



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, August 26, 2015**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, August 26, 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 via telephonic conference call.

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

1. Roll Call, Invocation, Pledge of Allegiance*
2. Interviews with applicants for the vacancy on the Bluffdale City Council.
3. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual.
4. Consideration and vote on a resolution appointing an individual to fill the vacancy on the Bluffdale City Council through the remainder of 2015, staff presenter, Vaughn Pickell.
5. Administering of the Oath of Office for the Interim Councilmember, by Judge Scott Mickelsen.
6. **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).
7. **CONSENT AGENDA** –
 - 7.1 Approval of the July 22, 2015 meeting minutes.
 - 7.2 Approval of the August 12, 2015 meeting minutes.
 - 7.3 Preliminary Acceptance of Independence at the Point Phase I-3, beginning the warranty period.
 - 7.4 Acceptance of Independence at the Point Phase D-7, ending the warranty period.
8. Discussion regarding the zoning of 14-acres of property, located at approximately 14400 South 2200 West, Kathi Jones Bergquist, Alyn Jones and Patty Sleight, family members of Heber Jones, property owner.
9. **PUBLIC HEARING** – Consideration and vote on a Plat Amendment Application to amend Lot 74 of the Sage Estates Phase 2A Subdivision, located at approximately 14294 South Loumis Parkway (1300 West), BHD Architects, applicant, staff presenter, Grant Crowell.
10. **PUBLIC HEARING** – Consideration and vote on a Site Plan Application for The Church of Jesus Christ of Latter-day Saints Meetinghouse, located at approximately 14294 South Loumis Parkway (1300 West), BHD Architects, applicant, staff presenter, Grant Crowell.
11. **PUBLIC HEARING** – Consideration and vote on a proposed amendment to Chapter 11-35-2 of the City of Bluffdale Land Use Ordinance to allow Storage Units as a Conditional Use in the Heavy Commercial Zone (HC), Nate Shipp, 4 Independence, LLC, applicant, staff presenter, Grant Crowell.

12. **PUBLIC HEARING** – Consideration and vote on an ordinance adopting an Impact Fee Facilities Plan (IFFP) and an Impact Fee Analysis (IFA) for Parks & Recreation, Storm Drainage, Culinary Water, Secondary Water, Public Safety, and Transportation, staff presenter, Brent Ventura.
13. Consideration and vote on an ordinance amending Section 12-5-3 of the Bluffdale City Code relating to the maximum number of building permits that may be issued on a single point of ingress and egress, David Tolman, applicant, staff presenter, Vaughn Pickell.
14. Reconsideration of Ordinance 2015-08, approving the Adjustment of a Common Municipal Boundary with Draper City, staff presenter, Grant Crowell.
15. Consideration and vote on a resolution authorizing the execution of an encroachment agreement for construction of a meter station in an easement/right-of-way held by Jordan Valley Water Conservancy District, staff presenter, Vaughn Pickell.
16. Consideration and vote on a resolution authorizing the execution of an Interlocal Cooperation Agreement for Corridor Preservation Grant Funds, staff presenter, Michael Fazio.
17. Consideration and vote on a resolution authorizing the execution of a Temporary Access Easement with Bluffdale Marketplace, LC, staff presenter, Vaughn Pickell.
18. Mayor's Report
19. City Manager's Report and Discussion

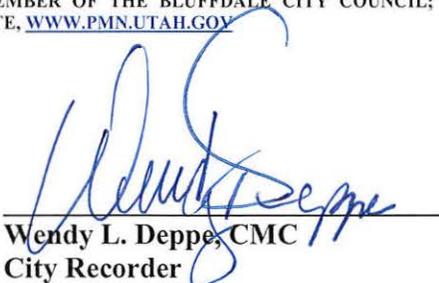
PLANNING SESSION

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.

20. Presentation and discussion regarding Jordan Narrows Road, staff presenter, Michael Fazio.
21. Discussion relating to the appointment of a JWCD Trustee Member.
22. Discussion of Gateway Redwood RDA Project Area.
23. 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).
24. Adjournment

Dated this 21st day of August, 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



Wendy L. Deppe, CMC
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
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- Present:** Mayor Derk Timothy
Alan Jackson (arrived at 7:06 p.m.)
Bruce Kartchner
Ty Nielsen
Justin Westwood
- Staff:** 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
Wendy Deppe, City Recorder
Judge Scott Mickelsen
Brent Ventura, Contract City Engineer
- Others:** Mark Hales, City Council Vacancy Candidate
Debbi Hamner, City Council Vacancy Candidate
Skyler Johnston, City Council Vacancy Candidate
Mark J. Lemery, City Council Vacancy Candidate
Nancy Lord, City Council Vacancy Candidate
Kenneth R. McCabe, City Council Vacancy Candidate
Jeremy M. Smith, City Council Vacancy Candidate
James L. Wingate, City Council Vacancy Candidate
Boyd Preece, City Council Candidate
Dave Tolman, Aclaime
Taylor Woodbury, Woodbury Corporation
Scout Ben Jones
Scout Jeremy Jones
Scout Jacob Jones

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING

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

1. Roll Call, Invocation, and Pledge.

All Members of the City Council were present with the exception of Alan Jackson, who arrived shortly thereafter.

Debbi Hamner offered the invocation.

Ty Nielsen led the Pledge of Allegiance.

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Ty Nielsen moved to postpone agenda items one through five and go directly to agenda item number six. Justin Westwood seconded the motion. The motion passed with the unanimous consent of the Council.

2. Interviews with Applicants for the Vacancy on the Bluffdale City Council.

Mayor Timothy explained that City Council Member Heather Pehrson resigned early, which left a vacancy to be filled. The appointment will be until the newly elected Council Member is sworn in the first part of January 2016. The process was described. The name of each candidate was to be drawn after which they would introduce themselves and be interviewed by the Council. After the process is complete the City Council may go into a closed session to discuss the appointment. The Council may also choose to vote by secret ballot for two candidates and narrow the choices to two individuals. The two remaining candidates may be asked additional questions and the Council will narrow the choices down to one who will fill the seat. In the event of a tie, Mayor Timothy indicated that he would abstain as he would not want anyone to be aware of his vote. City Attorney, Vaughn Pickell, indicated that if there is a tie with the final vote the statute states that the candidate can be chosen by lot. Once the selection is made, the candidate will be sworn in by Judge Mickelsen and immediately take their seat with the Council and participate in the remainder of the meeting.

Scout Ben Jones drew the name of Mark Hales who introduced himself and reported that he has Law and Land Use Planning degrees. He has worked with both city councils and planning commissions and previously represented Utah County as their legal counsel. He also previously served as a Prosecutor in American Samoa. Mr. Jones felt he could jump in quickly with a good understanding of land use and the law. He plans to campaign over the next four months as a candidate to serve on the City Council.

Scout Jacob Jones next drew the name of Kenneth McCabe who reported that he has lived in Bluffdale for 18 years during which time he has seen a lot of change, both good and bad. He spent 30 years in the military and is a retired Command Sergeant Major. He noted that he spent a great deal of time in the Utah National Guard active duty and had been deployed to Afghanistan and Iraq. He has three children who are currently in the military. After retiring from the military, Mr. McCabe taught high school math for five years after which he went to law school and now works as an attorney while continuing to teach part-time.

Scout Ben Jones drew the name of Debbie Hamner who reported that her family moved to Bluffdale in 1980. The City has changed a great deal since then. She described her employment experience, which has been varied. She has a Bachelor of Science degree in Accounting and is currently pursuing a Bachelor of Science degree in Web Design. She has a significant amount of experience in project management, networking, and diplomacy. Ms. Hamner reported that she is a strategic and positive thinker and excels at customer service. She is also very resourceful and goal-oriented. With regard to a question raised about the City's current website, Ms. Hamner stated that it doesn't work well on an Apple computer but is fine on her HP computer. She currently is employed by a small graphics company.

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The name of Nancy Lord was next drawn. Mrs. Lord introduced herself and reported that she served on the City Council from 2006 to 2010. She considered it a wonderful experience that was sometimes challenging as it was a difficult period in the City's history. She is able to stand and be firm on issues that are important to the City. For example, the Council with which she served went to the Manager by Ordinance form of government in the City because there were challenges with the City's management that the Council felt required it. Mrs. Lord was also instrumental in leading the City to going the direction of Saratoga Springs for the Police Department. The contract with UPD was determined to be very expensive and would have taken away Bluffdale's ability to have a say over police service. The decision was made at that time to go with Saratoga Springs, which she was very pleased with. She knows what is involved in serving on the City Council and was ready, willing, and able to begin to serve immediately.

In response to a question raised, Mrs. Lord reported that she currently does not work outside the home. For 2 ½ of the last four years she served as a caregiver for her elderly mother. As a result, she has tender feelings for the City's senior residents. She reported that she will be campaigning for the City Council election in November. She recommended the Council decide what its prime directive is. She considered herself to be the most qualified and most ready to do the job.

Scout Ben Jones drew the name of James L. Wingate who was happy to apply for the vacant seat. He currently serves on the Planning Commission and originally became involved as a citizen giving feedback on important issues. That led to Mayor Timothy inviting him to serve on the Planning Commission. Mr. Wingate reported that he grew up in the Rose Park area of Salt Lake City in a very diverse atmosphere. He earned a Bachelor's degree in Geography from the University of Utah and a Master's degree in Public Administration from Brigham Young University. He works for Blue Stakes of Utah, which has given him a great perspective to see what is happening throughout the state in terms of growth.

With regard to the fact that Mr. Wingate is running for the City Council, he stated that he is focused on issues that need to be addressed now. If he is not elected he will be happy to continue to serve on the Planning Commission. Mayor Timothy expressed appreciation to Mr. Wingate for the feedback he gave on the bridge.

The name of Skyler Johnston was next drawn. Mr. Johnston reported that he and his wife moved to Bluffdale two years ago and considers himself quite different from most of the other applicants. His background is in marketing and he currently works for Blendtec where he is responsible for in excess of \$100 million in revenue per year. He plans to be in Bluffdale for a long time and settled here for various reasons. There is an exclusive situation in the Wasatch Front in terms of location and where it is in its development. He considered there to be a tremendous opportunity going forward. Mr. Johnston reported that he also has a real estate license. He stated that what he can offer that is unique is a young perspective. While he is not running for City Council, he wants to be involved with the City. In response to a question raised, Mr. Johnston reported that he lives in Sage Estates.

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Scout Ben Jones next drew the name of Debbie King-Plese who was not in attendance. He next drew the name of Jeremy M. Smith who stated that he has lived in Bluffdale his entire life. His parents moved to Bluffdale in 1991 when he was 10 years old. He loves Bluffdale and saw no reason for drastic changes. He appreciated Bluffdale for its family values and the community being a good place to raise a family. He found a recent comment by the Mayor to be interesting that few people come to City Council Meetings because they trust the leadership in Bluffdale. He thought that was a testimony to what the Council is doing and the good work they do. He has had various leadership opportunities in his life, which he described. He loves volunteering and feels that it makes people and the community better. Mr. Smith stated that after high school he served an LDS mission to Hawaii. He currently works for his brother-in-law who owns his own business doing internet sales marketing and web design. He has completed his degree and is planning to continue to pursue additional education in economics or perhaps a law degree.

A question was raised with respect to Mr. Smith's impression of the City's website. He stated that it has been difficult to find some things on the site but thought it was well organized. He did not particularly like the design of it. He reported that he appreciates large lots in Bluffdale.

Mayor Timothy drew the final name of Mark Lemery who lives in Spring View Farms. He was born in New Hampshire and grew up in the Midwest. His wife is from Utah. Mr. Lemery reported that he retired from the Air Force two years ago after 22 years of active duty service. He retired as a Lieutenant Colonel and was a career intelligence officer. He had only lived in Bluffdale for 16 months. He moved 10 times in 22 years in the Air Force and knows a good community when he sees it and considers Bluffdale to be a great community. Currently Mr. Lemery works for the State of Utah at the State Law Enforcement Intelligence Center in Sandy and serves as an adjunct professor for Salt Lake Community College in their Homeland Security and Emergency Management program. He commented that he is not a candidate for City Council.

3. **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.**

Bruce Kartchner moved to go into closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the professional competence of an individual. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.

The Council was in closed session from approximately 7:45 p.m. to 7:58 p.m.

4. **Consideration and Vote on a Resolution Appointing an Individual to Fill the Vacancy on the Bluffdale City Council through the Remainder of 2015, Staff Presenter, Vaughn Pickell.**

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The Council Members each cast their votes for the top two candidates by secret ballot. City Recorder, Wendy Deppe, identified the top three candidates (as a result of a tie) as Mark Hales, Skyler Johnston, and Mark Lemery. The Council recast their votes by secret ballot. Ms. Deppe identified the top two candidates as Skyler Johnston and Mark Lemery.

Mr. Johnston commented on what is unique about Bluffdale in terms of development and growth. He also addressed property taxes and density. Mr. Lemery addressed the Council regarding the same issues and elaborated on his involvement with law enforcement at the request of Alan Jackson.

The Council submitted their final vote of one candidate by secret ballot. Ms. Deppe identified the top candidate as Mark Lemery.

Justin Westwood moved to approve a resolution appointing Mark Lemery to fill a vacancy on the Bluffdale City Council through the remainder of 2015. Ty Nielsen seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

5. Administering the Oath of Office for the Interim Council Member by Judge Scott Mickelsen.

Judge Scott Mickelsen administered the Oath of Office to Mark J. Lemery. Council Member Lemery took his seat with the Council and participated in the remainder of the meeting.

6. PUBLIC FORUM.

There was no one in attendance wishing to address the Council.

7. CONSENT AGENDA:

7.1 Approval of the July 22, 2015, Meeting Minutes.

7.2 Approval of the August 12, 2015, Meeting Minutes.

7.3 Preliminary Acceptance of Independence at the Point Phase I-3, Beginning the Warranty Period.

7.4 Acceptance of Independence at the Point Phase D-7, Ending the Warranty Period.

Bruce Kartchner moved to approve the consent agenda. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.

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8. **Discussion Regarding the Zoning of 14 Acres of Property, Located at Approximately 14400 South 2200 West, Kathi Jones Berquist, Alyn Jones, and Patty Sleight, Family Members of Heber Jones, Property Owner.**

The Jones family was not in attendance. The above item was removed from the agenda.

9. **PUBLIC HEARING – Consideration and Vote on a Plat Amendment Application to Amend Lot 74 of the Sage Estates Phase 2A Subdivision, Located at Approximately 14294 South Loomis Parkway (1300 West), BHD Architects, Applicant, Staff Presenter, Grant Crowell.**

City Planner/Economic Development Director, Grant Crowell, addressed agenda item numbers 9 and 10 together. Mayor Timothy pointed out that the public hearings for both items would be combined, however, the resolution for each would be voted on separately.

Mr. Crowell reviewed the plat amendment application to amend Lot 74 of the Sages Estates Phase 2A Subdivision. He then overviewed the site plan application for the meetinghouse.

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

Ty Nielsen moved to amend a Plat Amendment Application to amend Lot 74 of the Sage Estates 2A Subdivision subject to the following:

Conditions:

1. **All requirements of the City Code and adopted ordinances shall be met and adhered to for the proposed plat.**
2. **The project shall adhere to all requirements of the International Fire Code.**
3. **The plat shall comply with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings prior to the plat recording.**
4. **A Site Plan Application including, but not limited to; landscaping, building elevations, building colors and materials, lighting, and fencing shall be approved by the City Council prior to the issuance of building permits.**

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

10. **PUBLIC HEARING – Consideration and Vote on a Site Plan Application for The**

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Church of Jesus Christ of Latter-day Saints Meetinghouse, Located at Approximately 14294 South Loumis Parkway (1300 West) HD Architects, Applicant, Staff Presenter, Grant Crowell.

Mr. Crowell reviewed the above item in conjunction with agenda item number 9. It was noted that the public hearing was held in conjunction with agenda item number 9.

Ty Nielsen moved to approve the Site Plan Application for The Church of Jesus Christ of Latter-day Saints Meetinghouse subject to the following:

Conditions:

- 1. The applicable requirements of the City Code, adopted ordinances, adopted building and fire codes shall be met and adhered to for this site plan.**
- 2. All site plan features, building architecture and elevations, and landscaping shall adhere to the approved site plan as presented.**
- 3. All landscaping, irrigation, and open space areas shall be installed and maintained by the property owners.**

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

11. PUBLIC HEARING – Consideration and Vote on a Proposed Amendment to Chapter 11-35-2 of the City of Bluffdale Land Use Ordinance to Allow Storage Units as a Conditional Use in the Heavy Commercial Zone (HC), Nate Shipp, 4 Independence, LLC, Applicant, Staff Presenter, Grant Crowell.

Mr. Crowell presented the staff report and identified the areas zoned Heavy Commercial shown in deep red on the map.

Nate Shipp was present representing 4 Independence, LLC and discussed the total acreage. The Council and staff addressed clarifying questions with respect to open storage. Mr. Shipp reviewed the guidelines relative to the Community Plan involving commercial property and suggested the option of coming back to the Council with architectural guidelines.

Topographical issues were discussed. Mr. Crowell stated that the property is mostly flat. In response to a question raised, Mr. Crowell stated that all storage units in the community have to meet the design standards for storage units in a fortress style. With respect to the outdoor storage, he stated that they are different and an applicant could apply for two conditional uses with an application.

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In response to a question raised, Mr. Shipp stated that the IRC is comprised of himself, a few of his partners, and a few architects. They have very specific guidelines that are followed. Those would be expanded to include specific items. They recently completed a zone change on five acres and would like to maintain the ability to eventually develop it as commercial. In order for it to become viable, additional connections would be needed.

Mayor Timothy commented that he personally does not like storage units but likes open storage even less. He noted that open storage is allowed with a conditional use. Bruce Kartchner did not want to change all of the Heavy Commercial to accommodate this one particular lot when it could be accommodated by simply changing it to General Commercial, which would then provide opportunities that might be more inviting because they aren't quite so intense. Mayor Timothy and Alan Jackson agreed.

Mayor Timothy opened the public hearing.

Boyd Preece gave his address as 15122 Skyfall Drive and stated that he lives around the corner from the proposed change. He expressed concern with traffic the proposed change would create.

There were no further public comments. Mayor Timothy closed the public hearing.

Bruce Kartchner moved to not pass an ordinance amending the Land Use Ordinance of the City regarding the land use tables to allow storage units as a conditional use in the Heavy Commercial Zone. Justin Westwood seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

12. PUBLIC HEARING – Consideration and Vote on an Ordinance Adopting an Impact Fee Facilities Plan (IFFP) and an Impact Fee Analysis (IFA) for Parks and Recreation, Storm Drainage, Culinary Water, Secondary Water, Public Safety, and Transportation, Staff Presenter, Brent Ventura.

Contract City Engineer, Brent Ventura, reported that the matter had been discussed but they were not prepared with a presentation due to numerous changes. He provided a condensed version of what is proposed. He explained that the Capital Facilities Plan and Impact Fee Facilities Plan allow the City to collect fees from development and the impacts they have on the City's transportation system, water system, sewer, storm drain, parks and recreation, and public safety. As a result of the impact, new infrastructure is required that should be paid for by those creating the impact. The document containing details on each element was presented. It also addresses development that will occur within the next six years in terms of what developments may come, how much infrastructure will be required, and the cost, which is spread equally among the developments.

Mr. Ventura reported that the Impact Fee Facilities Plan changed based on the number of people moving in and the actual impact fees necessary to fund the improvements. It will allow them to

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include projects on the Capital Facilities Plan and move them forward to the Impact Fee Facilities Plan and help staff better plan for and fund the projects coming forward.

Bruce Kartchner stated that it would be nice to have a table showing what the impact fee was and what it is now. Mr. Ventura stated that that information is available in PDF format. He reported that previously the Water Impact Fee was \$1,243 per dwelling unit. It is now \$1,133. Transportation was \$3,360 per dwelling unit and is now \$3,440. The Storm Drain Impact Fee used to be \$430 per unit based on a 2,700 square-foot home or business. The cost is now \$630. The increase was attributed to the fact that there were so few projects proposed that the smaller impact fee did not cover the cost. Mr. Ventura reported that the Public Safety Impact Fee was \$990 and it is now \$1,200. The increase was attributed to the need for another station.

Mayor Timothy opened the public hearing. There were no members of the public wishing to speak. Mayor Timothy closed the public hearing.

Ty Nielsen moved to adopt an ordinance adopting an Impact Fee Facilities Plan (IFFP) and an Impact Fee Analysis (IFA) for Parks and Recreation, Storm Drainage, Culinary Water, Secondary Water, Public Safety, and Transportation. Justin Westwood seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

13. Consideration and Vote on an Ordinance Amending Section 12-5-3 of the Bluffdale City Code Relating to the Maximum Number of Building Permits that May be Issued on a Single Point of Ingress and Egress, David Tolman, Applicant, Staff Presenter, Vaughn Pickell.

Mr. Pickell reported that he was asked to draft an ordinance that would accommodate up to 115 dwelling units on a single point of access. He changed the number of dwelling units allowed in the subdivision that will be served by a second point of access in the future and extended that period out until April 30, 2016. Another option was to allow any approved subdivision plat to be granted 100% of their building permits in the subdivision notwithstanding the current ordinance.

In response to a question raised, Mr. Pickell indicated that they are moving forward with property acquisition. He indicated that he met with a couple of property owners this week. A question was raised with respect to tying the approval of the permits to the access. Secondary access issues were discussed. Mayor Timothy questioned the temporary nature of the ordinance and considered it to be similar to spot zoning. He felt that safety should be the first priority to ensure access for fire trucks and egress in the event of fire or a natural disaster. If the City is holding up the opportunity for the second access so they can issue a certain number of permits until the City's portion of the transaction is complete. It seemed awkward to him to adopt a temporary ordinance that fits a very specific instance.

Mr. Pickell felt that the City was involved because they are an entity that can help solve the problem. They would not need the access if it weren't for development. He pointed out that the

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road is part of the development agreement. Mayor Timothy considered it a bigger issue than that because the road is still needed so that some of the traffic can be eased out onto 14600 South rather than have all of the traffic rerouted to Heritage Crest and Porter Rockwell Boulevard. He felt there was a benefit to Bluffdale City participating.

Alan Jackson thought the right mechanism to solve the problem had not been found yet. He agreed with the Mayor that a temporary ordinance seems like spot zoning. He recommended they continue to find a way to solve the problem.

Bruce Kartchner considered the timing to be of utmost importance and did not expect permits to be pulled until the spring of 2016. The problem is that the developer is now in a situation where he is not able to sell lots. Alan Jackson asked about the timeframe and how long it will take to acquire the access and how that coincides with the developer's need to be able to pull permits.

Dave Tolman reported that they will be pouring asphalt in September and other items have to be completed. They expect to have the subdivision complete in October with permits ready to be pulled as early as November with the first occupants moving into homes by late March or early April 2016. He considered the major issue to be the completion of Loumis Parkway.

The Council discussed the possibility of working out an agreement with the Newmans and determining whether that would provide an access sufficient to build a road that would meet the current ordinance. Mr. Pickell responded that it could be done with the Newmans. He stated that currently the existing pavement is not on the Newman property and is more on the eastern properties.

City Engineer, Michael Fazio, commented on the road design and the bridge and whether the proposed timelines can be met. City Manager, Mark Reid, indicated that the bridge has to be constructed between October 15 and April 15 in order to move up to the north. Mr. Fazio explained that the bridge is satisfactory for light traffic. The most difficult task currently was to design the intersection at 14600 South. Staff was working with UDOT on the matter. He noted that the bridge is sufficient to handle traffic in the meantime with the bridge to be completed in April 2016.

Mr. Reid indicated that the bridge design and permitting process is nearly complete. Construction on it could begin given the water timetable of October 15 at which time the water goes out of the canal. The intent was to build and complete that part of the project prior to April 15 when the water comes back. He commented that it is difficult to call anything built there a temporary road because as soon as it is completed it will be heavily used from the DAI project as well as the new project.

Mayor Timothy commented that the acquisition of property has been more difficult than expected. Bruce Kartchner's preference was to construct a temporary road and tear it up rather than change the ordinance. Mr. Tolman clarified that the temporary road would be to the west of the permanent road. Mr. Reid stated that the goal is to complete the entire eight-foot section all the way up.

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Council Member Kartchner expressed appreciation to the staff for their efforts but felt that a change to the ordinance needs to be simultaneously considered. He committed to spending the time necessary over the next two weeks to accommodate that. Timing issues were discussed. Mr. Tolman accepted the two-week delay to allow for the ordinance to be rewritten. The matter was to be next addressed at the September 9, 2015 City Council Meeting.

Mr. Reid reported that when an offer was extended by the City they did not hear back. A meeting was scheduled for the following day. Bruce Kartchner did not want the window of opportunity to be opened for other developments. He also liked the concept of having a crash gate for an emergency access.

Bruce Kartchner moved to table the item until the next meeting and continue working on the alternatives. Justin Westwood seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

14. Reconsideration of Ordinance 2015-08, Approving the Adjustment of a Common Municipal Boundary with Draper City, Staff Presenter, Grant Crowell.

Mayor Timothy reminded the Council that the matter was before them previously at which time a change was made that now needs to be undone. Mr. Crowell stated that the Bluffdale City Council wanted the top green line on the map to go to the north side of the 14600 South. The Draper City Council did not accept it and approved it down the center line. Their staff indicated to him that that was the only choice. He stated that the proposed change would be a simple one for the surveyor to make. Mr. Reid indicated that there were questions from Draper City as to why Bluffdale wants this. The Council did not object to the change.

Ty Nielsen moved to approve Ordinance 2015-08, approving the adjustment of a common municipal boundary with Draper City. Bruce Kartchner seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

15. Consideration and Vote on a Resolution Authorizing the Execution of an Encroachment Agreement for Construction of a Meter Station in an Easement/Right-of-Way Held by Jordan Valley Water Conservancy District, Staff Presenter, Vaughn Pickell.

Mr. Pickell reported that the above resolution is required by the Jordan Valley Water Conservancy District whenever the City encroaches into their easement. On Noell Nelson Drive (1000 West) they intend to construct a 12-inch meter station to serve all of Noell Nelson Drive.

Bruce Kartchner moved to pass a resolution authorizing the execution of an Encroachment Agreement for construction of a meter station in an easement/right-of-way owned by Jordan Valley Water Conservancy District. Ty Nielsen seconded the motion. Vote on motion: Ty

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Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

16. Consideration and Vote on a Resolution Authorizing the Execution of an Interlocal Cooperation Agreement for Corridor Preservation Grant Funds, Staff Presenter, Michael Fazio.

Mr. Pickell reported that previously the City received Corridor Preservation Funds through Wasatch Front. They will now be disbursed by UDOT. A change in the law now requires counties to disburse the funds.

Ty Nielsen moved to pass a resolution authorizing the execution of an Interlocal Cooperation Agreement for Corridor Preservation Grant Funds. Alan Jackson seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

17. Consideration and Vote on a Resolution Authorizing the Execution of a Temporary Access Easement with Bluffdale Marketplace, LC, Staff Presenter, Vaughn Pickell.

Mr. Pickell presented the Council with an easement agreement offered to the City by Bluffdale Marketplace, LLC for the new 13970 road. It is currently in place and functioning but there is not an express right for the City to use it. The long-range plan is to get a permanent dedication for the road, which will occur when the property is subdivided. The other road will be vacated at the same time the new road is dedicated.

Mr. Reid noted that the process is currently underway. He explained that in order for the contractor who has been using the property and building the bridge to complete their contract, they were required to put in some improvements back into Market View. Staff did not want to see improvements go back in and then have them torn out in order to improve 13970. This gives them an opportunity to complete the contract, take the funds that were going to be put in, which were minimal, to update Market View.

Mr. Pickell explained that the current version of the easement was available in Dropbox and was extended to a four-month time frame rather than three months.

Ty Nielsen moved to pass a resolution authorizing the execution of a Temporary Access Easement with Bluffdale Marketplace, LLC, and specifically the one with the fourth month time frame. Alan Jackson seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

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18. Mayor's Report.

Mayor Timothy reported that Old West Days and the parade were very successful. He commented that the Monster Truck Show was well done and enjoyed immensely by his grandchildren. He expressed appreciation to the volunteers and City staff for their dedication. He stressed the importance of the event and stated that it helps bind the community. Details of the Volunteer Appreciation Dinner were to be sent out via email. He encouraged the Council to attend as to acknowledge the efforts of the City's great volunteers.

Mayor Timothy reported that the sewer district expressed appreciation for the new road into their facility. He noted that they are now occupying the new building and their Draper facility is up for sale. The next meeting was scheduled for September 15 at which time he will ask them to give the City a tour of their new building.

19. City Manager's Report and Discussion.

Mr. Reid gave special thanks to Alan Jackson on the Veterans Memorial and stated that it was a great success. He stated that the ceremony was amazing and very touching. As a veteran, Council Member Lemery expressed his personal thanks and described it as a world class memorial.

Mr. Reid reported on Old West Days and stated that from a City and staff standpoint it was a great success. There were, however, some complaints received about the volume of the concert at night. The rodeo also took place, which was a success. Troy Shintzel was commended for his hard work.

With respect to the Monster Truck Event there was concern about the arena and parts from the vehicles being smashed and possibly causing problems for the arena's equestrian users. Tarps were put down and staff went to great effort to prevent issues. For example, windows were removed from vehicles to avoid broken glass from getting in the arena.

Mr. Reid reported that Loumis Parkway has been paved with completion expected within one month. It was noted that the critical feature is the asphalt. The 14400 South overlay project was also finished in terms of striping. He noted that several changes were made to the striping plan. They set the standard of making the lanes as narrow as possible and in areas where that has been done, speeds have reduced. He also noted that the change has resulted in wider bike lanes. Bruce Kartchner recommended the possibility of double striping the bike lane.

Mr. Reid reported that the police made a major arrest of a wife who had been pawning stolen equipment. Her husband was also involved and was arrested and has admitted to numerous crimes. The UPD has been searching for the individual for a long time. There was one break in that was resolved that night.

Mr. Reid stated that the Dodge Durango was purchased to serve as a detective vehicle. The budget included the purchase of three vehicles for the Police Department this year. In moving toward the City having its own police force in a few years they have been ramping up their fleet. Over the last

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few years they have purchased vehicles from Vernal City that were on a two-year lease. Within the next month, the City plans to purchase two more Dodge Chargers that are typically two years old with under 20,000 miles on them with a complete police package for about \$25,000.

Mr. Reid reported that he and Mr. Fazio recently made a trip to Richfield to meet with the Transportation Commission to present Porter Rockwell Boulevard to them in exchange for 14600 South. The presentation went very well and a call was received from the City's lobbyist the previous day saying that although it went very well there was some push back. Another meeting was held on the matter earlier in the day. One option was that they may take Porter Rockwell Boulevard as a UDOT road and complete the bridge and not turn 14600 South over to Bluffdale, which was what they originally wanted since 14600 South needs major improvements.

The original desire was for them to turn it over to Bluffdale with sufficient funds to make the improvements. They instead deleted most of the improvement money and decided without that Bluffdale would not want to take the road. The next step was to see what kinds of projects there are on Porter Rockwell and 14600 South that they can put together and identify for the specified amount of the funds needed to enhance Porter Rockwell Boulevard to UDOT standards and have it applied to those projects.

On Redwood Road and Porter Rockwell Boulevard, for example, three arms of the light are up. In order to get Holiday Oil into the commercial subdivision on Porter Rockwell and Redwood Road, the City would have to put up a fourth arm at a cost of approximately \$150,000. The City is trying to get them to advance the money available to make that change, which they seemed amenable to. He commented that seeing the acceptance of Porter Rockwell Boulevard and scheduling of the bridge to be a milestone in Bluffdale's history. He stated that the key is timing in terms of when it is built. They have pushed for 2020 but UDOT has indicated that they can't do it before 2023.

Mr. Reid reported that staff met with their architect to open the bids for the City Hall CM/GC project. Eight bids were received. He explained that with a CM/GC contract you are looking at their bid to manage the construction. Staff was in the process of evaluating that. The top four bidders were identified. He encouraged the Council to review the proposals and give their input.

Justin Westwood reported on the mechanical business on the south side of 14400 South that is causing the parking of trucks on the sidewalk that are obstructing the view of motorists. Staff agreed to look into the matter.

PLANNING SESSION

20. Presentation and Discussion Regarding Jordan Narrows Road, Staff Presenter, Michael Fazio.

Mr. Fazio reviewed the Jordan Narrows Road re-pavement proposal. Mayor Timothy raised a question about the batch plant. Mr. Fazio explained that their argument was that the road was overrated and damaged. Mr. Reid commented that for \$100,000 they can improve the road.

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Possible options were discussed. With regard to the allocation of an additional \$10,000 the consensus of the Council was to pursue it.

21. Discussion Relating to the Appointment of a JWCD Trustee Member.

Mayor Timothy indicated that an appointment was made previously of Lynn Crane to the JWCD Board with Herriman and Riverton. His term is expiring so another member needs to be appointed. The City can submit its own name or coordinate it with Riverton and Herriman cities. He noted that Mr. Crane is seeking to be reappointed. The Mayor requested that the Council present the names of suggested nominees at the next City Council Meeting scheduled for September 9. The new four-year term will begin on January 1.

22. Discussion of Gateway Redwood RDA Project Area.

Eric Woodbury from Woodbury Corporation commented on the property on the southeast corner of Redwood Road and Bangerter Highway. He reported that they are a real estate company and most of their properties are in Utah, Idaho, Wyoming, and Montana. What makes them unique is that they don't develop properties and sell them. They generally hold their assets indefinitely. Their intention is to be involved with the project long term and continue to develop the property into the future. He stated that they purchased the property in 2006 and at that time they thought they would be able to develop quickly. That changed when the recession hit.

Mr. Woodbury reported that they are now proposing to develop a store for a major grocery store chain. The proposed building will be 123,000 square feet in size and is larger than shown in their previous plans. They are now at the end of a four to five-month long master planning process on the property. He stated that at this point they aren't driving the site plan process and engage the same engineer the grocery store chain uses. As part of the master planning process, the City asked how they could realign the roadway to the project so that aligns with 13900 South coming across the road. Details of the proposed grocery store were described.

Timing issues were discussed. Mr. Woodbury stated that they have a draft PSA that has now gone to the grocery store who only made one change to it. They are anticipating a late spring or early summer construction start with a spring 2017 open. The grocery store prioritizes sites based on sites that are ready to move forward. It was their rule as a developer to expedite the start date and getting the site ready. Procedural issues were discussed. Mr. Woodbury reported that they were planning office park for the eastern part of the property and possibly a hotel. The timing of the project was still unknown.

Bruce Kartchner commented that the concepts being presented as part of the potential change to the ordinance would be ones the Council would desire to apply to a retail zone. He proposed that staff be directed to move in the direction of creating a Retail Zone. Mr. Crowell stated that a signed use table would be needed. The consensus of the Council was to move forward with the suggestion made by Council Member Kartchner.

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23. **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.**

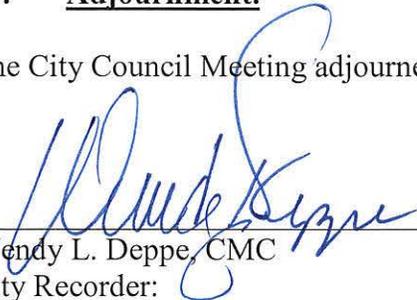
Mr. Pickell reported on the Notice of Claim received. He stated that the insurance provider was contacted and is doing research after which they will report back to the City.

Bruce Kartchner moved to go into closed meeting pursuant to Code §52-4-205(1) to discuss pending or imminent litigation and property acquisition. Ty Nielsen seconded the motion. Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, Alan Jackson-Aye, Mark Lemery-Aye, Bruce Kartchner-Aye. The motion passed unanimously.

The Council was in closed session from 11:00 p.m. to 11:21 p.m.

24. **Adjournment.**

The City Council Meeting adjourned at 11:21 p.m.


Wendy L. Deppe, CMC
City Recorder:



Approved: September 9, 2015

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, August 26, 2015**

Present: Mayor Derk Timothy
Alan Jackson
Bruce Kartchner
Ty Nielsen
Justin Westwood

Staff: Wendy Deppe, City Recorder

At approximately 7:45 p.m. Mayor Derk Timothy called the meeting to order.

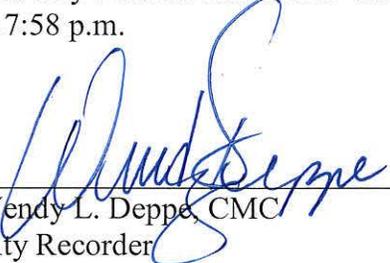
Motion: Bruce Kartchner moved to go into closed session pursuant to Code § 52-4-205(1) to discuss the professional competence of an individual.

Second: Ty Nielsen seconded the motion.

Vote on Motion: The motion passed with the unanimous consent of the Council.

Professional competence issues were discussed.

The City Council returned to the City Council chambers to resume the open portion of the meeting at 7:58 p.m.



Wendy L. Deppe, CMC
City Recorder



Approved: September 9, 2015

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, August 26, 2015**

Present: Mayor Derk Timothy
Alan Jackson
Bruce Kartchner
Mark Lemery
Ty Nielsen
Justin Westwood

Staff: 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
Wendy Deppe, City Recorder

At approximately 11:00 p.m. Mayor Derk Timothy called the meeting to order.

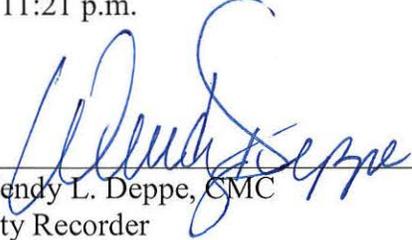
Motion: Bruce Kartchner moved to go into closed session pursuant to Code § 52-4-205(1) to discuss pending or imminent litigation and property acquisition.

Second: Ty Nielsen seconded the motion.

Vote on Motion: The motion passed with the unanimous consent of the Council.

Pending or imminent litigation and property acquisition issues were discussed.

The City Council returned to the City Council chambers to resume the open portion of the meeting at 11:21 p.m.



Wendy L. Deppe, CMC
City Recorder



Approved: September 9, 2015