



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, April 22, 2020**

THIS MEETING WILL ONLY BE CONDUCTED ELECTRONICALLY

Notice is hereby given that the Bluffdale City Council will hold an **electronic public meeting** Wednesday, April 22, 2020, scheduled to begin promptly at **6:00 p.m.** or as soon thereafter as possible. There are various ways to participate in this electronic meeting:

1. Please check the City website www.bluffdale.com for the most up-to-date details to access the electronic meeting.
 2. Email your comments to: councilmeetingcomment@bluffdale.com for all public hearing items. Please enter the Agenda item number in the subject line.
 3. Mail your written comments to: Bluffdale City Recorder, 2222 West 14400 South, Bluffdale, Utah 84065
- All comments can be read aloud if you indicate to do so. All comments received will be forwarded to the Bluffdale City Council and will be included in the public record.

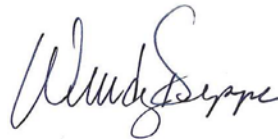
BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 6:00 P.M.

1. Roll Call
2. **PUBLIC FORUM** – To bring items not already on the agenda before the City Council. Public Comments may be submitted via email or mail service as outlined above.
3. **CONSENT AGENDA** –
 - 3.1 Approval of a resolution of the Bluffdale City Council awarding the Park Strip and Roundabout Landscaping Project and establishing a contingency.
 - 3.2 Approval of a resolution Proclaiming April 24, 2020, as Arbor Day in the City of Bluffdale.
 - 3.3 Approval of a resolution extending the Mayor’s Proclamation of a Local Emergency.
4. **PUBLIC HEARING** – Consideration and vote on a proposed General Plan Amendment Application for 4.50 acres from Very Low Density Residential to Multi-Family Residential, located at approximately 13975 South 2700 West, Howland Partners, Applicant, staff presenter, Jennifer Robison.
5. **PUBLIC HEARING** – Consideration and vote on a proposed General Plan Amendment Application for 1.96 acres from Commercial to Multi-Family Residential, located at approximately 14643 Camp Williams Road, Quail Ridge Bluffdale Development, LLC, Applicants, staff presenter, Jennifer Robison.

6. **PUBLIC HEARING** – Consideration and vote on a proposed General Plan Amendment Application for 8.67 acres from Very Low Density Residential to Low Density Residential, located at approximately 14135 South Loumis Parkway, Stonefly Development Corp., Applicants, staff presenter, Jennifer Robison.
7. **PUBLIC HEARING** – Consideration and vote on a proposed Zoning Map Amendment Application for 8.67 acres from R-1-43 Residential to R-1-10 I-O (Infill Overlay) Residential, located at approximately 14135 South Loumis Parkway, Stonefly Development Corp., Applicants, staff presenter, Jennifer Robison.
8. Discussion on the Mayor’s responsibilities relating to Old West Days, presenters, City Council Members.
9. Budget discussion, staff presenters, Bruce Kartchner and Stephanie Thayer.
10. Mayor’s Report
11. City Manager Report and Discussion
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: April 17, 2020

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



Wendy L. Deppe, CMC
City Recorder

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

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Present: Mayor Derk Timothy
Wendy Aston
Traci Crockett
Jeff Gaston
Mark Hales
Dave Kallas

Staff: Mark Reid, City Manager
Todd Sheeran, City Attorney
Bruce Kartchner, Finance Director
Grant Crowell, City Planner/Economic Development Director
Michael Fazio, City Engineer
Shane Paddock, Public Works Director
Stephanie Thayer, Chief Accountant/Human Resources Director
Natalie Hall, Emergency Preparedness Manager
Jennifer Robison, Senior City Planner
Ellen Xanthos, Associate City Planner
Warren James, Fire Battalion Chief
Wendy Deppe, City Recorder

Others: Dana Howland, Howland Partners
Andrade Christensen
Joe Wilkins
Chris McCandless

Mayor Timothy called the meeting to order at 6:02 p.m. The meeting was held electronically and streamed through Facebook. Mayor Timothy reminded the public that comments may be submitting via e-mail to councilmeeting@bluffdale.com, through regular mail, or Zoom by e-mailing Natalie Hall at nhall@bluffdale.com.

REGULAR BUSINESS MEETING

1. Roll Call, Invocation, Pledge of Allegiance.

All Members of the City Council were present.

2. PUBLIC FORUM.

No public comments were received.

3. CONSENT AGENDA:

3.1 Approval of a Resolution of the Bluffdale City Council Awarding the Park Strip and Roundabout Landscaping Project and Establishing a Contingency.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

3.2 Approval of a Resolution Proclaiming April 24, 2020, as Arbor Day in the City of Bluffdale.

Dave Kallas moved to approve Consent Agenda items 3.1 and 3.2. Wendy Aston seconded the motion. **Vote on motion: Wendy Aston-Aye, Dave Kallas-Aye, Jeff Gaston-Aye, Mark Hales-Aye, Traci Crockett-Aye. The motion passed unanimously.**

3.3 Approval of a Resolution Extending the Mayor’s Proclamation of a Local Emergency.

Agenda item 3.3 was removed from the Consent Agenda.

Mark Hales stated that he did not feel the declaration needed to be extended. Dave Kallas asked if the City would lose eligibility for funding if the extension is not approved. City Attorney, Todd Sheeran stated that an Emergency Declaration is required to receive funds; however, administrative procedures can be utilized if the extension is not approved.

Wendy Aston asked if Fire Battalion, Chief Warren James was aware of any other funding opportunities. Chief James was only aware of the CARES grant, which is based on Medicare and the number of transports. It was noted that an Emergency Declaration is not required to receive the funds.

City Manager, Mark Reid stated that the City may be eligible for funding through the Federal Emergency Management Agency (“FEMA”) if it implements a COVID-19 testing program. He did not know if a declaration was required. Dave Kallas recommended extending the Declaration until the Council has more answers.

Mark Hales moved to deny the approval of a Resolution extending the Mayor’s Proclamation of a Local Emergency. Dave Kallas seconded the motion. Vote on motion: Traci Crockett-Nay, Wendy Aston-Nay, Dave Kallas-Nay, Jeff Gaston-Nay, Mark Hales-Aye. The motion failed 4-to-1.

Dave Kallas moved to approve a Resolution extending the Mayor’s Proclamation of a Local Emergency. Vote on motion: Mark Hales-Nay, Traci Crockett-Aye, Wendy Aston-Aye, Dave Kallas-Aye, Jeff Gaston-Aye. The motion passed 4-to-1.

4. PUBLIC HEARING – Consideration and Vote on a Proposed General Plan Amendment Application for 4.50 Acres from Very Low-Density Residential to Multi-Family Residential, Located at Approximately 13975 South 2700 West, Howland Partners, Applicant, Staff Presenter, Jennifer Robison.

Senior City Planner, Jennifer Robison reported that an amendment is being requested for proposed located east of the Midvalley Bible Church. The Planning Commission met to discuss the item on

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

April 15, 2020, and found that the City needs to provide more zoning tools to allow for more multi-family residential options including senior housing developments. The land use designation would provide a buffer between residential and commercial properties while preserving the character of the area and being close to civic and commercial areas.

Mrs. Robison stated that the General Plan language was last updated in 2014 but the map was not updated to reflect the General Plan. At the time, there were very few multi-family developments and smaller developments were not discussed. As a result, the category for multi-family housing is very broad and there is no zoning structure in place for smaller developments. If the Council approves the amendment, a zoning tool will need to be developed.

Mrs. Robison explained that the amendment and zoning requests were not submitted together because the applicant wanted to ensure that the amendment would be approved before moving forward with the project.

Mark Hales asked how approving an amendment to the General Plan affects the approval of an ordinance in the future and how the Council can ensure the project is not changed once approval is granted. Mrs. Robison reported that the Council has broad discretion over legislative matters and require specifics of the project through the zoning and design standards.

Wendy Aston agreed with using the property as a buffer but was uncomfortable changing the zoning requirements. She suggested tabling the item to consider zoning specifically for senior housing and changing the General Plan at that time. Jeff Gaston agreed.

The applicant, Dana Howland from Howland Partners, Inc. explained that the original purpose behind purchasing the property was to expand the Saddleback Pointe commercial project onto the parcel. However, after meeting with neighbors, he learned that the residents do not support the project. They discussed the options and agreed that the senior housing project was acceptable.

Mr. Howland noted that the project will help increase property values, alleviate concerns about future commercial development, and provide low-maintenance, high-quality housing for Bluffdale's senior residents.

The single-story patio homes will have a buffer in the form of a large concrete fence, trees, and a lawn, and the community will be gated. Each unit will have one to two bedrooms and be approximately 1,500 square feet in size. A total of 30 units with 6.5 units per acre will be built along with a small clubhouse. There will be no basements and the units will feature garages with driveways. Mr. Howland discussed the type of materials, design, and floor plans that will be used and described the benefits of the project including lower traffic and crime, no impact on schools, and economic advantages.

Dave Kallas asked why Mr. Howland did not submit a zoning application. Mr. Howland replied that he believed it would be quicker to get approval from the Council on the land use first. He

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

added that he cannot purchase the church property until he has a better sense of where the City stands.

Mayor Timothy asked City Planner/Economic Development Director, Grant Crowell what protections the City could put in place to ensure that the development is built as presented. Mr. Crowell responded that the City could deny the zoning application if it is not acceptable or include specific language in the zone and require a Development Agreement outlining specific requirements. He added that the change to the General Plan is just a recommendation to help guide policy.

In response to a question raised, Mr. Howland stated that, upon approval of the amendment, he will work with the City to create a zone change to a 55 and older community zone specifically for this site.

Mayor Timothy asked Mr. Howland how he feels about a Development Agreement. Mr. Howland had no concerns with the agreement.

Mayor Timothy opened the public hearing. Mr. Crowell read the comments submitted via e-mail as outlined below:

Tim and Joanne Frost, who reside at 1703 West Prairie Hill Drive in Bluffdale, expressed support for the amendment and the multi-family senior housing development project.

Cindy Strong was concerned about the previous plans for commercial property on the parcel as well as leaving the land vacant. She stated that all of the neighbors support the senior housing project and she requested that the City Council approve the proposed amendment. She also requested that the other properties remain zoned as one acre.

Suzie Love, the agent representing Midvalley Bible Church in the sale of the property, submitted comments in support of the amendment. She outlined the benefits of the project for the church, neighbors, community, and the City and asked that the amendment be approved.

Connie Robbins opposed the amendment and was concerned that other developers will purchase homes in the neighborhood and develop multi-family housing.

Tauna and Gary Yates submitted comments in opposition to the proposed amendment. They were concerned that developers will come into the area, remove the urban sprawl, and increase traffic congestion.

Cindy Strong submitted an additional comment asking the City to make an amendment to include a special designation with specifics rather than adding a multi-family housing designation to alleviate residents' concerns about the impact zoning changes could have on development.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

The public hearing was briefly paused to address issues with streaming the meeting on Facebook. The issue was resolved and Emergency Preparedness Manager, Natalie Hall provided the link to viewers to re-enter the meeting. She noted that there were 20 viewers before it stopped and the meeting now had 19 viewers. Mayor Timothy resumed the meeting.

Robin Kirkman, a Clydesdale Circle resident, expressed support for the proposed senior housing community.

Kandice Howard submitted comments requesting strict HOA standards and maintenance plans for the senior housing community. She also requested that neighbors be kept informed of the details of the project. Ms. Howard was concerned about multi-family housing being considered in the Bangerter Highway, Redwood Road, and Herriman areas.

No further comments were submitted. Mayor Timothy closed the public hearing.

The Council discussed whether a special designation could be made instead of changing the General Plan to include multi-family housing and whether the applicant could submit a zoning application without amending the General Plan.

City Attorney, Todd Sheeran stated that the item could be tabled to create a zone that is specific to the property using a process that is currently in place. He noted that the question is whether the development is appropriate for the area.

Mr. Sheeran explained that there is no entitlement to the developer if the Council Members approve the zone, and it would only allow the developer to build what the zoning allows. There are also other options available to protect the development standards. Mr. Sheeran stated that the developer can apply for rezoning would still need to request a General Plan amendment at that time.

Dave Kallas noted that the issue is whether the Council is willing to make concessions for this particular property on the one-acre lot requirement. He believed that the multi-family development is an appropriate land use and provides a good buffer for the neighborhood.

Mark Hales asked if the General Plan could be approved conditionally until the zoning application is received. Mr. Sheeran stated that he has never seen that happen and was not sure it would be possible. He pointed out that the Council can make changes to the General Plan at any time.

Traci Crockett agreed that the property provides a good buffer and noted that the residents appear to prefer it over any commercial property. She asked if the City can ensure that the west side of the property retains the one-acre requirement. Wendy Aston stated that she would only consider that density in the area because of the buffer it provides.

Dave Kallas stated that he would agree to approve the amendment and believes a development agreement would satisfy the concerns of residents. He reserved the right to deny the zoning application if it does not meet the needs of the community and if the plans for the property change.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Mark Hales stated that the City should ensure that lots in the area cannot be split in the future. The City should also ensure that the property remains as a buffer to prevent commercial properties from inhabiting the neighborhood.

Jeff Gaston encouraged the developer to attend work sessions in the future rather than asking for a head nod from the Council. He would prefer that the item be tabled but understands that the Council Members wish to move forward with the right to change their minds. Council Member Gaston expects the development to be of the highest standards since it will be the first retirement community in Bluffdale and will serve as a model for others.

Todd Sheeran stated that the resolution should become effective when the zoning application is approved. He also suggested tabling the item if the Council prefers he find a more definitive answer on the land use language he suggested.

Mayor Timothy asked Mr. Howland if the language is acceptable. Mr. Howland agreed with the language and was mainly concerned with getting approval to move forward with the zone change. He added that the language provides him with enough confidence to move forward.

Mayor Timothy asked if Mr. Howland would be negatively impacted if the item is tabled. Mr. Howland stated that it would delay the property sale and the church is anxious to close.

Mark Hales moved to approve the proposed General Plan Amendment Application for 4.50 acres from Very Low-Density Residential to Multi-Family Residential, located at approximately 13975 South 2700 West, with the condition that a subsequent application to rezone the property will be submitted. Wendy Aston seconded the motion. Vote on motion: Jeff Gaston-No, Mark Hales-Aye, Traci Crockett-Aye, Wendy Aston-Aye, Dave Kallas-Aye. The motion passed 4-to-1.

5. PUBLIC HEARING – Consideration and Vote on a Proposed General Plan Amendment Application for 1.96 Acres from Commercial to Multi-Family Residential, Located at Approximately 14643 Camp Williams Road, Quail Ridge Development, LLC, Applicants, Presenter, Jennifer Robison.

Jennifer Robison presented the staff report and noted that the application is similar to agenda item number four and seeks an amendment to the General Plan for multi-family development. She provided a map outlining the commercial and residential areas near the property and noted that it currently consists of low to very low-density residential properties.

Mrs. Robison stated that Camp Williams Road was initially expected to become a commercial node; however, the commercial properties ended up moving further north to Redwood Road. She pointed out that the current zoning map of Camp Williams Road is still predominantly residential although the General Plan shows that the zoning could be Commercial.

BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020

Since the property is already designated as an R-1-10 zone, the applicant does not believe a change from commercial to residential is needed. The applicant was interested in purchasing three lots that are a part of the Quail Ridge development to build a multi-family housing structure.

Mrs. Robison stated that the Planning Commission voted 3-to-2 in favor of the project. They found that the City needs to create zoning tools to include more multi-family housing options including townhomes. The Planning Commission recognized the difficult topography and less desirable attributes for commercial use and found that multi-family housing would be better due to the high traffic corridor.

According to the Master Transportation Plan, 14600 South could be extended to five lanes in the future which could negatively impact any future single-family homes next to that road. Mrs. Robison stated that there have been discussions about expanding 14600 South from Redwood Road to Porter Rockwell Boulevard.

Mark Hales stated that he lives on 14600 South and believes the City assured neighbors in the area that a high traffic or multi-family area would not be developed near their homes when they purchased their properties. Mr. Reid stated that the neighbors were aware that the City was going to put in a road in when the City purchased the Bevan's home. He added that the purpose of purchasing the property was to extend 14600 South to Redwood Road, and multiple neighborhood meetings were held about how to reconfigure 14400 South. Mr. Reid noted that the residents were not informed of the road when they purchased their homes because it had not been proposed yet.

Council Member Hales also commented on discussions about signing off on development without input from the neighbors. Mr. Reid stated that the zone was always R-1-10 so the City did not discuss one-acre lots with the neighbors; however, they did discuss the one-quarter acre infill lots.

The applicants, Andrade Christensen and Joe Wilkins from Quail Ridge Development, LLC presentation their proposal. Mr. Christensen explained that Quail Ridge was originally developed in 2017. In October 2017, the company submitted drawings to the City showing the property they had under contract, which included a 50-foot strip of land that cuts through the carport of the Thraen residence.

The City subsequently asked if the developers would be willing to enter into a partnership to put 14600 South through the area. Mr. Christensen shared the design of the project and noted that it is not the original design but one that was created by the City through Benchmark Engineering. The original drawings consisted of 10 single-family homes in a low traffic area.

Due to the steep topography of the area, the City had to move the road to another area to connect with Redwood Road. As a result, the developer's original plans were significantly impacted, and they were unable to build the homes because the new layout would require residents to back out of steep driveways onto 14600 South. The company also lost four lots that would have sold for approximately \$200,000 each.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Mr. Christensen reported that the lots were marketed as three-quarter-acre properties through a private agency at a reduced price but there was no interest. He stated that the partnership had proven to be detrimental to his company and noted that the only way to recover is to increase the value of the property through a multi-family housing development.

Mr. Christensen explained that they would like to build luxury townhomes beginning in the \$400,000 range to draw residents who would be of benefit to the area and the City. The property would provide better traffic flow and entrance and exit points. The townhomes would be front-entry units with double driveways and large garages. Additional parking will also be provided. Mr. Christensen stated that he would be willing to enter into a Development Agreement with the City.

Mr. Christensen asked for leeway to proceed with the project and for the Council to consider that 14600 South and Redwood Road will be very busy roads. The number of units will be provided after the developer meets with the Engineering Department. Mr. Christensen pointed out that a concrete drain needs to be connected to the property to drain into the canal and there will be major obstacles in doing so with single-family homes.

Council Member Hales asked Mr. Christensen if the Thraens made any offers on the lots. Joe Wilkins stated that he spoke with Art Thraen about his interest in purchasing one of the lots; however, Mr. Thraen later informed him that he was no longer interested.

Mr. Wilkins noted his understanding that Council Member Hales would like to go back to the original plan of single-family homes. He explained that the Thraens would not have been happy with it because the homes would have been very close to their property. Mr. Christensen added that the Thraens have benefitted as far as traffic is concerned.

Dave Kallas asked about the elevation difference between Redwood Road and the entrance into the townhome development. Mr. Christensen stated that the difference is at least 20 feet. Council Member Kallas asked if there will be issues turning left out of the area due to the busy intersection nearby. Mr. Christensen was not aware of any restrictions that would prevent left turns. He added that traffic is heavy in the area but there is always a gap.

Mark Hales asked how the water runoff will affect the canal and the neighbors below. Mr. Christensen stated that it would go through a 24-inch pipe and drain into the canal. Mr. Wilkins commented that the drain has never had any water in it and it is just an obstacle for other types of development since the State has directed the developer to leave it where it is.

Mayor Timothy opened the public hearing. Mr. Crowell read the comments that have been submitted as outlined below:

Justin Westwood gave his address as 14641 South Anderwood Lane and submitted comments sympathizing with the developer's position as a result of the 14600 South extension. He asked the Council to deny the multi-family designation and keep it as commercial use. His preference was

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

for a strip mall with a fast-food restaurant, hair salon, or bookstore. Mr. Westwood encouraged the City to provide incentives to the developer to build a commercial retail development.

Jan and Lyle Wilde who reside at 14459 South 1690 West, submitted comments in person on April 15, 2020, opposing the multi-family housing development. They asked the Council to deny further residential development until there is more information on how traffic will be affected by the improvements to 14600 South and 14400 South.

Robin and Art Thraen gave their address as 14570 South 1690 West and submitted written comments requesting that the multi-family housing project be denied. They noted their experience with the developer and the City during the sale of their property for the road extension and the nuisance they have been subjected to as a result of the construction. The Thraens asked the Council to designate the lots for residential homes as originally proposed and to deny any requests for commercial or multi-family development.

The Thraens also objected to assertions the developer has made regarding diligent efforts to sell the lots and requested that they be required to list the properties on MLS for a fair price given the topography of the area and limited use of the lots. Photos of the area were provided by the Thraens.

Tauna and Gary Yates submitted written comments were opposed to changing the one-acre zoning requirement for the lots. They were concerned that other developers will make similar requests and the area will lose its rural quality and be subjected to increased traffic congestion.

Wendy Aston did not believe a multi-family housing development is appropriate for the property. She added that none of the public comments spoke in favor of the townhomes.

Mark Reid provided a history of the property and explained that the City recently hired a Traffic Engineer and developed plans to extend 14600 South to Redwood Road using the right of way near the Thraens residence when the applicant submitted plans to build a subdivision using the right of way. The City proposed a partnership with the developer and he agreed due to concerns that the property could potentially be condemned. The 11 lots the applicant planned to develop were reduced to four or five lots and that was what he was currently left with.

Mr. Reid explained that the road was moved some distance from where it was originally planned to be constructed and the move resulted in very large lots. The developer was asked to consider building a commercial development on the lots but the developer believed the slope would prevent commercial use. Mr. Reid stated that the developers took a loss while the City benefited and he believes the developer is going to lose a lot of money if the project is not approved.

Traci Crockett agreed that the road was beneficial for the City and the developer was negatively impacted. She added that the City was responsible and should find a way to make things right for the developer. Council Member Crockett agreed that the residents are not supportive of the multi-family development and asked if the lots might be easier to sell once the road is complete.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Mr. Reid noted that the applicant is currently paying on a loan to hold the property and have been doing so for a long time. He explained that the City plans to donate the 50-foot right of way to the Thraens. Mr. Reid stated that the City has tried to mitigate the impact with the neighbors and asked the Council to consider the financial impact the developer is experiencing. Jeff Gaston noted that Mr. Reid made a good point and asked how much the developers are paying in monthly interest. Mr. Christensen replied that the interest is approximately \$9,000 per month.

Dave Kallas was frustrated when the property was originally approved for residential because it was prime property for commercial development. He encouraged the Council to be more protective of commercial development in the future. Council Member Kallas noted that there is already a residential entitlement on the property and sympathized with the developer. He stated that he would approve the request because it is a residential site and it mitigates the City's impact.

Mark Hales disagreed and stated that the City did not create the issue. It is not the City's fault that the properties cannot be sold. Dave Kallas agreed that the City does not have to do anything but reiterated that part of the problem was created by the 14600 South project. He added that the developer would have had a successful development if the City had not interfered with the project.

Jeff Gaston pointed out that the developer has done everything the City asked on the project and thanked them for being so accommodating. He agreed with approving the amendment and encouraged everyone involved to work together toward the best possible outcome.

Mark Hales stated that moving forward with the project would make everyone else unhappy. Jeff Gaston replied that no one will be satisfied regardless of the direction the Council takes. He added that the City looked at purchasing the property and did not get any interest in commercial development. Council Member Gaston asked what else the property could be used for if residential and commercial uses are not viable. He also noted that the proposed multi-family project will be a luxury development with an HOA, garages, and trash pickup by the City.

Wendy Aston noted that there are other areas designated for multi-family housing and she believed that approving this project would be a disservice to the citizens. Traci Crockett agreed and shared concerns that approving the item will make the developer whole at the expense of residents.

Jeff Gaston suggested tabling the item to provide the developer and the public with an opportunity to speak in person with Council Members to work toward a resolution.

Dave Kallas moved to approve the proposed General Plan Amendment Application for 1.96 acres from Commercial to Multi-Family Residential, located at approximately 14643 Camp Williams Road. Jeff Gaston seconded the motion. Vote on motion: Dave Kallas–Aye, Jeff Gaston-Aye, Mark Hales-Nay, Traci Crockett-Nay, Wendy Aston-Nay. The motion failed 3-to-2.

6. PUBLIC HEARING – Consideration and vote on a Proposed General Plan Amendment for 8.67 Acres from Very Low-Density Residential to Low-Density

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Residential, located at Approximately 14135 South Loumis Parkway, Stonefly Development Corporation, Applicants, Staff Presenter, Jennifer Robison.

Mayor Timothy reported that agenda items six and seven will be heard together but voted on separately. The public hearing will be held on both items together.

Jennifer Robison clarified that a correction was being made to the legal description of the property from 8.67 acres to 7.97 acres to correct a discrepancy in the acreage since the State of Utah owns a small part of the property near the Rose Creek drainage system.

Mrs. Robison reported that the request is to amend the General Plan and apply an R-1-10 zoning designation with an Infill Overlay (I-O). She displayed a map of the property and noted that it is on Loumis Parkway near Vintage City Park. The property is also surrounded by part of the Spring View Farms development and situated adjacent to Sage Estates Phase I. The designation will allow one to four units per acre and change the area to low density.

One of the goals of the plan is to preserve the open space within the neighborhood and connect to the trails on the property. The design is flexible and conserves natural areas and unique physical barriers and will be similar to the surrounding development. The applicant is requesting permission to annex the property into the Spring View Farms HOA to allow for participation in the open space and contributions to the maintenance fees and secondary water access.

Mrs. Robison outlined the Spring View Farms development on the current zoning map and noted that the land use required the developer to have a minimum lot size of 10,000 square feet. The R-1-10 zoning designation would match that land use pattern and be compatible with the current development. An R-1-10 I-O would allow the developer to apply different development standards such as housing size, design standards, and other enhancements.

A concept of the development was provided and Mrs. Robison noted that the applicant is proposing 25 lots with a density of three units per acre. The applicant also plans to develop green space that will connect to a trail system after further development projects are completed in the future.

Mrs. Robison noted that the applicant, Chris McCandless, will share details on the infill overlay and added that the applicant will be required to meet the Covenants, Conditions, and Restrictions (“CC&R”) that are in place. She added that the applicant has agreed to landscape the park strip along Loumis Parkway as well as the trail.

Chris McCandless from Stonefly Development Corporation stated that he participated in a work session with the City Council approximately one month ago and redrafted a Letter of Commitment that will be included in the IO standards. The size of the single-story homes will be increased to 1,700 square feet and the two-story homes will be increased to 2,050 square feet per the request of one of the Council Members. An amendment will be made to the Sage Estates Phase III document to reflect the change before annexing the property.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Mr. McCandless reported that a road will be constructed to tie into the existing road, the frontages will be larger than Sage Estates Phase I and II to meet the lot size requirement, and the stormwater system currently built into the detention basin in Sage Estates Phase I will be adequate. Mr. McCandless noted that the homes were originally placed under contract; however, the buyer asked the developer to take over the contract. His company agreed to the contract with the understanding that the property would be annexed into Spring View Farms to help maintain the 120 acres of land and provide the homeowners with access to the open space.

An overview of the storm drain detention basin and trails were provided. Mr. McCandless also pointed out the overlay of property that belongs to the State of Utah and noted that the legal description will be changed to prevent future issues.

Mr. McCandless provided information on the HOA budget and the setback. He noted that Phase III will consist of 25 lots with a total of 362 homes. The density was reported to be 1.22 units per acre and 1.35 units in the CRO zones, which is below the level of density allowed. The open space makes up 47.5% of the property and consists of popular parks and trails that are frequently utilized.

Traci Crockett asked if the water rights belong to the City or the HOA. Mr. McCandless stated that the water rights were signed over to the HOA. Council Member Crockett asked if part of the HOA fee pays for the water or if it just pays for maintenance of the open land. Mr. McCandless stated that it pays for the water as well and includes irrigation for the residents.

Traci Crockett asked how much of the HOA fee goes toward the open space and how much goes toward the water. Mr. McCandless was uncertain and stated he could find out and provide the numbers. He added that the HOA budget is available online and shows the cost of delivery. The east and west sides have different rates. Council Member Crockett indicated that she lives in Spring View Farms and would like to see consistency in the exterior architecture.

Mayor Timothy opened the public hearing for agenda items 6 and 7. No comments were submitted. Mayor Timothy closed the public hearing.

Mrs. Robison clarified that the proposal included a letter dated with today's date and asked if there were any changes to the IO Standard Provisions. Dave Kallas clarified that the letter from CW Management needs to be included in the April 22, 2020 letter to include the IO requirements.

Dave Kallas moved to approve the proposed General Plan Amendment for 7.97 acres from Very Low-Density Residential to Low-Density Residential, located at approximately 14135 South Loumis Parkway to include the letter from CW Management dated April 22, 2020. Jeff Gaston seconded the motion. Vote on motion: Wendy Aston-Aye, Dave Kallas-Aye, Jeff Gaston-Aye, Mark Hales-Aye, Traci Crockett-Aye. The motion passed unanimously.

7. **PUBLIC HEARING- Consideration and Vote on a Proposed Zoning Map Amendment Application for 8.67 Acres from R-1-43 Residential to R-1-10 I-O (Infill**

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Overlay) Residential, Located at Approximately 14135 South Loumis Parkway, Stonefly Development Corporation, Applicants, Staff Presenter, Jennifer Robison.

Dave Kallas moved to approve the proposed Zoning Map Amendment Application for 7.97 acres from R-1-43 Residential to R-1-10 I-O (Infill Overlay) Residential, located at approximately 14135 South Loumis Parkway to include the letter from CW Management dated April 22, 2020. Jeff Gaston seconded the motion. Vote on motion: Traci Crockett-Aye, Wendy Aston-Aye, Dave Kallas-Aye, Jeff Gaston-Aye, Mark Hales-Aye. The motion passed unanimously.

8. Discussion on the Mayor's Responsibilities Relating to Old West Days, Presenters, City Council Members.

Mark Hales presented the item and asked if the decision to cancel the Old West Days event is something that should be decided on by the City Council rather than the Mayor. Wendy Aston stated that it is the individual responsibility and decision of the Mayor. She noted that Mayor Timothy always takes the Council Members' suggestions into account but it is ultimately his decision.

Mayor Timothy confirmed that he has decided to cancel the event and noted that the Council Members need to take control of the event if they are opposed to the cancellation. Mayor Timothy explained his reasons for canceling and emphasized the need to balance health and safety concerns with economic development. He reported that mass gatherings have the biggest impact on the spread of the Coronavirus, and social distancing appears to be very effective in reducing the spread.

Mayor Timothy reported that the Health Department has indicated that the virus is estimated to peak in the fall. With the Old West Days taking place in August, holding mass gatherings prior to the peak would make the City look irresponsible. Residents will also likely be cautious and choose not to attend the event. Mayor Timothy noted that it is too unpredictable to spend money and make promises to sponsors that the City may not be able to honor.

Dave Kallas asked if the City will be issuing Mass Gathering Permits and if there are any alternatives the City could consider to ensure that the event still takes place. Mayor Timothy stated that the event is a mass gathering and there are no alternatives.

Mark Hales raised the issue because he believes there should be a consensus of the Council if the event is to be canceled. Mayor Timothy asked if there was something the Council wants to pass. Jeff Gaston believed there was an ordinance that puts the Mayor in charge of Old West Days. Although he believed the situation could improve greatly by August, Council Member Gaston noted that it is the Mayor's decision until the ordinance is changed.

Mark Hales proposed to make a motion. Mayor Timothy stated that a motion cannot be made since the item is for discussion only. The Council would need to make the change through an ordinance to be addressed at a future meeting. Mr. Sheeran agreed.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Mark Hales asked for a proposal to be considered at the next meeting. Dave Kallas preferred to leave the ordinance as-is and asked if any of the other Council Members were interested in changing it. Traci Crockett and Wendy Aston agreed with keeping the Mayor in charge of the event. Jeff Gaston noted that he would need more time to consider potential changes.

Mark Reid stated that it is difficult to find anyone interested in taking on the responsibility of the Old West Days. He noted that the responsibility was given to the Mayor by a previous Council due to difficulties they had with making the arrangements.

9. Budget Discussion, Staff Presenters, Bruce Kartchner and Stephanie Thayer.

Bruce Kartchner reported that additional budget modifications have been made and will continue as staff works to prepare the final budget. The discussion will center around the changes and capital project expenditures since they are usually very large and typically split among different funds.

Jeff Gaston moved to adjourn for five minutes to correct sound issues. Mark Hales seconded the motion. The motion passed unanimously.

Mayor Timothy resumed the meeting with all Council Members in attendance.

Mr. Kartchner repeated the introductory information and noted that staff has been successful in reducing the budget expenses by assessing service levels and items that can be delayed. He noted that some of the projects are carryovers from 2020 due to projects that are not yet completed that will shift to 2021. Some items may be listed in both 2020 and 2021 since it is unknown when invoices will come in or when the projects will be completed but the monies will only be spent once in the year they are expensed.

Mr. Kartchner stated that the City has experienced an upward trend in sales tax, and the numbers recently received for February were 28% higher than last year. The increase was also the highest in the State. All other municipalities experienced a decline in February. Mr. Kartchner was not sure what the impact will be for March due to the COVID-19 restrictions.

Mr. Reid asked what was decided on employee salary increases. Mr. Kartchner reported that there will be no Cost of Living Adjustments (“COLA”) or merit increases in the coming year. There is a possibility that the decision will be reconsidered mid-year once the economic impact has been determined. Mr. Kartchner noted that the impact may be worse than the City expects.

Mayor Timothy stated that the mayors indicated at the last Mayors’ Meeting that they were not anticipating any COLA or merit increases this year. Mr. Kartchner commented that it would be best to hold off to avoid reductions in staff or other financial issues.

BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020

Chief Accountant/Human Resources Director, Stephanie Thayer highlighted the following changes to the budget and noted that columns were added to reflect the differences between the last budget update and the current changes:

- There was very little change to the revenue. The contribution from South Jordan to contribute to the School Resource Officer was added.
- Removing the COLA and merit increases changed the Salary and Wages line.
- The Use of Fund Balance was reduced to \$500,000. Mark Reid stated that the amount was previously \$649,000 in expenses that exceeded revenues. He was hopeful that staff will find additional items to remove as budget meetings move forward. Ms. Thayer noted that the property taxes have not been included yet and may help with the shortage.
- Emergency Preparation and CERT expenditures were reduced in the Administrative Department. An expenditure of \$20,000 was also removed from Communications that was to be used to improve the newsletter. The Department budgeted for the addition of a Crossing Guard for the new school.
- The budget amount for Law Enforcement increased due to the contract price that was received and added to the budget. The budget includes the School Resource Officer. Mr. Reid added that it does not include a Traffic or Canine Officer.
- The Streets Division budget was decreased by removing the request for additional personnel, which included one full-time employee and two seasonal employees. Funding was added for the portable office space needed for the move of the Redwood Road building and will be partially split with the Water Fund since they share the building.
- All requests for additional personnel were removed from the Parks and Recreation Department. Ms. Thayer proposed removing the seasonal positions as well. She stated that the additional employees will likely not be needed due to COVID-19 and the reduced service levels for the parks. Mr. Reid added that there will also be fewer overtime expenses with the cancellation of Old West Days.
- The City will be getting use out of the float for the next two years. Mr. Kartchner stated that it will be stored in the garage and the Public Works project for additional storage will be completed by June.
- Ms. Thayer referenced the Transfers line and proposed removing the contributions to Old West Days, the Miss Bluffdale Pageant, and the rodeo. She explained that most of them already have a strong reserve balance and the additional revenue does not need to be transferred due to the cancellation and modification of events.
- There were no changes to the Fire Department or Police Department equipment requests.
- Bruce Kartchner stated that any overages may need to be rolled over to next year. There is a rollover of approximately \$2.5 million but that could change due to the timing of the completion of projects and invoices. School crossings and the 14600 South extension are examples of rollover costs.
- The request for the utility truck and the utility truck with a brine system for snow plowing were removed.
- The remainder of the projects are new and most came from Engineering. The projects were to be covered by multiple funds.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

- Very few changes were proposed to the Water Fund. The equipment and additional personnel, including seasonal employees, would remain in the budget.
- The Public Works Building and land purchase were still in the budget. Mr. Kartchner noted that the project is noted in both the current and next year's budget in case it is completed this year.

Dave Kallas asked if any of the projects on 14600 South include a left turn lane into the Spring View Farms exit area. He explained that the road is a single lane and traffic is stopped behind vehicles turning left into the development. City Engineer, Michael Fazio stated that it is not included since a study has not been done. Mr. Reid was not aware of the issue but stated that Mr. Fazio will review the area to determine if striping would correct the issue. A cost study will also be provided.

Mr. Reid asked about the Cemetery expansion item listed in the budget. Ms. Thayer stated that the item was based on a five-year projection. Mr. Reid asked Ms. Thayer to remove the item and noted that it would not be worked on this year.

Mr. Reid asked if the \$560,000 amount on the budget was for the fire engine. Ms. Thayer stated that it was listed on the budget in the event the grant is approved. Since it was not the cost would be deleted. Battalion Chief, Warren James noted that he can get a Type 3 fire engine for \$450,000. He added they are being used in Herriman, Eagle Mountain, and Draper. Jeff Gaston asked Chief James to set up a time for the two of them to look at one.

Mr. Kartchner stated that the Type 3 engines are excellent vehicles and if there is a fire equipment purchase that exceeds \$500,000, Safety Impact Fees can be used to fund the purchase. Chief James pointed out that features can be added that may be worth considering that would be beneficial for the City such as a forced compression system. He explained that the fire engines are made by Rosenbauer in South Dakota and referred to as the Rosenbauer Timberwolf. Chief James agreed to provide Jeff Gaston with a brochure.

Mark Hales asked how CERT training will be impacted. Ms. Hall stated that classes will still be held.

10. Mayor's Report

Mayor Timothy reported on the following:

- He had discussions with Mr. Reid on closing the courts and whether to keep padlocks on them. He understands that the Council is considering whether to open the courts and he was not attempting to override any decisions on the matter.
- The Mayor was waiting for one of the Council Members to reply to a letter he sent via e-mail regarding holding a discussion with the County on COVID-19.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

- Mayor Timothy proposed putting a word count limit on written comments that are submitted for public hearings to provide a clear limit on time. Mr. Sheeran agreed that it would be appropriate to publish a word limit provided the limit is reasonable.

11. City Manager Report and Discussion.

City Manager Mark Reid reported on the following:

- The Bringhurst Station subdivision just south of Perry farms has submitted 64 units for review with 42 units having been approved so far.
- Certificates were provided to the Trans-Jordan Landfill for spring clean-up efforts. The facility had closed but is back open and can be used again.
- The foundation and flooring were underway on the water tank. The pipe was being installed from 14000 South to the canal crossing. Once complete, the grind and overlay will proceed on 2700 West.
- Mr. Reid reported that the trails are being used more heavily. Council Member Crockett asked that guidance on etiquette for the trails and park be provided. Mr. Reid stated that Ms. Hall has developed guidelines. Ms. Hall reported that she spoke with the Police Department about complaints they have received. She then developed guidelines from those conversations that will include rules for pets and the types of vehicles that are allowed and prohibited. Mr. Reid noted that the guidelines will be shared in the newsletter and on social media.
- Sewer and gas lines were being installed for the 14600 South extension and the asphalt was expected to be added within the next two months for the connection to Redwood Road.
- The bike lane project will go to bid in the fall. The City received a grant for the project as part of 14600 South expansion.
- A roundabout landscaping bid was awarded to Ace Construction and work was to begin soon.
- Chief James informed Mr. Reid that the COVID-19 pandemic is expected to peak this week or early next week.
- Salt Lake County posted new signs in the parks to guide families. The City will be looking into installing something similar.
- Council Member Gaston advised Mr. Reid of an opportunity to participate in COVID-19 testing and requested a budget adjustment to pay for tests. Mr. Reid would need a head nod from at least three Council Members and the amount to be added to the budget. The funding would be provided from the current reserves.

Jeff Gaston reported that he discussed the testing opportunity with other Council Members and noted that Dave Kallas proposed setting a budget of \$100,000 but only using \$50,000. The expectation was that the City will be reimbursed through FEMA, stimulus money, or other funding.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

Council Member Gaston stated that half of the funding is required upfront for the initial order and suggested providing free testing for all City staff and Public Safety personnel. A saliva test is available that will be beneficial. He noted that it is the same test as the nose swab but less invasive.

Traci Crockett agreed with budgeting for the tests. Dave Kallas noted that his employer is considering purchasing the tests but stated that there has been some controversy around the tests. He explained that the County Health Department and others are questioning the validity of tests and whether they are necessary; however, he believes residents will be interested in being tested.

Council Member Kallas noted that the tests will provide data to the City to determine the level of exposure in the community. Draper City will be ordering the tests and pay the expense of interested cities upfront but they need a commitment by tomorrow to place the order.

Jeff Gaston described the testing process and stated that the tests will be conducted via drive-through tents. He noted that individuals will receive the results within 15 minutes and be able to view their data privately through an app on their phones. If the test is positive, a saliva sample will be taken to confirm the results. The cost of the test for residents will range from \$20 to \$30. The remainder of the \$44 test will be subsidized by the City.

Mr. Reid asked why \$100,000 was being requested for the tests. Dave Kallas stated that it will cost \$44,000 for 1,000 tests, and he would like to have extra funding available in the event more tests are needed to avoid going through a second budget amendment process. Mr. Reid noted that a budget adjustment could be done quickly through e-mail. The Council Members agreed to reduce the budget to \$50,000. The budget adjustment was approved with a head nod from Council Members Dave Kallas, Traci Crockett, and Jeff Gaston.

Mr. Reid stated that instead of holding the regular Miss Bluffdale Pageant and appointing one winner this year, the committee discussed holding a Miss Bluffdale Court in which each of the 16 contestants would be asked to complete a service project. Each would receive a gift card for their service. The final decision was to be made in the next two weeks.

Mr. Reid noted that the next City Council Meeting will be held during the regular schedule. The Economic Development Meeting will take place at 4:30 p.m. followed by the Work Session at 6:00 p.m. and the City Council Meeting at 7:00 p.m. The meetings will be held via Zoom.

Chief James presented an employee recognition award and recognized Captain Bart Barton who is a lifetime Bluffdale resident. When faced with determining the best way to decontaminate ambulances and fire engines during the COVID-19 pandemic, Captain Barton researched on his own and reached out to the military to find out what they were using.

Captain Barton built two foggers, one for each station, that atomize a solution that settles and kills the Coronavirus as well as the flu and other viruses within 10 minutes. The Fire Department spent approximately \$600 on each fogger and they are used daily. Chief James noted that a vendor

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, April 22, 2020**

recently contacted him to sell a similar product that the Air Force is using for \$15,000. Other employees were involved in the project and will be recognized in the future.

Mr. Reid asked Chief James if the department has enough Personal Protection Equipment (“PPE”). Chief James reported that the Fire, Police, and Public Works Departments have N-95 masks and hand sanitizer for the next few weeks and plenty of gloves. Reordering was being done through the County. Chief James added that donations were still coming in and he thanked those who have donated.

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 Share, Security Issues, or any Alleged Criminal Misconduct.

There was no Closed Meeting.

13. Adjournment.

The City Council Meeting adjourned at approximately 11:59 p.m.



Wendy L. Deppe, CMC
City Recorder

Approved: May 27, 2020