



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, October 12, 2016
AMENDED**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, October 12, 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 September 14, 2016 meeting minutes.
 - 3.2 Approval of the September 21, 2016 meeting minutes.
4. Presentation and discussion regarding the City's involvement with the Summit High School Auditorium addition, presenter, Holly Brown.
5. Presentation and discussion of the final draft of the Drinking Water Master Plan, presenters, Michael Fazio, City staff, and Steve Jones, Hansen, Allen, and Luce.
6. Presentation and discussion on the GIS Strategic Plan work being performed for the City by Bio-West, presenters, Michael Fazio, City staff, and Glen Bush, Bio-West.
7. Consideration and vote on a Preliminary and Final Subdivision Plat Application for 10.41 acres known as The Preserve at Springview Farms for 18 residential lots in the R-1-10 (I-O) Zone, located at approximately 1650 West 14500 South, Ken Olson, applicant, staff presenter, Jennifer Robison.
8. ******* Consideration and vote on a resolution approving Porter's Point Townhomes Major Change to Development Agreement and Project Plan for 5.83 acres in the Mixed Use Zone as part of the Independence Project, Newman Construction, applicant, staff presenter, Jennifer Robison.
9. Mayor's Report
10. City Manager's Report and Discussion

PLANNING SESSION

11. 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.
12. 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).
13. Adjournment

Dated this 11^h day of October, 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
Boyd Preece
Justin Westwood
James Wingate

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

Others: Holly Brown
Tammy Harter, Assistant Director, Summit Academy High School
Steve Jones, Hansen Allen & Luce
Glen Busch, Bio-West
Andrea Moser, Bio-West
Steve McCutchan
Ken Olson
Johnny Loumis, Jr., Planning Commission Member

Excused: Ty Nielsen

BLUFFDALE CITY COUNCIL SPECIAL MEETING

Mayor Derk Timothy called the meeting to order at 6:33 p.m.

1. Roll Call, Invocation, Pledge of Allegiance.

All Members of the City Council were present with the exception of Ty Nielsen, who was excused.

City Engineer, Michael Fazio, offered the invocation and led the Pledge of Allegiance.

2. PUBLIC FORUM.

Mayor Timothy commented that he intentionally does not offer the invocation prior to the start of the meeting because he is leading the meeting. He wants to make sure that anyone who wants an opportunity to offer the invocation is free to do so. He does not pre-assign the invocation for the same reason and it is left open to any religion, faction, group, or individual. He asked for advice from City Attorney, Vaughn Pickell, on how to proceed if no volunteers come forward.

Mr. Pickell did not think there was a legal rationale but stated that it might be wise to dispense

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with the invocation if no volunteers come forward. That way the Mayor would be keeping it completely open and not coercing someone to offer it.

There were no further public comments.

3. CONSENT AGENDA.

3.1 Approval of the September 14, 2016 Meeting Minutes.

3.2 Approval of the September 21, 2016 Meeting Minutes.

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

4. Presentation and Discussion Regarding the City's Involvement with the Summit High School Auditorium Addition, Presenter, Holly Brown.

The Mayor acknowledged the presence of Holly Brown who was very involved with the negotiations between Summit Academy and Bluffdale City when the high school was built. Ms. Brown commented that five years ago when she first spoke to the Council about bringing a high school to Bluffdale, one of the things they were most excited about was an auditorium. She took time off to spend time with her family. Now that she is back, her top priority is to get the auditorium built. She stated that plays are currently being held in middle schools and other cities because Bluffdale does not have an auditorium. Ms. Brown stated that an auditorium would bring community theater, musical dance groups, public speaking events, local community groups, non-profit organizations, and festivals to the City.

Ms. Brown stated that Summit Academy is making a major push for an auditorium and building plans have been drawn up. She displayed a picture from Early Light Academy in Daybreak and stated that they are modeling the proposed facility after it. It is very aesthetically pleasing, has incredible sound function, seating for 400, and is 18,000 square feet in size. It also has excellent acoustical properties and lighting and dimming systems for a variety of performances. Ms. Brown stated that she had spoken to Laura Garner about her preferences and Ms. Garner indicated that storage is a major need, which can be offered by the proposed design.

There will be an A/B projection system with a screen as well. The stage will have a full slide gallery for raising and lowering scenery. This is a significant benefit and what Ms. Garner was most excited about. The auditorium was originally drawn into the plans and has three entrances. The addition of the auditorium will greatly enhance the look of the school. Photos of the existing school were presented. Ms. Brown felt good about the plan that is currently proposed.

Details of the design were discussed. The current stakeholders in the venture are Summit Academy, the Bluffdale Arts Advisory Board, Bluffdale City, and the Bluffdale Lions Club. A meeting was scheduled with the Bluffdale Lions Club for the following evening followed by a meeting with the Arts Advisory Board so that they can determine how to move forward and get

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the project fully funded. Their fundraising goal is \$2.34 million. Ms. Brown noted that the price has increased from \$9 per square foot to \$12 per square foot. There are a few changes that could be made, if necessary, to reduce the square footage, such as to reduce the size of the storage areas. The plan is to open in the fall of 2018. Ms. Brown's fundraising goals was to secure half of the cost from donations and then secure a matching grant.

Mayor Timothy questioned whether 400 seats were enough for the school. Ms. Brown stated that it would be adequate. Summit Academy's auditorium in Draper has 388 seats and is well used. To date, it has not been filled to capacity. She stated that if the City would like to increase the number of seats or the square footage, they would certainly consider it. Their desire is to work in partnership with the City so that the end product works for everyone. She commented that the support of a municipality for a project like this one makes it much easier to obtain funding.

Mayor Timothy agreed that an auditorium like the one proposed would be of great benefit to the City and he liked the idea of sharing it. In addition, the cost could be shared. Ms. Brown reported that she spoke to the grant writer for Early Light Academy who indicated that every year they receive \$15,000 to \$30,000 in grant money to run their shows. He also stated that there is a great deal of funding that is not accessed.

Summit Academy High School Assistant Director, Tammy Harter, reported that music and theater programs are offered at Summit Academy High School and currently they do all of their performances in Draper. Over the years they have had students leave because they do not have enough room or robust programs that students want. The desire was for the school to become more well-rounded.

Ms. Brown had discovered that the majority of grants that are funded are the ones that have already raised 50% of the funding. Construction jobs will be created in the area as a result of the project as well as permanent jobs once the facility is completed. Cost issues were discussed. Ms. Brown stated that the original City contribution was \$500,000. Justin Westwood expressed support for the proposal and offered to call contacts on behalf of Ms. Brown.

Mayor Timothy wanted to discuss the situation with City Treasurer, Bruce Kartchner, before getting back to Ms. Brown to ensure that the funding stream is solid and does not put a need such as a new fire station in jeopardy.

5. Presentation and Discussion of the Final Draft of the Drinking Water Master Plan, Presenters, Michael Fazio, City Staff, and Steve Jones, Hansen Allen & Luce.

City Engineer, Michael Fazio, reported that the City has been working for the last six months on updating the Drinking Water Master Plan. He reported that Project Manager, Steve Jones, has been working on the project funding. Mr. Jones reported that the Council was provided with draft copies of the Drinking Water Master Plan. He noted that he had never before been able to obtain grant money for a city along the Wasatch Front and stated that Bluffdale was lucky to have been able to do so. They took advantage of that and prepared what he considered to be a very good plan.

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Mr. Jones reported that a Drinking Water Study was conducted that covered both secondary and drinking water. One of the major assumptions that had to be made up front was whether to assume a full PI system, a full secondary system, or something in between. What is proposed is not a full system and something in the middle that can accommodate the City's varied systems that are already in place.

The following four scenarios were examined:

1. Areas that already have City PI systems. It was assumed that those systems would continue to be in place. No drinking water demands were assumed in areas with systems that already meet outdoor demands.
2. In areas with private systems, they assumed that the PI systems would continue to serve those people but they would make sure that there is enough capacity on the drinking water side. If a situation arises, the drinking water system would have to provide secondary.
3. In areas without PI systems currently, it was assumed that those areas would still continue to be on a drinking water system and systems would be retrofitted. City Manager, Mark Reid, indicated that there are certain areas where they plan to leave the retrofit such as along 2200 West and major trunk lines but not in Independence, which has basically all drinking water for outside with the exception of the municipal and park areas. Certain areas along 2200 West and others may convert to a PI system.
4. It was assumed that all new development will have a City PI system constructed to City standards.

Mr. Jones explained that they took many of the City's existing documents such as General Plan densities, growth projections, land use, and aerial imagery to figure out what the demands are now before trying to predict the future. They created a City based on the General Plan. With that, they used geographically specific information and created a hydraulic model. They were then able to assess what needs to occur to be able to accommodate that model.

Mayor Timothy stated that the document specifies that it assumes that no pressurized irrigation systems will be planned in areas already served by drinking water. He noted that along the way the City will try to install PI in already existing areas. The goal is to have as large of a system as possible with minimal cost.

Mr. Jones stated that in terms of drinking water storage, there is currently a surplus of about 250,000 gallons. He commented that now is a good time to think about how to plan for the future. Based on what is taking place currently, the City would be deficient by 7,000,000 gallons. As far as the drinking water distribution system, the City has fairly minor fire flow deficiencies. A few projects are needed to get the water to and from the storage to make it effective. On the PI storage side, with the demands they are assuming, they currently need 23 acre-feet and 29 acre-feet in the future.

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Mr. Jones stated that a major fire flow project was completed along the canal that fixed that side of the City. Mr. Reid reported on repairs to be completed this year. Mr. Jones commented that it makes sense to have a storage facility for the zone that is shown in purple, which is the lowest zone in the City. The idea of locating a facility on Porter Rockwell was recommended and is the closest to new development. It would also require transmission lines to access the area. One option was to follow the Porter Rockwell alignment. In response to a question, Mr. Jones stated that it would be possible to place lines across the bridge. Another option discussed was the possibility of placing one large transmission line and then splitting it into two later when it is needed. Storage is also available at another facility that can be used through Jordan Valley's wholesaler's connection.

Mayor Timothy asked if the City's deficit of 7,000,000 gallons counts the 1,000,000 gallons on the east side. Mr. Jones stated that the projection assumes that the 1,000,000 will be kept. If the City chooses not to keep it, it could be on the same site since it will accommodate all of Zone 1. Another concept was discussed involving the transmission line that the City installed, which is sufficient for build out. With respect to energy efficiency Mr. Jones stated that one strategy to getting more funding is to look at energy saving opportunities.

Mr. Jones reported that there is a storage tank owned by Jordan Valley that the City does not own any capacity in. Currently, that tank is at the same elevation as Zone 3. As a result, the Zone 2 elevation concept would be in the middle. In addition, incentives could be obtained to help pay for it. The cost to build out to provide the needed capacity was estimated at \$15.5 million for the drinking water side and about \$4.9 for the pressurized irrigation system.

Mr. Reid asked what the options would be to get water in and out if they find a site that is not as high as they would like it to be. Mr. Jones stated that it can be tricky and must be at a certain elevation to be effective. If they are not at the proper elevation, pumping will be necessary and the cost will be higher energy-wise long term. It can, however, be done if necessary.

6. Presentation and Discussion of the GIS Strategic Plan Work Being Performed for the City by Bio-West, Presenters, Michael Fazio, City Staff, and Glen Busch, Bio-West.

Mr. Fazio gave the background on the proposed GIS Strategic Plan. Glen Busch from Bio-West was introduced and stated that GIS stands for Geographic Information Systems. It does anything that can be mapped on paper, the computer, or devices. He gave examples of how GIS is seen in mapping and how it is used currently. He stressed that it is a very broad topic. A web-based interface was shown that is used for spatial data sets that have been created in Bluffdale. Presently, it is used internally by City staff. Previously, the Council received paper maps in their packets. The hope was that in the future there will be links to websites that are more in depth than can be reflected on paper.

Mr. Busch reviewed the City of Bluffdale maps including the zoning map, fire hydrant locations, and Bluffdale SWPP inspections. How larger goals will be accomplished was discussed and will be met through individual goals and objectives. Mr. Busch had spoken with staff to assess where

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the City stands currently. He looked at the primary roles of each department and how they are using spatial data for zoning, road maintenance, water systems, storm water, and emergency planning. He also wanted to see how the various departments interact. He analyzed the talents of staff within individual departments and looked at security concerns, how people are using various devices, and learning more about outside contractors and consultants. Mr. Busch also solicited ideas for how to better self-improvement.

Mayor Timothy was interested in the system for situations where the City is interfacing with a resident, another city, an engineer, etc. He asked how it would work if they want to show something to the Sewer District and interface with another organization. He asked if they would be able to get onto Bluffdale's system and interface with others. Mr. Busch responded that that could be done as the system is very customizable. He explained that sensitive information will have an extra level of security and will only be accessible with a password.

Mr. Busch reported that the next step will be to summarize the findings and bring back the final results to the Council.

7. Consideration and Vote on a Preliminary and Final Subdivision Plat Application for 10.41 Acres Known as The Preserve at Springview Farms for 18 Residential Lots in the R-1-10 (I-O) Zone, Located at Approximately 1650 West 14500 South, Ken Olson, Applicant, Staff Presenter, Jennifer Robison.

Senior Planner, Jennifer Robison, presented the staff report and stated that in May the applicant, Ken Olson, appeared before the City Council and is now ready to move forward with his preliminary and final plat. The concept plan presented at the time the zoning was discussed still meets all of the requirements. The developer plans to develop the property in phases, which were identified on the map displayed. It was noted that all of the road improvements will go in with the first phase. There will be a private street and a diagram of the 29-foot cross section of the road was presented. There will be 28 feet of asphalt, curb, and gutter on both sides of the road as well as a 15-foot meandering sidewalk within the easement. The sidewalk will be on only one side of the road. The modified cross section will be privately owned and maintained. One of the conditions of approval was that the applicant provide information on ownership and maintenance of the road going forward.

Mrs. Robison stated that there are 18 lots proposed. Parcel A currently has residences on it. As discussed during the zoning process, the current residences will be accessed from the existing right-of-way to 14600 South. The setbacks are outlined in the I-O zone. The developer has also provided additional design guidelines and an I-O project plan. A future trail was identified that will be open to the public during daylight hours.

Mayor Timothy asked how the applicant intends to limit the trail access to daylight hours only. Mrs. Robison did not have the answer and recommended the question be raised with the applicant. Alan Jackson asked if the additional requirements imposed by Assistant City Engineer, Daniel Tracer, had been met. Mrs. Robison stated that they were being worked on with the main concern being drainage.

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Detention issues were discussed. Mr. Fazio stated that there is an existing pond. Staff continued to work to obtain the necessary upsizes. Alan Jackson asked what mechanism the City has in place if the developer does not satisfy the requirements imposed since the building permit has already been issued. Mrs. Robison stated that a pre-construction meeting will be conducted where staff will ensure that the conditions have all been complied with.

Ken Olson reported that there is an existing pond on their property on the north end of Lot 14. The pond has a water load that is five to six feet below the top. It currently has enough capacity to provide retention for the project and will accommodate a 100-year storm event. Mr. Olson reported that there will be three water features on the site that will circulate the water.

James Wingate moved to approve the preliminary and final subdivision plat for 10.41 acres known as The Preserve at Springview Farms for 18 residential lots in the R-1-10 (I-O) zone located at approximately 1650 West 14500 South subject to the following:

Conditions:

- 1. That all requirements of the City Code and adopted ordinances or modifications by the Infill Overlay zoning requirements approved by the City Council are met and adhered to for the proposed subdivision.**
- 2. That the final plat and all relevant construction drawings comply with the Bluffdale City Engineering Standards and Specifications and all recommendations by the City Engineer and Public Works Department prior to recordation of the final plat.**
- 3. That all requirements identified in the memo dated 9/30/16 by Dan Tracer be complete and approved by the City Engineer prior to any construction activities on the property.**
- 4. That the project adheres to all requirements of the International Fire Code and requirements of the City Fire Chief.**
- 5. That all private and public easements be conveyed in a form acceptable to the City Attorney prior to the recordation of the final plat(s).**
- 6. That information regarding drainage systems be included on the final plat drawings and approved by the City Engineer prior to recordation of the final plat.**
- 7. That prior to any grading of property or construction, a Land Disturbance Permit and SWPPP Permit be approved and construction activities be coordinated with the City Engineer's Office.**
- 8. That adequate secondary water shares be provided to the City prior to recordation of the final plat.**

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9. That an ownership and maintenance plan for the private right-of-way be provided to the City prior to recordation of the final plat.

Justin Westwood seconded the motion. Vote on motion: Alan Jackson-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.

8. Consideration and Vote on a Resolution Approving Porter's Point Townhomes Major Change to Development Agreement and Project Plan for 5.83 Acres in the Mixed Use Zone as Part of the Independence Project, Newman Construction, Applicant, Staff Presenter, Jennifer Robison.

Mrs. Robison reported that there is an updated project plan. In an email distributed previously, she identified items that the project plan updated that were discussed at the last meeting. She pointed out that certain things were needed from the City Attorney regarding the settlement agreement that were received last week. There was also an issue dealing with the conveyance of property from an LLC to Mr. Newman.

One of the concerns identified was potential access into the open space area. Mr. McCutchan added a walkway so that there could be access in. The Mayor expressed concern with the difference of the cross section. Mr. Fazio met with the engineers and verified that there will be 25 feet of asphalt throughout the entire area. In another area there was discussion of moving the sidewalk and eliminating the park strip. Mrs. Robison explained that all of the design work can be completed when they go to the plan. It was noted that minor changes can be made at this point. Mayor Timothy had no objection to the wording as proposed.

With regard to the Design Guidelines, Mrs. Robison stated that criteria and language have been added to require certain percentages, pop outs of windows being addressed, as well as façade and roof line language.

Mrs. Robison reported that a letter was provided as part of the project plan. There was discussion of off-street parking but it was not of concern since the project meets the current ordinance. The length of the private driveway was discussed. The concern was with having enough area for parking. The project meets the parking requirements because the applicants are required to provide 20 feet from the edge of the drive to the garage. The length was determined to be just over the 150 feet required by ordinance. The Fire Chief was confident that it will be acceptable.

Mrs. Robison stated that in the project plan some of the policy questions pertain to the type of units. Originally the project was planned for single-family residential housing. The applicant is now asking for townhome units. The issue of whether the open space should be publicly or privately owned was discussed. It was noted that the project plan indicates that all of those areas will be privately owned by the HOA.

The Planning Commission reviewed the proposal and did not feel like the areas added any public amenities. It was staff's recommendation that they remain private and be owned and maintained

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by the homeowners' association unless the City wants to own the trail portions or provide an easement so that they remain open to the public. Mayor Timothy stated that at a minimum a public easement will be needed.

Alan Jackson asked about the plan for a bridge across the canal. Mrs. Robison stated that it is clearly identified in the development agreement that the developer will construct the bridge. Mayor Timothy asked for clarity on the timing of construction of the bridge and the open space. Mrs. Robison's understanding was that the bridge needs to be done with the plat and open space.

With regard to fencing, in the project plan the developer originally proposed to install Trex fencing similar to what exists in the Marketplace and Westgate areas. They identified in the new project plan to only install vinyl fencing. Staff recommended that fencing be installed at least on the canal side for safety reasons. She pointed out that it was not part of the Planning Commission's recommendation. The subdivision ordinance specifies that fencing should be installed if a hazardous situation exists. Mrs. Robison suggested that that be a requirement. City Attorney, Vaughn Pickell, suggested that it be applied at the subdivision level.

Mayor Timothy asked the Council Members to comment on the fact that there is Trex fencing on the opposite side of the canal and this developer is proposing vinyl fencing. The Mayor did not object to vinyl fencing and felt that it would be more likely for someone to put up a fence if they can go with vinyl because Trex is costly. The Council Members did not object to vinyl fencing as long as it is installed along the full perimeter of the canal.

Boyd Preece's only objection was with the percentage of stucco. He encouraged the developer to add more stone or brick. Mrs. Robison stated that elevations and other site details will be addressed as part of the site plan. It was noted that the private lane is 20 feet wide.

The applicant, Mark Newman, commented that he likes rock and Hardie board better. With respect to the fence, they are planning to install vinyl all the way around because some property owners will want to bring it into their backyards and they want it to be consistent. With regard to the bridge, they are not opposed to it but Mr. Newman did not think it should be done now because it will go nowhere. Mayor Timothy was not opposed to bonding as long as the design is set and the cost is known so that the bond will cover the cost. He did not want to proceed now because there is nowhere to go past the canal road unless they go down the railroad tracks. Mayor Timothy commented that the bond could cover contingency.

Justin Westwood moved to adopt a resolution approving Porter's Point Townhomes Major Change to the Development Agreement and Project Plan for 5.83 acres in the Mixed Use zone as part of the Independence Project. Alan Jackson seconded the motion. Vote on motion: Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye, Alan Jackson-Aye. The motion passed unanimously.

9. Mayor's Report.

Mayor Timothy had nothing to report.

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10. City Manager's Report and Discussion.

Mr. Reid updated the Council on progress being made on City Hall and stated that he and the Mayor did a walk through the previous day. The brick was being placed on the exterior and work had begun to wall off the interior with metal studs. Work was ongoing and it was nearly enclosed for the winter. Mayor Timothy expressed concern with the paving of the parking lot. Mr. Reid stated that the intent is to have it paved by the end of the month.

Mr. Reid updated the Council on 1000 West and stated that it has been paved from the end of asphalt on the south end to nearly where the roundabout will be. A temporary piece of pavement has been constructed to ensure it is drivable. The roundabout was expected to be completed and paved before the end of the month.

With regard to the trestle signal, Mr. Reid reported that a pre-construction meeting was held with the winning bidder. Parts have been ordered from UDOT and the contractor will be ready to proceed when the parts come in in the next few weeks. With regard to the gas line, Mr. Fazio stated that it should be completed next week. He confirmed that it must be done before the roundabout goes in.

Mr. Reid stated that there is a shed like building on the north side of the roundabout. Staff has spoken to the landowner on that side and offered them \$16,500 to cover the building and relocation costs.

Mr. Reid reported that the Bluffdale Arts Advisory Board's production of *Into the Woods* begins Thursday, October 13 and runs through Saturday, October 15. The performance will take place at Oquirrh Hills Middle School at 7:30 p.m. each of the three days and there will be a 1:00 p.m. matinee on Saturday.

PLANNING SESSION

11. Planning Session.

James Wingate reported that the Mosquito Abatement Board is part of the Regional Association of Mosquito Abatement Districts. They hold a conference every year, which he attended the previous week where the newest methods of mosquito control were described. Council Member Wingate stated that it is highly probable that the district will have to increase the tax rate, which will require a Truth in Taxation Hearing. He pointed out that currently they are the lowest taxing entity by far. He personally is charged \$1.80 on his property taxes for every \$100,000 of taxable value. The rate was expected to increase slightly. Mayor Timothy thanked James Wingate for serving on the Board and stressed how important it is for the City to have representation.

Justin Westwood reported that he recently attended the Association of Municipal Governments Meeting. He explained that the current issue with many cities is short-term rentals and air B&Bs.

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He did not believe Bluffdale has an issue with that but he learned at the meeting that there cannot be a ban over the entire City for such uses although they can be located in designated zones.

Alan Jackson stated that sometimes large, expensive homes include a shooting range in the basement. He wondered what kind of challenges there would be if someone tried to do something similar in Bluffdale. Mr. Pickell stated that in such an instance the City's ordinance banning shooting would apply. The Council can also define what a shooting range is.

Alan Jackson asked about possible funding sources for the proposed auditorium at Summit Academy High School. Mr. Reid stated that it is a matter of priority. If the City wants to participate, this may be the only opportunity to do so. He was not sure that the funding can be taken from impact fees but stated that the City could pursue a general obligation bond. They could also take the needed funds out of Capital Projects Fund reserves. He was not sure that EDA funds could be utilized even though the auditorium is in the EDA area. The City could make an inquiry, however, to the City's EDA attorney. City Treasurer, Bruce Kartchner, preferred to save the money to buy out the mink farm than participate in the cost of the auditorium.

Mayor Timothy was of the belief that Ms. Brown will get the auditorium built regardless of whether the City participates. He noted that the more the City contributes the easier it will be to have a lasting and fair relationship with the school.

Mr. Reid stated that there was discussion at one time about possibly doing something similar with the Summit Academy Gymnasium to increase its current size to accommodate two full-size gyms and a center court gym. This would give the City the opportunity to utilize the facility for recreational purposes. He hoped to further discuss the types of uses that would not be allowed in the auditorium.

Mayor Timothy commented that if the City were to contribute \$500,000 toward the auditorium and they were able to obtain a matching grant, the City would be a 50% partner. He considered it a good opportunity. The Mayor questioned whether the City would be allowed to perhaps place the City logo on the auditorium. The Lions Club's contribution was discussed. Alan Jackson liked the idea of Bluffdale productions taking place in Bluffdale.

Mayor Timothy reported that currently the Planning Commission conducts public hearings during their meetings and an additional public hearing is held before the City Council. The City sends out notices for both public hearings, which he considered to be extra work for staff that is unnecessary. He believed that the ordinance requires more public hearings before the Planning Commission than necessary. The Mayor's opinion was that the Planning Commission should be more focused on the planning and zoning of a particular request. He realized, however, that state law requires some public hearings take place before the Planning Commission. His issue was with items where the City ordinance requires a public hearing that results in extra cost and work for staff. The Mayor was of the opinion that this gives the Planning Commission the impression that they represent the citizens although they are not elected. He pointed out that they are not at the same level of authority as the City Council and believed that the Planning Commission recommendation should pertain to whether the request meets the requirements of planning and

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Wednesday, October 12, 2016**

zoning. The public should then interface with the City Council who has the authority to approve or deny the request based.

Mayor Timothy was of the opinion that the Planning Commission is losing focus on the true meaning of their job, which is to make sure that a request meets the planning and zoning requirements. For example, when a school is proposed, the discussion should be more about whether state law is being complied with and whether the City's ordinances and zoning are being complied with.

Alan Jackson was generally in favor of more public input than less but he wanted to know more specifically what is required and what they would be looking to eliminate from the public hearing. He saw no compelling reason to conduct a public hearing if it is not required by state law.

James Wingate wanted to see what other cities do and determine whether Bluffdale is the only city that exceeds the minimum requirement. In this particular case Mayor Timothy did not care what other cities do. He preferred to do what is best for Bluffdale. He felt that the Planning Commission should have the opportunity to present the planning and zoning aspects of a request and let the City Council interface with the public as much as possible.

City Planner/Economic Development Director, Grant Crowell, commented that the Legislature is interested in the issue of public clamor with respect to administrative items such as conditional uses, which are not required to have hearings under state law and should be approved in nearly every case. He explained that sometimes having a public hearing is a disservice to the public because they believe they can influence the outcome, which they cannot legally. This puts cities in a difficult position.

Boyd Preece asked what the next step is with regard to water rates. Mr. Reid stated that staff was working on it and the matter will be brought to the City Council at the next City Council Meeting.

Staff was asked to bring back information regarding the interpretation of state law and what neighboring cities are doing and what can be eliminated.

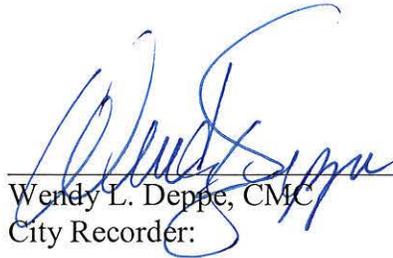
12. **Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character, Professional Competence, or Health of an Individual, Collective Bargaining, Pending or Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including Any Form of a Water Right or Water Shares, Security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

There was no closed session.

13. **Adjournment.**

The City Council Meeting adjourned at 8:55 p.m.

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Wendy L. Deppe, CMC
City Recorder:



Approved: November 16, 2016