



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Tuesday, August 12, 2014**

Notice is hereby given that the Bluffdale City Council will hold a meeting Tuesday August 12, 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 July 15, 2014 meeting minutes.
4. Presentation of the Bluffdale City Fire Department Statistical Report, Chief John Roberts.
5. **PUBLIC HEARING:** Consideration and vote on a resolution regarding unbilled water service provided by the Water Utility Enterprise Fund to the Bluffdale City General Fund for Fiscal Year 2015 – staff presenter – Vaughn Pickell.
6. Consideration and vote on a resolution approving an Interlocal Cooperation Agreement between the Jordan School District and the City of Bluffdale, Herriman City, Riverton City, the City of South Jordan and the City of West Jordan – Mayor Derk Timothy.
7. Consideration and vote on an ordinance adopting new City Standards – staff presenter – Matt Chadwick.
8. Consideration and vote on a resolution approving a contract with Aquaveo for a Water System Master Plan – staff presenter – Michael Fazio.
9. Consideration and vote on a resolution for an amendment to the Bluffdale City Policy and Procedures Manual regarding political activity policy, sick leave policy, benefit policy and salary scale and job description for an Engineering Construction Manager and Inspector – staff presenter – Vaughn Pickell.
10. Consideration and vote on a resolution appointing members to the Bluffdale Arts Advisory Board – Mayor Derk Timothy.
11. Mayor's Report.
12. City Manager's Report and Discussion.

PLANNING SESSION

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.

WORK SESSION

14. Discussion on draft Private Lanes/Infill Ordinance – staff presenter – Grant Crowell.
15. 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).
16. Adjournment.

Dated this 7th day of August, 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.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

Present: Mayor Derk Timothy
Alan Jackson
Bruce Kartchner (arrived at 8:20 p.m.)
Ty Nielsen
Heather Pehrson
Justin Westwood

Others: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Grant Crowell, City Planner/Economic Development Director
Michael Fazio, City Engineer
Blain Dietrich, Public Works Operations Manager (excused at 8:10 p.m.)
Fire Chief, John Roberts
Assistant City Engineer, Matt Chadwick
Teddie Bell, City Recorder

Mayor Derk Timothy called the meeting to order at 7:05 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 Bruce Kartchner who arrived later.

Heather Pehrson offered the invocation.

Debbie Holt led the Pledge of Allegiance.

2. PUBLIC FORUM.

Gary Yates gave his address as 14541 South 2395 West in the Hidden Dreams Subdivision and asked about secondary water to the subdivision. Mayor Timothy explained that when the City had the ability to get water from the Utah Data Center (UDC) they saw it as an opportunity to expand the trunk line for the future secondary water system. The water from the UDC was run to the park with the intent of using it to water the park until there is more than what the park will use. Once that occurs they will begin disbursing it to other areas. He explained that in looking at what is being used currently, it is difficult to say whether the UDC will ever be able to provide more water than what will accommodate the park. The pipe, however, was oversized so that it could be part of the future infrastructure. When there are additional sources of water they can hook up to both ends.

The Mayor explained that the City is currently looking to obtain additional sources of water from several places such as the Jordan Basin Water Reclamation Facility. City representatives have been in discussions with the Sewer Board with respect to infrastructure. Mayor Timothy explained that

BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014

next summer when 1300 West is improved, an additional trunk line will be installed that will place a trunk line at the boundary of the treatment plant. Currently the City has had to work with all of the cities that own water shares because the Sewer District wants only one pump station. Working through those intricacies had proven to be a complicated process.

Mayor Timothy explained that there are currently at least 43 private systems in the City. They are quite extensive on the west side of Redwood Road and sparse on the east side. City Manager, Mark Reid, stated that there are also water shares that have been dedicated to the City. The HOA has the ability to find a source of water, which is typically the closest canal, construct a pump station, and take water. This would result in a water system being in place but not a source of water. The source the City has been trying to obtain is from the Utah Data Center, which is expected to use more water as time goes by. At some point there may be enough water that some could be passed on to the Hidden Dreams Subdivision or other areas that don't have secondary water. The City has also budgeted money to develop wells and obtained shares that would allow them to put canal water into the lines. They are, however, trying to avoid putting canal water into the pressurized irrigation line since they are trying to use affluent water.

City Recorder, Teddie Bell, stated that the Hidden Dreams Subdivision has a source of water consisting of four shares of Utah Lake Distributing water. Mr. Reid clarified that they have the supply of water but not the source in that they don't have a pump or canal. The HOA could work with the canal company and get water pumped into the system. Another option was to wait until the City gets the reuse water from the sewer treatment plant.

Mayor Timothy explained that as subdivisions are built the City requires systems be put in so that once there is a source of water they can connect. Until then the systems can be designed as subdivisions are built or after the fact, whereby water can be put into the system up until the time the City provides it. Currently, each time a road is repaved, the pipe is put in the road. The intent is to make the trunk line as affordable as possible so that when water becomes available the City is not charging an exorbitant amount. Mr. Reid stated that the City's long-term philosophy is not to have one City-wide system. As infrastructure is built those without water or who choose to go off of their canal water could pay the City to make the change. It was noted that new subdivisions are required to put in working systems. Mr. Reid explained that the City is looking for alternative water sources and has funding to explore wells.

Chase Erwin gave his address as 15070 South Bright Stars Drive and asked if the apartments being built in the Independence Subdivision will be subsidized housing. Mr. Reid stated that the apartments were the first to be approved in the Independence Subdivision. From the beginning the City knew they would be affordable housing units. This was not Bluffdale's choice but the decision of the developer and the property owner. The subsidy comes from the Utah Housing Authority and not Bluffdale City. The apartments are within a development area that required 20% of the tax increment go toward affordable housing. It could go to infrastructure rather than to subsidize rents, however, the affordable housing aspect of the project is the decision of the owner.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

Mr. Reid stated that the City is not in favor of more apartments or affordable housing but approximately 12 years ago a number of apartments and townhomes were approved in Independence as part of a development agreement that was entered into. The City knew what the density had to be and that apartments and townhomes were allowed.

Mr. Erwin expressed concern about the apartment's proximity to schools and parks. He also questioned the devaluation of property values. Heather Pehrson stated that quality and safety is the responsibility of the apartment management and noted that they have a good track record. She indicated that the Council will do its part by developing a partnership and working with the management. In response to a question raised by Mr. Erwin, Mr. Reid stated that Affordable Housing has numerous requirements.

There were no further public comments.

3. CONSENT AGENDA:

3.1 Approval of the July 15, 2014, Meeting Minutes.

Justin Westwood made a correction to page 13, line 2, of the minutes to state, "...sidewalk installed on 1690 West between 14400 South and 14600 South."

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

4. Presentation of the Bluffdale City Fire Department Statistical Report, Chief John Roberts.

Mr. Reid reported that the Fire Department will report to the Council at least twice annually. Fire Chief, John Roberts, presented the statistical report and stated that in Bluffdale they have had 57 runs in the last three months. They went into Draper 17 times, Herriman once, and Riverton once. Approximately 16% of calls are received between 3:00 p.m. and 6:00 p.m. The types of calls received included traffic accidents and traumatic injuries. There were four Basic Life Support (BLS) calls and 28 Advanced Life Support (ALS) calls. There were 10 treated and released and one standby. There were eight instances where patients refused care.

Mayor Timothy asked how a situation would be handled if someone who has committed a crime is injured and needs to go to a hospital but refuses treatment. Chief Roberts stated that typically it is treated like a drug overdose where the jail takes them until a report can be written. They can be forced to be treated to ensure that they are physically able to go to jail even if they are intoxicated.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

Chief Roberts reported that there were two brush fires on July 4. Both were fireworks related. Chief Roberts reported that the new AUX is working very well and was used on July 4. Additionally, Engine 91 helped fight a house fire in Draper recently.

5. PUBLIC HEARING: Consideration and Vote on a Resolution Regarding Unbilled Water Service Provided by the Water Utility Enterprise Fund to the Bluffdale City General Fund for Fiscal Year 2015 – Staff Presenter- Vaughn Pickell.

City Attorney, Vaughn Pickell, reported that the City currently doesn't charge itself for water it uses, however, State Code requires a public hearing be held to estimate the value of the water the City uses from the Water Enterprise Fund. It was estimated that last year \$85,000 was provided to the General Fund from the Water Fund. That amount was conservative in that the City recently began using reuse water to water the park. That amount was expected to decrease. Mr. Pickell stated that the resolution is primarily for informational purposes only.

The Mayor opened the public hearing.

Marilyn Hamblin gave her address as 3388 West 14400 South and asked how the water is paid for. Mr. Reid explained that the City oversees the Water Enterprise Fund and has a City-wide water system that City workers keep and maintain. The City purchases water from Jordan Valley Water Conservancy District. Residents are billed for the water they use. As the City uses water it is not billed for the water used. It was noted that the Water Enterprise Fund rates are set based on cost. The lowest tier, which is what most residents pay, is the wholesale cost paid to Jordan Valley Water Conservancy District to purchase the water. Those who use 10,000 gallons, 50,000 gallons, or 100,000 gallons go to higher rate tiers and pay more. The rate is increased to promote conservation. What the City charges in the higher tiers covers the City's water cost, maintenance, and trucks. Those in the highest tier pay approximately \$3.00 per 1,000 gallons instead of \$1.80. Mr. Reid explained that State Code is written to prohibit cities from covering all of the costs through utilities.

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

Alan Jackson moved to approve a resolution projecting the amount of the unbilled water service provided by the Water Utility Enterprise Fund to the Bluffdale City General Fund for fiscal year 2014-2015. Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Justin Westwood-Aye. The motion passed unanimously. Bruce Kartchner was not present for the vote.

6. Consideration and Vote on a Resolution Approving an Interlocal Cooperation Agreement between the Jordan School District and the City of Bluffdale, Herriman City, Riverton City, the City of South Jordan and the City of West Jordan – Mayor Derk Timothy.

Mayor Timothy reported that the interlocal agreement came to be due to several issues. The five cities currently in the school district and the portion of the unincorporated County that is within the

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

school district got together and felt that if they had a more united voice, perhaps there could be more cooperation between the voters and Jordan School District. One of the main issues was to avoid having one of the cities put on a ballot to split from the Jordan School District since if one did others likely would follow. That would leave just three cities in the Jordan School District. The goal was to keep the Jordan School District together. The interlocal agreement was the result of numerous work meetings with the cities, the district, and legislators. It began originally as a Memorandum of Understanding (MOU) with the intention of it being an interlocal agreement at some point. It was determined to need more teeth and it ultimately became an interlocal agreement. The end result was that the city proposing to split off from the district determined not to put the issue on the ballot. The vote the previous week was whether to accept the interlocal agreement and whether to include it on the ballot. The agreement was written so that if one or more of the cities doesn't sign, the agreement is not invalidated. If the City Council chooses not to accept the interlocal agreement, it won't take that ability away from the other cities.

Mayor Timothy stated that the Jordan School District Board made a decision to move their board meetings to the 2nd and 4th Tuesday of each month, which is the same nights as Council Meetings. In order for the Mayor to attend he would need to reschedule City Council Meetings. The matter was to be put on a future agenda for discussion.

Justin Westwood read through the agreement and thought it would be good to be part of and will provide more transparency.

Heather Pehrson expressed appreciation to the Mayor for his work being involved in the District. Mayor Timothy felt they were headed down the right path and that the Jordan School District, the cities, and the unincorporated area of the County can work together and have a great school district. The Mayor reported that he and Mayor Applegarth gave all of the senior administrators of the Riverton High School Theater System a tour of Bluffdale and Riverton. During the tour they were able to show where growth is occurring in the Valley. They also toured Porter Rockwell Boulevard. The Mayor felt that a good foundation was being built.

Ty Nielsen moved to approve the Interlocal Cooperation Agreement between the Jordan School District and the City of Bluffdale, Herriman City, Riverton City, the City of South Jordan, and the City of West Jordan. Heather Pehrson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Justin Westwood-Aye. The motion passed unanimously. Bruce Kartchner was not present for the vote.

7. Consideration and Vote on an Ordinance Adopting New City Standards – Staff Presenter – Matt Chadwick.

Assistant City Engineer, Matt Chadwick, reported that during the past year additional standards were added. They are looking to adopt a few more by ordinance tonight. The memo was discussed addressing Street Light Standards, Storm Drain Standards, and Storm Water Design Standards. The proposed changes were described. Mr. Chadwick provided the Council with copies of the Storm Water Design Standards Manual, which was referred to frequently in the new Storm Water

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

Ordinance. Justin Westwood supported the proposed changes and felt they would make things more efficient, safer, and better for the City.

Ty Nielsen moved to adopt an ordinance adopting the new City standards. Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Justin Westwood-Aye. The motion passed unanimously. Bruce Kartchner was not present for the vote.

Mayor Timothy felt the standards were beneficial to a developer but hoped to see the City address the needs of individual homeowners. For example, he suggested that simple drawings be provided on line.

8. Consideration and Vote on a Resolution Approving a Contract with Aquaveo for a Water System Master Plan – Staff Presenter – Michael Fazio.

City Engineer, Michael Fazio, reported that staff was moving forward with a City Water Master Plan. A proposal was received from Aquaveo to provide services to collect the necessary data for the water system. Mr. Fazio stated that Aquaveo provided services to the City previously and because they have connections with BYU Student Services, they can provide labor at a lower cost. Mr. Fazio stated that he requested a bid only from Aquaveo. The City budgeted \$40,000 with the proposal being for \$36,300. Mr. Fazio reported that the Environmental Protection Agency (EPA) provides the software. He was confident that for the cost the City will get a great value and something they can use in the future.

Ty Nielsen moved to approve the contract with Aquaveo for a Water System Master Plan. Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Justin Westwood-Aye. The motion passed unanimously. Bruce Kartchner was not present for the vote.

9. Consideration and Vote on a Resolution for an Amendment to the Bluffdale City Policy and Procedures Manual Regarding Political Activity Policy, Sick Leave Policy, Benefit Policy, and Salary Scale and Job Description for an Engineering Construction Manager and Inspector – Staff Presenter – Vaughn Pickell.

Bruce Kartchner joined the meeting.

Mr. Pickell reported that an updated version of the policy was available in Dropbox. He explained that the City has an Employee Policies and Procedures Manual that governs City Employees. There is a discrepancy in the Health Benefit Section based on the Affordable Care Act. Any employee that works 30 hours per week should be eligible for health insurance. There are also discrepancies in the policy about sick leave, incentives, using and accruing sick leave, and the maximum amount of sick leave that can be accrued. The policy also includes a draft for a new Political Activity by Employees Policy.

BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014

Mr. Pickell explained that initially employees were able to accumulate more than the maximum of 300 hours of sick leave. Later a maximum of 300 hours was referenced. The discrepancy was clarified to specify that employees are capped at 300 hours of sick leave. It is not a form of compensation and is a benefit. Hours in excess of 300 will be voided and not paid. A sick leave incentive was provided that employees may choose to participate in. Throughout the course of one year an employee could accrue 12 days of sick leave and choose to cash in 25% of their accrued unused sick leave.

Mr. Reid stated that during his six years with the City, employees have never been able to accrue more than 300 hours of sick leave. Years ago, however, they were allowed to accrue an unlimited amount. One employee, for example, has substantially more than 300 hours. The policy states that the City does not take away the sick leave but anyone with more than 300 hours does not accrue additional sick leave.

Comp time issues were discussed. The policy allows an employee to accrue up to 40 hours of comp time and use it as time off or be paid for it. Comp time accrued would need to be used by the end of September. Mr. Reid felt that with the sick leave, the up to 240 hours of vacation leave that are allowed, and up to 40 hours of comp time, an employee could be paid for extended periods of time. He did not understand why they would need to have the deadline extended beyond September to get their comp time below 40 hours. He would like them to elect to be paid for the overtime that they worked rather than putting it into a comp time bank.

Mr. Reid referenced the LEED Policy which gives the City Manager the discretion of 30 to 60 days to extend the 240-hour limit. He chose September 30 as the deadline and recommended employees take time off in the short term to recharge themselves after a hectic week working on Old West Days. He commented that it would not be feasible for everyone to take time off during the holidays. He was, however, willing to work out a plan with any employee desiring to do so. Employees would be given until the September 30 deadline to take time off to reach the maximum number of hours.

Mr. Pickell reported on the new Political Activities Policy that applies to employees and elected officials. Where the policy of state or federal law regulates the area those should control. It was noted that City employees cannot be elected officials. City employees may not engage in the distribution or publication of materials related to any candidate for public office while they are at work. An employee cannot, however, be prohibited from taking vacation time to campaign for a candidate. Employees may not become candidates for election to office as Mayor or Council Member unless they take a leave of absence. That, however, does not apply to elected officials. Those holding the current office of Mayor or City Council Member may not apply for a City employee position since doing so would constitute a conflict of interest. While in City uniform, City employees are not permitted to wear campaign buttons or articles of clothing that would actively or passively support a candidate for public office. If a City employee is elected to City office they must resign their employment with the City.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

With respect to a non-conflicting office, if an employee enters an election for a non-conflicting office, they may take a leave of absence during the campaign period. If elected, they can take a leave of absence for the duration of their time in office. If the employee elects to take a leave of absence for the duration of their office they may use their accumulated comp time or vacation time or take the time off without pay. Mr. Pickell clarified that an employee would not continue to accrue vacation, sick leave, or comp time while on leave. At the end of their term they could return to the City employment in a comparable position.

If there is a conflicting position, or one that is directly opposed to their duties at the City, they may take a leave of absence during the campaign period and use vacation, sick leave, or comp time that had accumulated. The remainder would be without pay. If they are elected they would have to resign from City employment.

Bruce Kartchner described his position as City Treasurer and stated that in that capacity Mr. Reid is his superior, however, he is Mr. Reid's superior in his capacity as a City Council Member. He asked if it would be necessary for him to resign from one or the other. Mr. Reid explained that the Treasurer has different levels of responsibility in different cities. In Bluffdale's case, the Treasurer is not involved in the City's day-to-day finances. Mayor Timothy commented that the City benefits from a Council Member being the Treasurer because they see the books. In Bluffdale the Treasurer is an elected official who has been appointed to act as the Treasurer rather than a City employee. Council Member Kartchner did not want to be in violation of the law in any way. Mr. Pickell stressed that Council Member Kartchner is not considered a City employee.

Alan Jackson asked how City volunteers would be dealt with. Mayor Timothy stated that volunteers are not considered City employees. Mr. Pickell suggested a sentence be added to Section 2.0.2 (c) to specify that an elected official who is serving as the Treasurer is not considered a City employee.

Ty Nielsen moved to accept the resolution for an amendment to the Bluffdale City Policy and Procedures Manual regarding Political Activity Policy, Sick Leave Policy, Benefit Policy, Salary Scale, and the job description for an Engineering Construction Manager/Inspector with the amendment to the definition of Volunteer in Section 2.0.2(e) to specify that a volunteer is not an employee. Justin Westwood seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Justin Westwood-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

10. Consideration and Vote on a Resolution Appointing Members to the Bluffdale Arts Advisory Board – Mayor Derk Timothy.

Mayor Timothy reported that the terms of Diane Kelley and Amanda Luker have ended and both expressed a desire to continue their work on the Bluffdale Arts Advisory Board. The Mayor recommended that both be reappointed with terms ending June 30, 2017.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

Bruce Kartchner moved to pass a resolution appointing members to the Bluffdale Arts Advisory Board with terms ending June 30, 2017. Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Bruce Kartchner. The motion passed unanimously. Heather Pehrson was not present for the vote.

11. Mayor's Report.

Mayor Timothy reported on Old West Days and stated that there was very good participation and the events went very well. There were 110 parade entries, which was 16 more than in the past. The Mayor thanked the participating cities for supporting the parade. He noticed that Lehi and Herriman took part in the parade this year along with several new entries.

The Mayor remarked that the games get better every year. The entertainment was also given good reviews. The fireworks were also a great success. It was estimated that 140 to 150 participated in the Senior Dinner, which was very well received. The race also had the best turnout ever. The car show had over 100 entries and was very well done. Mayor Timothy stated that the volunteer dinner will take place again this year.

The Mayor acknowledged that the Mayor's Message he wished to print was not published. He suggested that the Council discuss the matter at a later date.

12. City Manager's Report and Discussion.

Mr. Reid reported that staff met with Staker Parsons who owns the property south of McDougal on Camp Williams Road. They have engaged the company known formerly as ASWN, now Think Architecture, and are looking to move their property forward.

Staff also met with Draper City to discuss the prison property and UTA among other issues. One issue addressed was to adjust the boundary between Bluffdale and Draper down the center of I-15. Draper City was amenable to that and offered to take the lead. Currently the boundary is the west side of the UDOT corridor. They also wanted the location of the Rockwell monument (the north side of 14600 South) to be in Draper. The Mayor liked having the monument in Bluffdale. City Planner/Economic Development Director, Grant Crowell, reported on an economic development item and described the process of adjusting the boundary. Mr. Crowell agreed to follow up with Draper City on the boundary issue.

Mr. Crowell reported that with regard to industrial parks, City ordinance requires they have frontage on a public street. Other issues also need to be addressed. For example, portions of the City Code need to be modified to match State Code. He agreed to draft a document for the review of the Council. Mr. Crowell also noted that the alcohol sales issue will be coming back to the Council.

Mr. Fazio reported that 13970 South is complete all the way to the Bluffs and Market View Drive is now closed to traffic. Traffic will be diverted from Bangerter Highway in the next few days. 2700 West is moving forward and the secondary water system and drainage system are being installed at

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

the end. It had been very complicated due to the number of utilities that had to be crossed. The issue with the property owner to the north was resolved. Once two lanes of traffic are complete they can concentrate on the curb and gutter where the park is. There have been five change orders, mainly on the storm drain, which had to be lowered.

Mr. Pickell reported that a future agreement for 14010 South will be coming before the Council in the near future.

Mr. Reid reported that the Parks Trail Committee will begin meeting the following day. Heather Pehrson was determined to be the only Member of the Council serving on the committee. Council Member Pehrson reported that there are six proposals. She was excited about some of them and noted that 15 people were invited to serve on the committee.

PLANNING SESSION

13. Planning Session.

Ty Nielsen commended City employee Dave Fenn who recently obtained his Pesticide License and is now a Certified Arborist. Council Member Nielsen encouraged Mr. Reid to reward him. Mr. Reid stated that the City has the ability to give him a pay increase. He remarked that the Certified Arborist designation is something the City has been looking forward to for the past nine years. He was pleased to have Mr. Fenn on staff.

Heather Pehrson commented on the landslide that occurred recently in North Salt Lake and stated that people frequently blame cities and discuss whose responsibility it is. She believed that ultimately the responsibility remains with the property owner. She personally has earthquake insurance and was surprised that more Utahans don't have it. She had done a lot of reading and found that cities are encouraged to have geo-technical ordinances in place. She asked if that was something that had been considered.

Mr. Crowell stated that he had experience with these types of situations in Draper with Suncrest and in Morgan County. He ultimately counseled his previous employer against such an ordinance. Regulation and liability issues were discussed. Mr. Fazio stated that once the City begins regulating such events they assume responsibility. Alan Jackson commented that when problems or issues come before the City, however, they have to deal with them. Mr. Crowell remarked that geotechnical information is required, however, geologic hazard reports are not. He explained that that is a keen distinction when there are catastrophic events. He noted that geotechnical reports don't actually address significant events.

The Mayor identified an accumulation of water that comes off of 1300 West and starts in Riverton and flows into Bluffdale. He stated that the City's road needs to be designed to take care of that because it is a natural spring that flows year round.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

WORK SESSION

14. Discussion on Draft Private Lanes/Infill Ordinance – Staff Presenter – Grant Crowell.

Mr. Crowell reported that a few months ago he addressed the Council and offered to come back with a draft ordinance. Staff discussed some of their concerns. If they go this direction it would have to go through the Planning Commission and City Council. He stated that there needs to a threshold where more is required. The proposed ordinance was reviewed. Mr. Crowell stated that they should be paved facilities and pointed out that the City can never write an ordinance that meets every possible scenario. In looking at a development, where the streets are, and what the zoning is, if the Council thinks it should be a public street, they retain that discretion. It was noted that the proposed ordinance would provide applicants more flexibility and cost less.

One example was given as Ken Milne's property on 14200 South. It is a unique situation where there is an existing road with existing houses. There is no public street right-of-way which would require 52 feet from Redwood Road. If the property were developed there is the potential for 25 lots. What has been discussed is a 16 to 20-foot right-of-way, which doesn't work with the draft ordinance because in his opinion it needs to be wider than 20 feet. The various scenarios were discussed.

Another example was given as the Apostolic United Brethren (AUB) property. It was noted that the property was rezoned from A-5 to R-1. Mr. Reid explained that the applicants need the ability to cluster. They have a couple of issues and want to develop smaller lots but cannot do so under the ordinance. There is also a dead end that is very long. The applicant would not be permitted to put the number of lots requested on a narrow driveway. Mr. Crowell stated that the AUB might be a good candidate for a PUD because they want to provide open space.

Width issues pertaining to 14200 South were discussed. Mr. Crowell stated that the Fire Code allows certain situations to be accessed off of road base as long as it meets loading standards. Staff did not, however, consider that to be the preferred approach. Mr. Crowell did not see how the width could be less than 16 to 20 feet with a new project. A standard is in place for the installation of a fire sprinkling system, which would address the fire concern, however the cost is \$8,000 to \$9,000. Other concerns were identified as medical calls and their ability to access the site.

Bruce Kartchner commented that it would be impossible to write an ordinance that will meet every situation. Mr. Crowell agreed to further revise the draft ordinance and submit the updated version to the Council for review.

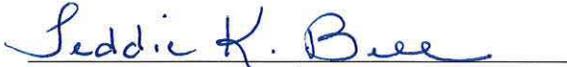
**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, August 12, 2014**

15. 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.

16. Adjournment.

The City Council Meeting adjourned at 10:13 p.m.



Teddie K. Bell, MMC
City Recorder:

Approved: August 26, 2014