



**BLUFFDALE CITY COUNCIL  
MEETING AGENDA  
Tuesday, September 9, 2014**

Notice is hereby given that the Bluffdale City Council will hold a meeting Tuesday September 9, 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 August 26, 2014 meeting minutes.
  - 3.2 Preliminary acceptance of Falls at Boulden Ridge Phase 3C Subdivision and beginning of the warranty period.
4. **PUBLIC HEARING:** Consideration and vote on an ordinance for a proposed amendment to the Official Zoning Map from R-1-43 (Residential 1 Acre) with CRO (Clustered Residential Overlay) to MU (Mixed Use) for approximately 2.29 acres, located at approximately 1141 West 14600 South, ER Development, Inc., applicant – staff presenter – Grant Crowell.
5. Consideration and vote on a resolution approving an Interlocal Cooperative Agreement between Salt Lake County and the City of Bluffdale Regarding Development of Roads Adjacent to the Southwest Regional Park - staff presenter – Vaughn Pickell.
6. Consideration and vote on a resolution approving an i.t.COMPLETE™ Managed Services Agreement with i.t. NOW – staff presenter – Mark Reid.
7. Consideration and vote on a resolution amending the 2014 Annual Meeting Schedule – staff presenter – Mark Reid.
8. Mayor's Report.
9. City Manager's Report and Discussion.

## PLANNING SESSION

10. 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.
11. 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).
12. Adjournment.

**Dated this 4th 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](http://WWW.BLUFFDALE.COM) AND ON THE PUBLIC MEETING NOTICE WEBSITE, [WWW.PMN.UTAH.GOV](http://WWW.PMN.UTAH.GOV)

  
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**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 (arrived at 7:56 p.m.)  
Bruce Kartchner  
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  
Cathy Quinney, Finance Assistant

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 Alan Jackson who arrived later.

Ty Nielsen offered the invocation.

Hayden Jumper led the Pledge of Allegiance.

Mayor Timothy recognized two scouts in attendance. Brandon Clark was working on his Eagle and would be making a presenting on his project plan during the public forum. Hayden Jumper was working on a merit badge.

**2. PUBLIC FORUM.**

Brandon Clark presented his plan to build a sign at the entrance to the City Park for his Eagle Project. He had been discussing the plan with Public Works Director, Blain Dietrich. The sign was expected to be 5' x 4'. Mayor Timothy indicated that the sign would have to be approved by the Council. Brandon agreed to provide a design plan to City Manager, Mark Reid, who would then forward it to the City Council Members. Timing issues were discussed.

Phil Hatton gave his address as 15120 South Cowboy Way, in Parry Farms. He was present to discuss the City-owned open space behind the homes in his neighborhood. Mr. Reid explained that the property in question is at the northernmost portion of Parry Farms and the power corridor goes directly behind the horseshoes. Between the power corridor and the horseshoes is 40 feet of Bluffdale open space located on the east side of the power corridor and on the west side of the

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homes. The property was donated to the City by the developer as natural open space. Various items were being stored on the property by the homeowners.

Mayor Timothy stated that the City made arrangements with the power company to extend into the right-of-way. Mr. Reid stated that they periodically lease their property to individuals. One person in the area, in fact, claims that to have leased the power company corridor and is growing alfalfa there. The power company says they have not leased it to anyone.

Heather Pehrson reported that it is public property and can be accessed by anyone. The homeowners cannot restrict or block access in any way. In addition, nothing can be placed in the open space area since the City would then be liable. Mr. Hatton stated that the majority of the neighbors want grass and landscaping rather than weeds. Mr. Reid stated that currently the landscaping is native grasses. Mr. Reid agreed to meet with Mr. Hatton to further discuss the issue.

Mayor Timothy commented that the property was deeded to the City for a specific purpose and cannot legally be sold by the City.

Phil Snelgrove identified himself as a Salt Lake County Council at-large member. He commented on the Zoo, Arts, & Parks (ZAP) funding, which has come up for reauthorization by the taxpayers in November. He noted that it comes up for reauthorization every 10 years. The funding equates to \$.01 for every \$10 spent by consumers in Salt Lake County. The funds are administered by one County employee and amounts to approximately \$33 million. Mayor Applegarth was identified as the Chairman of the ZAP Advisory Board. Councilman Snelgrove provided information to the Council and asked for their support. He noted that it is a good turn on investment for the taxpayers throughout the County.

Mr. Reid indicated that each year the City budgets money for the Bluffdale Arts Advisory Board. He asked if any awards had been given for city parks. Councilman Snelgrove confirmed that there is funding for parks based on recommendations to the Board. In the past playground equipment, splash pads, and tennis courts have been approved.

There were no additional members of the public wishing to speak.

**3. CONSENT AGENDA:**

**3.1 Approval of the August 26, 2014, Meeting Minutes.**

**3.2 Preliminary Acceptance of The Falls at Boulden Ridge Phase 3C Subdivision and Beginning of the Warranty Period.**

**Bruce Kartchner moved to approve the consent agenda. Justin Westwood seconded the motion. The motion passed with the unanimous consent of the Council. Alan Jackson was not present for the vote.**

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**4. PUBLIC HEARING: Consideration and Vote on an Ordinance for a Proposed Amendment to the Official Zoning Map from R-1-43 (Residential One Acre) with CRO (Clustered Residential Overlay) to MU (Mixed Use) for Approximately 2.29 Acres, Located at Approximately 1141 West 14600 South, ER Development, Inc., Applicant – Staff Presenter – Grant Crowell.**

City Planner/Economic Development Director, Grant Crowell, presented the staff report and stated that the property in question is adjacent to property planned within the Independence development. The property was identified as an orphaned parcel between the railroad tracks and portions of the project that the developer is working on. The property also contains a portion of the East Jordan Canal. The current zoning is R-1-43 with a CRO overlay.

The Mayor explained that the intent was for the property to incorporate the current zoning of the area surrounding it. The developer will gain nothing until it becomes part of the project. It was acknowledged that rezoning the property increases its value significantly. For that the City receives no benefit other than the good will of the developer. Bruce Kartchner was in favor of making the change but questioned whether to postpone changing the zoning and make it part of the development agreement for the area.

Mayor Timothy opened the public hearing.

David Tolman gave his address as 1245 Westwood Road, in Bountiful. He stated that the idea wasn't to bring the request forward as only a zoning hearing. The intent was to address it as a zoning hearing along with a change and an amended and restated development agreement. He explained that on the east side of the road there is no access other than the access from their property to the property they own which is the canal and the canal road. He felt it made perfect sense to include the property in the project. He recalled that there were previous design issues. Mr. Tolman explained that the existing development, which included maps showing the number of units, will be the corresponding number of units that go with the parcels. He made sure that the school district knows that that is their property and if they do interchanging they will have to work with the City to make sure that there are no bonus densities offered.

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

Mr. Pickell explained that the original agreement required an amendment to the agreement be added. The City is required to act in good faith in considering a developer's request for inclusion.

**Bruce Kartchner moved to pass a proposed amendment to the Official Zoning Map from R-1-43 (Residential One Acre) with CRO (Clustered Residential Overlay) to MU (Mixed Use) for approximately 2.29 acres, located at approximately 1141 West 14600 South. Ty Nielsen seconded the motion. Vote on motion: Justin Westwood-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye. The motion passed unanimously. Alan Jackson was not present for the vote.**

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**5. Consideration and Vote on a Resolution Approving an Interlocal Cooperative Agreement between Salt Lake County and the City of Bluffdale Regarding Development of Roads Adjacent to the Southwest Regional Park – Staff Presenter – Vaughn Pickell.**

Mr. Pickell reported that the County is developing the Southwest Regional Park and the City is undertaking the widening of 2700 West. The process requires the acquisition of additional right-of-way to accomplish the widening. A map was displayed showing the additional right-of-way needed from the County. The draft agreement provided to the Council Members addressed the dedication of right-of-way to the City as well as the relative share of expenses to widen the road at 14010 South from 2700 West to 2950 West and beyond with the future phases of the park.

An ordinance is in place that requires development of the phase that extends farther west than 2950 West. Anything west of 2950 West will not be developed now but will be once the second phase moves forward. Mr. Pickell explained that along 14010 South from 2700 West to 2950 West, the County will bear the full cost of the road widening. Everything west of 2950 West will be a 50/50 split between the City and the County since the right-of-way is fully within the County's property. Mr. Pickell explained that the development costs for 2700 West have already been addressed and there was an impact fee credit for some of the storm drain and transportation impact fees. They also have additional costs that are specifically borne by them such as water laterals.

**Bruce Kartchner moved to approve an Interlocal Cooperative Agreement between Salt Lake County and the City of Bluffdale regarding development of 2700 West and 14010 South based on the finding that the proposed agreements benefits the public health, safety, and welfare of the citizens. Ty Nielsen seconded the motion. Vote on motion: Justin Westwood-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye. The motion passed unanimously. Alan Jackson was not present for the vote.**

**6. Consideration and Vote on a Resolution Approving an i.t.COMLETE™ Managed Services Agreement with i.t. NOW – Staff Presenter – Vaughn Pickell.**

City Manager, Mark Reid, reported that for the last three or four years IT Now as handled the City's backup and IT issues. They maintain the City's servers, put components together, and own the BDR (Backup Disaster Recovery) that the City's computers are loaded to. The City's agreement with them has expired and a serious challenge is coming up soon. In October, the backup software provider has given notice that they will be out of business and the City now needs new off-site backup storage. Whether IT Now is approved as the City's service provider or not, a new backup system needs to be put in place. A three-year contract was before the Council with IT Now to provide IT and backup services. The contract identifies services they provide the City.

Mr. Reid stated that he took a poll in a management meeting and it was unanimous that those present were happy with IT Now. There has been difficulty with the Mayor be able to connect. Mr. Reid was not happy with the ability of IT Now to get that ongoing issue resolved. Mayor Timothy stated that there were five Sundays out of seven that the exchange server was down. When staff came in to work on Monday they called IT Now to get the service restored. This resulted in a

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large number of emails being received at the same time. The Mayor was concerned that when he spoke to representatives from IT Now to determine how to resolve the problem it seemed to be a surprise to them. To the Mayor there was never any type of ownership on their part.

Mayor Timothy stated that he planned to be stronger in his opposition but decided against it because staff is happy with the service they provide. He remarked that he has worked with Jeremy from IT Now on several occasions who done a very good job and spends the time necessary to resolve issues. Mr. Reid observed that Sundays are typically light in terms of emails being received. He assumed that was because most of the people he deals with are not at work on Sunday. Monday morning, however, he noticed that he would receive several emails dated on Sunday.

Mr. Reid stated that the City has worked with IT Now for years and they have been very proactive about keeping the backup updated. Server failures have even occurred that staff was unaware of. He reported that the BDR replacement cost will be a one-time cost of \$1,250. The ongoing contract cost will be \$3,061.

Mayor Timothy was sensitive about the weekend because he cannot start a new week without being organized. He found the situation to be frustrating.

Bruce Kartchner proposed two changes to the contract since the City has had some BDR overage charges. He considered one terabyte of storage space to be insufficient. Mr. Reid stated that one terabyte of backup is significant. He also pointed out that the backup runs at such a high speed that they don't purchase extra storage like someone typically would for a home computer. With the speed that the BDR runs, having too much backup can result in a slowdown. He agreed to verify that one terabyte is sufficient.

Alan Jackson joined the meeting.

Bruce Kartchner suggested a change to address the Mayor's concern and recommended that the second two sentences on the Termination Agreement be deleted dealing with termination without fault. He stated that he did not want to have to prove fault and was not willing to pay 10% of the remaining monthly payments in the form of a termination fee.

Mayor Timothy clarified that 24/7 coverage doesn't mean there is actually a technician available at all times. It means that a service calls the technician who will return a phone call. Bruce Kartchner confirmed that it works and stated that he has called them during the very early morning hours. Bruce Kartchner stated that he uses IT Now at his workplace. He had not found the service to be perfect but considered them to be as good as or better than their competitors.

**Ty Nielsen moved to approve a resolution approving an i.t.COMPLETE™ Managed Services Agreement with i.t. NOW with the two modifications to the Termination Notice and verification that one terabyte for backup is sufficient. Justin Westwood seconded the motion. Vote on motion: Justin Westwood-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Alan Jackson-Aye. The motion passed unanimously.**

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**7. Consideration and Vote on a Resolution Amending the 2014 Annual Meeting Schedule – Staff Presenter – Mark Reid.**

Mr. Reid reported that the Council was provided with a proposed schedule for the remainder of the year. In September, the Council was to continue to meet the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays. Beginning in October they were to begin meeting the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays. The Planning Commission would meet the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays. This represented a change to the approved schedule that has existed since the beginning of the year. Mr. Reid noted that the change will be published in the newsletter and posted on the City's website.

Bruce Kartchner suggested the possibility of changing the day of the week altogether since elections are always on Tuesdays. The Mayor indicated that he would have a problem with Thursday but thought Wednesday would work. Potential conflicts were identified. Bruce Kartchner suggested continuing the present plan throughout the year and revisit the issue next year.

The majority of the Council preferred to meet the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays. A determination was made to move the City Council Meetings to the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays and leave the Planning Commission Meetings as they are on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month.

**Bruce Kartchner moved to pass a resolution amending the 2014 Annual Meeting Schedule including the word “generally” after Bluffdale City Council” to state, “The Bluffdale City Council generally will meet on the 2<sup>nd</sup> and 4<sup>th</sup> calendar Wednesdays of each month.” Changes were also made to the dates of October 15 and 29, November 12, and December 17. Section 2 was to be replaced with the original Planning Commission schedule. Alan Jackson seconded the motion. Vote on motion: Justin Westwood-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Alan Jackson-Aye. The motion passed unanimously.**

**8. Mayor's Report.**

Mayor Timothy reported that the Jordan School District and West Jordan City have been negotiating for some time on the property where the Jordan School District Auxiliary Building is located. The proposal was that West Jordan City was to build the school district another auxiliary building with the same function as the current one at no cost to the district. It had proven to be an effort for West Jordan City to redevelop the corner of 7800 South and Redwood Road. West Jordan's development plan was dependent on it and the school district was resistant because they like the location of the proposed building and did not want to have to put up any money. An agreement was reached in principle that the City of West Jordan will build another building closer to their Administration Building with the same function and capacity and at no cost to the Jordan School District.

The Mayor reported that the previous day the Volunteer Appreciation Dinner was held with approximately 90 people in attendance.

**9. City Manager's Report and Discussion.**

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Mr. Reid reported that the new CERT class began the previous week with 10 participants. The first class was taught by Connie Jones and Michelle Dalby. The remaining classes were to be taught by members of the Police and Fire Departments. It was noted that a number of firemen are CERT certified instructors.

Mr. Reid stated that the following Thursday will be the first VIPS (Volunteers in Police Service) class. Details of the training were discussed. Interested Council Members were invited to participate in the eight-week course.

City Engineer, Michael Fazio, reported that 2700 West is ahead of schedule. The progress made was detailed. Mr. Reid stated that the project was not intended to be done this year, however, with the park going in it was accelerated as a priority and is nearly complete.

Mr. Reid reported that Saratoga applied for and was awarded a grant for defibrillators for police cars. Defibrillators under the program cost about \$1,400 with a 50% match. Corporal Taylor approached Mr. Reid and asked if Bluffdale would like to be involved. Mr. Reid stated that it has been the City's goal to have defibrillators in each police car. He recommended the City use \$2,500 of the \$50,000 budget for the new self-provide police force to purchase four defibrillators.

Mr. Reid indicated that the study was completed for Noell Nelson Drive. Mr. Fazio reported that the study was conducted in two parts. One was a study of the geometry of the intersection and 14600 South. The other was to check the traffic. After studying the geometry they came up with the best configuration. The results were reviewed and discussed. Staff would make a presentation on how they would like to proceed and ultimately make an offer to the property owners.

Mr. Reid reported that last Sunday there was an incident in Independence where a prank was pulled on a resident. A phone call was made to Dispatch where a false address given with a claim that a murder and hostage situation was underway. The call turned out to be a prank, however, the SWAT team combined with Draper and Saratoga and supported by the UPD, showed up at the property. The hope was that the person responsible could be identified and prosecuted.

Mr. Reid informed the Council that staff is moving forward with the Parks and Trails Master Plan. City Planner/Economic Development Director, Grant Crowell, reported that on Monday, September 15 three firms will be interviewed at the City Offices between 9:00 a.m. and 12:00 noon. The three firms were identified as Landmark Design, Conservation Techniques, and Greenplay. It was noted that staff was in the process of finalizing the Selection Committee.

Mr. Crowell reported on the Eico property and stated that it was formerly known as the Mountain Point Business Park just east of the Center Point Business Park on 14600 South. Concrete has been poured and work has begun on one building. It was noted that the permit was pulled in March.

Mr. Reid stated that an offer was extended to Leonard Hight to serve as the City's In-House Engineering Construction Manager. The City budgeted to bring him in-house. Mr. Hight was to begin work mid-month.

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Mr. Reid reported that the City entered into a three-way agreement with Parry Farms, the City, and Rocky Mountain Power. The City's portion of the project was put in the storm drains with 2.72 acres to be deeded to the City to expand the Parry Farms Park. With the Jordan Valley Water Conservancy District pipeline coming through the area, there was concern that they will put the pipe in and once the park is expanded, the water line will need to be lowered. Staff spoke to representatives of Rocky Mountain Power who drafted an agreement giving the City permission to do mass grading on the site before the pipeline comes through. The City, however, doesn't have a deed to the land but it is contingent on Salt Lake County doing its part. Mr. Fazio was in the process of completing the drawing and expected to be done in the next few weeks. Various scenarios were considered such as expanding the pond to the size of a full-size soccer field and running the field north and south. Another option was to level out the pond and on another tier for the placement of a soccer field. Mr. Fazio was working on the design.

Mr. Crowell reported that the City has been invited to purchase a table at the EDC Annual Meeting to be held at the Grand America. Dan Rather will be the keynote speaker. The cost is \$700 for a table of six or \$150 per plate. The event was scheduled for Tuesday, October 7 at 11:00 a.m. Mayor Timothy, Bruce Kartchner, and Heather Pehrson expressed an interest in attending. In moving forward, the next step was to get commitments. The value of attending was discussed.

Mr. Reid reminded the Council Members that the Utah League of Cities and Towns Meetings were to begin the following day.

**PLANNING SESSION**

10. **Planning Session.**
11. **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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**12. Adjournment.**

The City Council Meeting adjourned at 8:50 p.m.

A handwritten signature in blue ink that reads "Teddie K. Bell". The signature is written in a cursive style and is positioned above a horizontal line.

Teddie K. Bell, MMC  
City Recorder:

Approved: September 23, 2014