



**BLUFFDALE CITY COUNCIL AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING AGENDA
Wednesday, September 14, 2016**

Notice is hereby given that the Bluffdale City Council and the Bluffdale Redevelopment Agency Board will hold a combined meeting Wednesday, September 14, 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. City Council Photograph by Wayman Studio.
2. Roll Call, Invocation, Pledge of Allegiance*
3. **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).
4. **CONSENT AGENDA** –
 - 4.1 Approval of the August 24, 2016 meeting minutes.
 - 4.2 Preliminary acceptance of Iron Horse Plat C Subdivision, and beginning the warranty period.
 - 4.3 Acceptance of Palisade Acres Subdivision, ending the warranty period.
 - 4.4 Acceptance of Deer Orchard Cove, ending the warranty period.
5. Presentation and discussion regarding the level of Police Service/Coverage in the City, staff presenter, Police Chief Burton.
6. **PUBLIC HEARING** – Consideration and vote on an Amendment to the Zoning Map from Heavy Commercial (HC) to General Commercial (GC-1) for 4.66 acres shown as Plat J, located at approximately 15200 South Pony Express Road, 4 Independence, LLC, applicant, staff presenter, Jennifer Robison.
7. Consideration and vote on a Resolution authorizing execution of an Amended Development Agreement with Simple Products Corporation, including an amended Project Plan, staff presenters, Grant Crowell and Vaughn Pickell.
8. Consideration and vote on a Preliminary and Final Subdivision Plat Applications for The Highlands Phase 2 for 5.11 acres to create four (4) residential lots located in the R-1-43 Residential (1 acre) Zone at approximately 14132 South 1850 West, Skye Phase V, applicant, staff presenter, Jennifer Robison.
9. Consideration and vote on a Resolution of the Bluffdale City Council authorizing the City Manager to enter into agreements awarding a contract for General Services, ADA Ramps and Various Concrete Flatwork, and establishing a Maximum Expenditure for FY 2016-2017, staff presenter, Dan Tracer.

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA** –
 - 2.1 Approval of the June 08, 2016 meeting minutes.
 - 2.2 Approval of the June 22, 2016 meeting minutes.
3. Consideration and vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing a Transfer from the Eastern Bluffdale EDA Fund and the Jordan Narrows EDA Fund to the Bluffdale City Park Impact Fees Fund, staff presenter, Bruce Kartchner.
4. Consideration and vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing Use of the Housing Allocation for Construction of a Public Park and an Accompanying Secondary Water Pump Station, Finding that Those Improvements Constitute Infrastructure Improvements Related to Housing in a Project Area where Blight Has Been Found to Exist, staff presenter, Bruce Kartchner.
5. Consideration and vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing Reimbursement to the City of Bluffdale Funds for the Construction of Noell Nelson Drive, staff presenter, Bruce Kartchner.
6. Adjournment

CONTINUATION OF BUSINESS MEETING

10. Mayor's Report
11. City Manager's Report and Discussion

PLANNING SESSION

7. 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.
8. 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).
9. Adjournment

Dated this 9th day of September, 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
Ty Nielsen
Boyd Preece
Justin Westwood
James Wingate

Staff: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Grant Crowell, City Planner/Economic Development Director
Jennifer Robison, Senior City Planner
Caitlyn Miller, Associate City Planner
Dan Tracer, Assistant City Engineer
Bruce Kartchner, Finance Director
Blain Dietrich, Public Works Operations Manager
Andrew Burton, Police Chief
Wendy Deppe, City Recorder

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING

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

1. City Council Photograph by Wayman Studio.

Photos of the City Council were taken prior to commencement of the public meeting.

2. Roll Call, Invocation, Pledge of Allegiance.

All Members of the City Council were present.

Pete Larkin offered the invocation. Ulises Flynn led the Pledge of Allegiance.

3. PUBLIC FORUM.

Ulises Flynn gave his address as 15195 South Skyfall Drive and asked the City Council to amend the ordinance for fencing between Commercial and Residential. Currently the minimum height is six feet. He recommended it be changed to eight feet and liked the precedent set between Smith's and the neighboring subdivision. City Manager, Mark Reid, stated that eight feet is already the standard but Smith's is 10 feet. City Planner/Economic Development Director, Grant Crowell, clarified that the maximum for residential is eight feet and commercial is six feet.

Brant Snow gave his address as 14212 Stone Fly Drive and asked for the Council's assistance getting support from UDOT with respect to sound barriers. UDOT does their research at the beginning of each year. Mr. Snow hoped to get on their agenda prior to next year. Mayor

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Timothy referred Mr. Snow to UDOT's Region 2 Director, Brian Adams, and stated that he would be the best contact.

Ryan Rasband gave his address as 1575 West Iron Horse Boulevard and stated that the backyard of his newly constructed home overlooks the Jordan River Parkway Trail. He feels it is his duty and responsibility as a resident to share with the Council what he has observed on the trail. He has witnessed hunting and shooting near the trail and motor vehicles being driven there. It was his understanding that Bluffdale City allows shooting in designated areas. His concern was that the area is not clearly identified on signs or a shooting map so hunters are hunting outside the designated area, which puts homes and families at risk.

Mr. Rasband was also concerned about children playing on the trail and being hit by vehicles on the Jordan River Parkway Trail. The trail is clearly marked yet no citations have been issued. His understanding was that there is continued debate about whether to allow hunting in Bluffdale. Mr. Rasband stated that earlier in the evening two shots were fired over his home. A few days earlier he observed two four-wheelers going 30 mph that nearly hit a small child on a bicycle on the trail. He stated that he has video evidence that he was willing to share and there were witnesses. He indicated that no trespassing signs are also being vandalized. Hunters intimidate those using the Jordan River Parkway Trail and litter the area with spent shot gun shells.

Mayor Timothy stated that the hunting issue has not been discussed for two years. There was adequate support among the Council to put it on a future City Council agenda. Mr. Rasband stated that currently there is nothing prohibiting driving on the trail. City Attorney, Vaughn Pickell, agreed to look into the matter further.

Mr. Crowell introduced the City's New Associate Planner, Caitlyn Miller

4. CONSENT AGENDA -

4.1 Approval of the August 24, 2016 Meeting Minutes.

4.2 Preliminary Acceptance of Iron Horse Plat C Subdivision, and Beginning the Warranty Period.

4.3 Acceptance of Palisade Acres Subdivision, Ending the Warranty Period.

4.4. Acceptance of Deer Orchard Cove, Ending the Warranty Period.

Justin Westwood moved to approve the Consent Agenda. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.

5. Presentation and Discussion Regarding the Level of Police Service/Coverage in the City, Staff Presenter, Police Chief Burton.

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Police Chief, Andrew Burton, presented the Workload Study and described the Department's staffing needs. He reported that they conducted an analysis to help them understand the level of law enforcement services. Chief Burton stated that he puts officer safety as the first consideration. Some calls require two and sometimes more than two officers. There is liability if enough manpower is not provided. Response times were described as seven minutes or less for Priority 1 calls. The ratio of officers based on population was discussed. Chief Burton's experience was that 1 officer per 1,000 in Utah is about right. Bluffdale is at .6 and Saratoga Springs is at .84 officers per 1,000 residents.

With regard to the patrol officers' time, he referred to the call numbers. He noted that calls are not all that an officer has to do and can take an entire shift to complete. In addition, an officer may have to attend trainings, meetings, or perform vehicle maintenance. Unobligated time involves being proactive and patrolling neighborhoods, monitoring school zone speeds, giving presentations, etc.

Calls for service were next discussed. Chief Burton stated that there is a projection for a slight increase each year. In 2016, they are seeing an increase in calls for service. They also have incidents and first reports. This year they have seen a 30% increase in incidents with 3,325 that require a first report and others that necessitate additional investigation. Chief Burton reported that in 2016, response times for Priority 1 calls were 8:47. In 2015, one patrol officer was added which resulted in a 13% decrease in the number of calls per officer. Currently there is a 17% increase in calls for service per officer per year. The same analysis was conducted for first reports, which are 608 per officer per year.

Mayor Timothy stressed the importance of getting to a level of officers where they are doing more patrolling and enforcing the speed limits in the City. He noted that at the most recent Meet the Mayor Meeting, every person that was present brought up the issue of speeding. Chief Burton stated that if two officers were added and they did not have calls, they could specifically be assigned to be project officers and perform speed enforcement in school zones.

With regard to investigations, Chief Burton stated that they are projecting a large increase in the number of cases assigned and completed. He suggested that the ideal staffing would be two full-time detectives. Ideally there would be two patrol officers and one investigator. Chief Burton reported that in terms of Part 1 crimes they have done fairly well and have only a slight increase.

The Mayor invited members of the public to ask questions. With regard to safety, Chief Burton stated that both Saratoga Springs and Bluffdale are both very safe comparatively speaking. In addition, the police force enjoys great support from the citizens. In response to a question raised, Chief Burton stated that for 23 years he worked for the Unified Police Department and spent eight years working for Summit County as a Canyon Detective. He also worked in Salt Lake where he was assigned to Gang Enforcement for 11 years.

A citizen indicated that she is the mother of an autistic child and asked Chief Burton how he would deal with someone with autism. Chief Burton indicated that officers are not trained psychologists but they are receiving more training on how to deal with various types of

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disabilities. He noted that officers are sensitive to cases of that nature and deal with them on occasion.

The issue of speeding in the light industrial area was next addressed. Mayor Timothy stated that the speed limit sign issue should be handled by the City Engineer. Mr. Reid stated that the speed limit is 35 mph along Heritage Crest Way from 14600 South to the entrance to Independence, where it changes to 25 mph.

6. PUBLIC HEARING – Consideration and Vote on an Amendment to the Zoning Map from Heavy Commercial (HC) to General Commercial (GC-1) for 4.66 Acres Shown as Plat J, Located at Approximately 15200 South Pony Express Road, 4 Independence, LLC, Applicant, Staff Presenter, Jennifer Robison.

The above matter was removed from the agenda at the request of the applicant.

Justin Westwood moved to remove the above item from the agenda. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.

7. Consideration and Vote on a Resolution Authorizing Execution of an Amended Development Agreement with Simple Projects Corporation, Including an Amended Project Plan, Staff Presenters, Grant Crowell and Vaughn Pickell.

Mr. Crowell presented the staff report and gave a history of the property. He reported that the original Independence boundary was amended in 2014. New owners purchased the property and are now interested in modifying some of the terms of the Land Use Agreement, which is a project plan that is an exhibit to the Development Agreement contract. In 2014, commercial was developed on the east side and Porter Rockwell Boulevard was to curve toward the freeway. It had since been determined that it will be curving so they plan to move forward with the plans for a straight through or a T-intersection depending on what happens to the north.

The applicants asked for consideration of a new project plan to add warehousing and light industrial land uses as approved uses on the property. Doing so will require an amendment to the Project Plan, which is an amendment to the Development Agreement. If the land use approval moves forward, the new Project Plan will guide the technical review of the final site plan and they will work with staff to move forward. Mr. Crowell stated that the issue is whether additional uses such as warehousing and light industrial uses that are referenced in the mixed-use zoning ordinance including additional building size from 50,000 to 60,000, should be modified and approved.

Mr. Crowell stated that the Planning Commission reviewed the request and forwarded a positive recommendation to the City Council. Mayor Timothy noted that it passed with a 3-to-2 vote. Mr. Crowell described the process and stated that a public hearing is not required.

The applicant, Scott Carlson, stated that they need to consolidate their businesses into one location. Currently, they are scattered throughout the Valley, which has become cumbersome.

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They want to locate in Bluffdale City. In addition, their project will provide employment opportunities in Bluffdale. Mr. Carlson stated that they are prepared to move forward within 18 months.

Jim Dunn reported that he is a Bluffdale resident and gave his address as 14064 Pheasant Hollow Lane. He gave the Council a historical perspective and stated that in 1999 he served on the City Council and proposed with Mayor Noell Nelson and other Members of the Council the rezone of the corner of Bangerter and Redwood Road as commercial and to create an RDA. The meetings were well attended and the public hearing was held at the elementary school. There was so much anger and vilification that law enforcement was present at the meeting to prevent violence. At the time, everyone in Bluffdale wanted one-acre lots and no commercial not understanding that the City's three largest sources of revenue were building permits, property taxes, and sales taxes generated by the Maverik. The City could no longer function with that kind of revenue. The corner was approved and 17 years later it is still undeveloped.

Mr. Dunn stated that the Council has a very difficult job, which is to balance the competing interests of private property owners and current residents. He explained that the developer wants to be a good neighbor and will operate his business here. Mr. Dunn stated that his bias is that he represents the developer and drafted the Development Agreement. As a 23-year Bluffdale resident, his interests are similar to those present. He wants to preserve the quality of life that many moved to the area to obtain.

Mr. Dunn reported that when they appeared before the Planning Commission there was concern that because the property is zoned Light Industrial there would be manufacturing there. Light Industrial allows several uses that the Commercial zone does not. First, what is not allowed is any type of auto glass repair, auto parts sales, bicycle parts/sales/service, laundry and dry cleaning, furniture stores, hardware stores, office buildings, retail sales, aquariums, and small animal veterinary clinics. The Commercial zone allows automobile sales and services, banks, car washes, convenience stores, drive-thru facilities, gas stations, and restaurants.

Jason Hagblom from Newmark Grubb Acres Commercial Real Estate spoke about the type of tenants that would be interested in locating to a project like this. When they began, many of those they were speaking to wanted big box retail. In their research they found that they are five to 10 years from a big box retailer coming to a location like the one proposed, especially with the Smith's store being announced. The applicants decided that the highest and best use of the property was to have Simple Projects occupy the northeast corner and have the northwest corner occupied by more traditional retail tenants. They have reached out and spoken to many major franchises who have expressed early interest. The southeast building will be office, wellness, dentists, etc. and the southwest building will eventually be phased into more retail but will begin as ecommerce type companies with a retail store front and a back end warehouse.

Mayor Timothy opened the meeting to public comment.

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Ulises Flynn gave his address 15195 South Skyfall Drive and felt that the City would be selling out by accepting the proposal. He commented that once the prison relocates, the area will be prime real estate. He thought that perhaps holding out a bit longer might be beneficial.

Stacy Leavitt gave her address as 14759 Lewski Lane and stated that they are directly across the street from the proposed development. When they purchased their home they did so with the understanding that the property would be retail space and not Light Industrial. They wanted a place where they could walk to shops. There are a few acres of Light Industrial behind them where there is plenty of space for Simple Products. Mrs. Leavitt did not support what is proposed across the street and was concerned about her property values.

Anthony Castro gave his address as 15189 South Inverlieth Cove, and considered the argument about what happened 17 years ago to be invalid. He thought the pictures were great but unrealistic. In the end, the developer is looking for people to pay their mortgage. Mr. Castro stated that although he lives in Bluffdale he goes to other cities to shop. He preferred to do things in Bluffdale and the proposal does not help that become a reality. He pointed out that this is a prime location and sets the tone for the entire community. He thought there were better options and suggested the City hold out for something better.

Pete Larkin gave his address as 15189 South Liberty Bell Drive and commented that there are two main entries into the community and one is already Light Industrial. Having another entry way full of industrial immediately creates a perception.

Alan Jackson asked Mr. Crowell to display the list of currently permitted uses.

Derek Brown gave his address as 15109 South Peace Drive and did not recommend the Council approve the amendment. The owner purchased the property as-is and at some point the Independence residents will represent at least one-half of Bluffdale's population.

Sean Leavitt gave his address as 14759 Lewski Lane and was not in favor the proposal. He stated that when they purchased their home they were told that the area was zoned for retail. They were not able to change the zoning once they purchased their property and he did not think it was right for the applicants to do so either. Mr. Leavitt was also concerned about the potential for large trucks to come through the neighborhood.

Raymond Stratford gave his address as 15984 South Peace Drive and addressed the placement of the freeway, which he considered to be a benefit.

Justin McTee gave his address as 14735 South Nob Lane and stated that he and his wife have two boys aged 9 and 4 months. They moved to Bluffdale because they want to live in a neighborhood where their nine-year-old can ride his bike. He stated that there was no talk of what the traffic impact will be or how many semi-trucks might be coming through on a daily basis. If it is truly industrial, he stated that there will be shipping and receiving taking place. Mr. McTee saw no reason for the applicant to try to sell the Council on what they want to do. He asked the Council to consider whether they would like this kind of use near them.

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Christopher Moore gave his address as 14722 Nob Lane and commented that Bluffdale is a wonderful place to live and he wanted it to stay that way. He did not believe that what is proposed is in the best interest of the City.

David Prince gave his address as 15065 South Pledge Drive and added economical points that had not been made. He has witnessed these kinds of things in the past and was previously involved in real estate in the Uintah Basin where he saw several instances involving the switching of zoning and property planning taking place. He understands and respects property rights but stated that a better strategic option for the applicants would have been to enter into an option before purchasing the property to see if they could attain the desired zoning approval. Mr. Prince stated that Heavy Commercial will provide the retail tax base the City needs. He agreed that once the prison moves, the property will be ideal prime property.

Hannah Jones gave her address as 15181 South Sabre Place and stated that she would prefer what is proposed to a warehouse because it will be well maintained and quiet.

Michelle Harris gave her address as 14787 Rising Star Way, which is across the street from the subject property. About six months ago a group of neighbors contacted their developer to change the fencing from Trex to vinyl. The neighbors approached the City Council who required them to adhere to their original agreement. Ms. Harris remarked that the developer also signed an agreement and knew how the property was zoned. She thought they should also adhere to the original agreement.

Mr. Dunn commented that a great deal of bias had been shown tonight. He explained that by allowing mixed-use zoning they do not eliminate commercial. The property can be used for residential or light industrial if the change is made to the Development Agreement. Mr. Dunn explained that the market will control what happens on the property. If the Development Agreement is modified to allow mixed use, it will expand the number of businesses and the types of uses that will be allowed. Currently it is limited.

Mayor Timothy commented that Brian Christensen who is the CEO of Simple Products approached the City Council during a work session and asked about the possibility of his project being allowed before he purchased the property. Since then many homes have been built and the market has changed. At the time, the City Council agreed to consider the request. He stressed that Simple Products did not purchase the property without performing their due diligence. Prior to July 7, he reminded the City Council that retail was preferred and he has been very supportive of the proposed project. In an email he received from Mr. Christensen, there was mention of his agent beginning to put a "Plan B" together to hold on to on the property and build elsewhere due the timing and complexity of the process. After receiving the letter, the Mayor retracted his support.

Boyd Preece stated that at the time the request was originally made, relocation of the prison was not an issue and was not taken into account. Porter Rockwell was put in to capture the traffic. One of the benefits that will result from the traffic is having these types of services. Council

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Member Preece indicated that there are studies that show that Bluffdale could support some of the retail uses described. He recommended the Council stick with the plan that is in place for the sake of economic growth. He wanted to have Simple Products in the City but did not consider this to be the right location. He was passionate about the issue after growing up in Pleasant Grove where citizens pushed out retail for a long time. In the process, the roads fell into disrepair and utility costs increased annually. He did not want to see the same thing happen in Bluffdale. He commented that retail in the proposed location will increase property values and sales taxes. He felt there were numerous advantages to waiting. Mayor Timothy clarified that even the current agreement as written does not guarantee retail.

Alan Jackson stated that although he is opposed to the request as it is currently, Simple Products could build their facility today. He recommended that the City dictate that the front parcels only be allowed to include uses that the neighborhood supports. He suggested that the City be involved in deciding what is out front. Council Member Jackson wanted to see the front portion developed as retail. He suggested there be more discussion in an effort to meet the desires of both the applicant and the residents. Until that happens, he would be opposed to the request.

James Wingate asked Mr. Reid about sales tax revenue and what the Maverik generates compared to the industrial businesses along 14600 South. Mr. Reid reported that in comparing two buildings of similar value, property tax generates about 1% per year of the value that comes to the City. In terms of retail sales tax, the City receives ½ of 1% of the products sold at a retail establishment. He did not have the figures for the Maverik but stated that Smith's Marketplace expect sales of \$1 million per month, which results in \$5,000 per week to the City. Sales tax would not be generated by Simple Products because products are not sold directly to customers. He noted that restaurants also generate additional sales tax.

Ty Nielsen felt strongly about property rights but did not think this was the right location for Simple Products.

Alan Jackson commented that he has had the opportunity to meet with the leadership of Simple Products and they are a company he wants in Bluffdale. He felt there was a way to bring the two needs and desires together and find something that will work for both sides. He preferred to see retail along the entire frontage. He liked the ideas submitted and recommended the City be involved in determining what is allowed there and what is not.

Mr. Pickell clarified that an agreement was drafted that adopts the project plan. He remarked that the uses can be negotiated.

Justin Westwood had observed the process since the beginning and had found the applicants to be very upfront. He stated that at one point the City spoke to a group who proposed uses such as a hotel and grocery store. He personally liked the idea of a hotel near the freeway to help generate sales taxes, however, that idea never came to fruition. He thought Mr. Dunn's comment about Redwood and Bangerter was valid and stated they have been waiting for a long time. He hoped to see retail develop. His understanding was that there are no signed contracts in place with Simple Products but they are putting forth their best effort. Council Member Westwood would consider

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the comments made tonight as well as the agreement. He hoped to find something that will work for Simple Products and the community.

James Wingate appreciated the integrity of Simple Products and suggested tabling the item while alternatives can be worked out to allow Simple Products to have the warehouse space and fill the front space with retail. He would support forcing the project to be what the citizens consider retail. Simple Products could then make the decision about risk. He preferred to wait to ensure that the desired uses are out front.

Pete Larkin asked if there was an intent on the part of Simple Products as their company grows and expands to lease to other companies to grow their business into the other units. Mayor Timothy felt that as the demand for retail increases, the applicants will move out of the properties. He commented that retail property is worth more than warehouse and that the front properties are not ideal for retail businesses.

Kimberly Hansen Ennis gave her address as 14757 South Lewski Lane. She has moved more than 20 times in her life and Bluffdale is the classiest and most beautiful place she has ever lived. When thinking about the best places for commercial around the Valley, none include a warehouse. She wanted to see Simple Products locate in Bluffdale, just not in the proposed location.

The Mayor thought it would be desirable for the Simple Products building to be in the back corner. He expected there to be retail demand on the corner in the future. He commented that what could potentially be allowed could be worse than what is proposed.

Justin Westwood moved to table agenda item number seven for two months or sooner to allow further discussion and negotiate with Simple Products to see if they can do what is best for them and the community. Ty Nielsen 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.

Mayor Timothy explained that the City has worked very hard to get a light at the trestle to help alleviate traffic. An officer directed traffic there one morning, with the goal being to determine whether a light would work there. The Mayor explained that legally a light cannot yet be placed on the trestle, however, they have gone out to bid for a traffic light that makes the direction of the traffic the priority. The result is a faster and better traffic flow. It will also include a height sensor to warn trucks and give them time to turn around.

With regard to 1000 West (Noell Nelson Drive), they currently cannot connect the roundabout because they do not have that jurisdiction. The following Friday they plan to meet with the Transportation Commission and propose an agreement between UDOT and Bluffdale pertaining to a jurisdictional transfer. UDOT will be given Porter Rockwell Boulevard and the City will take 14600 South. Over the last seven years, Bluffdale City has worked diligently to obtain Corridor Preservation Funds to purchase the right-of-way for Porter Rockwell Boulevard. In about 1 ½ months the City will own the entire right-of-way from 14600 South to Redwood Road. The City's

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problem is that they cannot afford a \$50 million bridge. Mayor Timothy explained that they will not be able to accomplish their goal without it being a state road.

Bids were to be opened on Monday and the following Wednesday a Special City Council Meeting was scheduled to award the contract and move forward to improve the road. The light was expected to take until the end of the year to install at a cost of \$250,000.

James Wingate had heard talk of compromise and complaining and invited the citizens to offer up their ideas.

Mayor Timothy reported that Smith's is hopefully still coming but they have postponed the next step until February, which is in their next accounting year.

8. Consideration and Vote on a Preliminary and Final Subdivision Plat Application for The Highlands Phase 2 for 5.11 Acres to Create Four (4) Residential Lots Located in the R-1-43 Residential (1 Acre) Zone at Approximately 14132 South 1850 West, Skye Phase V, Applicant, Staff Presenter, Jennifer Robison.

Senior City Planner, Jennifer Robison, presented the staff report and stated that above matter was reviewed by the Planning Commission who forwarded a recommendation to the City Council. She reported that about two years ago the City Council and staff began a discussion about how to develop unique properties in the City. The Council was approached by several property owners about how they could get access and develop their properties. The Council looked at various situations and adopted an ordinance in February 2015 to allow development of pre-existing private rights-of-way with access to a public street. In doing so, the applicant, Ken Milne, who has developed other properties in the City, came forward with a unique property that he owns.

The location of the property was identified on a map displayed. Mrs. Robison indicated that the ordinance allows for private rights-of-way to be determined by the Fire Chief who does not impose requirements on how wide the private right-of-way should be. In this situation, the Fire Chief recommended that the width of the right-of-way be 20 feet and asphalted. There is another provision in the ordinance that allows for a deviation of strict compliance relating to other requirements such as the length of the cul-de-sac, which is typically 1,000 feet. Mrs. Robison reported that it is approximately 1,500 feet to the opening of the project. There is also a restriction that dead end streets have a maximum of 30 lots. The applicant in this case is well under that.

One of the other considerations was not to install curb, gutter, and sidewalk. As a result, Mr. Milne was not proposing curb, gutter, or sidewalk on the 20-foot asphalt access. There will, however, be some sidewalk into the cul-de-sac, which meets all of the requirements. Mrs. Robison stated that the Planning Commission recommended approval with a 3-to-2 vote.

The applicant, Ken Milne, gave his address 13037 South Galloway Cove in Riverton. He indicated that their goal is to maintain the one-acre lot, which has been accomplished. The residents want it to remain private as well. With regard to storm drainage, near the entrance to the subdivision and along 14200 South, an eight-inch line will be installed to collect storm drainage.

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Mayor Timothy opened the meeting to public comment.

Ulises Flynn stated that to have an asphalted lane of this size that benefits the other property owners can become a problem. Currently, the four property owners are responsible for maintaining the road, which is also shared by other property owners. He questioned whether they need a pavalable road and asked if they could instead just pave the section in front of the four properties.

Mayor Timothy stated that the argument has been going on for the past 10 years and it took a long time to reach an agreement. He confirmed that they do have to pave the entire road. Mr. Flynn recommended it be a City road.

Rich Pemberton gave his address as 15053 South 2990 West and expressed concern if all of the neighbors on the street are relying on four people to take care of it and they do not. Mayor Timothy stated that if that happens they would have a road like the gravel road and unhappy neighbors. Mr. Pemberton did not think the City Council had enough information at this point. In surveying the property his understanding was that no one really knows where the lane is. By surveying it from Redwood Road you come up with a lane being in one place and another location when surveying it from 2200 West. He noted that there is at least an eight-foot difference. If that is the case, Mr. Pemberton questioned which one would be used.

Mayor Timothy stated that it would likely be a civil matter between the landowners. Mr. Pemberton suggested that the matter be addressed before a decision is made so that all of the homeowners on the lane are in agreement. The Mayor stated that the fact that there is a disagreement as to who owns what is an issue for the landowners to resolve. Mr. Pickell explained that the City Council's job is to review the subdivision application for compliance with the ordinance. Staff's job was to help accomplish that. The ordinance requires the plat be drawn by a professional land surveyor. Mr. Pemberton clarified that he is not for or against the proposal but simply feels that more information is needed.

George Pemberton gave his address as 14016 South 1850 West. He asked if it was possible for the survey stakes to be placed where the lane is proposed to be located for the benefit of the current property owners. Mayor Timothy stated that that would be a question for the developer. He explained that the City's approval will not be dependent on disputes over where the road is and will be based on the certified plat. Mr. Pemberton stated that they have 18 inches of property they are paying taxes on that runs from the end of the lane to the corner, which impacts them and their property ownership. Mr. Pemberton did not know if his 18 inches was part of the 20 feet owned by Mr. Milne.

Kristin Streeter gave her address as 14104 South 1850 West. She stated that when Mr. Milne purchased the property he knew that it could not be subdivided and that would require curb and gutter. She stated that it is also only supposed to be 1,000 feet to the subdivision and it is nearly 1,500. Ms. Streeter commented that the property violates many of the City's ordinances. If Mr. Milne plans to pave the road, she suggested it be done right with curb and gutter. She stated

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that Mr. Milne does not live in Bluffdale and simply wants to develop his property. Once the road is in need of maintenance, Mr. Milne will be out of the picture. Ms. Streeter recommended the Council look to the citizens of Bluffdale and not the developer and abide by their wishes.

Lee Dzierzanowski gave his address as 1879 West 14200 South. He was not opposed to Mr. Milne being allowed to develop his property but took exception to the way the road is being constructed. He comes from a family of road builders and was very familiar with the types of roads that can be built. The absence of curb and gutter only leads to immediate problems with maintenance. Mr. Dzierzanowski also recommended there be an enforcement mechanism for maintenance of the road. He urged the Council to require Mr. Milne to also install curb and gutter.

Ken Groves gave his address as 14021 South 2055 West and stated that his friend, Mike Phillips, asked him to voice his concerns about ownership of the lane going north off of 14200 South. Mr. Groves was concerned about the 20-foot strip of road since he uses it occasionally to access the lower portion of his property. He recommended the project be done right. He stated that he moved from South Jordan about eight years ago after living there for 28 years because he liked the values Bluffdale offers.

Barry Pilcher gave his address as 1821 West 14200 South and wanted to see the lane asphalted to help reduce dust and increase the value of their property. In his business he works with HOAs and knows how they operate. He stated that they can be very unpredictable. He did not expect an HOA to take care of the lane for a long period of time.

Jim McDuff gave his address as 1822 West 14200 South and commented that there is not 20 feet between the field fence and the ditch. The entire base of the ditch is needed to support the water that comes in. His understanding was that Mr. Milne plans to cut into the ditch to get his 20 feet.

Jamie Roller gave her address as 14109 South 2055 West and was concerned that the way the four houses are positioned, the homes will most likely be at the back of the property. If that is the case and if they are very large homes, they will not be interested in livestock or animals, which nearly all of the surrounding homeowners are.

There were no further public comments. Mayor Timothy closed the public hearing.

Boyd Preece recused himself from the discussion and vote on the matter due to a conflict of interest. He reported that he worked with the applicant prior to being elected to the City Council.

James Wingate recommended Mr. Milne place the asphalt only on the portion that he owns. Mayor Timothy stated that the City Engineer is allowing Mr. Milne to fill in the ditch and maintain usability of it. He noted that he would not be prevented from piping it. He explained that it will have to be done legally and approved by the City Engineer per approved drawings. Mayor Timothy did not comment on the legal aspect of paving or not paving but stated that it is Mr. Milne and the residents' choice. The question was whether it is something the City Council wants.

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The Mayor asked Mr. Pickell for clarification regarding corrals. Mr. Pickell explained that if there is an existing corral and someone on a neighboring lot builds a house, it becomes a non-conforming situation. If the corral is moved to be at least 75 feet from the structure, that distance would have to be maintained.

Alan Jackson felt there was a high likelihood that four homeowners will not be able to maintain an asphalt road. Mr. Pickell reported that the ordinance requires it to be paved. With regard to curb and gutter, Mayor Timothy stated that they specifically reviewed what was going to be required up to and in the subdivision. Curb and gutter was specifically left out up to the subdivision, which would be a private lane. The entire lane would be owned by the property owners who would have to agree to pave it.

The possibility of all of the homeowners pitching and completing the entire road to City width was discussed. The Mayor stated that cost would be an issue. If the road were built to City standards the City would require a width of 50 to 52 feet.

Ty Nielsen shared his personal experience growing up on an unpaved road and empathized with the neighbors.

Jennifer Robison reiterated that the deviation from the ordinance is the length of the lane being increased from 1,000 feet to 1,500 feet.

Mayor Timothy stated that there have been issues with private lanes in the City and in many cases the residents have asked the City to take the lanes and pave them. He stressed that the City will not do that. Legal issues were discussed. The Mayor's understanding was that if a lane is owned by the residents, it is their choice to pave or not. He explained that if he only wanted to pave his right-of-way and not worry about the houses at the other end, he could pave the road. Legal issues were discussed. The Mayor explained that if Mr. Milne does not have the entire 20-foot right-of-way he would have to acquire it in order to proceed.

Barry Pilcher commented that as a general contractor he likes the idea of the asphalt but he did not want the HOA to dictate the private lane.

Mr. Crowell explained that in previous years it did not seem like there was momentum for a public street on 14200 South between 2200 West and Redwood Road. It also did not seem to be the intent to have a public street to the north. That left the property owners in a situation where if they wanted to develop in the future they would all exceed the 1,000-foot limit. For that reason, the deviation from strict compliance section was added to the ordinance. It allowed the Council to look at unique geographical situations and use the Fire Code and safety as a basis to ensure that a safe situation is being created. Mr. Reid stated that 1,000 feet was an arbitrary number.

Mayor Timothy clarified that seven years ago 14200 South was shown on the Master Transportation Plan from Redwood Road to 2200 West to go all the way through. They were not, however, collecting impact fees. The only way that would have been done is if it was for public use. After speaking to the residents of 14200 South, it was determined that they overwhelmingly

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did not want a road to go all the way through. As a result, it was taken off the map. Because of the way the City has been developed over the years, it is difficult for the City to force a road to go through. Doing so, however, would make the property developable. The Mayor was in favor of the proposal because it results in a paved road.

Justin Westwood moved to approve a preliminary and final subdivision plat for the Highland Phase 2 Subdivision for 5.11 acres to create four residential lots located in the R-1-1-43 residential zone at approximately 145132 South 1850 West, Skye Phase V, as presented. Ty Nielsen seconded the motion.

James Wingate commented that it is important to allow in terms of dealing with future property owners with unique lots. He remarked that the 1,000-foot rule could become a problem in the future.

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

9. Consideration and Vote on a Resolution of the Bluffdale City Council Authorizing the City Manager to Enter into Agreements Awarding a Contract for General Services, ADA Ramps and Various Concrete Flatwork, and Establishing a Maximum Expenditure for FY 2016-2017, Staff Presenter, Dan Tracer.

Assistant City Engineer, Dan Tracer, reported that the City has a need for various concrete and flatwork repair through the City. Council Member Preece mentioned the need for ADA ramps in Independence. There are also minor projects throughout the City that are needed such as curb and gutter in some areas and broken sidewalks in others. They submitted a request for bids from contractors and asked for units cost pricing. They asked to be provided for the cost to install one square foot of concrete sidewalk, one square foot of concrete repair, one ADA ramp pad, traffic control, and the price for each. Three bids were received with the lowest bidder being Quick Silver Concrete with a bid of \$508.75. This amount included the summation of the unit prices. It was noted that each contract will be larger than that because of quantity.

Mr. Tracer stated that the City has worked with Quick Silver in the past and they are currently installing concrete and sidewalk in Parry Farms. They have received good reports on the work being done there. Several of Quick Silver Concrete's references had been checked as well with very good results. Mr. Tracer stated that following this course will result in a cost savings since it will not be necessary to advertise each individual project. In this case, the contract will be set for one year and could be extended for up to two years with an amount of up to \$50,000. Mr. Tracer stated that the price submitted was very competitive.

Ty Nielsen moved to approve a resolution authorizing the City Manager to enter into an agreement awarding a contract for General Services, ADA Ramps, and various concrete flatwork, and establishing a maximum expenditure for FY 2016-2017, as presented. 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.

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The City Council next conducted the Bluffdale City Redevelopment Agency Board Meeting after which they continued the City Council Meeting.

10. Mayor's Report

Mayor Timothy reported that the previous night was the Volunteer Appreciation Dinner. The event includes multiple groups such as the Bluffdale Arts Advisory Board, the Miss Bluffdale Committee, the Rodeo Committee, the Old West Days Committee, the Board of Adjustment, and others who volunteer. The event was well attended and the Mayor considered it money well spent.

The Mayor stated that Friday, September 16, the Transportation Commission Meeting will be held in Farr West. At that meeting, the Commission will hopefully approve the proposed jurisdictional transfer between Porter Rockwell Boulevard and 14600 South. The Mayor had spoken to UDOT's Region 2 Director, Brian Adams, and informed him that he does not want to go through any more negotiation. He wants to sign a contract in order to install a light. Mr. Adams stated that if the Transportation Commission approves it, UDOT will immediately sign the documents.

The project will be put on Phase 1, which makes it eligible for Corridor Preservation. Through the Wasatch Front Regional Council, they will then go through Trans Fund (short-term funding) and RGC (long-term funding) to improve the road and widen the bridge. The intent was to widen the road between 800 West and Redwood Road. Even though widening the bridge is a big expense, the Mayor did not expect the City to be responsible for more than 20% of the cost.

It was reported that the Jordan Economic Summit is scheduled for Tuesday, September 20, 2016, at 8:00 a.m.

11. City Manager's Report and Discussion.

Mr. Reid updated the Council on City Hall and stated that they are framing and putting on the outside board. The stairs had also been poured. In the next week they will begin to sheetrock.

With respect to Parry Farms Park a great deal of excavation work had been done and they were out to bid on the concrete work for the basketball and pickle ball courts and the pavilion.

Mr. Reid indicated that a Special Meeting is scheduled for Wednesday, September 21. That night the agenda will include approval of the bid for the trestle light. The bid was to be opened Monday.

Mr. Reid reported that a required training for the Council on Emergency Preparedness is scheduled for the following Wednesday at 6:30 p.m. Justin Westwood stated that he would be unable to attend.

Mr. Reid indicated that he attended a special VECC Board Meeting where they approved \$6 million for the new CAD system. He needed to find out when they convert from Saratoga Springs

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Police Department to Bluffdale Police Department. He stated that the City may have to incur the conversion costs instead of being converted with everyone else. He would confirm the timing and cost and report back to the Council.

Mr. Reid reported that for the last few years they have been working on a Maintenance Agreement with the Utah Data Center. A meeting was scheduled for the following week that could make a substantial difference in the amount the City gets to pay off bonds and cover maintenance in the Water Department.

Mr. Reid indicated that a petition was started by residents of the Bluffs to have the emergency access opened to Loumis Parkway. Each time the access has been opened up there has been a major accident. He asked the City Engineer to look at a way to make it safer or come up with an alternate access. Mr. Reid stated that he has been approached by BYU to have an engineering class conduct a study for the City at no cost. He was in the process of arranging for the study.

Mr. Reid reported that Draper City engaged New Fire Chief, Clint Smith, who previously served as the Interim Mayor of Herriman City.

PLANNING SESSION

12. Planning Session.

James Wingate commented that the Council received an email on August 1 from Sherry Young about the condition of the Rodeo Arena. She was disappointed that no one responded to her. Mr. Reid agreed to respond to Ms. Young. He noted that they have approved the Black Widow and Arena Blend and are in the process of looking for a new tractor.

Justin Westwood reported on a recent Association of Municipal Governments Meeting he attended. He stated that Herriman, Mapleton, and Highland have hired a Professional Archer to help them control their deer problem. The possibility of relocating the animals was discussed. The City was encouraged to contact Mike Arnell from the State if they want to participate in their program to control skunks and racoons. The total contract is currently \$81,000. Based on the size of Bluffdale City, the City's cost was expected to be 2%. Problems with disposing of skunks and racoons that are trapped were discussed.

Alan Jackson asked to further explore adding additional police officers as was discussed earlier in the meeting. Mayor Timothy wanted to find out the cost to hire the three officers and how to fund the positions.

Mr. Kartchner presented information on water rates and commented that he projected into the future what the City will need. The Water Master Plan Project was completed and laid out what they have and will need in the future. The plan shows that currently they have sufficient capacity for their current needs. This means that the future needs can be categorized as being due to growth and incorporated into the IFFP and impact fees. One of the aspects of water rights is that they then have someone who is effectively paying for the system when they build a home,

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however, it is actually the users over time that are utilizing the system. Because it is a business-type fund, it should be funded by those who are using it, which would result in rates being the method of collecting money for infrastructure. The situation should also be looked at from a bonding standpoint because they do not have the needed \$14 million.

Mr. Kartchner referenced the second page of the report that showed the City's rates at the top. He then looked at other cities in the valley to show their rates. He pointed out that the City has consistently had its rates increased by the Jordan Valley Water Conservancy District by 5% per year. He did not factor in any cost increases. He noted that they have invoiced 628,451,000 gallons in fiscal year 2016. They had more gallons that were not invoiced. The cost averages \$2.95 per 1,000 gallons.

Mr. Kartchner stated that he met with Mark Reid and Michael Fazio and discussed the various projects that need to be completed. The total of \$14 million was analyzed. If they bond for the entire amount using a 4% rate over a 20-year term, the annual debt service would be just over \$1 million. If that were divided by the \$14 million total, the debt service percentage would be 7.358%. That percentage can then be multiplied by whatever projects need to be built and is the total debt service for the number of projects under those assumptions. He next explained how the rate increase necessary to cover the costs could be calculated. Mr. Kartchner commented that the \$1.2 million South Valley Sewer Project was discussed as being part of the EDA funds that the Board authorized earlier will be spent out of the housing allowance money.

In response to a question raised by Mayor Timothy, Mr. Kartchner stated that the cost per thousand gallons represents an increase from the current rate, which would include any increases. That would represent the amount needed to fund the bonds.

With regard to the secondary reservoir and pump station, Mr. Kartchner stated that as part of the master plan, in order to avoid having to build additional primary water supplies, the plan was to have secondary water irrigation water. A reservoir would be needed to provide enough storage to provide for irrigation watering during the day. That would be provided on a City-wide and system-wide basis.

Mr. Reid stated that the City periodically purchases shares knowing that they will eventually be needed. He had been working with Salt Lake County to see if they would be interested in going in on a joint project with the City to build the pond. The County would build the pond and the City would fill it. It would then become an urban fishery for the County and a source of secondary water for the City. Mr. Kartchner stated that one advantage is that it will be located in a high spot, which will help with water pressures.

Mr. Reid asked for feedback from the Council on whether they want to develop drinking water wells. Currently, the City is locked in to purchasing all of their culinary water from Jordan Valley Water Conservancy District. If there is a problem with that supply, they do not have another source. He wasn't looking for a large source but an emergency source of water.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
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13. 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.

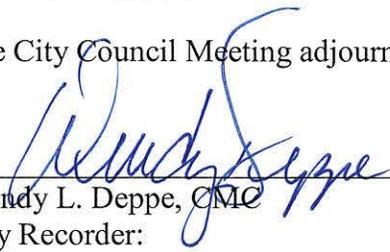
Ty Nielsen moved to go into closed meeting pursuant to Utah Code §52-4-205(1) to discuss the character, professional competence, or health of individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of water right or water shares, security issues, or any alleged criminal misconduct. Alan Jackson seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council was in closed session from 10:58 to 12:33 a.m.

Justin Westwood moved to end the closed meeting and return to open session. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.

14. Adjournment.

The City Council Meeting adjourned at 12:33 a.m.



Wendy L. Deppe, CMC
City Recorder:



Approved: October 12, 2016

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, September 14, 2016**

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

At approximately 10:58 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 the character, professional competence, or health of individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of water right or water shares, security issues, or any alleged criminal misconduct.

Second: Alan Jackson seconded the motion.

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

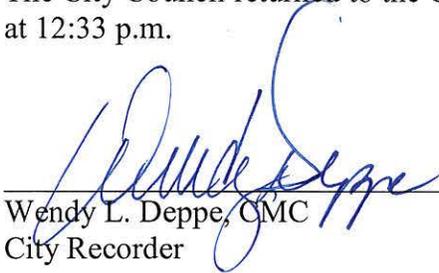
The Council discussed closed session items.

Motion: Justin Westwood moved to end the closed meeting and return to open session.

Second: Ty Nielsen seconded the motion.

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

The City Council returned to the City Council chambers to resume the open portion of the meeting at 12:33 p.m.



Wendy L. Deppe, CMC
City Recorder



Approved: October 12, 2016

The City of Bluffdale
REGULAR CITY COUNCIL MEETING
Closed Meeting Minutes
September 14, 2016

Bluffdale City Fire Station
14350 South 2200 West
Bluffdale, Utah 84065

CLOSED MEETING CERTIFICATE

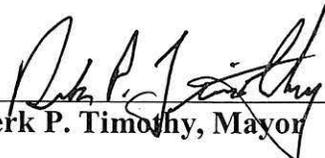
Council Member Ty Nielsen **MOVED** to meet in Closed Session pursuant to Utah Code §52-4-205(1) to discuss the character, professional competence, or physical or mental health of an individual at 10:58 p.m. Council Member Alan Jackson **SECONDED** the motion. Mayor Timothy called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, and Boyd Preece-Aye. All members of the City Council present voted and the motion carried by a unanimous vote.

There were no others present at the Closed Session.

CLOSED SESSION

I, Derk P. Timothy, Mayor of the City of Bluffdale, do hereby certify that a meeting of the City Council held on September 14, 2016, was closed to discuss the character, professional competence, or physical or mental health of an individual, wherein no other items were discussed.

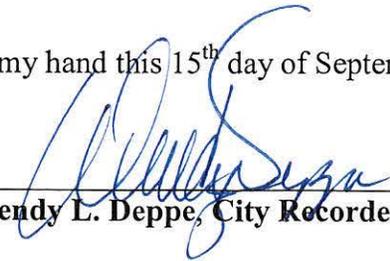
Council Member Justin Westwood **MOVED** to adjourn the Closed Session at 12:33 a.m. Council Member Ty Nielsen **SECONDED** the motion. Mayor Timothy called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, and Boyd Preece-Aye. **The motion passed unanimously.**



Derk P. Timothy, Mayor

IN WITNESS WHEREOF, I have set my hand this 15th day of September 2016.





Wendy L. Deppe, City Recorder



**BLUFFDALE CITY COUNCIL AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING AGENDA
Wednesday, September 14, 2016**

Notice is hereby given that the Bluffdale City Council and the Bluffdale Redevelopment Agency Board will hold a combined meeting Wednesday, September 14, 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. City Council Photograph by Wayman Studio.
2. Roll Call, Invocation, Pledge of Allegiance*
3. **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).
4. **CONSENT AGENDA** –
 - 4.1 Approval of the August 24, 2016 meeting minutes.
 - 4.2 Preliminary acceptance of Iron Horse Plat C Subdivision, and beginning the warranty period.
 - 4.3 Acceptance of Palisade Acres Subdivision, ending the warranty period.
 - 4.4 Acceptance of Deer Orchard Cove, ending the warranty period.
5. Presentation and discussion regarding the level of Police Service/Coverage in the City, staff presenter, Police Chief Burton.
6. **PUBLIC HEARING** – Consideration and vote on an Amendment to the Zoning Map from Heavy Commercial (HC) to General Commercial (GC-1) for 4.66 acres shown as Plat J, located at approximately 15200 South Pony Express Road, 4 Independence, LLC, applicant, staff presenter, Jennifer Robison.
7. Consideration and vote on a Resolution authorizing execution of an Amended Development Agreement with Simple Products Corporation, including an amended Project Plan, staff presenters, Grant Crowell and Vaughn Pickell.
8. Consideration and vote on a Preliminary and Final Subdivision Plat Applications for The Highlands Phase 2 for 5.11 acres to create four (4) residential lots located in the R-1-43 Residential (1 acre) Zone at approximately 14132 South 1850 West, Skye Phase V, applicant, staff presenter, Jennifer Robison.
9. Consideration and vote on a Resolution of the Bluffdale City Council authorizing the City Manager to enter into agreements awarding a contract for General Services, ADA Ramps and Various Concrete Flatwork, and establishing a Maximum Expenditure for FY 2016-2017, staff presenter, Dan Tracer.

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA** –
 - 2.1 Approval of the June 08, 2016 meeting minutes.
 - 2.2 Approval of the June 22, 2016 meeting minutes.
3. Consideration and vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing a Transfer from the Eastern Bluffdale EDA Fund and the Jordan Narrows EDA Fund to the Bluffdale City Park Impact Fees Fund, staff presenter, Bruce Kartchner.
4. Consideration and vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing Use of the Housing Allocation for Construction of a Public Park and an Accompanying Secondary Water Pump Station, Finding that Those Improvements Constitute Infrastructure Improvements Related to Housing in a Project Area where Blight Has Been Found to Exist, staff presenter, Bruce Kartchner.
5. Consideration and vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing Reimbursement to the City of Bluffdale Funds for the Construction of Noell Nelson Drive, staff presenter, Bruce Kartchner.
6. Adjournment

CONTINUATION OF BUSINESS MEETING

10. Mayor's Report
11. City Manager's Report and Discussion

PLANNING SESSION

7. 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.
8. 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).
9. Adjournment

Dated this 9th day of September, 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.

**BLUFFDALE CITY REDEVELOPMENT AGENCY
BOARD MEETING MINUTES
Wednesday, September 14, 2016**

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

Staff: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Grant Crowell, City Planner/Economic Development Director
Jennifer Robison, Senior City Planner
Caitlyn Miller, Associate City Planner
Dan Tracer, Assistant City Engineer
Bruce Kartchner, Finance Director
Blain Dietrich, Public Works Operations Manager
Andrew Burton, Police Chief
Wendy Deppe, City Recorder

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

RDA Chair, Ty Nielsen, assumed the Chair.

1. Roll Call.

All Members of the Bluffdale City Redevelopment Agency Board were present.

2. CONSENT AGENDA –

2.1 Approval of the June 8, 2016 Meeting Minutes.

2.2 Approval of the June 22, 2016 Meeting Minutes.

Mayor Timothy moved to approve the consent agenda. Justin Westwood seconded the motion. The motion passed with the unanimous consent of the RDA Board.

Mr. Reid commented that many times there are several months between RDA and LBA meetings, which affects approval of the minutes. The desire was to change the way minutes are approved. Once the minutes are available, within a certain number of days they become accepted once the Board Members have had an opportunity to review them and make changes. Mr. Pickell offered to prepare a resolution of the Redevelopment Agency Board authorizing the procedure outlined.

3. Consideration and Vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing a Transfer from the Eastern Bluffdale EDA Fund and the Jordan Narrows EDA Fund to the Bluffdale City Park Impact Fees Fund, Staff Presenter, Bruce Kartchner.

**BLUFFDALE CITY REDEVELOPMENT AGENCY
BOARD MEETING MINUTES
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City Finance Director, Bruce Kartchner, explained that as each of the EDAs have been created there is a difference in the taxation of the property in terms of the property taxes that go into a specific fund that can be spent to create a various percentage in those areas. 20% of the fund is to be used specifically for a housing allowance that is designed to facilitate and benefit low income housing. The proposed resolution authorizes the EDA fund to transfer the park impact fees into the Park Impact Fund so that they can be spent.

James Wingate asked about the threshold to be considered low income. Mr. Pickell stated that it is 80% of area median income.

Mayor Timothy moved to adopt a resolution allowing the Bluffdale City RDA to authorize a transfer from the Eastern Bluffdale EDA Fund and the Jordan Narrows EDA Fund to the Bluffdale City Park Impact Fees Fund. Alan Jackson seconded the motion. The motion passed with the unanimous consent of the RDA Board.

4. Consideration and Vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing Use of the Housing Allocation for Construction of a Public Park and an Accompanying Secondary Water Pump Station, Finding that Those Improvements Constitute Infrastructure Improvements Related to Housing in a Project Area Where Blight has Been Found to Exist, Staff Presenter, Bruce Kartchner.

Mr. Kartchner reported that when the Bluffs Apartments were originally built one specific lot in the plat was donated to the City and specifically restricted for use as a park. The property has been sitting vacant for the years since. With respect to the 20% housing allowance money, in the event that infrastructure is built, there are other specific requirements that have to be adhered to in order for it to qualify. One requirement is that the infrastructure has to immediately benefit residents of the low income housing areas and has to be within an area that has already been designated as a blighted area. When the RDA was originally created it was designated as a blighted area so it fits within those parameters.

Mr. Pickell described the difference between an EDA and an RDA and stated that to form an RDA there must be a finding of blight. Since blight was found, there are funds available to complete some projects. The resolution proposes that the funds be allowed to be spent to build a park. In order to facilitate irrigating the park, the funds will be used to build a pump at the reclamation center to pump the water to the park. They will then charge an existing line in Loumis Parkway.

Mr. Reid explained that there is one RDA and two EDAs. The Eastern Bluffdale EDA does not have an affordable housing component in the project area. As a result, the Jordan Narrows EDA has the Beacon Hills Apartments and the RDA has the Bluffs Apartments. The intent is to take the 20% affordable housing money from the Eastern Bluffdale EDA to the RDA to put toward affordable housing. Mr. Kartchner stated that the allowance funds normally have to be spent within the area it is created. With respect to the housing allowance, however, it can be spent anywhere. If it cannot be spent within the City, funds can be sent to the Olene Walker Fund.

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Mr. Reid stated that they are looking at Vintage Park near the Bluffs Apartments because they feel that is the infrastructure that would mostly benefit the affordable housing area.

Justin Westwood moved to adopt a resolution authorizing the use of the Housing Allocation for construction of a public park and an accompanying secondary water pump station finding that those improvements constitute infrastructure improvements related to housing in a project area where blight has been found to exist. James Wingate seconded the motion. The motion passed with the unanimous consent of the RDA Board.

5. Consideration and Vote on a Resolution of the Bluffdale City Redevelopment Agency Board Authorizing Reimbursement to the City of Bluffdale Funds for the Construction of Noell Nelson Drive, Staff Presenter.

Mr. Kartchner reported that the City is moving forward to construct an extension of Noell Nelson Drive from the north side of Independence at the Point to 14600 South. The road has been on the Capital Facilities Plan and they had the ability to collect and have been collecting impact fees to pay for the transportation infrastructure. Those impact fees, however, frequently do not come into the City's coffers as quickly as they might be needed to build the infrastructure. In this case, staff is requesting that RDA Board authorize the loaning of EDA funds to the Impact Fee Fund to cover construction costs until the impact fees are collected and can be paid back to the EDA.

Mr. Kartchner stated that they would also like authorization to pay for the box culvert that went over the irrigation ditch on the south end of the new segment. That will be paid for out of EDA money as a benefit to the EDA area to provide additional access to the businesses there and enhance their ability to create new jobs.

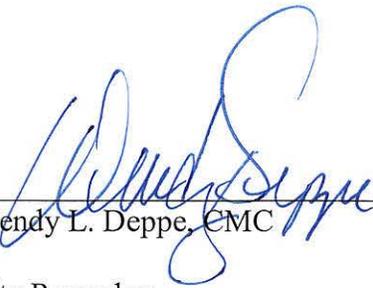
Mr. Kartchner explained that there are two components to the resolution. The first is to loan fees to build the road. The second is to pay for the culvert over the ditch.

James Wingate moved to adopt a resolution of the Bluffdale City Redevelopment Agency Board authorizing a loan to the City of Bluffdale Funds for the Construction of Noell Nelson Drive. Justin Westwood seconded the motion. The motion passed with the unanimous consent of the RDA Board.

6. Adjournment.

The RDA Meeting adjourned.

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Wendy L. Deppe, CMC

City Recorder:

Approved: November 16, 2016

