



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, January 28, 2015**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, January 28, 2015 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 an Encroachment Agreement between Herriman City and the City of Bluffdale to co-locate a secondary water line within an existing culinary water line easement.
4. Presentation of the Bluffdale City Police Department Fourth Quarter Statistical Report, Corporal Shane Taylor.
5. Presentation of the Bluffdale City Fire Department Semi-Annual Statistical Report, Chief John Roberts.
6. Consideration and vote on a proposed ordinance amending portions of 11-16-19 and 12-5-3 of the Bluffdale City Code, along with related definitions and provisions to modify requirements for developing on private rights of way. Bluffdale City applicant, staff presenter, Grant Crowell.
7. Consideration and vote on a resolution designating the appointment of a Mayor Pro Tempore for 2015, Mayor Derk Timothy.
8. Consideration and vote on a resolution designating a representative for the City of Bluffdale at the Association of Municipal Councils, Mayor Derk Timothy.
9. Consideration and vote on a resolution designating the appointment of Members on the Bluffdale City Tree Board, Mayor Derk Timothy.
10. Consideration and vote for adoption of a resolution providing for the creation of a Local Building Authority by Bluffdale City, Utah; and related matters, presenter, Matt Dugdale, George K. Baum & Company.
11. Training on Open & Public Meeting Laws, staff presenter, Vaughn Pickell.
12. Mayor's Report.

13. City Manager's Report and Discussion.

PLANNING SESSION

14. **BLUFFDALE HEIGHTS PLANNING SESSION:** Discussion regarding Bluffdale Heights Phase 4, presenter, Ken Milne.
15. 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.
16. 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).
17. Adjournment.

Dated this 23rd day of January, 2015

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
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
Police Chief, Andy Burton
Corporal Shane Taylor
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.

Connie Jones offered the invocation.

Scouts in attendance were identified as Jackson Jorgenson who was working on his Communications and Citizenship in the Community merit badges and Joshua Jorgenson who was working on his Citizenship in the Community merit badge.

Joshua Jorgenson led the Pledge of Allegiance.

2. PUBLIC FORUM.

Mayor Timothy expressed appreciation to Connie Jones for her service as Bluffdale City's Emergency Preparedness Manager from 2011 to 2015. He described how valuable Mrs. Jones had been to the City and stated that before she took on the responsibility they were very disorganized and knew very little about emergency preparedness. Because of her efforts the City is much better prepared. The Mayor remarked that other city managers and fire chiefs have taken notice of how well Bluffdale City has been represented by Mrs. Jones. The Mayor presented her with a token of the City's appreciation.

Connie Jones thanked those who have supported her and the efforts of her fellow citizens. She remarked that the positive attitude that exists makes Bluffdale a wonderful place to live.

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3. CONSENT AGENDA:

3.1 Approval of an Encroachment Agreement between Herriman City and the City of Bluffdale to Co-Locate a Secondary Water Line within an Existing Culinary Water Line Easement.

Bruce Kartchner asked that agenda item 3.1 be removed from the consent agenda. He was concerned about the co-location of the water line within the City's easement and was curious about the discussions that took place regarding the placement of the pump house and potential noise pollution particularly to the home on the opposite side of the canal. Public Works Operations Manager, Blain Dietrich, was informed by Justin Edwards of Herriman City of the proposed pump house location. It was his understanding, however, that it is outside the City's easement and is within Herriman City's boundary.

Council Member Kartchner stated that the issue is that they want to locate their pipeline with Bluffdale's. To that extent if they are placing it against the City boundary, Bluffdale may want to withhold their agreement to co-locate and use their leverage with respect to the pump house if the easement is not used. Mr. Dietrich offered to send Mr. Edwards an email and request a copy of their plans to determine if they can build a pump house that is similar to Bluffdale's with double walls. He expected the pump house to be fairly quiet and noted that the outside generator makes the most noise. He agreed to report back to the Council at the next City Council Meeting.

Bruce Kartchner moved to table agenda item 3.1, approval of an Encroachment Agreement with Herriman City. Alan Jackson seconded the motion. The motion passed with the unanimous consent of the Council.

4. Presentation of the Bluffdale City Police Department Fourth Quarter Statistical Report, Corporal Shane Taylor.

Police Chief, Andy Burton, reported on events the Police Department has been involved in since the last report was given. They have been dealing with the body camera issue for several months and are still struggling with it. There have been serious problems with the camera selected in terms of the software and downloading. They are also recovering from officer involved shootings. Chief Burton stated that he participates in the Salt Lake Area Valley Police Alliance. He also attends monthly meetings with other police chiefs from Salt Lake County and participates in the Salt Lake Area Law Enforcement Administrator and Directors Meeting.

Heather Pehrson asked the Chief if he has participated in the discussion the League had with the legislature concerning the proposed body camera legislation. She expected his expertise to be useful. Chief Burton stated that Dan Mackay represents Bluffdale and is the sponsor on the House side. The two had been in communication and both attended a meeting at the capitol where the bill was discussed. Representative Mackay was very receptive to input from law enforcement. Mayor Timothy stated that Representative Mackay complimented Chief Burton on his help.

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A question was raised as to whether there would be money attached to the bill. Mayor Timothy stated that the bill won't make body cameras mandatory so he doubted there would be money associated with it. City Manager, Mark Reid, stated that if there is it could slow down the purchase of cameras that are moving forward now. Chief Burton stated that many departments are still moving forward. Bigger departments like Salt Lake City, for example, are working toward 100% while they are currently at around 30%. Chief Burton stated that his department used grant money to purchase cameras.

Chief Burton reported that a grant application was submitted for part-time hours for a detective to investigate sex and domestic violence crimes. Theirs is the only department approved for grant money that actually paid for a part-time position. The grant will enable them to hire a part-time detective to work approximately 28 hours per week with his time shared between Bluffdale and Saratoga Springs. Zach Robinson was identified as the detective currently performing those types of investigations. It was noted that he has previous experience with sex crimes and domestic violence cases. He will also be getting specialized training.

Chief Burton displayed photos of potential cars that could be used for parades and car shows. He noted that he was funding the effort out of his own pocket.

The Mayor stated that residents have offered to allow police cars to be parked in their driveways to help deter crime or for surveillance in specific areas. Chief Burton stated that some police departments have experimented with this method and it has been effective in some cases. He reported on trainings that have taken place. In November and December, every full-time Police Department employee and a few part-time employees completed Arbinger CORE Training. It involved two full days of training with the Saratoga Springs City Manager and focuses on leadership, responsibility, collaboration, and influence. In January they trained at the Vitre Firearms Simulator, which is an interactive and realistic simulator. The training allows them to test the officers' judgment. With regard to tactical training, there was a focus on certain types of training.

Corporal Shane Taylor presented the fourth quarter statistics and reported that citizen assists increased dramatically, which he was very proud of. He noted that burglaries decreased as well. There was an increase in the number of accidents, which was attributed to the Bangerter-Redwood Road construction project. He met on several occasions with Wadsworth Brothers and UDOT in an effort to rectify the problems. Mayor Timothy was concerned that when the gerters are installed mid-February they will split the lights. He suggested the first set be a 45 degree arrow. Corporal Taylor agreed. Alan Jackson commented that when traveling east in the morning through the construction area, the lanes are very confusing because there are old lines where the paint was cut out, however, when the sun shines on them they are still visible. He recommended the lines be made more distinct.

Corporal Turner stated that the number of arrests decreased considerably. The officers are very active and doing a great job. It was reported that in December response times were seven minutes.

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The monthly summary was next presented. In December there were 241 incidents with five burglaries, two vehicle thefts, no weapons offenses, one criminal mischief, and one missing person. A decline was seen in death investigations, robberies, and assault cases. At the end of December there were 63 active investigations. There were 11 suspicious calls, 18 alarms, 39 traffic offenses, and 15 traffic accidents. In 2013 there were 488 active investigations and 1,441 in 2014.

Corporal Turner reported that with regard to response times, most officers are at six to nine minutes. If there is an issue, however, he addresses it and takes appropriate action. He stated that response times are often not completely accurate depending on when the call is documented.

Corporal Turner reported on the DARE program and stated that it was reintroduced in Bluffdale last year. This year they were able to obtain the necessary funding for Officer Rosen to visit each school and for supplies including workbooks, certificates, and t-shirts. The effort was funded by the Jordan School District and North Star Academy. Bluffdale Elementary was awarded \$1,400 and North Star received \$320. Summit Academy was approached and will be operational this year. Next year, however, they will have to self-fund. Corporal Turner stated that last year Mayor Timothy contributed a great deal toward the program to help make it successful. He stated that the program is headed in a positive direction and will be a success.

With regard to reserve officers, Corporal Turner stated that background checks are being conducted and two positions were to be filled in the near future. Applications are taken for these types of positions regularly and Corporal Turner was very selective about who is hired. He wants to make sure that candidates are a good fit for Bluffdale. The current reserve officer works 3 ½ eight-hour shifts per month. Corporal Turner was very pleased with his work and considered reserve officers to be an asset to the department.

Corporal Turner explained that there are peak times when extra coverage is needed such as from 2:00 p.m. to midnight and 4:00 p.m. to 2:00 a.m. Tuesday through Friday. These are the peak times for calls for service. Having extra officers on duty increases officer safety. Mr. Reid was looking at July 1 to hire the requested additional officers or perhaps consider it with the mid-year budget adjustment. Prior to contracting with Saratoga Springs, the City looked at what would be necessary to have an officer on duty 24/7. Most of the studies recommended 5 ½ officers per 24 hour shift. With Saratoga Springs and the backup they received, it was covered with four patrol officers. The Chief reiterated that using an overtime budget they have to pull an officer from Saratoga instead of keeping an officer on duty. To date, they have used twice the overtime budget and with five months remaining in the year.

An email sent to Mr. Reid was read expressing the need for additional coverage to maintain a high level of service and increase officer safety by having a second person on duty at peak times. Chief Burton described issues that have arisen in the overtime budget. For example, an officer in Bluffdale needed to take family medical leave and was off duty for 1 ½ months. During that time overtime had to be used almost exclusively to cover his shifts. Mr. Reid stated that if the City had its own department they would have had the Vehicle Enforcement Officer perform patrols. In a more drastic situation they may put the investigator or supervisor into a patrol position. Another

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option would be to hire a temporary officer. Chief Burton stated that as a smaller agency those types of situations are difficult and having a fifth officer would provide flexibility.

Chief Burton stated that after conducting research they discovered what the peak times are. To have a second officer on duty during those times would help accommodate increased calls for service. With the increase in calls they had a slight increase in the number of calls that require a report and a slight increase in the number that require investigation. Not only will they be better able to handle the call load but they will reduce response times. It was noted that emergency calls always take first priority. Occasionally officers will be on one call and the dispatcher will hold another call at which time priorities can be determined. Most often long response times are the result of a situation where a dispatcher forgets to document that the officer arrived on scene. Response time issues were discussed.

Heather Pehrson expressed concern with situations where the City is financially exposed. Bruce Kartchner stated that the City doesn't have to be financially exposed and can adjust the level of service accordingly.

Chief Burton stated that they are at about the same number in Saratoga Springs with .8 officers for every 1,000 in population. Where both cities have a mutually supportive situation, however, they can be slightly less than 1 per 1,000 because they have officers available in Saratoga Springs to assist in Bluffdale. It was noted that coverage is reciprocal.

Mayor Timothy asked if there was a way to keep officers within the City boundaries since taking prisoners to the Salt Lake County Jail on 3900 South is time consuming. Chief Burton stated that there are cases when that can be done. Long-term he thought it would be good for the Salt Lake County Jail to locate a holding facility at this end of the valley or provide a transport. The Mayor stated that the Conference of Mayors discussed the possibility of a satellite facility closer to the south end of the valley.

The Mayor suggested that tickets be issued when possible rather than taking inmates to jail since they will likely be out very quickly. Chief Burton stated that the officers know that that option is available to them on a Class B Misdemeanor. In some cases, however, they have no choice but to take someone to jail. If this occurs during peak hours it results in a shortage of officers. Alan Jackson suggested action be taken sooner rather than later. Chief Burton stated that they recently announced an opening in Saratoga Springs and will go through the testing process and be prepared to hire in March. It was suggested that the mid-year budget adjustment include an additional car and officer.

It was reported that a trailer was purchased that will be shared between Saratoga Springs and Bluffdale. It will be on scene during major accidents and will hold major accident and crime scene materials. Because the trailer is smaller, it can be towed with just about any vehicle.

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5. Presentation of the Bluffdale City Fire Department Semi-Annual Statistical Report, Chief John Roberts.

Fire Chief, John Roberts, presented medical statistics and reported that there were 290 medical runs during the year. They assisted in Draper 39 times, Herriman twice, Lehi twice, and Riverton 33 times. There were 213 assists in Bluffdale. It was noted that the calls to other cities involved the City's ambulance. Chief Roberts reported that Sundays and Mondays are the least used day. Response time data was next presented. For medical calls the average response time was four minutes. Of the 290 medical calls, 152 were transports.

Fire statistics were next presented. Chief Roberts reported that there were 162 fire calls. Various types of calls received were described. The details of a house fire that occurred around Christmas was described as well as a trailer fire. There were also incidents involving an electrical fire, a Blue Stakes fire, and illegal fires.

Chief Roberts reported that the department receives an average 1.5 calls per day. Heather Pehrson asked about the department staffing. Chief Roberts stated that he has received several applications and that recently three young men from the Wildland Unit at Camp Williams came to work for the City. He was very pleased with their work and enthusiasm. Mr. Reid stated that Chief Roberts has a challenge in terms of the way part-time hours are calculated. With the new health care law, there is now a huge administrative burden to ensure that 60 part-time employees stay under the allotted number of hours. Chief Roberts stated that they are only allowed around 30 hours per week.

6. Consideration and Vote on a Proposed Ordinance Amending Portions of 11-16-19 and 12-5-3 of the Bluffdale City Code, along with Related Definitions and Provisions to Modify Requirements for Developing on Private Rights-of-Way. Bluffdale City Applicant, Staff Presenter, Grant Crowell.

City Planner/Economic Development Director, Grant Crowell, reported that the above matter was continued from the last meeting. Since it was last discussed there had been a great deal of discussion about the idea of incrementally moving from the minimum to the ultimate standard. Mr. Crowell questioned how the determination would be made as to whether it will be a public street. Mayor Timothy stated that if the 52 feet are public he would think that eventually they would want the entire length to be public and expend funds to fill the gap once they feel there is no more infill. If it is private, it would have to be maintained from Redwood Road all the way through. He suggested the possibility of making a rule that it is always private.

Bruce Kartchner explained that his incrementation concept was based on a conversation he had several months earlier. The intent was that as more people use the road it would have to be widened. It was determined that ultimately it is not fair. Mr. Crowell explained that on 14200 South the minimum Fire Code standard width is a 20-foot all weather hard surface, however, it does not have to be asphalt.

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Chief Roberts described the drawbacks in terms of fire safety. He explained that if the City does not plow it, someone will need to maintain the 20-foot section. He stated that if necessary they can typically pass through a minimum 12-foot section. Heather Pehrson expressed concern with setting up roads that are very narrow with conditions about snow removal and maintenance. The possibility of giving Chief Roberts the authority to issue tickets to those parked on the street was discussed. The Mayor suggested that option be considered to address situations such as cars parked on the road in the winter as a fire emergency response issue.

Mr. Crowell stated that if it is determined that the public road should be there they should discuss how they come to that decision. One option was to eliminate the incremental right-of-way or extra width and require a 20-foot width with a hammerhead, which are the minimum Fire Code requirements. He explained that the right-of-way requirements can be relaxed and still meet the safety provisions. That decision is important to address in the beginning since the City would likely never be able to go back and achieve a public street.

Mr. Crowell was in the process of finalizing the draft and was stuck on a few issues such as fairness, incrementation, and safety balances. Mayor Timothy raised the question of what could be done with the 20-foot pieces that are never developed. Mr. Crowell was also stuck on the process by which they determine it should be public and sought feedback from the Council. He believed it was the Council's discretion to determine where a public street can and cannot be located. The Mayor suggested it be specified if a property is within a certain distance of a public road.

Heather Pehrson recalled previously being concerned with the Fire Code and definitions pertaining to access. She hoped to get input on the matter from Chief Roberts. Mr. Crowell stated that the issue was addressed at a previous meeting and pertained to Section 502 of the Fire Code. There were several questions raised at a previous meeting about parking, keeping the road open, and snow removal. The matter was also discussed in detail by the Planning Commission. Chief Roberts' biggest fear was that private lanes will not be properly maintained making it difficult for a heavy and expensive fire apparatus to gain access. He recommended there be enforcement to ensure proper maintenance. Heather Pehrson thought it would be possible to require a private lane be asphalted in the beginning but did not know how the City could force someone to maintain their private property.

Mr. Crowell suggested they look at the lot pattern and determine how best to proceed. The idea was that the property owner will have to work with all property owners on the road and all will have to contribute. Bruce Kartchner stressed that they cannot be forced to participate. Another option was for one property owner to bear the entire cost. He felt that most would agree that constructing the road to City standards would be beneficial, however, the residents won't want to pay for it. He felt that if something occurs that is an improvement over what currently exists from a fire and serviceability standpoint, it would seem to him to be positive.

Heather Pehrson was concerned about paving the lane with asphalt, however, because there is no HOA in place it will not be maintained. As a result, in a few years' time, it will be in bad shape. She felt it would be a worse situation for the fire truck than if it was just dirt. She thought that

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perhaps it was better to not pave the road. Chief Roberts stated that the problem with that option is that mud will be tracked across the asphalt. Without continual maintenance Council Member Pehrson was not convinced that paving it will be beneficial. The possibility of gravel or other alternative road material was discussed.

Mayor Timothy used 14850 South as an example and stated that it is constantly in poor condition. Heather Pehrson stated that grading the road is much less expensive than slurring. The Mayor suggested they require the minimum City standard and pave all the way back. Heather Pehrson did not understand why that would be required since it won't be a City street. The Mayor explained that if it is wider where they develop, the likelihood of someone parking on the street will be where it is developed and not the portion used to access the developed portion. The likelihood of the fire truck having a clear access would be much greater. Second, making the improvements will increase the value of the access and enable the lots to be sold more quickly. If the optimal width is not required they can never go back and remedy it.

Chief Roberts stated that access is still difficult with the 20-foot width. The Mayor thought it would be beneficial to require a 32-foot width in the subdivision. Width issues were discussed. In response to a question raised, Mr. Crowell stated that there is a cap on the number of residents that can reside on single access roads and would defer to the existing standard of 30 feet. With regard to through streets, Mr. Reid stated that the City has the ability to stop it from being a through street. Heather Pehrson suggested the Code include language specifying that it can't be an access way.

Mr. Reid indicated that he spoke to Corporal Taylor about traffic enforcement and was told that they cannot perform traffic enforcement on a private road. If someone is parked there and blocks access, Chief Roberts would serve as the parking official. If a car is parked in manner that inhibits emergency vehicle access, they can be cited if the proper ordinance is in place.

Mr. Reid stated that if the area fills in and there are numerous residents residing on the substandard private lane and they complain about the lack of room, the tool to improve that is an SAA. This would bring the road up to the new desired standard and the property owners would experience an increase in their property taxes. In essence the City would get involved with its taxing authority to facilitate that. As long as the majority agrees to the improvement, all would be forced to pay for it. Bruce Kartchner also pointed out that a majority of residents can also dissolve the SAA.

Bruce Kartchner thought the question was whether the Council desires to make changes to what is currently in place. If so, they need to decide what will have the fewest problems and move forward. The Mayor asked about Walker Lane in Holladay and whether it is public or private. He personally knows people who live there. It is substandard but the residents love living there and do not want the road improved.

Alan Jackson commented that eventually development will move from the back to the front. When the front area is redeveloped they will require the standards be met at that time with the public road all the way back. Heather Pehrson suggested the Council determine what standard will be allowed on the private lane. Chief Roberts suggested the minimum Fire Code requirement of 20 feet be met

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on a private lane. It could be as long as needed but could have no more than 30 houses. If a proposed subdivision connects to an existing lane, the current public road standard would have to be met. It was recommended that no new private lanes be created.

Mr. Reid commented that the disadvantage of having sections with improvements and others without is that the improved section drains directly into the unimproved section. Connectivity issues were discussed. Heather Pehrson suggested there be some review by the Fire Chief for the road design for the 20-foot requirement.

Asphalt versus cement surfaces were discussed. Chief Roberts commented that he did not consider a hard packed surface to be road base since road base is still soft when it gets wet. A hard packed surface consists of asphalt or concrete.

Bruce Kartchner moved to table the item until Mr. Crowell has updated his proposed amendment. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.

Heather Pehrson moved to address agenda item number 10 prior to agenda number seven. Bruce Kartchner seconded the motion. The motion passed with the unanimous consent of the Council.

The Council next discussed agenda item number 10 after which they continued with the agenda items as printed.

7. Consideration and Vote on a Resolution Designating the Appointment of a Mayor Tempore for 2015, Mayor Derk Timothy.

Ty Nielsen moved to nominate Bruce Kartchner to serve as Mayor Pro Tempore for 2015. Alan Jackson seconded the motion. Vote on motion: Bruce Kartchner-Aye, Ty Nielsen-Aye, Alan Jackson-Aye, Heather Pehrson-Aye. The motion passed unanimously. Justin Westwood was not present for the vote.

8. Consideration and Vote on a Resolution Designating a Representative for the City of Bluffdale at the Association of Municipal Councils, Mayor Derk Timothy.

Mayor Timothy reported that Alan Jackson had been serving as the City's representative at the Association of Municipal Councils. He could either be reappointed or another Council Member appointed.

Ty Nielsen moved to nominate Alan Jackson to serve as the representative for the City of Bluffdale at the Association of Municipal Councils. Bruce Kartchner seconded the motion. Vote on motion: Bruce Kartchner-Aye, Ty Nielsen-Aye, Alan Jackson-Aye, Heather Pehrson-Aye, Justin Westwood-Aye. The motion passed unanimously.

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9. Consideration and Vote on a Resolution Designating the Appointment of Members of the Bluffdale City Tree Board, Mayor Derk Timothy.

Ty Nielsen moved to adopt a resolution to appoint the following to the Tree Board:

**Jana Christensen with a term to expire on February 1, 2017;
Bruce Kartchner with a term to expire February 1, 2017;
Ty Nielsen with a term to expire February 1, 2018; and
Nancy Neilson with a term to expire February 1, 2018.**

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

10. Consideration and Vote for Adoption of a Resolution Providing for the Creation of a Local Building Authority by Bluffdale City, Utah; and Related Matters, Presenter, Matt Dugdale, George K. Baum & Company.

City Attorney, Vaughn Pickell, reported that the proposed resolution would create a Local Building Authority. Attached to the resolution would be the Articles of Incorporation and the Bylaws. Mr. Pickell explained that to create a local Building Authority the resolution needs to be adopted along with the findings. The next step in the process is to record the Articles of Incorporation with the Department of Commerce and the Division of Corporations after which the first meeting of the local Building Authority will be convened. At that meeting the Bylaws will be adopted, the adoption of the Articles of Incorporation will be ratified, and officers will be elected. Mr. Pickell explained that a local Building Authority would be a vehicle that would allow for the construction of City buildings and a New City Hall.

The versions the Council was asked to consider were made available in Dropbox with minor technical changes to the name and a clarification made to the resolution that it is for a City Hall, Public Works Facility, and related improvements. Mayor Timothy asked why the Building Authority would be limited to those things. Bruce Kartchner agreed and wanted to transfer in the City's other building assets as well. Mr. Pickell stated that that could be done.

Bruce Kartchner moved to pass a resolution creating a local Building Authority for Bluffdale City, Utah. Heather Pehrson seconded the motion. Vote on motion: Heather Pehrson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye. The motion passed unanimously.

11. Training on Open and Public Meeting Laws, Staff Presenter, Vaughn Pickell.

Mr. Pickell presented the training on the Open and Public Meetings Laws. He informed the Council that a meeting is defined as the convening of a quorum to discuss official business. Unintentional social or random encounters or meetings do not violate the Act. They should not, however, be used

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as an excuse to circumvent the provisions of the Act. Mr. Pickell reported that 24-hour notice is required prior to a public meeting and an agenda is required and must be properly posted. The agenda must include the date, time, and place of the meeting. Electronic meetings are allowed and must at least have a physical place where the public can attend. Public meetings must have minutes and audio recordings. There is an exception for site visits or field trips, which do not require an audio recording so long as no official action is taken.

Mr. Pickell informed the Council that meeting minutes are required and must include the time, date, and place of the meeting, who was present, the substance of the matters discussed, and a voting record of action taken. Written minutes are required for every public meeting and should include an approval process. An audio recording is to be provided to the public within three days of the meeting. The convening of a closed meetings requires two-thirds of the quorum and the purpose must be specified. The minutes should specify the purpose and include a record of the votes to go into closed meeting. The purposes of closed meetings are outlined in the Act and include a person's character or professional competence, collective bargaining, pending or imminent litigation, strategies regarding real property including water rights or water shares, issues about security or codes or security clearance, and any investigations or allegations of criminal misconduct. Audio is required of closed meetings and minutes are optional.

Mr. Pickell reported that violations of the Open Meetings Act could include the voiding of any action taken. If it is determined that the violation was intentional, an individual could be criminally liable and charged with a Class B Misdemeanor.

12. Mayor's Report.

Mayor Timothy reported that he held his first "Meet the Mayor" Meeting and where two residents were in attendance. The first included a discussion on activities taking place near the horse trailhead on 1300 West. It was reported that since construction began on Bangerter and Redwood Road there has been significantly more traffic. With that traffic, however, there have been extracurricular activities taking place in vehicles. This typically occurs around 8:00 a.m. The Police Department was asked to monitor the situation and look deeper into the lot. The second resident wanted to support the Mayor in his efforts.

The Mayor reported on the Redwood Road Access Management Plan and stated that there was a very good turnout. It was well attended and the presentation was informative.

The Mayor indicated that the Wasatch Front Regional Council held their Small Area Meeting the previous week for local officials, mayors, city councils, and city staff. There was nothing unexpected on the maps. The last time the meeting was held, the connections to Bluffdale between 14400 South and 4000 West and 3600 West still existed but had since been removed. The Mayor stressed that that does not mean they will remain gone and he stated that the City needs to remain vocal.

Mayor Timothy reported that at the Jordan School District Board Meeting there was discussion

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about the new Building Advisory Group recommendations. The recommendations were not what he expected and included a 17% reduction in spending on elementary and junior highs. He recommended the Council continue to be very vocal with the Board, particularly when it comes to their preparing to go out to bid for a new building.

The Mayor stated that there will be a trial in two elementary schools where two year-round schools will go back to a traditional schedule. It will, however, be a two-stage schedule meaning that half of the students will start earlier in the day and the other half will offset that. For example, some students will be dismissed and 2:30 p.m. and others at 3:30 p.m. The change was proposed for the 2016-2017 school year. Bluffdale Elementary was chosen along with one other school in West Jordan. Mr. Reid explained that the benefit is that a year round school can accommodate 25% more students and with the modified schedule they can accommodate 17% more students.

Heather Pehrson stated that Matt Young suggested to her that those who are interested accompany him in meeting with individuals from the Alpine School District where it has been successful for many years. There were questions raised by the Council about the benefits of the modified schedule.

Mayor Timothy reported that meetings were held in South Jordan City with most of the mayors and many city managers dealing with legislative bills coming forward. The primary one was HB-93, which would prevent any city from being able to disconnect from their school district. It was noted that Dan Mackay is opposed to it. He has spoken against it and voted against it. The Mayor emailed Representative Mackay to thank him for his vote. West Valley City's Mayor spoke in favor of it in a meeting held earlier in the day. Because of the opposition it was held in committee earlier in the day. The only way it will come out is if the Chair allows it to be heard again.

13. City Manager's Report and Discussion.

Mr. Reid reported that at the most recent VECC Board Meeting they discussed the body camera issue in detail. One of the items in the bill that was garnering the most opposition among the police chiefs was that all officers must wear the body cam at all times. This creates certain problems. They also discussed the fact that if the camera is turned off it was assumed that the officer was doing something wrong in the event the matter went to court. That seemed to go against the notion of presumption of innocence.

Mr. Reid indicated that they are moving forward to hire a consultant to look at the consolidation to a single platform with Salt Lake County. He reported that Senator Harper seems to be making an attempt to consolidate peace apps (dispatch centers) in Utah and Davis counties. He noted that there are two peace apps in Salt Lake County. Senator Harper was looking to take the five plus peace apps in Utah County and consolidate them.

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Mr. Reid reported that the plat was signed for the Marketplace for Dave Tolman. As a result, building permits would be forthcoming.

City Recorder, Teddie Bell, asked for feedback from the Council on the voting options presented at the last meeting. Mr. Reid noted that every city in Salt Lake County has elected to go with the Vote by Mail option with the exception of West Valley City who selected Consolidated Polling. The only two cities that had not yet committed verbally were Bluffdale and Taylorsville. Mayor Timothy explained that the City can accept Salt Lake County's two options or do it themselves. It was noted that the Vote by Mail option is slightly less expensive. The Mayor stated that the cost difference isn't significant, however, they typically get in excess of a 30% turnout.

Because so many cities will be doing vote by mail, there will be a lot of press and advertising. The Mayor stated that two options will be offered this year but next year they will likely only offer Vote by Mail. The consensus of the Council was to pursue the Vote by Mail option.

Mr. Reid reported that the City's two original police cars are being repaired. Once complete, both were expected to serve as backup vehicles.

Mr. Reid stated that the budget included a pavilion in the City Park. There was a great deal of discussion with Connie Pavlakis about incorporating it into Old West Days. Mr. Reid stated that the intent is to put a few more pavilions in the park over time. Slope issues were discussed.

Mr. Reid reported that scouts and the Lions Club have been working on the Veteran's Memorial. The outline of the star had been poured along with the supports for the flagpoles. They were in the process of looking for a centerpiece and ideas were sought. It was reported that the statue cost estimate was \$60,000 to \$80,000. Heather Pehrson asked how other cities have financed these types of memorials. Mayor Timothy stated that Taylorsville built theirs when they constructed their City Hall and did one statue per year over time. Mr. Reid spoke to Colonel Smith at Camp Williams and asked if he had any spare pieces of equipment that could be placed at the memorial. Colonel Smith suggested they visit Fort Douglas and speak to the museum curator to see if they have anything they would be willing to place in Bluffdale that is weather resistant. Another option would be to seek a large donor.

Alan Jackson remarked that they are nearly ready to give the granite to the engraver. Mrs. Bell was working on the list of names. Council Member Jackson was not sure if they want to publish the list before they go to engraving. Mayor Timothy suggested it be published and put in the newsletter to allow additions and corrections to be made.

Mr. Reid reported that the next CERT class will begin on February 9. Interested Council Members were invited to sign up. Two past CERT instructors were identified as J. Lee Bertoch and Dave Rasmussen. Mr. Bertoch took a job that posed a conflict and Mr. Rasmussen moved out of the City. Natalie Hall agreed to attend a Train the Trainer CERT seminar and asked three other women to join her.

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Mr. Crowell announced that a Community Parks Master Plan Open House would be held the following evening from 6:00 p.m. to 8:00 p.m. at the City Building. The City's consultants along with Salt Lake County will be present with displays on the Regional Park and the Jordan River Trail. A community survey will go out in February and there is an open online forum. The committee will begin meeting again once the survey is out. The nature of the open house was to provide information about the Parks Plan and obtain input. If issues come up in the survey that were not anticipated or if issues are identified at the open house they could be added to the survey. A second open house was to be held before the committee announces the final draft.

Heather Pehrson stated that there are 3,100 households in Bluffdale, which was more than originally thought. She suggested they be sent only to the original 2,000 households unless the Council is willing to pay \$5,500 to send one to every household. The Mayor recommended it be sent to every residence. The pros and cons and possible options were discussed.

Heather Pehrson was upset that important statistics are not available to staff and City leadership. Mayor Timothy stated that there are approximately 10,500 residents in Bluffdale and an average of 3.4 residents per home, which equates to 3,100 homes. Council Member Pehrson stated that that is not information that has been available before. She considered the number of households and residents to be an important statistic that the City should be aware of. Mr. Reid remarked that if 100% of households are not involved in the survey they should have a valid sample.

Mr. Crowell agreed to obtain additional information about the sources of the data and on the statistical figure. Heather Pehrson remarked that there is an option on the survey that allows it to be filled out on line to avoid mailing it back.

With regard to the cost of the survey, Bruce Kartchner stated that he always thought the survey was too expensive but now could see why. In addition, he did not see the value to the statistically valid sample. He saw more value to having everyone receive one. Those who are interested will return it and those who aren't won't. Mr. Reid stated that the County sent out a sample and held three open houses. He received a ballot in the mail that he filled out and returned. He also attended all three open houses and filled out a ballot at all three. As a result, he got four votes on how the park was developed.

PLANNING SESSION

14. BLUFFDALE HEIGHTS PLANNING SESSION: Discussion Regarding Bluffdale Heights Phase 4, Presenter, Ken Milne.

Ken Milne reported that last year there was discussion about amending the design of Phase 4 to eliminate the slivers. There were concerns with the northern portion where the Jordan Valley Water Conservancy District (JVWCD) Easement was. Mr. Milne displayed the six-lot plan that was originally approved by the Council and staff. The original proposal was shown. On the north side near the JVWCD easement they tried to create a gate or access. As a result they amended other lots

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to accommodate the easement. The proposed changes would incorporate the sliver. He asked for feedback from the Council.

Mr. Crowell reported that when Bluffdale Heights was developed, six homes were allowed on the private right-of-way. This proposal would change that. Bruce Kartchner suggested the wedge be reconfigured and an effort made to have more parking or use it as part of the adjacent lot. Easement issues were discussed. In response to a question raised by Alan Jackson, Mr. Milne identified the location of the manholes in relation to the property.

It was noted that the agreement allows up to 55 lots. Mr. Crowell explained that the Council approved a set of plats with up to 51 lots. Reapproval of Phase 4 would be required with the new design. Mr. Milne sought the consent of the Council after which he would make the necessary adjustments. Bruce Kartchner liked the fact that Mr. Milne accommodated the Council's desire to eliminate errant slivers. He was directed to address the grass area, maximize the parking, and do his best to negotiate the easement. With regard to fencing, Mr. Milne stated that there will be a six-foot masonry wall.

Mr. Reid clarified that the developer of the storage units negotiated with the landowner to have some of their water drain into the pond. They were also expecting water off of Pony Express to come through the storage sheds and the pond used to retain the City's water off of Pony Express. Mr. Reid asked if the pond was of sufficient size to handle all of the water off of Pony Express and the extra water negotiated off of the storage sheds. Mr. Milne stated that the size they were approved for was verified and approved by staff. City Engineer, Michael Fazio, stated that he had not seen the final calculations but reviewed and approved the drainage report. Mr. Reid asked that he make sure that the water off of Pony Express has somewhere to go and that the pond is of sufficient size to handle the runoff.

Mr. Reid stated that people will be impacted living next to Porter Rockwell Boulevard. He hoped the park would help offset the impact. Mr. Milne hoped to see a connection between Porter Rockwell Boulevard and the frontage road.

15. Planning Session.

Heather Pehrson expressed concern with the Independence roads and parking issues. She remarked that if parking is allowed on both sides of the street the mailman can't deliver the mail and it creates a difficult situation for snow plows. It seemed apparent to her that the road was designed to allow parking only on one side. Mr. Reid explained that parking is very limited in the area. Heather Pehrson suggested red striping the road. Mr. Reid stated that it was never intended to be red striped and explained that parking is not allowed in front of a mailbox. Anyone that does so is illegally parked. Parking of any kind on the road during a snow storm is also illegal. Mr. Reid stated that it is being fully enforced. Parking on both sides and preventing traffic from getting through is also not allowed. Parking issues were discussed.

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Heather Pehrson recommended not allowing parking on the side of the road where there are mailboxes. Mr. Reid stated that on-street parking could be eliminated altogether. He considered it a quality of life issue in that there is no place for residents to park. Alan Jackson felt that people moving there should have recognized that it is a narrow road. The Mayor agreed and stated that when cars are parked on both sides of the street it is a very tight fit.

Mr. Reid remarked that Red Coat Drive will be even worse because it has six shared driveways on both sides of the street. Council Member Pehrson commented that if something illegal is happening the police should be called to address it. Mr. Reid, Mr. Crowell, and Mr. Fazio agreed to visit the site and examine the situation. They would also talk to the mail carrier about the situation.

16. **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.

17. **Adjournment.**

The City Council Meeting adjourned at 11:17 p.m.



Teddie K. Bell, MMC

City Recorder:

Approved: February 11, 2015

**Bluffdale City Council
Meeting Attendance
January 28, 2015**

Name	Address
Ken Miller	Bluffdale Heights
John Roberts	15222 So Camp Williams Rd
SHANE TAYLOR	POLICE
Vargha Howells	2265W 14400 S
Connie Jones	
Ross Jones	
Andy Burton	
Jackson Jorgenson	
Joshua Jorgenson	
Quinn Drury & Scouts	