



**BLUFFDALE CITY COUNCIL AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING AGENDA
Tuesday, February 25, 2014**

Notice is hereby given that the Bluffdale City Council and the Bluffdale Redevelopment Agency Board will hold a combined meeting Tuesday, February 28, 2014 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **7:00 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 by telephonic conference call.

The Agenda will be as follows:

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 7:00 P.M.

1. Roll Call, Invocation and Pledge.*
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 January 28, 2014 meeting minutes.
 - 3.2 Approval of the February 5, 2014 meeting minutes.
 - 3.3 Approval of the February 11, 2014 meeting minutes.
4. **PUBLIC HEARING:** Consideration and vote on proposed amendments to chapter 11-9 and 11-10 of the City of Bluffdale Land Use Ordinance in order to add storage units as a conditional use to the Heavy Commercial, Sand & Gravel, and General Commercial zones and also to chapters 11-12 and 11-16 to create development guidelines for storage units, Towne Storage and Gary Free, applicants – staff presenter – Alan Peters.
5. Consideration and vote on an amended Final Subdivision Plat Application for Plat I-1 for 27 residential lots to amend setback lines and associated easements at approximately 15200 South Battle Drive within the Independence at the Point Master Planned Community, D.R. Horton, applicant – staff presenter – Jennifer Robison.
6. Consideration and vote on a resolution authorizing the City Manager to enter into an Encroachment Agreement between the Welby Jacob Water Users Company and the City of Bluffdale – staff presenter – Vaughn Pickell.
7. Consideration and vote on a resolution approving an amendment to the Amended and Restated Development Agreement for Aclaime Independence, property is located at approximately 14600 South Porter Rockwell Blvd., Aclaime-Bluffdale, LLC applicant – staff presenter – Vaughn Pickell.
8. **PUBLIC HEARING:** Consideration and vote on a resolution adopting an amended budget for the 2013-2014 Fiscal Year – staff presenter – Mark Reid (**RDA Public Hearing held in conjunction**).

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

1. Roll Call.
2. Consideration and vote on the December 17, 2013 meeting minutes.
3. Consideration and vote on a resolution adopting an amended budget for the 2013-2014 Fiscal Year – staff presenter – Mark Reid (**RDA Public Hearing held in conjunction with the Budget Hearing**).
4. Adjournment.

CONTINUATION OF BUSINESS MEETING

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

PLANNING SESSION

11. **INDEPENDENCE PLANNING SESSION:** Discussion regarding parks and other miscellaneous items, Nate Shipp presenter.
12. 1300 West Parks and Trails Discussion.
13. 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.
14. 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).
15. Adjournment.

Dated this 20th day of February, 2014

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



Teddie K. Bell, MMC
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
Bruce Kartchner
Ty Nielsen
Heather Pehrson (arrived at 7:02 p.m.)
Justin Westwood

Others: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Grant Crowell, City Planner/Economic Development Director
Michael Fazio, City Engineer
Alan Peters, Associate Planner
Jennifer Robison, Associate Planner
Dave Sanderson, Contract Accountant
Teddie Bell, City Recorder

Mayor Derk Timothy called the meeting to order at 7:00 p.m.

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING

1. Roll Call, Invocation, and Pledge.

All Members of the City Council were present with the exception of Heather Pehrson who arrived shortly thereafter.

Ty Nielsen offered the invocation and led the Pledge of Allegiance.

2. PUBLIC FORUM.

There were no members of the public wishing to speak.

3. CONSENT AGENDA:

3.1 Approval of the January 28, 2014, Meeting Minutes.

3.2 Approval of the February 5, 2014, Meeting Minutes.

3.3 Approval of the February 11, 2014, Meeting Minutes.

Ty Nielsen moved to approve the Consent Agenda. Justin Westwood seconded the motion. Vote on motion: Alan Jackson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously. Heather Pehrson was not present for the vote.

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4. PUBLIC HEARING: Consideration and Vote on Proposed Amendments to Chapter 11-9 and 11-10 of the City of Bluffdale Land Use Ordinance in Order to Add Storage Units as a Conditional Use to the Heavy Commercial, Sand and Gravel, and General Commercial Zones and also to Chapters 11-12 and 11-16 to Create Development Guidelines for Storage Units, Towne Storage and Gary Free, Applicants – Staff Presenter- Alan Peters.

Associate Planner, Alan Peters, presented the staff report and described why the matter was brought to the City Council for consideration. The applicant, Gary Free, with Towne Storage, was looking to purchase the three-acre site on the corner of Iron Horse Boulevard and Camp Williams Road. The site is located in the General Commercial zone. It is long and narrow and measures 150 feet at the widest point and is 500 feet deep. The applicant remarked that the location is ideal for a storage unit facility; however, the zoning does not allow them. Currently, the only zones that allow storage units are the Light Industrial and Heavy Industrial.

Mr. Peters stated that traditionally storage units have been located in industrial zones and are considered an industrial type of use. Times have changed, however, and storage units are now frequently allowed in commercial, retail, and office zones with an emphasis on better design, security, and overall product. As a result, the applicants asked that the Council consider an application to allow storage units in the General Commercial zone.

Mr. Peters reported that the proposed changes would be applicable City wide. Staff worked with the applicant to refine the application. A rendering of the site was displayed and discussed. Mr. Peters described what the applicant hopes to do. The intent was to add storage units as a conditional use in the General Commercial, Heavy Commercial, and Sand and Gravel zones. Mr. Free would also like to provide guidelines that would be applicable City-wide. Changes were proposed in other areas of the ordinance including setbacks adjacent to residential properties, the introduction of parking standards for storage units, and an alteration to the permissible lot coverage requirements in the General Commercial zone. The proposed language was presented.

Mr. Peters stated that when the applicants first inquired about the possibility of constructing storage units in the General Commercial zone, staff studied the use to see how it compares to other permitted and conditional uses. Most uses in the General Commercial zone are less intense than storage units but there are some that could be located at this particular location that are more intense such as large-scale commercial buildings and hardware or variety stores.

Mr. Peters stated that the intent is to provide guidelines for storage units. The applicants described fortress-style storage units and explained that all new storage units will be built with the entire project surrounded by a solid masonry wall. There are also requirements for materials that would include masonry, block, brick, stone, or stucco. Offices would be required to have a commercial, retail, or industrial look. The landscaping would require approximately 50% more landscaping than normal. Mr. Peters explained that most of the site would be covered in buildings, driving lanes, and impermeable surfaces. More extensive landscaping would be required on the site exterior.

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Mr. Peters stated that a unique situation exists on the lot, which is north of an overhead power corridor with a 220-foot wide easement. Based on the existing provisions, they would have to be set back 20 feet from the property line because the property is adjacent to a residential zone. The applicants, however, feel that the power corridor provides an effective setback of 222 feet, which limits the uses allowed. They requested the units be against the property line since they are 250 feet from the power corridor. Off-street parking would be required. The permissible lot coverage could not exceed 80%. With the additional parking, the applicant would exceed the 80% lot coverage requirement. Power corridor issues were discussed. Mayor Timothy was concerned with allowing the power corridor and the zero lot line in some cases. Mr. Peters stated that it was defined by the minimum width of the power corridor. The Mayor was not sure that solves the problem. Potential language could be considered to resolve potential concerns.

Mr. Peters stated that the Planning Commission recommended approval with a split vote of 3-to-2. They also expressed concern with the addition of stucco and wanted to ensure that plantings are distributed throughout the property. It was also proposed that additional language be added addressing the power corridor being on the adjoining property.

Permissible lot coverage issues were discussed. Mr. Peters stated that the requirement would be changed to 80% to include parking unless greater coverage is approved.

Heather Pehrson asked Mr. Peters to describe the difference between conditional and permitted uses. Mr. Peters displayed a list of the permitted uses that currently exist in the zone. Conditional uses must be allowed unless no conditions can be imposed that will mitigate the detrimental impacts.

Mayor Timothy remarked that he visited fortress style storage units similar to the one proposed and found them attractive. He expressed concern about this particular site and questioned whether open storage would be allowed. He stated that he would be concerned with open storage becoming an extension of the self storage use. Mr. Peters stated that this site is unique in that it involves a commercial zone adjacent to a residential zone. If both parcels are zoned commercial no setback would be required. He explained that the building exterior looks like a wall from one side but because it is not, the setback is required. An actual wall with nothing on the other side could be built on the property line.

Mr. Peters clarified that no open storage is proposed as part of the request. He explained that open storage is a conditional use in some zones. It was noted that the definition of storage units does not refer to open storage, which is a different type of use with a separate definition. He noted that the applicants are attempting to determine whether the site will work for them.

Heather Pehrson wanted to explore the conditional use option in greater detail. She referenced 11-20 Section 5 and assumed that the citizens are concerned about this parcel. Mr. Peters was concerned about the conditional use process because in years past it has been used by some

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communities as a way to deny uses they do not want. Ways of controlling storage units were discussed. The Mayor worried specifically about there being storage units in areas where they are not wanted. In researching fortress-style storage units he found that they have approximately the same traffic impact as three single-family homes. He considered the proposed location to be a good place for such a use as long as they are as attractive as the others he had seen. He also worried about the potential for open storage.

Mayor Timothy opened the public hearing.

Kathleen Smith gave her address as 15112 Pony Express Road and was present representing Point of the Mountain Storage. She corrected an earlier statement and said that their objection has nothing to do with the applicant being their competitor. Their concern was with the acreage. She stated that the numbers were increased in a way that doesn't make sense. She suggested more stringent guidelines be put in place. She also expressed concern with the potential saturation of storage unit uses if there are no limitations.

Gary Free, the applicant, gave his address as 13561 Pine Tree Hill in Draper. He thought all could agree that this is a good location for a storage facility. It would be difficult to fit another type of commercial use on the site because of the power lines and the unusual length of the site. Mr. Free stated that the proposed facility will cost approximately \$2 million to construct. As a result, the likelihood of the use going away once it is built is unlikely. It was verified that storage unit auctions are conducted on line, which reduces traffic further.

Mayor Timothy asked staff to explore the possibility of eliminating the use in the Sand and Gravel Zone and report back to the Council later.

James Dunn gave his address as 14064 Pheasant Hollow Lane and stated that he has served on the City Council and the Board of Adjustment. Many years ago he represented National Self Storage as their legal counsel and many of the issues they dealt with had to do with disputes with the neighbors in places where the use did not belong. He has studied the ordinance and found that warehouses are not allowed in the General Commercial Zone. He considered what is proposed to be miniature warehouses that don't belong in the proposed location and are inconsistent with the neighborhood.

Suzie Bingham gave her address as 2495 Spencer Crest Drive and identified herself as the property owner. She described the history of the property and why it has been difficult to sell. She explained that originally the property was a junk yard. The Bingham's purchased it in 2001 and spent a great deal of time cleaning it up. The intent was to build a feed store on the property. Their business partner backed out and the banks would not loan them money. Parry Farms wanted to develop the site as residential but didn't have an access road. The developer offered to improve the property in exchange for the right-of-way to build the road. Parry Farms didn't keep their promises and the two parties ended up in a lawsuit. Before the matter went to court, however, Parry Farms went bankrupt. Mrs. Bingham stated that they have tried to sell the property. Towne Storage builds a nice product, the use is very safe, will have very little impact, and they are a stable company. In

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addition, the use will provide a tax base for the City. Mrs. Bingham encouraged the Council to consider what is proposed.

Rex Bingham gave his address as 2495 Spencer Crest Drive. He conducted research on the issue and reported that most cities designate storage facilities as a conditional use. Lehi, for example, designates storage facilities as a conditional use in the mixed use, residential, commercial, light industrial, and industrial zones. Eagle Mountain allows them as a permitted use in industrial and commercial zones. Draper City allows them as a conditional use in the general commercial, business commercial manufacturing, and commercial service zones. Riverton City allows them as a conditional use in their regional commercial zone. Mr. Bingham felt there was a place for them in commercial zones.

Rodney Wilson gave his address as 794 South 1080 East in Orem and was present on behalf of Wingate Properties, the principal broker representing the Bingham family in the sale of the property. Mr. Wilson stated that when he got the listing about one year ago they targeted groups they felt would be best in the proposed location. Each group they approached discounted the property for one reason or another. In the end, they got the most interest from self storage and construction users.

Lynn Williamson gave her address as 15319 Indian Paint Circle and identified herself as the adjacent property owner. She lives north of the property in a cul-de-sac neighborhood that has eight lots and six high end homes. Each is valued at \$450,000 to \$1,000,000. The neighbors have concerns, which were also expressed with a previous proposal where Cole Peck proposed a storage facility south of the subject property. High voltage power lines run through and separate the property previously discussed and this parcel. Because of the location and the size of the lot, the site has unique challenges. Ms. Williamson urged the Council to look at the traffic flow on Redwood Road. Currently the only access is Redwood Road, and it is curved all the way down Iron Horse Boulevard. She noted that there is no access to the property off of Iron Horse. Traffic issues and poor lighting also exist. She empathized with the Bingham family but stated that recently another storage unit facility was reviewed by the Council and ultimately denied. Ms. Williamson pointed out that there are residences on three sides of the property.

Heather Pehrson stated that the property is zoned commercial and she asked Ms. Williamson if there is a permitted use she would be satisfied with. Ms. Williamson responded that she wished the property was zoned differently but that it would be difficult to develop as residential. It was noted that there are four homes to the east of the property. The size of the lots were discussed, some of which are one-acre lots.

Chris Curtis gave her address as 15303 Indian Paint Circle and stated that she can see the property from her front door. At the last two meetings she attended, the request was to change the zoning that the City has already determined is appropriate. Traffic issues were discussed. Mrs. Curtis stated that she works across the street from a self storage facility and described traffic problems that exist. In addition, people live there and children catch the bus there. She stated that residents across from Redwood Road won't want this type of facility either. She suggested that the City

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purchase the property and put in a park. She considered a useless property that the owners are stuck with. As a property owner she did not want to be affected by bringing in a commercial enterprise that will negatively impact the neighborhood.

Lory Curtis gave his address as 15303 Indian Paint Circle and expressed concern with traffic and safety of children. He also had concerns with safety due to excessive vehicular speeds. Because it is a residential neighborhood, he felt that to develop it as commercial will create safety issues. He thought the proposed use would be better suited near Independence where there are other commercial uses. He thought the situation was unfortunate for the Bingham.

Mayor Timothy stated that the property is zoned General Commercial now and there are permitted uses that would be automatically granted. In reviewing the list he stated that the citizens are taking a chance on uses that are potentially much worse than storage units. He felt that having a nice storage facility would be better than other permitted uses. He stated that the property would not be rezoned without the willingness of the property owners. After visiting other sites owned by Towne Storage he found them to be very well maintained and attractive.

Access issues were discussed. Heather Pehrson stated that UDOT would never allow an access off of Camp Williams Road. As a result, access will always be off of Iron Horse.

Mr. Free stated that they have not explained to the residents what they intend to build on the property. There will be two or three stalls with parking inside the fortress. Previously, he purchased property on 5600 West and sold some of it to Hallmark Homes who constructed new homes next to their wall. He remarked that the adjoining lots were, in fact, the first to be sold. He suggested they, as the developer, meet with the neighbors. He was aware of few uses that have a lower impact.

Mr. Bingham pointed out that the property was zoned commercial long before any homes were built. When they entered into the agreement with Parry Farms the area was to have been a commercial node.

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

Heather Pehrson commented that she likes the site for a self storage facility but does not like the idea of self storage in the General Commercial zone. She thought it was important to note that General Commercial is much larger. With regard to existing zoning, Mr. Peters stated that Light Industrial only comprises 1.7 acres within the City. By eliminating it from Heavy Commercial and Sand and Gravel zones, the area in which storage units can be expanded would be reduced by 97%. Heather Pehrson suggested possibly narrowing it down to Neighborhood Commercial.

Bruce Kartchner struggled with the expansion because of how pervasive it is in all areas. He did not necessarily think it will fit in every commercial area. To open it up in that fashion seemed like a bad idea. He was more inclined, because of the nature of storage facilities, to specify a specific

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zone for them. With respect to the design criteria, he felt that limiting it to a fortress style was problematic as well. He remarked that a new facility in downtown Salt Lake City consists only of a building that is fully enclosed. He felt that the Council was pushing the amendment through for this particular property. He stated that it is difficult to differentiate between what is being planned and the property. To him, they should be totally independent.

Mayor Timothy stated that the difficulty would be that the Bingham's property is zoned General Commercial. If they, through the process of creating a storage unit zone, may want to have a specific agreement in place in order to rezone in that manner because they would not want to sacrifice the General Commercial designation. Bruce Kartchner was not proposing that the Council would allow a change of that nature. He thought that the use as General Commercial seemed odd and out of place based on the fact that is largely not marketable. Another concern was that efforts were being made to change the code to fit that oddity. He thought that exacerbates the overall problem.

Permitted uses allowed in the General Commercial zone were identified. Possible options were discussed. Heather Pehrson thought the property should possibly be honed down from General Commercial so that it is more compatible with the neighborhood. She did not object to zoning it Neighborhood Commercial. Bruce Kartchner stated that such a change is the choice of the property owner and cannot be initiated by the Council. He did not support changing the requirement for all General Commercial zones for this one property.

Alan Jackson stated that there are other permitted uses that are not as preferable to storage units. He was not sure harm would be done to the zoning by allowing something with the proposed guidelines implemented and in fact, thought it would improve the zoning because it results in better options.

Mayor Timothy agreed with Council Member Jackson that storage units won't do the zone any harm. The Mayor considered them to be more desirable than other permitted uses in the same zone. Sales tax generation issues were discussed. Possible options were discussed.

Bruce Kartchner moved to not pass an ordinance amending sections of the Land Use Ordinance in the City of Bluffdale in order add storage units as a Conditional Use in HC, SG-1, and GC-1, revise lot coverage requirements of CG-1, and adopt development guidelines for storage units. Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Nay, Heather Pehrson-Nay, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Nay. The motion failed 3-to-2.

Possible options were discussed. Heather Pehrson asked staff to address the outstanding issues such as parking and the conditional use criteria.

Heather Pehrson moved to approve the proposed amendments to Chapter 11-9 and 11-10 of the City of Bluffdale Land Use Ordinance in order to add storage units as a conditional use in the General Commercial zone and strike it from Heavy Commercial and Sand and Gravel

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**and also to Chapters 11-12 and 11-16 to create development guidelines for storage units.
Justin Westwood seconded the motion.**

Bruce Kartchner asked about the design criteria and if it is acceptable to have a zero lot line storage unit facility in general or just in the power corridor. He asked if weeds would be allowed against the wall. Alan Jackson stated that presently they would be allowed to construct a wall against the property line in the power corridor. City Manager, Mark Reid, stated that being up against a power corridor, wherever the property ends from that point to the next 220 feet, there will only be weeds; however, they will not be visible. In the front, landscaping will be required and the percentage will have to be met. The issue of the wall being allowed on the zero lot line was discussed.

Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Nay, Ty Nielsen-Nay, Justin Westwood-Aye. The motion passed 3-to-2.

5. Consideration and Vote on an Amended Final Subdivision Plat Application for Plat I-1 for 27 Residential Lots to Amend Setback Lines and Associated Easements at Approximately 15200 South Battle Drive within the Independence at the Point Master Planned Community, DR Horton, Applicant – Staff Presenter – Jennifer Robison.

Associate Planner, Jennifer Robison, presented the staff report and stated that the application is an amendment to the final plat approved previously by the City Council and recorded as a deed. Originally 27 lots were approved. The differences between the recorded and amended plat were described. The proposed change will only affect one side of the street. The lots on the east side of the street will continue to have a public utility easement of five feet around the perimeter. The lots on the west side of the street are interior lots. The developer is proposing to provide a temporary setback along the rear and add a five-foot easement between the properties and build the structure to a zero lot line.

Lots 219 through 234 will be subject to a non-inclusive perpetual five-foot easement for the following purposes:

1. It would provide a public utility easement;
2. A roof drainage easement from the adjoining lot; and
3. Ingress and egress for the owners to use from time to time for repair and maintenance to the exterior of the adjoining residence or lot.

Mrs. Robison stated that the reason for the proposed change is to improve the marketability of the homes. The developer would like to bring the garage to the home and have an attached garage that would allow for more property along the perimeter, a larger driveway, and another location for additional parking. Fencing options were discussed. A photo was displayed of the elevation showing the zero lot line.

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Heather Pehrson moved to amend the final subdivision Plat I-1 to amend the setback line and associated easements to provide for a zero lot line home product with attached garages at Independence at the Point project subject to the following:

1. That all requirements of the City Code and adopted ordinances are met and adhered to for the proposed plat.
2. That the plat complies with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department.
3. That the project adheres to all requirements of the International Fire Code.
4. That the plat specific CC&R's are recorded with the final plat at the County Recorder's Office, if applicable.
5. That all building permit submittals for homes have written or stamped approval from the Independence Development Review Committee, pursuant to the requirements of the DA prior to being submitted to the City.
6. That all street trees shall be installed in the park strips prior to the issuance of a certificate of occupancy for all dwellings in accordance with the approved Street Tree Plan.
7. That all park strip landscaping irrigation and maintenance is the responsibility of the adjacent property owners.

Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously.

6. Consideration and Vote on a Resolution Authorizing the City Manager to Enter into an Encroachment Agreement between the Welby Jacob Water Users Company and the City of Bluffdale – Staff Presenter, Vaughn Pickell.

Mr. Reid stated that the above agenda item would normally be included on the consent agenda. Mayor Timothy stated that his previous comment had to do with resolutions and ordinances. Since this is a resolution he wanted it to be considered separate for roll call purposes. For resolutions and ordinances he wanted individual votes to be recorded, per Roberts Rules.

City Attorney, Vaughn Pickell, stated that the proposed resolution is to allow the pipeline to cross the Welby Jacob Canal.

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Ty Nielsen moved to approve a resolution authorizing the City Manager to enter into an Encroachment Agreement between the Welby Jacob Water Users Company and the City of Bluffdale. Heather Pehrson seconded the motion. Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously.

7. **Consideration and Vote on a Resolution Approving an Amendment to the Amended and Restated Development Agreement for Aclaime Independence, Property is Located at Approximately 14600 South Porter Rockwell Boulevard, Aclaime-Bluffdale, LLC Applicant – Staff Presenter – Vaughn Pickell.**

Mr. Pickell reported that the above item was withdrawn from the agenda.

8. **PUBLIC HEARING: Consideration and Vote on a Resolution Adopting an Amended Budget for the 2013-2014 Fiscal Year – Staff Presenter – Mark Reid (RDA Public Hearing held in conjunction).**

Mr. Reid introduced the item and distributed a portion of the handout not made available in Dropbox. He reported that this time each year staff brings forward the mid-year budget adjustment. This year it was being done in a more concise form. Most of the items will be one-time items. He noted that only the revenue stream of the one-time revenues were being amended.

Mr. Reid reviewed the budget adjustment and identified the revenues for building permit and development fees and the general revenue for the appropriated fund balance. With the amount budgeted last year, staff was unable to transfer funds from the General Fund to the Capital Projects Fund. As a result, a \$400,000 transfer was budgeted. The expense item was a General Fund contribution and the revenue item was General Fund appropriated fund balance that takes money out of the reserves in the General Fund. The next page showed a \$400,000 contribution to the Capital Projects Fund and an offsetting amount for reserves.

The revenue items were mostly comprised of one-time items. The ambulance was purchased for \$160,000 a few years ago. \$25,000 was budgeted this year. If an additional \$53,000 was budgeted it could be paid off and would not have to be dealt with in future years. It was noted that the money for the expenditure is available now. The second item is not typically one-time money and deals with changing the status of Fire Chief John Roberts from part-time to full-time. The money not in the budget was specified to move him from a part-time to full-time status for the four remaining months of this fiscal year. Chief Roberts would have additional responsibilities as part of the change. Mr. Reid stated that the Fire Chief is an appointed position and he can be unappointed and someone else appointed if so desired by the Council. Mr. Reid clarified, that he was not proposing that.

Heather Pehrson shared a comment she received from a citizen who had heard that the City was planning to hire a full-time Fire Chief. If so, there was some question as to whether others would be

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able to apply. Mr. Reid's opinion was with appointed positions and at-will employees, if there is reason to move in the direction of dismissal, that would be done. He simply wanted to change Chief Roberts' status from part-time to full-time. Bruce Kartchner did not feel the job description was being changed and thought that dismissing Chief Roberts will be more disruptive. It was noted, however, that more will be expected of Chief Roberts as a full-time Fire Chief and he will have more responsibilities, which will change the process by which he is evaluated. Council Member Kartchner stated that because of the nature of it being an appointed position, the pressure will be on Chief Roberts to perform.

Mr. Reid stated that the third budget item involved the purchase of tablets for the paperless packets. Funds were budgeted in the Council budget, which includes the Planning Commission. Funds were also included in the Mayor's budget for the purchase.

Mr. Reid stated that there was some surveying equipment to be purchased consisting of a LiDar device at a cost of \$2,000. City Engineer, Michael Fazio, requested the purchase.

Mr. Reid stated that more has been done with the City's Building Official and he proposed next year including a monthly amount to be paid for the service. The proposed budget adjustment will pay those costs through the end of the year. The difference was based on development and the additional cost.

The next two items were development related. Because of the extensive amount of development that has taken place in the City, it was necessary to hire two planners and an engineering tech. All three individuals exceeded management's expectations. The desire was to retain them as employees and he asked for a \$2.00 per hour increase in their salaries.

With respect to Police Services, there will be additional funds in the Franchise Tax. He distributed a memo addressing the police detective. He described the manner in which the item is budgeted and explained that the City shares a detective with the City of Saratoga Springs. Part of the salary includes a car, gas, and maintenance. The City's Precinct Commander, Corporal Taylor, has found a detective car for sale that is fully equipped for \$4,300, which is less than what the City budgeted for a car and gasoline for the year for the detective. With the car purchase, the City will be able to bring the detective over without that part of the fee. Instead of paying approximately \$50,000 to double from part-time to full-time, only an additional \$30,000 will be needed. Police start-up costs were reduced from \$20,000 to \$10,000.

Mr. Reid commented on the \$3,000 cost to start up the reserve program. He was not sure how quickly the position could be filled but stated that the requested amount would cover the cost if it is filled by March 1. The intent of the reserve program is to find a part-time police reserve person to work three eight-hour shifts per month and hire a reserve, purchase another car, and hire another reserve officer on July 1, 2014, and another in one year's time. Likely one of the three will serve as a reserve detective and work on cases assigned directly to them. The officers will be hired by Saratoga Springs but assigned to Bluffdale. The benefit to that is that there would be a full-time

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officer who is experienced in another agency. In the end the City would save on the benefits to be paid for a full-time officer. Mr. Reid stated that the City would have to provide the new officers with uniforms and some gear. The cost was expected to be about \$1,000, which is available in the City's equipment budget.

Mr. Reid stated that there have been problems between the City's two buildings in that there is no line of sight. A T1 line was purchased to run the phone system and the Caselle software. Caselle has new software and the City was given a substantial discount to be one of their initial users. The hope was that the change will resolve the issues.

Bruce Kartchner asked how many Caselle users the City has in each location. Mr. Reid stated that there is one station at one location that can be used by two to three people. Council Member Kartchner suggested using a server rather than making the proposed change. He asked that staff discuss the situation with him in detail before making the change. The \$4,000 cost did not sound like much of a discount to Council Member Kartchner. He thought other alternatives may be viable and not cost as much.

Mr. Reid reported that Associate Planner, Jennifer Robison, has been filling in in payroll and realized that the Caselle payroll module was never purchased. As a result they have been hand entering journal and individual entries. That leaves the City open to possible errors and takes a lot of extra time. The intent was to purchase the software.

Mr. Reid reported that in capital projects, there was discussion about the \$400,000 being transferred in with \$350,000 going into reserve. He reminded the Council that earlier in the year authorization was given to increase the budget by \$50,000 to purchase a Mac truck with a stainless steel bed and salter. Another increase was authorized for the parks trailer in the amount of \$20,000. \$45,000 was to be received from a CDBG grant. Those funds were previously authorized and spent.

In the Water Fund the cost of the other half of the plow was shown in addition to a backflow prevention Caselle add on requested by the Water Department. Backflow preventer issues were discussed. Mr. Reid stated that staff was also looking to purchase the Caselle version of the service order. As orders come in for meter sets and repairs, they are scheduled through the servicing order. To this point the City has been using another service.

Mr. Reid stated that in the EDA fund the City has been using the funds to build Porter Rockwell Boulevard. They budgeted the expenditure and expect to spend about half of the cost to build the road. The cost of the road will be reimbursed by road impact fees but the cost to upgrade the road to UDOT road standards will be paid for with impact fees. This allocates money to both places. He estimated that the fund balance is \$4.3 million before expenditures. \$1.3 million remains with about \$1 million to be paid back as impact fees come in.

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Bruce Kartchner remarked that there are things he likes and doesn't like about the new budget format. He expressed appreciation to Contract City Accountant, Dave Sanderson, for stepping in and helping out.

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

Bruce Kartchner moved to approve a resolution adopting an amended budget for the 2013-2014 fiscal year. Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously.

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RDA Chair Bruce Kartchner assumed the Chair.

1. Roll Call.

All Members of the RDA were present.

2. Consideration and Vote on the December 17, 2013, Meeting Minutes.

Ty Nielsen moved to approve the December 17, 2013, meeting minutes. Heather Pehrson seconded the motion. Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Mayor Derk Timothy-Aye. The motion passed unanimously.

3. Consideration and Vote on a Resolution Adopting an Amended Budget for the 2013-2014 Fiscal Year – Staff Presenter – Mark Reid (RDA Public Hearing held in conjunction with the Budget Hearing).

Ty Nielsen moved to approve a resolution adopting an amended budget for the 2013-2014 fiscal year. Justin Westwood seconded the motion. Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Mayor Derk Timothy-Aye. The motion passed unanimously.

Bruce Kartchner asked to see an updated budget to see where they stand overall because of the continued and anticipated demands on those funds.

4. Adjournment.

The RDA Meeting adjourned at 10:13 p.m.

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CONTINUATION OF BUSINESS MEETING

9. Mayor's Report.

Mayor Timothy indicated that he provided the Council Members with a copy of the NSA resolution which was released by Mark Roberts. Comments were sent back indicating that they do not want it to do any harm to Bluffdale.

Heather Pehrson asked if there was any benefit to approaching the LPC and trying to make an argument that it sets a bad precedent and that it is jurisdictionally wrong. The Mayor stated that in his conversations with others there is no support for it. Council Member Pehrson stated that the concern as stated in the bill language is that it is not obeying the constitution. A process is in place and a jurisdiction to deal with it.

Mayor Timothy stated that he recently met with UDOT about several things including Porter Rockwell Boulevard and UDOT's support of the City's efforts. They also discussed how to facilitate maintaining a UDOT standard. Nathan Lee, the Region 2 Director, gave advice on how to do that in conjunction with the Legislature's Transportation Subcommittee. It is important to take action and does not necessarily mean that the jurisdiction will change but allows for funding to be received. Senator Hatch's office approached the Mayor and during the discussion he discovered that if they pursue this process federal funding will be possible. It was also important to note that as part of the exchange the City will have to make the trade. Funding will also be part of the discussion. The Mayor stated that when a City takes on a state road, monies exchange hands. If it doesn't meet a city standard it is a point of negotiation. The City will rely heavily on City Engineer, Michael Fazio, throughout the process.

The Mayor reported that a meeting was recently held with Woodbury. He wanted to make sure Woodbury understands that if the City plans on making arrangements to lease a building for a future City Hall, a light and a road need to be in place at 13970 South.

Mayor Timothy stated that some neighbors in Independence have complained about the height difference between their private driveway and an adjacent private driveway on plats D-3 and C-7. Earlier in the day he met with the developer to determine how they ended up with this design. In the end it will be a private driveway in a private system flowing out to the public street. A future private system could develop problems and flood. From an overall design standpoint it was thought to be a better design. For other reasons it could be considered a poor design. A neighborhood meeting with the residents was scheduled for the following evening at 5:00 p.m. Interested Council Members were invited to be present.

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10. City Manager's Report and Discussion.

Mr. Reid indicated that Pony Express was discussed at a recent meeting with UDOT. There had been a lot of discussion about ownership of the road. The claim had always been that it is a state road but it is shown on the Class C Road Map and the City is collecting money to maintain it. He noted that enough money cannot be collected to maintain it let alone to fix it since gravel trucks that use the road have the ability to exceed the weight limit. The City does not have the ability to collect fees or regulate the overweight limit trucks. The City agreed to work with UDOT to resolve the issues.

Mr. Reid reported that the City's Court Clerk recently began her maternity leave and a temporary employee was hired to replace her for the next few months. In addition, the City's Code Enforcement part-time seasonal position is posted. A number of interviews have been conducted and City Planner/Economic Development Director, Grant Crowell, was ready to make a decision. With regard to the Accountant position, there was very little response. Most was from individuals with non-governmental accounting experience or those with payroll experience but no budget experience. Mr. Reid stated that he needs to act fairly and make a decision. Specific qualifications of individuals who applied were discussed.

Mr. Reid stated that the City is out to bid on the pump house and water line and it will be in the paper for two more weekends. He has been looking for office space on behalf of the City. He hoped to avoid spending the money this year and stated that four people need to be moved out of offices in order to create space. When it was originally budgeted in May of last year he got a bid for \$10,000 for a modular unit. Apparently that was not a good bid because prices have since doubled. He researched the office buildings just south of the cemetery to see what they offer in terms of office space for four City employees. He planned to meet with the owner in the near future. Mr. Reid was also waiting for a returned call from the company that provides portable classrooms to schools.

PLANNING SESSION

11. Independence Planning Session: Discussion Regarding Parks and Other Miscellaneous Items, Nate Shipp, Presenter.

Independence Representative, Nate Shipp, was seeking direction from the Council on the concept of collecting impact fees for a skate park and splash pad at a projected cost of \$500,000. The developer was committed to making the improvements but was not sure of the level of improvements desired.

Heather Pehrson liked the idea of a splash pad. Mr. Reid stated that the City will be getting a splash pad next year in the County Park, which is some distance from the park being discussed. Alan Jackson thought a skate park would get more use. Ty Nielsen described problems that are inherent with stake parks such as vandalism, littering, and crime. He commented that they also require a

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great deal of parking. Council Member Nielsen stated that people come from Ogden because Herriman's skate park is the only one that remains open during the winter. Mayor Timothy hoped to see a configuration of pavilions around the splash pad where more than one or two families would have access.

Mr. Shipp described the proposed location of a large tot lot, a splash pad, smaller pavilions, trails, and a skate park. The Mayor indicated that one small pavilion would accommodate one family. Additional discussion took place on the potential for nets, a zip line, basketball courts, slack line, pickle ball, mini pool, Frisbee golf, and sledding hills. Other potential amenities were discussed. Heather Pehrson thought it was important for the City to provide varied recreational opportunities.

Bruce Kartchner requested that research be conducted on back costs from a budgetary standpoint.

12. 1300 West Parks and Trails Discussion.

Chris McCandless displayed the plat of the area and identified existing and proposed trails. A trail was proposed through the Ivan Nielsen property and across Johnny Loumis, Jr.'s property and the church property. The intent would be for all of the trails to connect. There would be a total of 150 acres of parks and trails. Mr. McCandless stated that there are a few trails left to build with a few requiring City participation.

Mr. McCandless presented a proposal for the Council to consider changing the mindset of just doing sidewalks. Along 1300 West they own property that is associated with Sage Estate I. They will donate it to the City in exchange for a sidewalk right-of-way. Where possible they will donate property so that the City doesn't have to do condemnation to purchase it. Secondly, with respect to a future City park, the developer will pay for the master planning of it. They have been working with a baseball organization that was evicted from Riverton City. They have 150 baseball teams and are now down to 100 teams because they don't have a place to play. The proposed park will include two baseball diamonds with pavilions and parking in conjunction with the trail. They will also raise up to \$300,000 to improve the park.

Mr. McCandless explained that in the City's Capital Facilities Plan impact fees are used to improve 1300 West. Instead of using 1300 West from back of sidewalk to back of sidewalk, he recommended they instead pay for the road from back of curb to back of curb and then use impact fees to fill in the remaining gap. He considered it to be a lineal parkway and thought it would be beneficial for it to connect.

Mr. McCandless stated that their intent would be to develop a City-based funding proposal using existing tools to fund the balance of the parks and construction related costs, use the Capital Facilities Plan, and incorporate traffic impact fees and park impact fees for the park and the lineal parkway trail system along 1300 West.

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Mr. Crowell stated that it will be necessary to start prioritizing pieces. Statements are identified on the CFP but they are not specific. Heather Pehrson considered this an opportunity and stated that it is necessary to do it with 1300 West. Mr. Reid stated that impact fees have been collected in the area. Bruce Kartchner felt that finishing some of the segments enhances the value of Mr. McCandless' development and allows him to command higher prices for his lots. His push back is that he has developed this wonderful trail system that the City doesn't want to lose or allow an HOA to not maintain. He suggested the City consider the maintenance costs and potentially have a discussion with the HOA regarding jurisdiction. Heather Pehrson commented that she would like to see the project completed.

Bruce Kartchner stated that he has always been opposed to building baseball fields for baseball organizations who then have control of the park. Mr. McCandless stated that Utah Select Baseball will pay for maintenance. Bruce Kartchner thought the downside would be that they will control it and it becomes less of a public park. He also was unsure that what is proposed can be done with that particular park. Alan Jackson commented that his family has spent hundreds of delightful hours watching baseball.

13. Planning Session.

Bruce Kartchner stated than in conjunction with the EDA/RDA, Porter Rockwell Boulevard is to be continued to the south and north. He suggested the City get some broad numbers as far as what the expectation is. His concern was the estimation of the extension of the two. He was not sure how much time it will take. The use of park and trail impact fees was discussed. Mr. Crowell commented on the Bland property. Mr. Pickell stated that it is necessary to take the proper steps.

Bruce Kartchner suggested the Council look at the GC (General Commercial) items since some seem desirable and compatible while others do not. Mr. Crowell suggested looking at the use tables together. Ways to limit certain uses were discussed. Mr. Pickell stated that reasonable limitations can be placed on undesirable uses, but it must be regulated using distance requirements or some mechanism other than the number of a specific type of use.

Mr. Reid commented on the proposed storage facility and considered the location to be undesirable. He stated that the use is good for the ground itself but the nearby residents have large garages and large lots and have no use for a storage facility. He considered the proposed location to be a difficult place for them to do well.

14. 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 Meeting.

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5. Adjournment.

The City Council Meeting adjourned at 11:45 p.m.



Teddie K. Bell, MMC
City Recorder:

Approved: March 11, 2014

Approved by the Redevelopment Agency Board: April 8, 2014