commission recommended approval 3-to-2.

The applicant, Steve McCutchan, a Sandy resident, stated that it is their intent to extend the trail to connect to the Independence Trail. There was some discussion as to whether it would be public or private. It now appeared that it would be a private spur off of the public trail. There would also be a connection to Day Ranch. They did their best to provide an interconnection. It was determined through several meetings that it was better that the open space be private rather than public. Mr. McCutchan noted that each of the homes will generate \$5,100 each in park fees.

Mr. McCutchan indicated that there are several facilities planned for the Westgate Park, which will be within walking distance of this development. With regard to fencing, Mr. McCutchan stated that they will continue the same process but improve upon it. Mayor Timothy wanted to avoid problems in the future and did not want future homeowners to come to the City requesting a different type of fencing. He did not object to the developers requiring Trex fencing but wanted homeowners to be fully aware of the requirement in advance.

Mr. Reid clarified that no density was traded for the 1.28-acre fire station site. It was noted that the donation had not yet been received. Mr. McCutchan stated that shortly before the Planning Commission Meeting there was a request to donate one lot for a fire station. The Mayor asked about the possibility of modifying the configuration. Mr. McCutchan stated that each time the line is moved there is a ripple effect with regard to the configuration and value, however, it can be done. The Mayor felt that the parking would be designed better with access from the rear. The loop would also be larger for the fire truck to come around and back in. He recommended they go back to the original side entrance.

Finance Director, Bruce Kartchner, reported that he spoke to the Fire Chief who prefers the lot beside and the additional curvature. Mayor Timothy indicated that he would defer to the Fire Chief's wishes. Dave Tolman encouraged the Council to visit Alpine Homes. Mr. Crowell stated that anything with an acreage of 1.15 to 1.28 could be negotiated.

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Mr. Tolman explained why the SD zone was selected and stated that they did not feel like there was a zone that was appropriate for this particular site. They did not want to do a townhome product and preferred single-family. Next, the determination was made as to whether it was consistent with the General Plan. The first plan did not include the fire station. It was something they discussed that they felt would be positive for the area. Questions were also raised about the park. Mr. Tolman explained that 15% can be allocated to the park. In this case, all of the money will go toward a park. He stated that Independence was originally set up for 3,600 home sites. When it is done he stated that he would be surprised if it has 2,500 home sites. This will dramatically change the number of acres of park. They have not cut back on any of the parks that were allocated in their area. The intent was to make it part of the Independence community. It was originally an area that could be expanded into Independence. There was a problem, however, with the original developers and the property owner.

Mr. Tolman was happy to speak with Bill Marcovecchio but was leery of having a trail along the canal behind people's homes. He stated that it often creates concerns about security. With regard to Trex fencing, he stated that the Marketplace was an eye opening situation to their builders and they did not follow through. Buyers had to sign off on the Trex fencing but the builders did not adequately communicate the cost to the prospective homeowners and allow them to include that cost in the purchase price. Mr. Tolman stated that the requirement is different with Westgate but provides a different value. The intent was to create a community feel.

Mayor Timothy asked Mr. Tolman if solar paneling had been considered in the development. He stated that it is much easier to wire if done during construction and is a fraction of the cost. Mr. Tolman stated that they are not wired for it but it would be considered in the future.

Mayor Timothy opened the public hearing. There were no public comments. The public hearing was closed.

Boyd Preece liked the idea of family housing and preferred that rather than requiring Trex, that the money go toward the exterior of the home. Ty Nielsen was not in favor of the cul-de-sac. Mr. Reid stated that there was no other option. Dave Tolman stated that siding could be an option.

Ty Nielsen moved to approve the proposed amendments to the Bluffdale City Land Use Ordinance Chapter and Map designation, SD-R Independence Park, and to approve the associated Project Plan, located at approximately 14880 South Noell Nelson Drive. James Wingate 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.

7. Conditional Preliminary Acceptance of Bluffdale Heights Phase 4, and Beginning the Warranty Period, Staff Presenter, Michael Fazio.

Mr. Reid clarified that normally preliminary acceptance would not be brought to the Council without being complete and ready to go, however, there is one-month gap between tonight's meeting and the next meeting. In the past they have brought an item forward and made it

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conditional upon being completed with the City Engineer signing off on it. The above project is not complete and there are at least two items remaining to be completed. Staff felt they could be completed within the next two to four weeks. City Engineer, Michael Fazio, reported that the remaining items can be completed. Once it is signed off on, the warranty period will begin.

Mr. Fazio stated that the Construction Manager and Public Works personnel inspected the subdivision improvements. Everything was approved with the exception of the sod and sprinkling system in the park/detention basin. The grass was placed on the 25th of July and is not yet established. The sprinklers were to be tested on July 27. This was identified as the last phase adjacent to Porter Rockwell Boulevard heading north between the mink farm.

Mr. Fazio recommended that the conditional preliminary acceptance of Bluffdale Heights Phase 4 be granted and the warranty period begin once he has determined that the sprinkling system is fully operational and the grass is established.

Ty Nielsen moved to approve the acceptance of Bluffdale Heights Phase 4 and begin the warranty period and give City Engineer, Michael Fazio, the authority to grant administrative approval due to the fact that the Council will not meet for one month. Justin Westwood 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.

8. Mayor's Report.

Mayor Timothy reported that he met with UDOT on the jurisdictional transfer between Porter Rockwell Boulevard and 14400 South. He stated that it is no different than what has been discussed in that it ensures that they are adhering to the agreement. Segment 5 of Porter Rockwell Boulevard is being designed this year and will be built next year. A determination was being made as to who is responsible for the local match. There was also discussion of the light at 13970 South for the Gateway property.

Mayor Timothy stated that there was miscommunication between the developer, Smith's, and UDOT. The Mayor agreed to talk to UDOT and help clear things up. He saw no reason for Smith's to claim that the light is holding them up because it is not. It was noted that it is approved and funded. They have agreed to use the current traffic study for the justification rather than build the road, allow Smith's to open, conduct the traffic study, and then put the light in. They have also agreed that they will not have to widen the west side of the road and let future development do it. The Mayor's complaint was that if the City widens the road, they have to purchase the right-of-way and put in the improvements when development will do both. UDOT understands that and agreed to not require it. They also agreed to not require the possible future widening easement into the Gateway property.

The Mayor credited Lisa Wilson with UDOT for identifying all of the problems, getting the answers, and reporting back to the City. James Wingate referred to the traffic signal and roundabout at 14600 South near the trestle and asked if they will be bid together or separately. Mayor Timothy stated that that will be up to the Council. Mr. Reid stated that the roundabout has

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been designed and will be built with Noell Nelson Drive. The traffic signal is part of the exchange. Mayor Timothy stated that there is a timeline for Noell Nelson Drive. The intent is for it to be paved this year.

Mayor Timothy stated that for the Parade there are openings on his train for children who would like to ride. James Wingate asked that his five-year old twins be allowed to ride. The Mayor stated that someone would need to walk with them.

The Mayor commented on the Jordan School District bond and stated that a meeting was set up by the Jordan School District to discuss the issues. They are now asking the Mayor if he is willing to support the bond. The Mayor stated that it is for \$245 million and his preference was for it to be closer to \$200 million. He felt that the district's schools are still overpriced and action could be taken to reduce the cost. He was conflicted but stated that he will likely support the bond. He stated that the district provided him with a great deal of information and reduced the price.

Mayor Timothy reported that on August 11 there will be a corridor preservation matter that will be addressed in more detail at the next meeting.

At a recent Meet the Mayor Meeting, Mayor Timothy stated that 13 people came in to discuss 4000 West due to the recent tragedy that occurred there. He noted that there was no speeding or reckless driving involved, however, it was an emotional subject. The Mayor agreed for the City to do a few things that are positive such as add a stop sign where one was washed out and not replaced. He also agreed to post a "dead end" sign on 4000 West after the first road. He agreed to speed limit signs and noted that there is only one going in and none coming out. The one that exists is behind a tree. Tubes have also been placed to profile the road. The Mayor informed the public that the City cannot have a police officer there as often as they would like because there are so many roads to patrol. They can, however, profile the roads so that they know the prime time when speeding occurs.

Traffic calming issues were discussed. Mayor Timothy explained that traffic bumps do not resolve speeding problems and actually create them. He was convinced that in the end traffic enforcement will be the key to controlling speeds. He stated that Sergeant Taylor does not have the manpower to patrol effectively. It is difficult for him to justify having an officer who could be doing other things than sitting on a road waiting for speeders. That, however, is considered to be preventing safety problems, which is the main reason for having an officer. He suggested officers be added, which will depend on the City's Finance Director to determine when it is financially feasible.

Mayor Timothy stated that a resident who lives on Valley Crest has continually had water problems in their front yard as a result of water that runs down Valley Crest, across the road, over the property owner's curb and gutter, and floods their property. Mr. Reid stated that funds have been budgeted to address the problem.

The Mayor reported that Smith's has not yet closed on the property primarily due to engineering issues. They are still hesitant about the light but recent developments should resolve their

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concerns. He stated that until the ground is purchased, he is not certain Smith's will locate there. The project has gone out to bid and will expire, which Smith's will not want to happen. One of the things that is holding them up is that they have been working on a timeline. Mr. Reid stated that there has been no indication that they are not moving forward with the August 15 date. Mayor Timothy agreed and stated that they are still putting a lot of time and effort in to not continue forward. He considered getting the bids to be a significant commitment.

9. City Manager's Report and Discussion.

Mr. Reid reported that the Rodeo is scheduled for this weekend and tickets issued to the Council Members are good for Friday or Saturday. The Rodeo begins at 7:00 p.m. but it was recommended that the Council Members arrive 10 to 15 minutes early in order to be recognized as part of the Opening Ceremony.

Mr. Reid informed the Council Members that the next City Council Meeting is scheduled for August 24 with only one meeting in August.

It was reported that Noell Nelson Drive is underway and the agreements are in place and ready for approval. Work had begun on the irrigation system.

Mr. Reid stated that for Old West Days, the Council was provided with a booklet outlining all of the festivities. The parade begins at 9:00 a.m. on Saturday. An 18-foot trailer is available with a small guardrail around the outside. Bales of hay will be placed on the trailer for riders to sit on. The hope was that the Council Members and their families can be accommodated.

Mr. Reid stated that Old West Days includes the Monster Truck show, which will take place on Friday, August 12. Tickets would be provided to Council Members interested in attending.

The Council was next updated on road projects that are underway in the City. They included Porter Rockwell Boulevard Phase 3, which is out to bid and under construction. Grading was currently underway. A check was sent to Rocky Mountain Power for the removal of the poles and they were working with Questar to lower the gas line.

Mr. Reid reported that the City signed an agreement with Horrocks Engineering to begin the design of Phase 5 of Porter Rockwell Boulevard. It had been approved and was underway. Horrocks Engineering was awarded the winning bid by UDOT. It was reported that the bridge over the canal is being constructed by someone recommended by James Wingate.

Mr. Reid informed the Council that City Attorney, Vaughn Pickell, is on vacation with his family until August 15. Assistant City Attorney, Brittany Skinner, was filling in in his absence.

Mr. Reid reported that City Hall was delayed for over one month for the steel. The cross beams are now in place for the flooring on the first floor. They have started to join the beams together in anticipation of pouring the second floor. The pouring of the first floor was expected to occur by the end of September.

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Mr. Reid stated that every year the City hosts a golf tournament. This year it is at Talons Cove Golf Club in Saratoga Springs on August 27. The price is \$70 per person for 18 holes.

The Park-to-Park Project was mentioned. Mr. Reid explained that a trail is being built between the Rodeo grounds and 700 West to connect the trail between the City Park and the County Park. August 15 was the expected completion date.

It was reported that the four additional ADA ramps in Independence are being designed with no completion date.

Mr. Reid invited the Council Members to participate in the Parade, Old West Days, and the Rodeo. He expressed appreciation to the Council for their support. It was requested that magnetized signs be provided for Ty Nielsen's tractor and the Mayor's trailer.

James Wingate expressed thanks to Public Works Operations Manager, Blain Dietrich, on behalf of Blue Stakes for his assistance with a recent connection that saved the City a lot of money.

PLANNING SESSION

In response to a question raised by Boyd Preece, Mr. Reid stated that the Water Rate Study is underway and expected to be completed around the first week in September.

10. WORK SESSION – Regarding the Concept Plan for Day Ranch, Presenter, Dave Tolman, 1300 West 14600 South.

Mr. McCutchan reviewed the concept plan for Day Ranch. He stated that it is a complicated project due to location and the fact that there are three different property owners. The project is just over 123 acres in size and was identified on a map displayed. The site sits 20 to 30 feet lower than the land around it and is surrounded on the east, northeast, and south by the canal and on the west by the rail line. It was noted that the canal is not part of the Day Ranch property and is owned by the canal company. The crossing of the rail line is very important in terms of 1300 West.

Mr. McCutchan identified the property boundaries and stated that there are a variety of land uses on the original plan. The single-family detached lots that were originally designed at Independence are 35' x 7', which means they are unbuildable lots. They looked at different configurations and redid the MU Zone.

Mr. Tolman reported that there are four different property owners. To reach an agreement takes a lot of cooperation between the various parties. Everyone came at a different time and has their own concept of where they are going. What is proposed takes the existing land plan and attempts to make it work with the different property owners. They met with the different owners and had to agree to the different uses of the property. A four-party agreement will be entered into that will

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allow the school district to be located in the area. Changes and trades were proposed that would result in all residential development on the north end of the property.

Mr. Tolman stated that one of the biggest challenges was working with the school district and trying to figure out what can and cannot be done. They were given parameters that seemed to change consistently. A traffic study was conducted that looked at different alternatives and it was determined where the secondary access would be located. Funding issues were discussed along with road construction costs. It was noted that the proposed roads would connect to Porter Rockwell Boulevard. The topography of the site was described.

Mr. Reid observed that in Independence there are several parks with a lot of amenities but not many adult-sized sports fields. Mr. Tolman commented that one of the advantages of the elementary school is the parking that will be available. The school district would give the developer approximately \$650,000 to construct the road, which will then be dedicated to the City. The additional funds would be used to offset costs. He considered it to be a win-win situation for the City from a parks standpoint and to put in the road.

Mr. Reid recommended the City pay the cost of the culvert with EDA funds to provide jobs. He noted that the elementary school alone produced 118 jobs. He thought that the utilization of EDA funds would help generate jobs and be an appropriate use to cover the cost of the culvert, which was estimated at \$350,000. He pointed out that the culvert going north on Noell Nelson Drive was also funded through the EDA but the culvert between Westgate and this property was not. Because the need is great for the school, the jobs it generates, and the community use was believed to be a good use of EDA money.

Mr. Tolman calculated the percentage of parks that are necessary for the acreage, which was determined to be just over six acres. From a sizing standpoint it would be 3 ½ acres in addition to the trail system that runs all the way up and connects into the trail coming out of Westgate. They have also added an additional 12 ½ feet on each side for beautification. The possibility of an access point was also discussed where the trail could be utilized to connect to the Jordan Trail System. It would also serve as a regional detention basin and is bored underneath the railroad tracks. The improvements are currently underway and the costs were figured into the costs presented. It was noted that the proposed storm drain location is the closest to drain into the Jordan River.

Mr. Tolman explained that on the original IBI plan it was shown as a regional detention basin where water would be stored and moved across. They designed it and spoke with the power company about extending it beneath their easement, which they agreed to. In the end, the proposed location worked better due in part to its proximity to the Jordan River.

Mr. Tolman commented that a new parking ordinance was recently adopted. They looked at parking there and added more parking stalls than required by the ordinance. They proposed that there be no parking on any street. It was noted that homes will be backed up with none fronting the collector or driveways coming off of it. Trex fencing will run the length of the development. It was confirmed that both parks will provide detention.

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Mr. Reid commented on the gate from the school site and stated that the City owns 18 acres on the other side of the tracks. A gate could provide an access to the Jordan Parkway Trail. The northern trail portion would have to go up and over the tracks. It would definitely be gated from the school side so that children could access the tracks. Staff requested that it remain open because if it goes away they will never get it back. Site topography issues were discussed.

Mr. Reid commented on the proposed school site. It was noted that school properties are smaller than they used to be but the same sized schools are put on them. An elementary school used to be on 12 acres and is now on a 10-acre site. A middle school used to be on 26 acres and is now on a 24-acre site. As a result, the buildings feel very large for the sites they are on. Mr. Reid commented that the school district requested that the school be as far from the tracks as possible.

With regard to the timeline, Mr. Tolman stated that the elementary school is on the district's five-year plan. The road has to be completed for them by 2017 in order for construction to begin in 2018. The plan is to open the school in 2019. It was noted that that will depend on whether the bond passes.

Bruce Kartchner informed the Council that if this is something they want to do, they should let staff know because it will require that they hold some of the impact fees in certain areas in reserve to be sure they are cash flowing it and able to accommodate it. Mr. Reid stated that they may also need to make a bond from the EDA fund to front a portion of the road project.

11. 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 closed session 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. James Wingate seconded the motion. The motion passed with the unanimous consent of the Council.

The Council was in closed session from 9:10 p.m. to 9:25 p.m.

12. Consideration and Vote on a Resolution of the Bluffdale City Council Authorizing the Execution of a Settlement Agreement with Newman Construction, Staff Presenter, Brittany Skinner.

Assistant City Attorney, Brittany Skinner, highlighted the proposed Settlement Agreement signed by William Jeff Newman and Newman Construction, Inc. to acquire part of the roadway for the City to construct Noell Nelson Drive and to acquire the needed property. William Jeff Newman

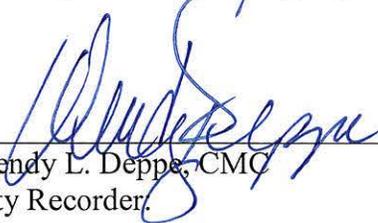
**BLUFFDALE CITY COUNCIL
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and Newman Construction, Inc. will sell to the City three fee simple parcels needed along Noell Nelson Drive. The City will provide compensation of \$100,000 for them. The slope easement will become a permanent easement. A temporary construction easement will allow 10 feet for the right-of-way for the road construction, which will terminate upon completion of the road. The City will dismiss eminent domain litigation. Newman Construction will not get reimbursement of any of their claims to the City.

Ty Nielsen moved to approve a resolution of the Bluffdale City Council authorizing the execution of a Settlement Agreement with Newman Construction. 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.

13. Adjournment.

The City Council Meeting adjourned at 9:28 p.m.



Wendy L. Deppa, CMC
City Recorder.



Approved: August 24, 2016

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, July 27, 2016**

Present: Mayor Derk Timothy
Alan Jackson
Ty Nielsen
Boyd Preece
Justin Westwood
James Wingate

Staff: Mark Reid, City Manager
Brittany Skinner, Assistant City Attorney
Grant Crowell, City Planner/Economic Development Director
Michael Fazio, City Engineer
Bruce Kartchner, Finance Director
Blain Dietrich, Public Works Operations Manager
Wendy Deppe, City Recorder

At approximately 9:10 p.m. Mayor Derk Timothy called the meeting to order.

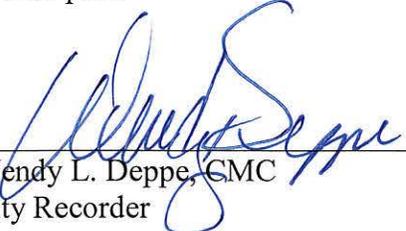
Motion: Ty Nielsen moved to go into closed session pursuant to Utah Code §52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct.

Second: James Wingate seconded the motion.

Vote on Motion: The motion passed with the unanimous consent of the Council.

The Council discussed closed session items.

The City Council returned to the City Council chambers to resume the open portion of the meeting at 9:25 p.m.



Wendy L. Deppe, GMC
City Recorder



Approved: August 24, 2016