



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, January 27, 2016**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, January 27, 2016 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **6:30 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 6:30 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA** –
 - 3.1 Approval of the January 13, 2016 meeting minutes
4. Presentation relating to the proposed transitioning of Bluffdale Elementary to a Modified Traditional Schedule, Matt Young, Jordan School District.
5. Consideration and vote on a resolution approving a Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management, applicant, Leon Berrett, staff presenter, Michael Fazio.
6. Presentation and discussion of the Branding Survey results and proposed Style Guide, staff presenter, Natalie Hall.
7. **PUBLIC HEARING** – Consideration and vote on a Rezoning Application from R-1-43 Residential to Civic Institutional for the City Park, Rodeo Arena, and Fire Station Site, located at approximately 2200 West 14400 South, City of Bluffdale, applicant, staff presenter, Grant Crowell.
8. **PUBLIC HEARING** – Consideration and vote on a Site Plan approval for a municipal office building (City Hall), located at 2200 West 14400 South, City of Bluffdale, applicant, staff presenter, Grant Crowell.
9. Consideration and vote on a resolution confirming the appointment of Board of Adjustment members, Mayor Derk Timothy.
10. Consideration and vote on a resolution confirming the appointment of a Representative for the Association of Municipal Governments, Mayor Derk Timothy.
11. Consideration and vote on a resolution appointing a Tree Board Member, Mayor Derk Timothy.
12. Mayor's Report
13. 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.

14. Discussion of Country Lane Estates Concept Plan, Ken Olson, applicant.
15. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
16. Adjournment

Dated this 22nd day of January, 2016

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.

Agenda Item 3.1



**BLUFFDALE CITY COUNCIL
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD COMBINED
MEETING AGENDA
Wednesday, January 13, 2016**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, January 13, 2016 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **6:30 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 6:30 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA** –
 - 3.1 Approval of the December 9, 2015 and January 4, 2016 meeting minutes.
 - 3.2 Conditional Preliminary Acceptance of Sage Estates Phase 1 (A & B), beginning the warranty period for completed City Improvements.
4. Report on sale of Lease Revenue Bonds, Matt Dugdale, George K. Baum & Company.
5. **PUBLIC HEARING** – Consideration and vote on a Site Plan Application for Summit Academy K-8 Bluffdale Campus Charter School, located at approximately 1930 West 14400 South, Pace CM, applicants, staff presenter, Jennifer Robison.
6. **HEARING** – Consideration and vote on a resolution authorizing Eminent Domain to acquire property for Noell Nelson Drive (1000 West), staff presenter, Vaughn Pickell.
7. **PUBLIC HEARING** – Consideration and vote on amending the allowed uses found in Table 11-35-2 and Section 11-2-2 of the Bluffdale City Code to allow additional land uses in the I-1 Light Industrial Zone, Derek Blaylock, applicant, staff presenter, Paul Douglass.
8. **PUBLIC HEARING** – Consideration and vote on a Site Plan Application for a proposed Equestrian Facility and Caretaker's dwelling to be located at 14000 South Loumis Parkway, Lyle and Sammy Barbour, applicants, staff presenter, Paul Douglass.
9. Consideration and vote on Preliminary and Final Subdivision Plat Application for Plat Q-2A for 32 Townhomes including common areas and associated streets, located at approximately 15200 South Heritage Crest Way within the Independence Master Planned Community, Edge Homes, applicant, staff presenter, Jennifer Robison.

LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA –**
 - 2.1 Approval of the December 9, 2015 meeting minutes.
3. Training on Open and Public Meeting Laws, staff presenter, Vaughn Pickell. **(LBA Training held in conjunction with the Open and Public Meeting Laws Training)**
4. Adjournment

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA –**
 - 2.1 Approval of the December 9, 2015 meeting minutes.
3. Training on Open and Public Meeting Laws, staff presenter, Vaughn Pickell. **(RDA Training held in conjunction with the Open and Public Meeting Laws Training)**
4. Consideration and vote on a resolution appointing and designating officers of the Redevelopment Agency Board, staff presenter, Vaughn Pickell.
5. Adjournment

CONTINUATION OF BUSINESS MEETING

10. Consideration and vote on a resolution designating the appointment of a Mayor Pro Tempore for 2016, Mayor Derk Timothy.
11. Consideration and vote on a resolution confirming the appointment of Alternate Representatives for the COG Committee, Mayor Derk Timothy.
12. Consideration and vote on a resolution appointing an individual to represent the City of Bluffdale on the South Salt Lake Valley Mosquito Abatement District Board, Mayor Derk Timothy.
13. Consideration and vote on a resolution appointing statutory officers, City Treasurer and City Recorder, Mayor Derk Timothy.
14. Consideration and vote on a resolution amending the Bluffdale Employee Policies and Procedures Manual related to appointed positions, staff presenter, Vaughn Pickell.
15. Training on Open and Public Meeting Laws, staff presenter, Vaughn Pickell. **(LBA and RDA Open and Public Meeting Laws Training held in conjunction)**
16. Mayor's Report
17. City Manager's Report and Discussion

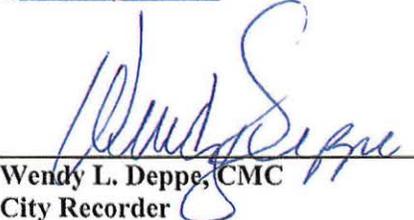
PLANNING SESSION

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.

18. Discussion of 14-acre site, located at 550 West 14600 South, Brian Christensen, Simple Products Corporation, Jason Hagblom and Jaden Malan, Industrial Properties.
19. 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).
20. Adjournment

Dated this 8th day of January, 2016

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DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

- 1 **Present:** Mayor Derk Timothy
2 Alan Jackson
3 Ty Nielsen
4 Justin Westwood
5 James Wingate (arrived at 6:33 p.m.)
6 Boyd Preece
7
8 **Staff:** Mark Reid, City Manager
9 Vaughn Pickell, City Attorney
10 Grant Crowell, City Planner/Economic Development Director
11 Jennifer Robison, Associate City Planner
12 Paul Douglass, Associate City Planner
13 Wendy Deppe, City Recorder
14
15 **Others:** Matt Dugdale, George K. Baum
16 Derek Blaylock
17 Steve Crandall, Summit Academy President
18 Brian Christensen, Simple Products Corporation
19 Jason Hagblom, Industrial Properties
20 Jaden Malan, Industrial Properties
21 Parametrix Personnel
22 Tyler Bodrero, Academica West
23 Jeremy Searle, Hales Engineering
24 Josh Jensen, Silverpeak Engineering
25

26 **BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**

27
28 Mayor Derk Timothy called the meeting to order at 6:30 p.m.
29

30 **1. Roll Call, Invocation, and Pledge.**

31
32 All Members of the City Council were present with the exception of James Wingate who arrived
33 shortly thereafter.

34
35 Josh Jensen offered the invocation.

36
37 Emily Swanson led the Pledge of Allegiance.
38

39 **2. PUBLIC FORUM:**

40
41 There were no members of the public wishing to speak.

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COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 **3. CONSENT AGENDA:**
2

3 **3.1 Approval of the December 9, 2015, and January 4, 2016, Meeting Minutes.**
4

5 Justin Westwood pulled consent agenda item 3.1 from the agenda. He stated that he was not present
6 at the January 4 meeting and asked that his name be removed from the minutes.
7

8 **Justin Westwood moved to approve the minutes of December 9, 2015, and January 4, 2016. Ty
9 Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.**

10
11 **3.2 Conditional Preliminary Acceptance of Sage Estates Phase 1 (A&B), Beginning**
12 **the Warranty Period for Completed City Improvements.**
13

14 Ty Nielsen moved to approve consent agenda item number 3.2, conditional preliminary
15 acceptance of Sage Estates Phase 1 A and B and beginning the warranty period for completed
16 City improvements. Justin Westwood seconded the motion. The motion passed with the
17 unanimous consent of the Council.
18

19 **4. Report on Sale of Lease Revenue Bonds, Matt Dugdale, George K. Baum & Company.**
20

21 Matt Dugdale from George K. Baum & Company, reviewed the successful bond process. He
22 reported that the City went through a very intense process and had its credit assessed by rating
23 analysts. The outcome was successful with the City receiving an A-1 rating. The process is very
24 detailed and involves analysts reviewing the City's financial statements and interviewing staff. The
25 rating was based on the City's healthy underlying credit qualities, a growing tax base, strong socio-
26 economic measures, a strong financial position, substantial reserves, manageable debt, pension
27 liabilities, and the structure of the bonds. The final amount of bonds issued was \$6,705,000 with
28 Tuesday being the scheduled closing date after which money will be deposited in the City's account.
29 The interest rate is very low at 3.57% for 30 years.
30

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Wednesday, January 13, 2015**

1 **5. PUBLIC HEARING – Consideration and Vote on a Site Plan Application for Summit**
2 **Academy K-8 Bluffdale Campus Charter School, located at approximately 1930 West**
3 **14400 South, Pace CM, Applicants, Staff Presenter, Jennifer Robison.**
4

5 Associate City Planner, Jennifer Robison, presented the staff report and stated that the ordinance
6 specifies that site plans for any building that is 15,000 square feet or larger requires a public hearing
7 before the City Council. The Planning Commission held their public hearing the previous week. The
8 application is for a charter school with the applicants being Pace Management who is represented by
9 Tyler Bodrero. Mrs. Robison explained that staff's responsibility is to prepare and present
10 information that is factual, technical, and in compliance with State law and City ordinances. Their
11 job is to give the best direction possible and help the City Council make an informed decision.

12
13 Mrs. Robison reported that the previous week the Planning Commission met and a public hearing
14 was held at which time numerous public comments were received. Since then, additional meetings
15 have been held. There was discussion that additional right-of-way needs to be purchased by the
16 Lions Club along 14400 South. A meeting was held to discuss the matter. A meeting was also held
17 the previous Friday with the Mayor and two engineering firms. Hales Engineering was hired by the
18 applicant to perform a traffic analysis. The City also engaged Parametric Engineering to look at the
19 City's overall transportation plan knowing that a road is coming forward and that the widening of
20 14400 South is already on the Capital Facilities Plan. It was noted that the area will be important as
21 increased traffic comes to the City. Mrs. Robison reported that Parametrix also performed a peer
22 review of the Hales Engineering study. One of the concerns expressed by the Planning Commission
23 was that representatives from the two engineering firms were not present at that meeting. Both were
24 present tonight. City Engineer, Michael Fazio, was unable to be in attendance.

25
26 Mrs. Robison identified the location of the property purchased for the Summit Academy Charter
27 School on a map displayed. State law requires that charter schools coordinate with the City the siting
28 of the school. There are, however, some things the City cannot enforce such as site plans,
29 landscaping, fencing, aesthetic considerations, and construction methods. Mrs. Robison stated that
30 they obtain their building permit from the state and have their own independent inspector who gives

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LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 reports to the City as the inspections are completed. The City, however, has no jurisdiction. The
2 City may impose and coordinate on setbacks, height, bulk and massing, off-street parking, traffic
3 circulation, construction staging, and traffic and public safety concerns.

4
5 A rendering of the proposed building was displayed. Areas were shown for future phases as well.
6 The applicants were asked to identify the future locations of the additions to avoid having to go
7 through a similar process when they come into build. Concerns expressed by the citizens and the
8 Planning Commission pertained to traffic issues and road design. The portion shown in orange was
9 to be purchased or acquired from the Lions Club. Another portion was identified that may need to be
10 acquired for the sidewalk to facilitate the crosswalk.

11
12 Mrs. Robison reported that the traffic analysis provided by Hales Engineering suggested that the
13 crosswalk be moved to Frost Court, however, there would have to be an extension of the sidewalk to
14 make that functional. The recommendation from the DRC and the City Engineer was that it be
15 moved either to Frost Court or another appropriate location to be determined by the City Engineer.

16
17 The Planning Commission recommended the application be denied based on the following findings:
18

- 19 1. That the traffic flow and stoppage of the traffic during drop off and pickup times is unsafe.
- 20 2. The traffic will clog the City street at 14400 South specifically during pickup times.

21
22
23 The staff report contained a lengthy list of conditions of approval considered by the Planning
24 Commission. At a minimum, the east and west bound right turn lanes need to be improved.
25 Adequate signage was also recommended as well as the crosswalk and a fire lane. There were also
26 issues with the culinary water designs that were of concern. In addition, no parking was to be
27 allowed on 14400 South.

28
29 Jeremy Searle from Hales Engineering described the Traffic Impact Study (TIS) and stated that they
30 looked at several things including the existing conditions, an initial build condition with 700 students,
31 and a full buildout condition with 1,000 students. In performing the TIS they looked at the level of

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 service for intersections, which is measured on an A through F scale. Anything that is a level of
2 service D or above is considered to function adequately. They also look at queuing and on-site
3 circulation. The intersections looked at as part of the study included 2200 West, Frost Court, the
4 access to the school, the Maverik access, and the intersection at Redwood Road.

5
6 Mr. Searle reported that currently 14400 South is functioning fairly well during peak hours. A
7 concern was identified with the Maverik access, which is very close to the Redwood Road
8 intersection. It was noted that there are safety concerns with left turns both in and out. The report
9 indicated that a possible mitigation measure was identified but Mr. Searle later found out that
10 Maverik is planning to redevelop their site and potentially move the access further back. The
11 potential change will help alleviate the safety concerns identified.

12
13 Mr. Searle stated that they next looked at the school and the number of trips that will be generated.
14 Traffic counts were taken at three different charter schools to determine how many trips they are
15 generating. It was determined that during the peak hour they expect roughly 358 cars to enter and
16 exit the site. At the time the study was conducted they did not realize that the City had hired another
17 consultant, Parametrix, to review the study. They developed their own rate and the number of cars
18 they estimated was within five vehicles of what Mr. Searle's firm had predicted. He noted that a
19 school shuttle is planned for the site that will provide an alternative way for students to get to school.
20 The figures provided did not contain that option.

21
22 In response to a question raised, Mr. Searle stated that they determine the number of students and
23 then develop a rate. The study found that the schools are very busy 15 minutes before school starts
24 and the 15 minutes after school is dismissed. When exiting it is very difficult for cars to make left
25 turns. The proposed access is advantageous in that it allows cars to turn right in and left in but when
26 exiting they are only allowed to turn right out. He noted that right turns are much easier and faster
27 than left turns. The City is contemplating a roundabout at 2200 West that would work perfectly with
28 what is being proposed for the school. Cars that are turning right out of the school can come to the
29 roundabout and easily go where they need to.

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REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

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Mr. Searle reported that there are three stacking lanes. He stated that the pickup area is approximately 651 feet and can hold roughly 76 vehicles. There is also a drop off area that includes two lanes consisting of a bypass lane and a drop off lane. The drop off lane can hold about 18 vehicles and another 10 to 18 in the bypass lane that can get around. The exit lane can handle up to 26 vehicles. There are also another 40 pickup/drop off parking spaces. In all, up to 170 vehicles can be accommodated on the site in the stacking area in addition to the teacher parking stalls.

Mr. Searle indicated that they looked at the level of service for various intersections with the full build out of the school at 1,000 students. Redwood Road still functions at a level of service D or better. The school access with the right out only currently functions at a level of service C. Recommended mitigation measures were described. At the egress a gray center median was recommended to enforce the right out only.

The study also looked at pedestrian safety. Mr. Searle stated that there are also several sidewalks already constructed in the area. The applicants are proposing to put a sidewalk across their frontage and across the Lions Club to connect to the existing sidewalk. That will allow students to cross Redwood Road at the signal. Traffic circulation issues were discussed. The average was 2.5 to 5 minutes to get through the line. Other options were recommended such as staggering drop off times.

Tyler Bodrero stated that at the Planning Commission Meeting there was discussion about Plans B and C to provide assurances that traffic can be controlled. Possible solutions were discussed such as building a future outbuilding that could have a combination community use. The proposal would be to add an additional 10 feet of asphalt to the lane near the playground to provide an alternate pickup/drop off lane that would provide a lot of additional stacking. Alan Jackson was concerned that 14400 South will become a drop off lane, since he has seen it at other charter schools.

Mayor Timothy thought it would be more beneficial for people who have already picked up their student to come around and exit before going all the way around and utilize the exit out. If that were the case, the emergency lane could do the same and allow additional queuing lanes. Mr. Searle stated

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LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 that either could potentially be done but it would be a coordination effort between the City Engineer
2 and the Fire Marshall in terms of how that will work. Ways to prevent cars from making left hand
3 turns were discussed such as a concrete median that would enforce a right out only. Mr. Searle added
4 that the pickup/drop off lanes could function as additional parking for nighttime and event parking.

5
6 Josh Jenson identified himself as the Civil Engineer/Site Planner and stated that when they initially
7 looked at the site they ensured that the site was in compliance in terms of fire access because all sites
8 are required to have two accesses for emergency vehicles. Because there was such a narrow area
9 they were concerned that it may not be compliant. They also met with staff to review their
10 requirements to ensure that they could meet them. Mr. Jenson stated that originally the accesses were
11 proposed at a width of 24 feet. All three were ultimately increased to 26 feet because there was some
12 debate between the Fire Marshall's Office and the City Engineer and they weren't sure what the
13 outcome would be. Increasing the width would make them interchangeable. He noted that one could
14 be reduced to 20 feet to make it a fire lane. If that is done, he recommended the westernmost lane be
15 reduced in width.

16
17 In terms of snow removal, Mr. Jenson stated that they try to do landscape islands to the extent
18 possible so that they have places to store the snow. They also try to create areas that are off the curb
19 so that it can be pushed all the way to the edge of the parking. Alan Jackson asked if the traffic study
20 took into account the buildup prior to pick up and drop off. He stated that while 170 vehicles will fit
21 on the site, that leaves 183 that are not accounted for. From experience he had seen that cars stack up
22 before and after school. Mr. Searle stated that the study focused on the peak hour when there will be
23 the most cars. It was noted that there are more cars in the morning because people are going to work
24 at the same time.

25
26 Mr. Searle commented that of the 40 charter schools they have done, this was in the top three in terms
27 of the number of people they can queue up on site and the number of available parking stalls. He
28 commented that it probably has more queuing and stacking than most district schools because they
29 have buses. Mr. Searle reminded the Council that Summit Academy is committed to doing a shuttle

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REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 that holds 60 students. He remarked that it would not be feasible for any school to provide enough
2 queuing and stacking on site for all of the students that would come at the same time. Mr. Jackson
3 understood that but stated that they have to account for all 358 cars in one hour.
4
5 Mayor Timothy described the law in relation to this situation. He read from Title 12 of the Utah
6 Code, which specifies that a school district or charter school is subject to a municipality's land use
7 ordinance. A municipality may subject a charter school to standards within each zone pertaining to
8 setback height, bulk and massing regulations, off-site parking, curb cut, traffic circulation,
9 construction staging, and impose regulations upon a location of a project that are necessary to avoid
10 unreasonable risk to health or safety. The standards to which a municipality may subject a charter
11 school to limits the City in terms of what they can require. In this case, traffic circulation and safety
12 can be regulated by the City. The standards that a municipality may subject a charter school to must
13 be objective and may not be subjective. Mayor Timothy explained that the traffic study that was
14 conducted is considered to be objective and even though the outcome is known, it cannot be used as a
15 City to deny the request.
16
17 Mayor Timothy stated that when the application was presented and staff was told that a traffic study
18 was done, the City questioned it because the numbers seemed low. As a result, the City hired its own
19 firm to confirm the school's traffic study or show that it was in error. In the end, the two traffic
20 studies were very similar. Whatever the study shows as acceptable will be the City's responsibility.
21 That concerned him as the Mayor because it creates a burden to the City. Having dealt with the State
22 Legislature, he knows that their opinion is that regulations are in place to restrict cities since schools
23 would have a very difficult time locating in any city in an area that is already built out because there
24 would be a lot of opposition because schools naturally generate a lot of traffic. The Legislature's
25 belief is that a school solves more problems than it creates.
26
27 Mayor Timothy reported that he spoke to three mayors the previous week. He attended the Planning
28 Commission where questions were raised that concerned him. For example, he did not believe that
29 2.2 students per car is realistic even though that is the objective number. He felt that a lot of

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COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 enforcement will have to be done up front and make the inconvenience of parking in the queue better
2 than the ticket they will get if they do not. Public comments would be limited to three minutes with
3 each person being able to speak once. More time would be given to someone representing a group.
4 He asked that those speaking be as objective as possible and share new thoughts rather than repeat
5 points that have already been made.

6
7 Mayor Timothy opened the public hearing.

8
9 Jay Bertoch gave his address as 2558 West Perschon Circle and expressed appreciation to the
10 Council. His concern was not with the school itself but with the ingress and entrance to the school
11 and the traffic problem it will create. He asked if the applicants had looked at the church given the
12 access to Redwood Road and 2200 West. The barriers they plan to put on 14400 South will create
13 additional problems. Mr. Bertoch suggested that the school be forced to change the site to
14 accommodate the demand that will be created.

15
16 Scott Pavlakis gave his address as 14469 South Frost Court and stated that while he is not opposed to
17 the school, he was concerned about safety and traffic flow. He stated that in his experience picking
18 up and dropping off at charter schools he has found that the pickup is the problem and not the drop
19 off. He commented that he has five years of experience at three different schools. He demonstrated
20 the scenario using dominos to represent cars.

21
22 Connie Pavlakis gave her address as 14469 South Frost Court and identified herself as a member of
23 the Planning Commission. As a resident of Frost Court she is not happy about what the City is trying
24 to do to her one-acre quiet cul-de-sac. She stated that cars will come down her street to park because
25 they will not want to wait in the queue. She was concerned about the safety of children there when
26 the queuing doesn't work. Mrs. Pavlakis visited other charter schools and has seen what happens.
27 She considered that to be factual and not subjective. She stated that backups will extend to Redwood
28 Road and beyond. She felt that adding 40 parking stalls in the middle of a moving staging queue is
29 unsafe and not a reasonable addition. The applicants claim there will be 2.19 students per car yet
30 nothing on their study shows what that means per car. She stated that it equates to over 450 cars at

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 capacity of 1,000 students. In addition, the applicants have no idea where the traffic will be coming
2 from. They claim that they will provide shuttles from Independence back and forth but the parents
3 are forced to pay for it. As a result, it will not get used or will create a hardship on those families.

4
5 Mrs. Pavlakis stated that putting cars westbound on 14400 South will eventually turn around and go
6 east bound, which will result in a double impact on the queue. The cars ultimately need to get to
7 14400 South and turn left. Currently that left turn lane has an F rating and it will only get worse.
8 The left hand turn lane coming from the opposite side of Redwood Road has an F rating as well that
9 will get worse. She prepared a graphic to count the number of cars that fit there to scale. She stated
10 that 10 will fit in the right turn pocket. The left turn pocket will hold approximately 12. After those
11 turn pockets have reached capacity, oncoming traffic will be impeded and create a safety issue. Mrs.
12 Pavlakis was glad to hear the Traffic Engineer who prepared the traffic study, admit that stopping to
13 turn left into the Maverik creates a dangerous situation and causes backup onto Redwood Road.

14
15 Mrs. Pavlakis objected to the proposed roundabout and stated that doing so will impede pedestrians.
16 She stated that a traffic light is needed and not a roundabout. The result will be to block 14400 South
17 from Redwood Road to 2200 West, which is a main access for emergency responders. Mrs. Pavlakis
18 could see no positive outcome and stated that the ingress on 14400 South is impossible to mitigate
19 and the City by law is required to do what is reasonable. She urged the Council to do what is right
20 for the City. She was not opposed to charter schools but did not think this was the location that
21 works best for the safety of citizens. She regretted that they were not being better neighbors to the
22 City for coming forward with the request.

23
24 Mrs. Pavlakis stated that many charter schools have a no walking policy. This is not a safe place for
25 students to be walking to their cars. She was worried that ultimately children will have to cross
26 Redwood Road to be picked up by their parents. Mrs. Pavlakis referenced Bluffdale Elementary and
27 has been in City meetings where it has been discussed in terms of the problem it creates on 2700
28 West. Bluffdale Elementary has 958 students enrolled and they serve only 700 at any given time
29 because they are year round. They are bussing 592 students, which leaves just over 100 students and

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 there is still a significant traffic problem. They have nine school buses coming to the school every
2 day, two kindergarten buses, and nine special education buses. In total there are 20 buses coming to
3 and from the school every day and all use 14400 South. Ultimately, the charter school will impact
4 every other school in the area. She stated that traffic cannot be mitigated to allow for that. Next year
5 Bluffdale Elementary will go to a traditional schedule and have two start times. Mrs. Pavlakis stated
6 that this is proof that the City's infrastructure is not set up to handle the impact. She urged the
7 Council to do what is right for the citizens.

8
9 Emily Swanson gave her address as 751 West Star Spangled Drive in Independence. She has three
10 children at Summit Academy and currently children from 10 families walk to school. She expected
11 this to continue after the new school is built. She stated that most of the families that are moving in
12 have children under five years of age and will need schools in the very near future. She expected
13 both Summit Academy and Bluffdale Elementary to be over capacity in the near future. For that
14 reason, another school is needed. Ms. Swanson considered Summit Academy to be a great
15 educational model and they have been very happy with their children's education. She noted that the
16 administration works closely with the community. She lives on a street where she is definitely
17 impacted by the traffic during school hours and from experience she stated that there is a 20-minute
18 window when it is difficult for her to get out of her driveway. Ms. Swanson stated that she notices
19 the impact in the afternoon much more than in the morning. She remarked that the City lacks sports
20 facilities and the gymnasium at Bluffdale Elementary is fully booked for team practices and other
21 events. Another facility would be used and needed. She asked if parking could be added to the upper
22 portion where there is no grass. She also commented that she has seen instances where roundabouts
23 work. She thought bringing Summit Academy to Bluffdale was the right thing to do.

24
25 Amanda Pay gave her address as 1382 West Black Wulff Drive in Sage Estates and stated that a
26 comment was made up earlier that the area is mostly comprised of retired people. She disagreed and
27 stated that in Sage Estates, most of the families are very young and there are a lot of children.
28 Ms. Pay has a child who attends Summit Academy and expressed support for the proposed charter
29 school. She felt that building an elementary in the proposed location will help reduce traffic that

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 would otherwise go to Bluffdale Elementary. In her experience driving her child to and from the
2 charter school she has discovered that there is a 20 to 30-minute window with pickup and drop off
3 and should not have a significant impact. She stated that if it becomes a problem they could possibly
4 consider staggering start times, which will cut the impact in half. With regard to the shuttle that is
5 provided, she appreciates it because it is voluntary and does not put a burden on parents. It costs \$10
6 per student and is beneficial. She also felt that a significant number of students walk, which has not
7 been taken into consideration.

8
9 Connie Robbins gave her address as 14455 South 2585 West and stated that Summit Academy is a
10 lottery so no one knows where students will go unless it is a predetermined lottery. She asked if
11 more policemen will be hired to patrol the traffic around the school, which will involve more money
12 out of the City budget. She did not feel it was the City's job to solve the problem and she
13 recommended the request be denied. Ms. Robbins stated that the previous afternoon she visited
14 Hawthorne Academy on 11400 South and 1400 West where school dismisses at 3:15 p.m. She was
15 there at 2:45 p.m. and cars were parked all the way down 11400 South from 1300 West to 1576 West
16 on the street. The parking lot was full with three lanes of queues going into two lanes rather than the
17 one proposed. The traffic was on the south side of 11400 South all the way down the street. She was
18 certain that the same thing will happen here.

19
20 Jeremy Brown gave his address as 14619 South 2400 West and pointed out that the traffic study did
21 not include the school or the traffic from the other side of Redwood Road. He stated that he leaves
22 his home at 8:00 a.m. every morning and there is a problem with cars coming into 14400 South from
23 across Redwood Road and with people trying to get out of 14400 South onto Redwood Road. He
24 drives past Hawthorne Academy every morning and he typically has someone make a U-turn in front
25 of him as he is trying to pass. Parents are parked along the road and he observes people having
26 problems getting in and out of the school. School faculty tries to make the situation better but it
27 doesn't. Mr. Brown also asked how much it will cost to widen the road and do what is necessary. He
28 stated that he would like to have the school in Bluffdale but suggested it be in a different location.
29 He remarked that it is one of the worst intersections in the City and regardless of what is done the

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 impact will be the same. He requested more information on impacts beyond the limited areas that
2 were considered.

3
4 Diana Brantley gave her address as 1877 West City Village Way and identified herself as the
5 Assistant Principal at the Bluffdale Summit Academy site. It is her opportunity to direct traffic each
6 day. She has a timer and helps those who don't know the procedure to get through. She is highly
7 motivated to move cars through quickly, efficiently, and safely. She has been very pleased with their
8 loading procedure in the morning and there is no back up. They unload 16 cars at a time each
9 morning and there are never any more than 16 cars waiting their turn. She agreed that afternoons are
10 busier and require six additional teachers who stand on the curb. She uses a microphone to call the
11 children so that they are queued up by the time their car reaches the curb. Teachers are there to help
12 get them in the car safely. Their number one concern is safety. Because of that, they stagger their
13 release time and send the first group of students out the door at 3:01 p.m. The next group goes at
14 3:04 p.m. and the last group leaves at 3:10 p.m. The longest she has ever loaded cars was until 3:30
15 p.m. They have around 700 students currently.

16
17 Mayor Timothy commented that Ms. Brantley makes it sound like the queuing flows smoothly. He
18 asked how delays are handled. Ms. Brantley stated that when a car shows up and no child is there
19 waiting, they send the car to the overload area in front of the cars that are waiting. She explained that
20 loading occurs on the curb and children do not walk through the parking area.

21
22 During a 20-minute period Ms. Brantley estimated that she directed no more than five cars to the
23 overload area. She stated that they hold a new parent information night where they instruct the
24 parents on the pickup and drop off procedures. Cars have signs in the windows with the name of
25 their students. Teachers are also present to help load the children. If cars come early to wait, they are
26 off the street. Ms. Brantley stated that she had never had more than 40 cars waiting prior to 3:10 p.m.
27 Other parents come at 3:17 p.m. when all of the traffic is gone and there is no waiting. Ms. Brantley
28 stated that the parking lot never actually fills up. In response to a question raised, Ms. Brantley stated
29 the time between her calling a student's name to the time the car pulls out is less than 60 seconds.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 She stated that when parents arrive, children are waiting at the curb with teachers ready to load. She
2 stated that lines need to move quickly.

3
4 Denny Neilson gave his address as 1761 West 14200 South and asked if the Council can deny the
5 application according to Utah Code. Mayor Timothy stated that the City can deny the request.

6
7 Steve Crandall gave his address as 1935 Rock Hollow Road and identified himself as the Executive
8 Director of Summit Academy. He had been involved in the planning of the new school as well as the
9 other three schools. When he first came to Summit Academy nine years ago they had a situation
10 similar to what was witnessed at Hawthorne Academy. He made it his mission to ensure that the
11 neighborhood was not negatively impacted. Extensive renovations were done at the school so that
12 the stacking and loading areas were all on site. That had been their goal ever since. Mr. Crandall
13 stated that it is very important to them to impact the roads and neighborhoods as little as possible.

14
15 Dave Anderson gave his address as 14465 Frost Court and was torn in that he has students at Summit
16 Academy, which he considers to be a great school. When they take their son to Summit Academy in
17 Draper there is often a long wait. She takes him to school 20 minutes early to avoid waiting. He
18 agreed that there will be a bottleneck on 14400 South.

19
20 Judy Dudley gave her address as 2590 West 14400 South and did not think they were comparing
21 apples to apples as far as location. She stated that she has a difficult time accessing the freeway and
22 was frustrated with traffic in the City. She commented that the proposed school site has an entirely
23 different demographic than the other schools. She was concerned with the proposed school and how
24 it will impact the City financially. Ms. Dudley noted that the City has one officer on duty at a time,
25 which is problematic.

26
27 Leisha Thorne gave her address as 1319 Vera Lane and stated that her children go to Summit
28 Academy in Bluffdale and they have been very happy there. She responded to comments made about
29 the roundabout and the construction that will have to take place on 14400 South in order to mitigate

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 the building of the school. Her understanding was that it was something that was planned before the
2 school request came forward.

3
4 City Manager, Mark Reid, stated that when the New City Hall was contemplated 1 ½ years ago, they
5 decided that a roundabout would be a good idea at the proposed corner. They have looked at it with
6 the fire apparatus in mind and stated that the fire apparatus in Riverton goes through the roundabout
7 nearly every day with no problem. It was felt that coming through a roundabout in the proposed
8 location will actually help emergency responders get out onto 14400 South more safely and quickly.
9 The roundabout has nothing to do with the school because it was contemplated before the proposal
10 for the school was made. 14400 South has been on the Capital Facilities Plan to be widened for
11 years. In 2013, it was scheduled for 2020 and one year ago it was set for 2018. The City has
12 budgeted \$1.2 million for the widening using impact fees, which are not personal property taxes. The
13 proposed widening will include the installation of curb, gutter, and sidewalk where it doesn't exist,
14 storm drain facilities where they don't exist, and two travel lanes and a turn lane in the middle. The
15 City has sufficient right-of-way to accomplish this without buying property.

16
17 Ms. Thorne commented that if the school doesn't go in something else will, and traffic will be
18 affected. Her preference was to have a school there that the whole community can use.

19
20 Bill Petty gave his address as 14509 Frost Court and stated that on January 28 there will be an awards
21 ceremony at North Star Academy who has a large parking lot with access on both sides of the road.
22 They will be completely filled going down and around that road. He questioned where cars will park
23 when the proposed school has similar types of programs. He recommended South Jordan be
24 contacted to find out about the traffic statistics with Hawthorne Academy. He was concerned that the
25 proposed location will be an unsafe place for a school. He was concerned that problems will also
26 result from having a crosswalk and a roundabout.

27
28 Karen Sonntag gave her address as 14473 Frost Court and stated that she is the mother of two
29 children with special needs, which makes bussing an issue. To get them in and out when there is

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 snow will require the children to be picked up at the end of Frost Court because the bus cannot get in.
2 She was concerned about the number of buses going back and forth and how that will impact the
3 children, and particularly special needs children. Mayor Timothy commented that typically the City
4 does not plow circles early in the process after a storm. Normally they are lower on the list of
5 priorities. He suggested Mrs. Sonntag contact the City to let them know of the special need for the
6 plow. He stated that that cannot be done with every circle but it can in this case because there is a
7 special need.

8
9 Odila Conica gave her address as 814 West Star Spangled Drive and voiced support for a new high
10 quality school in the neighborhood. She thought this was a great opportunity for the City to become
11 partners with the school administration. She felt that having a good school in the area will increase
12 home values. Ms. Conica observed that Summit Academy is willing to be a good neighbor. She
13 commented that her children attend the school and it is very well run.

14
15 Gary Yates gave his address as 2395 West 14541 South and felt the real issue was safety and not
16 whether a school is needed or desired. He reported that children are discouraged from walking to
17 charter schools but several still do. He expressed concerns with safety.

18
19 Charles Ingram gave his address as 2603 West 14400 South and stated that while he is not opposed to
20 the school, he felt that this particular site was problematic because of its location. Traffic problems
21 already exist and this will only make things worse. He did not feel that as planned the situation will
22 be safe.

23
24 Phyllis Adams considered this to be the perfect example of putting the cart before the horse. While
25 she did not think the school was a bad idea, she felt it was proposed in the wrong place and will
26 negatively impact the center of Bluffdale. She works at Bluffdale Elementary and has seen what
27 happens when it snows. Buses can be one hour late getting special needs students home from school.
28 She thought the applicants should have purchased more property that proposed that is off the main
29 thoroughfare.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1
2 Ken Milne a Riverton resident, was not opposed to the school but objected to the 1,000 students. He
3 owns property to the west of the school and suggested that the front parking area be better planned to
4 absorb the traffic. He compared the proposed site to that of Oquirrh Hills Middle School, which has
5 a massive parking lot. It has an in and out section for buses and two sections on the north and south
6 for cars with four lanes and still backs up. He recommended the matter be tabled to allow for better
7 planning to occur.

8
9 Mrs. Pavlakis requested that the public hearing remain open to address changes to the site plan. She
10 stated that the ingress on 14400 South is where the major problem lies. If the ingress was off of
11 Redwood Road, some of the major safety and traffic hazards may be able to be mitigated.

12
13 Mayor Timothy stated that closing the public hearing tonight does not prevent him from reopening it
14 in the future.

15
16 Mark Reid gave his address as 15683 Thunder Dust Drive and stated that his biggest safety concern is
17 the crosswalk because it is so close to the school exit. Those who are forced to turn right will be
18 looking in the opposite direction and driving through the crosswalk. He suggested there be an
19 assurance that the engineers are comfortable with the crosswalk to make sure that it is in a safe place.

20
21 There were no further public comments. The public hearing was closed.

22
23 Alan Jackson asked for input from City Attorney, Vaughn Pickell, to determine what the City's
24 options are. If the Council denies the request he asked on what grounds that must be done.

25 Mr. Pickell stated that the Council would have to make a finding that there are unreasonable risks to
26 health and safety that cannot be mitigated by objective standards.

27
28 James Wingate commented that he met earlier in the evening with the principal of Channing Hall, a
29 charter school in Draper that is comparable to the one proposed with 720 students. He stated that the
30 other Summit Academy school in Bluffdale is in a residential area that is not on a main arterial road.
31 A map of Channing Hall was displayed that shows that 150 East is a one-lane road in each direction

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 with no middle turn lane. The drop off and pickup procedure was described. The principal informed
2 Council Member Wingate that she comes out personally with a stop sign to stop traffic as a crossing
3 guard to let cars come out because traffic gets so backed up. In the morning, there is a backup near
4 the traffic light. The principal stated that several parents park around the corner and walk to the
5 school or wait for their children at a nearby park. They estimate that 200 cars come through the
6 official channels every day and the rest do it through the park and neighborhood streets. Council
7 Member Wingate felt that the traffic plan as described sounds very efficient but the reality is that
8 parents will do whatever they can to get in and out without waiting.

9
10 Janie Philly, an Alpine resident, stated that the two parking lots cannot be compared and are
11 completely different. She stated that Channing Hall has no parking whereas Summit Academy
12 allows for parking and staging.

13
14 Ryan Hales from Hales Engineering commented on the crosswalk and stated that the City Engineer
15 requested that it be moved. He indicated that it can be moved various places. Certain items are
16 required for a crosswalk to be built. There has to be a certain number of students that will use it and
17 it ultimately has to be approved and permitted by the City. He stated that it would be more efficient
18 to not have a crosswalk and have students on the south side walk two blocks to the east and cross at
19 the light with the crossing guard and then walk back on an improved sidewalk on the north side. Mr.
20 Hales stated that charter schools routinely locate on parcels smaller than the one proposed. He did
21 not believe that the comparison to Channing Hall was fair.

22
23 Mr. Hales stated that the property has been held for some time by the school district with the intent of
24 building a school. The engineers have worked together to best address the traffic impacts. It was
25 believed by the school district and Summit Academy that the proposed use is best for the parcel.
26 Traffic count issues were discussed. It was noted that the boundaries of the traffic study were from
27 Redwood Road to 2200 West near the proposed roundabout. A question was raised about whether
28 ingress and egress could be through the LDS Church property. It was determined that that was not

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 likely. With regard to fencing, it was reported that there will be fencing all the way around the
2 property.

3
4 Staff recommended approval with conditions. To respond to the concerns expressed by the Planning
5 Commission, Mr. Bodrero reported that he met with the school and the engineers who indicated that
6 the traffic study was approved by the City Engineer and verified by an independent contractor. The
7 data shows that it works but the citizenry wants assurances in the event it doesn't. Alternate plans
8 were discussed. It was noted that there is a possibility to address traffic down the road that the
9 current study does not show need to be addressed.

10
11 Mayor Timothy did not want to put the total burden of widening the road on the school because it
12 was planned previously. To be fair, however, he acknowledged taxpayer dollars are being used to
13 help solve the traffic problem.

14
15 Mr. Crandall described the lottery process used by charter schools and stated that under state law the
16 school is allowed to give a geographical preference of up to a two-mile radius of the school. Because
17 it is a public school they have to take first come first serve. If they have more applications than they
18 have spaces available, they run a lottery. The projected number of students the first year was
19 estimated at 450 to 600. He clarified that the school start time had not been determined and the first
20 few days of school will typically be the most critical. The potential of staggering the school's start
21 and dismissal times with Bluffdale Elementary would be helpful.

22
23 The issue of parking on Frost Court was discussed and will take effort to restrict. Safety was
24 described as being of utmost importance. Mayor Timothy stated that the issue of parking on Frost
25 Court would be discussed by the City Council. Mr. Crandall stated that the school has committed to
26 do all it can to promote safety. The Mayor could see the potential for motorists to use Frost Court.

27
28 Mayor Timothy asked if there are ever activities that the entire school participates in. Mr. Crandall
29 stated that activities tend to be more grade specific rather than involve the entire student body.

30

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 The Mayor referred to a statement made about the trestle, which is a major corridor through the City
2 and on a one-lane road. The City struggled to get a traffic light there, which helps with priority
3 depending on what direction traffic is going. The City is trying to do a jurisdictional transfer so that
4 it will be under their control. The trestle is a problem and will continue to be. The City was working
5 to make it less of a problem. Mayor Timothy stated that the trestle is a \$5.5 million problem that will
6 not be solved easily. It was noted that crossing guards cost the City \$8,000 each per year and are the
7 responsibility of the City to provide.

8
9 Alan Jackson was hesitant about the traffic studies and felt that they should have gone further east
10 and west. He also wanted to see information about prestaging to prevent traffic problems from
11 occurring. There is only room to pre-stage 76 vehicles since all others are accounted for afterwards.
12 Jay Bertoch clarified that the Parametrix study addressed those issues.

13
14 Charles Allen from Parametrix reported that they were hired by the City to conduct an overall study
15 and were asked to look at long and short-term conditions. Part of the study was to consider the
16 impact of the charter school and focus on the a.m. and p.m. peak hours. The study identified two
17 points of concern. First, that the school's entrance and exit driveways are too close. Those can be
18 mitigated to some extent by restricting the exit driveway to right only. Second, the walk and bike
19 access is not ideal for a school location. The school has plans to add a sidewalk in front of their
20 property but the situation is tricky because other landowners are involved. In response to a question
21 raised, Mr. Allen stated that 14400 South is a collector but is not projected to have a significant
22 amount of growth to make it an arterial, which would be the next step.

23
24 James Wingate was most concerned about cars that are traveling westbound on 14400 South and
25 turning right in. He questioned how they will get back onto Redwood Road, especially during the
26 afternoon pickup. He recommended that the applicant speak with the Lions Club and see if they
27 would be willing to sell some property on the far west end of the park for an additional stacking lane.
28 Mayor Timothy stated that the City is in discussions with the Lions Club to purchase that parcel. It
29 was purchased previously from the Jordan School District for use as a future parking lot. If they were

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 willing to provide an easement, the school would build the parking lot and use it for additional
2 parking/staging. For the purpose of tonight’s meeting he could not say for sure that that will happen.

3
4 Alan Jackson did not feel that the traffic study had adequately addressed the safety concerns
5 identified. It was stated that Frost Court needs to be protected and signage is necessary. It was
6 suggested that perhaps an officer should be assigned patrol to the school the first week of school at
7 the entrance. It was thought that a certain amount of training needs to occur. Mayor Timothy stated
8 that if approved, it will likely require one officer during the day.

9
10 Alan Jackson commented on cost and felt that bringing a school into the City is worth the cost. He
11 asked about the status of the roundabout. Mr. Reid stated that it is being designed currently. The
12 decision of whether to install it was up to the Council. The plan was to do it in conjunction with City
13 Hall. The traffic study identifies concerns with motorists making U-turns when forced to turn right.
14 Council Member Jackson was not sure that problem had been solved to his satisfaction.

15
16 Alan Jackson stated that developers have proposed uses in the area that would generate much less
17 traffic than the proposed school and have been turned away because of safety concerns.

18
19 Boyd Preece felt that safety must be the number one priority. He thought it was difficult for the
20 Council to deny the request without identifying the specific concerns. A citizen stated that an
21 animation would illustrate the concerns more accurately.

22
23 Mr. Petty asked if anyone had ever spoken to the Police Department about the issue and whether they
24 have concerns with safety issues. Officer Shane Taylor stated that the school will pose a problem in
25 terms of public safety. He acknowledged, however, that schools are a good thing for the community.
26 He commented that the volume will be double through the crosswalk, which will pose a major
27 problem. He estimated that two to three additional officers will be needed. He stated that these types
28 of things need to be considered. If there is a major accident, other resources will also be impacted.
29 The location of the intersection will severely impact the situation because of the proximity of the

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 entrance and exit. Officer Taylor stated that he fields complaints on a daily basis and tries to resolve
2 traffic issues with the speed trailers and talking to people.

3
4 **Ty Nielsen moved to deny the request from the Summit Academy K-8, Bluffdale Campus**
5 **Charter School, based on safety issues involving the location of the crosswalks, the closeness of**
6 **the ingress and egress, and the impact to the intersection at 14400 South and Redwood Road.**
7 **Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin**
8 **Westwood-Nay, James Wingate-Aye, Boyd Preece-Nay. The motion passed 3-to-2.**

9
10 The following motion was made at the conclusion of the Closed Meeting held at the end of the
11 meeting.

12
13 **Ty Nielsen moved to reconsider the vote on the site plan application for Summit Academy K-8,**
14 **Bluffdale Campus Charter School, located at approximately 1930 West 14400 South at the next**
15 **City Council Meeting or as soon as possible on an as-needed basis. Alan Jackson seconded the**
16 **motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James**
17 **Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

18
19 **6. PUBLIC HEARING – Consideration and Vote on a Resolution Authorizing Eminent**
20 **Domain to Acquire Property for Noell Nelson Drive (1000 West), Staff Presenter,**
21 **Vaughn Pickell.**

22
23 Mr. Pickell reported that staff had been working on the Noell Nelson Drive project for several in an
24 effort to purchase the property. Offers were extended last July but the City had not received a signed
25 offer. State law allows the City to exercise eminent domain for an authorized purpose, such as
26 building a road, and that just compensation be paid. To accomplish that, a notice of hearing must be
27 sent to the property owners and provide them with the required documentation from the property
28 rights, which has been provided to the property owners and their counsel.

29
30 Mr. Pickell had been in discussions with the owners and their counsel on several occasions and felt
31 they were very close with at least one of them. To date, however, they have no signed purchase

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 agreement with any of the three property owners. The statute requires a hearing be held to allow the
2 property owners from whom they are seeking the property to be heard. It does not require a public
3 hearing but rather a hearing for the owners. The owners were identified as William J. Newman, Ron
4 Osborne Trucking, Inc., and Ronald G. Osborne. None of the owners were present.

5
6 Mayor Timothy opened the hearing for the property owners to give them an opportunity to speak on
7 the matter of eminent domain for the applicable properties. No one was present on behalf of the
8 property owners. Mayor Timothy closed the public hearing.

9
10 Mr. Pickell described the process and explained that if the resolution is passed, the City is authorizing
11 the filing of an action of eminent domain against the property owners. The City would then become a
12 plaintiff and file a complaint in district court and deposit the appraised value after which the City can
13 make a motion for immediate occupancy and have an occupancy hearing soon thereafter. If the judge
14 grants occupancy, it would be determined to be a permissible use necessary under certain
15 preconditions for granting occupancy. The only remaining item at that time for trial would be the
16 valuation.

17
18 Mr. Pickell stated that the reasons an agreement could not be reached between the City and the
19 property owners was not related to money. He explained that if the property owners and the City
20 reach an agreement after the matter goes to court, the legal proceedings will be dropped.

21
22 **Ty Nielsen moved to approve a resolution authorizing Eminent Domain to acquire the**
23 **property necessary for Noell Nelson Drive (1000 West). Alan Jackson seconded the motion.**

24
25 Mr. Pickell stated that proceeding in this manner was not something he desired and he put it off
26 longer than perhaps he should have. It was noted that eminent domain is not something the City
27 takes lightly. To Mr. Reid's knowledge, this was the first time it has ever been done in Bluffdale.

28
29 **Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-**
30 **Aye, Boyd Preece-Aye. The motion passed unanimously.**

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

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7. PUBLIC HEARING – Consideration and Vote on Amending the Allowed Uses Found in Table 11-35-2 and Section 11-2-2 of the Bluffdale City Code to Allow Additional Land Uses in the I-1 Light Industrial Zone, Derek Blaylock, Applicant, Staff Presenter, Paul Douglass.

Associate Planner, Paul Douglass, presented the staff report and stated that the applicant is the owner of several properties in the I-1 zone. During a recent discussion with staff about business licensing and potential tenants, staff became aware of the table’s omission of four uses. They include automotive services, recreating and entertainment (indoor), personal instruction service, and printing shops. Mr. Douglass noted that there are current non-conforming uses so amending the text would help bring some of them into conformance and help with potential vacancies that exist. Staff did not believe there was a specific reason for the uses to be excluded from the land use table and felt they would be a good fit for the zone. Mayor Timothy commended staff for the creation of the table.

Mayor Timothy opened the public hearing. There were none who desired to speak. The public hearing was closed.

Justin Westwood moved to amend the allowed uses found in Table 11-35-2 and Section 11-2-2 of the Bluffdale City Code to allow additional land uses in the I-1 Light Industrial Zone, based on the following:

Findings:

- 1. That the proposed amendments will allow for the efficient development of existing and future industrially zoned property and will potentially decrease vacancy rates.**
- 2. That the proposed amendments will bring any existing non-conforming automotive service, printing shops, personal instruction service, or recreation and entertainment (indoor) into zoning compliance.**

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 **3. That the proposed amendments preserve the intent of the zoning ordinance for the I-1**
2 **Zone.**

3
4 **4. That the proposed amendments will not be detrimental to the health, safety, or general**
5 **welfare of persons or property within the community.**

6
7 **Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin**
8 **Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

9
10 **8. PUBLIC HEARING – Consideration and Vote on a Site Plan Application for a**
11 **Proposed Equestrian Facility and Caretaker’s Dwelling to be Located at 14000 South**
12 **Loumis Parkway, Lyle and Sammy Barbour, Applicants, Staff Presenter, Paul Douglass.**
13

14 Mr. Douglass presented the staff report and stated that the applicant appeared before the Planning
15 Commission the previous week at which time they unanimously recommended approval. The parcel
16 was identified on a site map displayed. Mr. Douglass reported that currently there is an existing
17 home on the site. The proposed site plan includes a veterinary office, an indoor riding arena, horse
18 barn, and outdoor riding arena. The facility was proposed to be built in phases over the next few
19 years. It was noted that the caretaker dwelling was limited to 1,000 square feet in size.

20
21 Mayor Timothy opened the public hearing. There were no members of the public wishing to speak.
22 The public hearing was closed.

23
24 **Ty Nielsen moved to approve a site plan application for a proposed equestrian facility and**
25 **caretaker’s dwelling to be located at 14000 South Loumis Parkway subject to the following:**

26
27 **Conditions:**

28
29 **1. That the applicant submits a lighting plan for the site.**
30

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

- 1 2. That all plats comply with the Bluffdale City Engineering Standards and Specifications
2 and recommendations by the City Engineer and Public Works Department for all
3 relevant construction and plat drawings prior to the final plat recording of each phase.
4
5 3. That for each building permit submittal, the City requires a certification in the form of a
6 grading and drainage plan for each lot, stamped and certified by a professional
7 engineer. This should be submitted with the site plan and building permit. No building
8 permit shall be issued without this.
9
10 4. That after construction, before a Certificate of Occupancy is issued, the building shall
11 submit a certification by a Professional Civil Engineer that the lot was actually graded
12 according to the initial engineered plan and that no construction has interfered with that
13 plan.
14
15 5. That the single water share be continued as is for a R-1-43 as determined by the City
16 Attorney.

17
18 Justin Westwood seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye,
19 Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed
20 unanimously.

21
22 9. Consideration and Vote on Preliminary and Final Subdivision Plat Application for Plat
23 Q-2A for 32 Townhomes including Common Areas and Associated Streets, located at
24 approximately 15200 South Heritage Crest Way, within the Independence Master
25 Planned Community, Edge Homes, Applicant, Staff Presenter, Jennifer Robison.
26

27 Mrs. Robison presented the staff report and stated that since the original plat was presented, the
28 applicant changed the name of the subdivision to Iron Horse. The location of the site was shown on
29 the plat map displayed. Iron Horse Plat A consists of 32 units of the overall project of 97 total
30 townhome units within the Independence at the Point project. The Planning Commission reviewed
31 the site plan and recommended approval subject to the conditions set forth in the staff report. Parking

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 issues were discussed. Mrs. Robison stated that adequate parking was provided throughout the
2 project.

3

4 **Ty Nielsen moved to approve the Iron Horse Preliminary and Final Subdivision Plat A subject**
5 **to the following:**

6

7 **Conditions:**

8

9 **Plat A**

10

11 **1. That all requirements of the City Code and adopted ordinances are met and adhered to**
12 **for each proposed plat.**

13

14 **2. That all plats comply with the Bluffdale City Engineering Standards and Specifications**
15 **and recommendations by the City Engineer and Public Works Department for all**
16 **relevant construction and plat drawings prior to the plat recording.**

17

18 **3. That the project adheres to all requirements of the International Fire Code.**

19

20 **4. That the plat specific CC&Rs, if applicable, are recorded with the final plats at the**
21 **County Recorder's Office for Iron Horse Plat A.**

22

23 **5. That all building permit submittals for homes have written or stamped approval from**
24 **the Independence Development Review Committee (IDRC), pursuant to the**
25 **requirements of the DA prior to being submitted to the City.**

26

27 **6. That all public park strips, landscaping, irrigation, and maintenance adjacent to the**
28 **project is the responsibility of the homeowner's association (HOA). Street trees are**
29 **required to be installed in the park strip adjacent to Heritage Crest Way in accordance**
30 **with the approved Independence Project Street Tree Plan.**

31

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 **Site Plan**

2

3 **1. That all requirements of the City Code, adopted ordinances, adopted building and fire**
4 **codes and DA requirements are met and adhered to for this subdivision.**

5

6 **2. That the plat specific CC&Rs are recorded with the Iron Horse Plat A final plat, prior**
7 **to the issuance of building permits for any dwelling unit within this site plan.**

8

9 **3. That all site plan features, building architecture and elevations, color scheme, fencing**
10 **detail, and landscaping shall adhere to the approved site plan and the conditions of the**
11 **IDRC approval.**

12

13 **4. That all landscaping, irrigation, and private open space maintenance is the**
14 **responsibility of the HOA.**

15

16 **5. That each applicant submits a landscaping phasing plan that illustrates minimum**
17 **landscaping installation around each constructed building and associated park strip**
18 **landscaping, prior to the final inspection for any constructed building or dwelling in the**
19 **project. The City Planner shall approve the landscaping phase plan and no Certificates**
20 **of Occupancy for any structure shall be issued unless all landscaping is installed**
21 **pursuant to the approved landscaping and phasing plan.**

22

23 **6. That any construction or land disturbance adjacent to Porter Rockwell Boulevard be**
24 **approved by the City Engineer prior to commencing any construction activities.**

25

26 **7. That if the developer desires to connect the City secondary water system within the**
27 **Independence Project, the developer shall provide adequate water shares to the City and**
28 **pay all required connection fees.**

29

30 **Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin**
31 **Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1
2 **LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING**
3

4 **1. Roll Call.**

5
6 All Members of the LBA Board were present.
7

8 **2. CONSENT AGENDA:**
9

10 **2.1 Approval of the December 9, 2015 Meeting Minutes.**
11

12 **Boyd Preece moved to approve the consent agenda. Ty Nielsen seconded the motion. The**
13 **motion passed with the unanimous consent of the LBA Board.**

14
15 **3. Training on Open and Public Meeting Laws, Staff Presenter, Vaughn Pickell. (LBA**
16 **Training held in conjunction with the Open and Public Meeting Laws Training).**
17

18 Mr. Pickell presented a training on Open and Public Meeting laws and stated that it is required
19 annually for every public body. He reported that the Open and Public Meetings Act defines a
20 meeting as the convening of a quorum of members to conduct any sort of business or to discuss any
21 matter. That includes workshops, field trips, and strategy and planning sessions.

22
23 Alan Jackson asked about a situation where a developer might invite the Council to a meeting when
24 they don't know who will be present. Mr. Pickell stated that that can be an issue because they could
25 conceivably do City business without proper notice or in the proper forum. Mayor Timothy stated
26 that it is the party's responsibility to know not to invite a Council Member to such a meeting and it is
27 the Council Member's job to walk away if a situation is inappropriate. Mr. Pickell explained that
28 public notices are provided for things that might not actually be meetings, such as parties.

29
30 Mr. Pickell reported that meetings include electronic meetings although accommodation must be
31 given for those who want to attend in person. The required notice is 24 hours, which has to be
32 written, and the date, time, and place of the meeting must be specified. The notice must also be
33 posted on a public meeting website and in the body's principal office and delivered to the newspaper.
34 Written minutes are required to be kept that include the date, time, and place of the meeting, who is

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 present, and the substance of the matters discussed. Audio recordings are required except for off-site
2 visits and where a vote is required. Minutes must contain the voting record, the name of each person
3 who provided comment, and any other information that any member of the body asks to be included.

4
5 Written minutes are the official record of meetings and a procedure must be in place for approving
6 them. Mr. Pickell stated that that will be done at the next meeting. Minutes must be made available
7 to the public within a reasonable time and the audio recording must be available within three business
8 days. For closed meetings, a quorum must be present and two-third of the quorum must vote to go
9 into a closed meeting. A reason must be specified for the closed meeting. The reasons are specified
10 in the statute and include litigation strategies, real property acquisition, collective bargaining, and
11 security measures. A record must be kept of the reason for the closed meeting, the location, and the
12 record of those who voted to go into closed meeting. Another reason for a closed meeting is a
13 person’s character, professional competence, or health of an individual. For closed meetings, audio
14 recordings are required while minutes are not.

15
16 Mr. Pickell described violations of the Open and Public Meetings Act and stated that they can include
17 the ability of the court to void any of the actions taken. If the Act is knowingly or intentionally
18 violated, it is a criminal offense and can include prosecution.

19
20 **4. Adjournment.**

21 The LBA Meeting was adjourned.

22
23
24 **Ty Nielsen moved to next address the Planning Session. Alan Jackson seconded the motion.**

25 **The motion passed with the unanimous consent of the Council.**

26
27 The Council next address agenda item number 18 after which they addressed the agenda items as
28 printed.

29
30 **BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING**

31
32 RDA Vice Chair, Ty Nielsen, assumed the Chair and called the meeting to order.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

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1. Roll Call.

All Members of the RDA Board were present.

2. CONSENT AGENDA:

2.1 Approval of the December 9, 2015, Meeting Minutes.

Mayor Derk Timothy moved to approve the consent agenda. Justin Westwood seconded the motion. The motion passed with the unanimous consent of the RDA Board.

3. Training on Open and Public Meeting Laws, Staff Presenter, Vaughn Pickell, (RDA Training held in conjunction with the Open and Public Meeting Laws Training).

The above matter was addressed previously in the meeting.

4. Consideration and Vote on a Resolution Appointing and Designating Officers of the Redevelopment Agency Board, Staff Presenter, Vaughn Pickell.

Mr. Pickell described the process of appointing and designating officers of the Redevelopment Agency. The RDA consists of six members of the City Council who should select the Chair and Vice Chair.

Mayor Derk Timothy moved to adopt Resolution 2016-01 with Ty Nielsen serving as Chair, Alan Jackson as Vice Chair, and Mark Reid as Secretary/Treasurer. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the RDA Board.

5. Adjournment.

The RDA Meeting adjourned.

CONTINUATION OF BUSINESS MEETING

Mayor Timothy resumed the Chair.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 **10. Consideration and Vote on a Resolution Designating the Appointment of a Mayor Pro**
2 **Tempore for 2016, Mayor Derk Timothy.**
3

4 Mayor Timothy explained that the position of Mayor Pro Tempore fills the Mayor's position when he
5 is unavailable or refuses to act. He suggested that whoever is designated be appointed as his
6 Alternate COG Representative, which must be done by ordinance. That would allow the person
7 elected to vote in the Mayor's place in the Public Utilities Committee, the RGC, Trans Com, and the
8 Wasatch Front Regional Council. Bruce Kartchner served in that capacity for the last six years
9 during which time he only filled in for the Mayor on three occasions. Mr. Reid pointed out that most
10 of the meetings are held during the day in downtown Salt Lake City.

11
12 **Justin Westwood moved to pass a resolution appointing Alan Jackson as Mayor Pro Tempore**
13 **for 2016. Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-**
14 **Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed**
15 **unanimously.**

16
17 **11. Consideration and Vote on a Resolution Confirming the Appointment of Alternate**
18 **Representatives for the COG Committee, Mayor Derk Timothy.**
19

20 **Ty Nielsen moved to approve a resolution confirming the appointment of Alan Jackson as the**
21 **Alternate Representative on the COG Committee. Boyd Preece seconded the motion. Vote on**
22 **motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd**
23 **Preece-Aye. The motion passed unanimously.**

24
25 **12. Consideration and Vote on a Resolution Appointing an Individual to Represent the City**
26 **of Bluffdale on the South Salt Lake Valley Mosquito Abatement District Board, Mayor**
27 **Derk Timothy.**
28

29 Mayor Timothy reported that Heather Pehrson served previously as the City's representative. He
30 noted that there was a very little time between her resignation on the Council and her term ending
31 with the South Salt Lake Valley Mosquito Abatement District Board. As a result, the decision was

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 made to wait until the new City Council is seated so that everyone has a say in who is selected. It
2 was reported that meetings are held quarterly during the day.

3
4 **Ty Nielsen moved to approve a resolution appointing James Wingate as Bluffdale’s**
5 **Representative on the South Salt Lake Valley Mosquito Abatement District Board. Boyd**
6 **Preece seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin**
7 **Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

8
9 **13. Consideration and Vote on a Resolution Appointing Statutory Officers, City Treasurer**
10 **and City Recorder, Mayor Derk Timothy.**

11
12 Mayor Timothy stated that the above officers are appointed every municipal election cycle. He
13 recommended that Bruce Kartchner continue as City Treasurer and Wendy Deppe continue as the
14 City Recorder.

15
16 **Ty Nielsen moved to approve a resolution appointing statutory officers Bruce Kartchner as**
17 **City Treasurer and Wendy Deppe as City Recorder as stated in the resolution. Boyd Preece**
18 **seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-**
19 **Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

20
21 With regard to the City Treasurer position, Mayor Timothy’s thought was that eventually the City
22 Treasurer will become the Finance Director. Mr. Reid commented that it was probably a position the
23 City should have filled a few years ago. The City continues to utilize the services of Contract
24 Accountant, Dave Sanderson, but eventually he will have to be phased out and someone hired full-
25 time. Mayor Timothy commented on success the City has had by bringing on a City Engineer and a
26 City Attorney. He felt that being proactive is extremely important. Having a Finance Director in
27 house would mean having someone looking after the City’s financial position and being involved in
28 the daily operations. He envisioned the Finance Director helping the City Manager as well. The
29 Mayor recommended the City bring on a Finance Director as soon as possible.

30

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 **14. Consideration and Vote on a Resolution Amending the Bluffdale Employee Policies and**
2 **Procedures Manual Related to Appointed Positions, Staff Presenter, Vaughn Pickell.**
3

4 Mr. Pickell reported that the Policies and Procedures are proposed to be amended so that the
5 Treasurer is classified as a Tier 2 full-time eligible employee. Mr. Reid clarified that full-time
6 eligible is a definition in the State Retirement policy. The Treasurer would be a part-time employee
7 but eligible for retirement. Mr. Pickell explained that the policy is drafted so that all appointed
8 officials in the City are in that category. One other change was proposed to the list of exempt
9 positions. Because there was no City Attorney when the manual was drafted, it was listed as an
10 exempt employee.

11
12 **Ty Nielsen moved to approve a resolution amending the Bluffdale Employee Policies and**
13 **Procedures Manual related to appointed positions. Alan Jackson seconded the motion. Vote**
14 **on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye,**
15 **Boyd Preece-Aye. The motion passed unanimously.**

16
17 **15. Training on Open and Public Meeting Laws, Staff Presenter, Vaughn Pickell. (LBA and**
18 **RDA Open and Public Meeting Laws Training held in conjunction).**
19

20 The above matter was addressed previously.
21

22 **16. Mayor's Report.**
23

24 Mayor Timothy commented on a recent discussion with UDOT and stated that another meeting is
25 scheduled for the following Tuesday. The Mayor and the City's Lobbyist, Greg Curtis, spoke to
26 UDOT and characterized it as the most effective discussion they have had thus far with regard to the
27 jurisdictional transfer. Because the bridge to cross the Jordan River is so expensive, there is no way
28 the City can pay for it alone or with Wasatch Front Regional Council. As a result, the City needs
29 federal or state help. The City has been in discussions with its U.S. Representative but being that she
30 ran on a campaign of not being in favor of earmarks, he had not had a favorable response. The
31 Mayor thought the most viable option was to do the jurisdictional transfer with the state and get on
32 the state system and the Transportation Committee's radar and get on the priority list for funding.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 The Mayor was concerned that the City won't make the best deal possible in which case they would
2 lose future capital in their discussions. He agreed to update the Council on the details of the
3 discussion that takes place and get their feedback on how to proceed.

4
5 The Mayor reported that he has been working for the past six years to get on the Public Utilities
6 Committee, which votes on Corridor Preservation Funds. He commended the other mayors for
7 seeing the vision of Porter Rockwell Boulevard and expressing that in their voting. Mayor Timothy
8 serves on the Regional Growth Committee, which provides long-term financing for transportation.
9 He explained that every four years the long-term transportation plan is updated and voted on. It was
10 most recently done in May of 2015. He wanted to make sure that Porter Rockwell Boulevard stays
11 where it is going forward. Being on Phase 1 does not mean that financing will be received within the
12 next four years but it does mean that funding can be applied for. Short-term funding is also available
13 in the amount of \$40 million per year for transportation. The Mayor stated that that is a difficult list
14 to get on to. He noted that he is now on that committee, which will be advantageous. He also serves
15 on the Salt Lake Valley Conference of Mayors (COM), which is an informal meeting just for mayors.
16 There is no agenda and nothing official is voted on.

17
18 The Mayor next addressed the Council of Government, which is an official body where members
19 voting. All of the different committees that go through COG take action on the recommendations
20 made by the various committees. He also serves on the Military Installation Development Authority
21 (MIDA), which is an appointment by the governor. Meetings are held in Kaysville and is the way
22 local governments interface with the military. Mr. Reid remarked that it is a difficult committee to
23 influence because most of the mayors are from up north. With regard to regional transportation, the
24 Wasatch Front Regional Council Board covers five counties so there are many people who want to
25 serve there. Mayor Timothy serves on that board as well.

26
27 **17. City Manager's Report and Discussion.**
28

29 Mr. Reid reported that the Legislature will soon be in session and accordingly, the Legislative Policy
30 Committee (LPC) had its first meeting the previous Monday. It was noted that the LPC highlights

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 the issues that are addressed. One of the issues that is getting a lot of attention is body cams for
2 police. The City’s representative is putting forth a bill that many are not happy about. Mayor
3 Timothy stated that there are three bills proposed so far. Mr. Reid indicated that the League of Cities
4 and Towns has not decided which one to support, if any. The police chiefs feel this is something they
5 should regulate themselves and not deal with control from the Legislature. Mr. Reid reported that the
6 City has three votes on the LPC. Currently, Mr. Reid is the only City representative who attends
7 those meetings. He stated that others could also attend. Meetings are held every Monday while the
8 Legislature is in session at the Capitol at 11:30 a.m.

9
10 Mr. Reid reported that the three large pine trees out in front of the fire station that used to be across
11 the street in the park have been moved. Many of the healthier smaller trees have also been moved.

12
13 Mr. Reid reported that the site plan for the New City Hall will be presented at the next meeting along
14 with the rezoning for the footprint. The branding questionnaire is currently available. With regard to
15 devices, Mr. Reid stated that each Council Member was given an allowance of \$2,000 to be used
16 toward the purchase of a desired device that is expected to last for the next four years.

17
18 With regard to the Fire Station, Mr. Reid stated that funding is available that comes via impact fees.
19 The current Fire Station continues to be paid off using impact fees. When a new one is built, the City
20 will likely bond and commit sales tax to it and pay it off with impact fees as they are received.

21
22 **PLANNING SESSION**

23
24 **18. Discussion of 14-Acre Site, located at 550 West 14600 South, Brian Christensen, Simple**
25 **Products Corporation, Jason Hagblom and Jaden Malan, Industrial Properties.**

26
27 Brian Christensen from Simple Products gave an overview of their proposal. He explained that
28 Simple Products is a manufacturer and distributor of LED lighting projects, primarily flashlights.
29 They are looking to relocate from Sandy to Bluffdale and have researched the areas and looked at
30 properties both north and south of the Point of the Mountain. They are interested in the subject
31 property in Bluffdale and thought it was a good place for the type of structure they are proposing to

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 be built. They are interested in acquiring additional property adjoining the subject parcel. The
2 applicants met with UDOT and the DRC, conducted a market study, completed Phase 1 of their
3 environmental site assessment, and prepared the plans based on the acquisition of adjacent property.
4 Plan B shows an alternative in the event they cannot acquire the additional property.
5
6 Mayor Timothy reported that originally when the City determined that they wanted to reserve the
7 corner, it was because they wanted the property for the turn onto the freeway and make it the primary
8 U-turn. He noted that that was before they knew the prison was relocating. Because the prison will
9 be gone within five years, he was confident that it will go straight through because a new interchange
10 is being built at 600 West and Bangerter and this road points right to it. The traffic counts off of
11 Porter Rockwell Boulevard will be so high that the interchange at 14600 South will eventually not be
12 able to accommodate the traffic. The 2040 Transportation Plan with the Wasatch Front Regional
13 Council contemplates fly overs at the interchange between Bangerter and I-15, which will better
14 handle the traffic. In his mind, everything pointed to this road going straight through. If they decide
15 to plan for the curve in case they will build a shoddy corner, that would have been good if they would
16 have known. For the City, to pursue the road going straight is a better option. Mayor Timothy stated
17 that when the property is sold, the money will go back to COG through the Public Utilities
18 Committee because they paid for the City to buy the property.
19
20 Mr. Christensen commented that they are considering Option A because it is a much better option. In
21 looking at the property the City owns, there are slivers that start at the bottom and another at the top.
22 He stated that the majority of the property is not usable unless it is attached to the subject property.
23 The City owns 3.4 acres and the actual usable portion is 1 ½ to 2 acres. If they acquire it, they can
24 use the entire parcel. Mr. Christensen explained that the type of facility they are looking to construct
25 is in an area that is mixed use and commercial mixed use. They are proposing to change the area
26 shown in red and amend the text for the project plan to allow the intended uses. He noted that they
27 are ready to build as soon as they can get the plan approved. The type of property they are looking to
28 build is well suited for the area as it grows and can become more retail oriented.
29

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 Mr. Crowell agreed with the Mayor that the plans are pointing toward a road going north, however,
2 there is a six-month old record of decision from the Highway Administration that has it going another
3 way. That would need to be codified through UDOT's own processes. It would be difficult for the
4 City to predict what kind of right-of-way should be preserved for a road and drainage.

5 Mr. Christensen stated that their timing is short because they are consolidating five locations into one.
6 They have leases to deal with and a 1 ½ year time frame. They hope to get some resolution. He
7 commented that if the road curves with Plan B he would be happy to move forward with it as soon as
8 possible. His concern was if the road goes straight and they have a parcel that is built out.

9
10 Mr. Crowell stated that realistically the City is a few years away from knowing what the property
11 needs will be. There had been a lot of discussion about scenarios involving what might go to the
12 north but it was not evaluated. The Mayor stated that there was some discussion of extending the
13 Environmental Impact Study through Draper but he did not know if it would be straight or curved and
14 the study stopped at the City boundary. Both options, however, were still included. Mr. Crowell
15 stated that the area was planned as retail because the Independence project as a whole over time has
16 pushed retail to the periphery and less was available for future residents. If staff knows what
17 direction the Council wants to go in terms of land uses, they can work with their attorney to prepare a
18 draft.

19
20 Justin Westwood liked what they had planned with the road going straight with the condition that it is
21 their road. If the applicants are on board with it going straight, he would support it. Mayor
22 Timothy's recollection was that the next meeting with Carlos was scheduled for January 19 at which
23 time they will discuss the jurisdictional transfer. Mayor Walker was given a deadline to let him know
24 which option Draper City prefers. His deadline was prior to Mayor Timothy's meeting with Carlos.
25 He expected to know more by noon on Tuesday.

26
27 Jason Hablom from New Market Commercial Real Estate stated that he specializes in industrial flex.
28 He was asked to look at the property and give his opinion on it eventually becoming a grocery

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 store/gas station/restaurant. He was told that it was at least 10 years out. If that type of development
2 could be supported, it would have already occurred east of I-15.

3
4 Mr. Reid stated that in looking at the site, Porter Rockwell and 14600 South have four good corners,
5 assuming that Porter Rockwell goes up to 600 North. They have three and Draper has one. Two of
6 the City's other sites have a canal running through the prime area. As a result, this is their only
7 corner on Porter Rockwell and it is the only site with the potential for what is being considered.

8 Mr. Crowell stated that it is also in the EDA, which includes a retail project.

9
10 Mr. Christensen stated that the original designs were more suited to light industrial. They actually
11 shrunk the size of the buildings to encourage retail and to occupy them more quickly. They
12 accomplished that by adding smaller parcels. A question was raised about what would encourage the
13 future owner to allow the area to be retail. Mr. Christensen noted that retail rents are much higher.
14 He stated that filling the space up was not an issue. He explained that rates have increased
15 significantly in Draper and Sandy with up to a 20% increase. They feel that this is the type of retail
16 that is popular now and will grow over time. Mr. Christensen reported that they are only under
17 contract to purchase the property and if they cannot move on this property they will have to go
18 elsewhere. Mr. Christensen hoped to locate in Bluffdale and for the project to go forward.

19
20 Mayor Timothy acknowledged that the applicants have a timeline and if the City is not interested in
21 Plan A, he would not want to approach UDOT about it. All of the Council Members, with the
22 exception of Boyd Preece, expressed support for Plan A. If there is a curve, all of the Council
23 Members agreed with Plan B with a decision to be given to Mr. Christensen by January 19.

24
25 Justin Wingate commented that in conjunction with his job at Blue Stakes, excavators contact them to
26 request that sites be marked for utility digging. A call was received recently from a contractor who
27 gave a road name in Heritage Crest. They did not have the street on the map data so he searched
28 through the plats he had received from the Planning Commission without success. It was ultimately
29 determined to be a different road and the road names had changed. Council Member Wingate

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 suggested that a mechanism be put in place to ensure that road name changes are disseminated
2 properly. He proposed that Mr. Reid direct Mr. Fazio's team to update the map data used by VECC
3 for 911 as soon as the plat records. He felt it was a liability issue for the City to have a plat that has
4 been recorded for several weeks and still not have the map data available for 911 responders.
5
6 Boyd Preece addressed possible solutions for the mink farm. Mayor Timothy stated that the matter
7 has been discussed in the past but it has not been something the City Council was willing to do.
8
9 Justin Westwood commended the Public Works Department for their snow plowing efforts. He did,
10 however, receive complaints from a few citizens about Rock Hollow Drive and the newer part of the
11 City. A homeowner on two occasions had his sod and sprinklers damaged. It was recommended that
12 a solution be reached to prevent damage in the future. Mr. Reid asked for specifics on the location of
13 the damage.
14
15 Mayor Timothy commented on the future 911/CAD/record keeping and stated that cities within the
16 County have come together and agreed to go to one system. All either use Versaterm or Spillman
17 with the exception of Draper who is on Fatpot. The County put out an RFP thinking that one of the
18 major companies would get the low bid, which was not the case. The County narrowed it down to
19 two systems, which are much more advanced than what is currently being used. Details of the
20 proposed systems were described. Mr. Reid asked that when the conversion takes place that
21 Bluffdale City be allowed to go last since about the same time the City will have its own police force
22 in place and will want the dispatch system set up.
23
24 With regard to police services, Mr. Reid reported that there are three officers on duty during the day.
25 There is also a detective and a sergeant on staff. Alan Jackson was glad to see the City move quickly
26 toward self-providing. Mayor Timothy agreed and stated that the City's relationship with Saratoga
27 Springs has been a good one that will be maintained to provide back up in the future.
28

DRAFT – FOR DISCUSSION PURPOSES ONLY

BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015

1 19. Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character,
2 Professional Competence, or Health of an Individual, Collective Bargaining, Pending or
3 Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including Any
4 Form of a Water Right or Water Shares, Security Issues, or any Alleged Criminal
5 Misconduct.
6

7 James Wingate moved to go into Closed Session pursuant to Utah Code §52-4-205(1) in regard
8 to pending or imminent litigation. Alan Jackson seconded the motion. Vote on motion: Alan
9 Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye.
10 The motion passed unanimously.

11
12 The City Council was in closed session from 12:41 a.m. to 1:25 a.m.
13

14 20. Adjournment.
15

16 The City Council Meeting adjourned at 1:25 a.m.
17
18
19

20 _____
21 Wendy L. Deppe, CMC
22 City Recorder:
23

24 Approved: _____

DRAFT - FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, January 13, 2016**

1 **Present:** Mayor Derk Timothy
2 Alan Jackson
3 Ty Nielsen
4 Justin Westwood
5 James Wingate
6 Boyd Preece
7

8 **Staff:** Mark Reid, City Manager
9 Vaughn Pickell, City Attorney
10 Grant Crowell, City Planner/Economic Development Director
11 Wendy Deppe, City Recorder
12

13 At approximately 12:41 a.m. Mayor Derk Timothy called the meeting to order.
14

15 **Motion:** James Wingate moved to go into Closed Meeting pursuant to Utah Code §52-4-205(1) to
16 discuss pending or imminent litigation.
17

18 **Second:** Alan Jackson seconded the motion.
19

20 **Vote on Motion:** Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-
21 Aye, Boyd Preece-Aye. The motion passed unanimously.
22

23 Pending or imminent litigation issues were discussed.
24

25 The City Council returned to the City Council chambers to resume the open portion of the meeting
26 at 1:25 a.m.
27
28
29

30 _____
31 Wendy L. Deppe, CMC
32 City Recorder
33

34 Approved: _____

Agenda Item 5

MUTUAL AID INTERLOCAL AGREEMENT FOR UTAH PUBLIC WORKS EMERGENCY MANAGEMENT

THIS MUTUAL AID INTERLOCAL COOPERATION AGREEMENT is entered into this ____ day of _____, by _____ and the other Participating Agencies as described herein.

ARTICLE I. PURPOSE

This Agreement is made and entered into by those Public Works and Related Service Agencies who have adopted and signed this Agreement to provide mutual assistance in times of emergency. This Public Works Emergency Management Alliance mutual aid program is established to provide a method whereby Participating Agencies which sustain damage from natural or man-made disasters can obtain emergency assistance, in the form of personnel, equipment, materials, and other associated services, from other Agencies. This Agreement also provides a method whereby responding Agencies may be provided with reimbursement for personnel, equipment, materials and other associated services that are made available on an emergency basis. Nothing herein is intended to replace or terminate any pre-existing agreement between any of the Participating Agencies that provide assistance by one Participating Agency's department within the political boundaries of another on a regular or routine basis. Participating Agencies intend by this Agreement to commit to assist each other whenever possible, while allowing each Participating Agency the sole discretion to determine when its personnel and equipment cannot be spared for assisting other Participating Agencies.

In consideration of the mutual covenants and agreements hereinafter set forth, the parties agree to provide mutual assistance to one another in times of emergency in accordance with the terms and conditions of this Agreement.

This document is intended to be a companion document to the UTAH WARN (Water, Wastewater Response Network) agreement and used in conjunction with the State of Utah Mutual Aid Agreement (Utah Administrative Code, R704-2, State Wide Mutual Aid Activation).

ARTICLE II. DEFINITIONS

- A. AGREEMENT - The Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management. The original Agreement(s) and all signatory pages shall be kept at the Salt Lake County Public Works Administration Building located at 604 West 6960 South, Midvale, Utah 84047, or other location as directed by the Utah Chapter of the American Public Works Association.
- B. ALLIANCE - UTAH PUBLIC WORKS EMERGENCY MANAGEMENT ALLIANCE – The mutual aid network consisting of and available to the Participating Agencies as described in this Agreement and the administration of that network.
- C. APWA - American Public Works Association
- D. ASSISTING Agency – ANY Participating Agency which agrees to provide assistance to a Requesting Agency pursuant to this Agreement.
- E. AUTHORIZED REPRESENTATIVE – An employee of a Participating Agency authorized by that Agency to request or offer assistance under the terms of this Agreement.
- F. EMERGENCY – Any disaster or calamity involving the area of operation of the Participating Agency, caused by fire, flood, storm, earthquake, civil disturbance, terrorism, or other condition which is or is likely to be beyond the control or ability of the services, personnel, equipment and facilities of a Participating Agency or a “disaster”, “state of emergency” or “local emergency” as those terms are defined by the *Emergency Management Act* and the *Disaster Response and Recovery Act* as set forth in Title 53, Chapter 2a, *Utah Code*, as those sections currently exist or may hereafter be amended.
- G. EXPENSES – All costs incurred by the Assisting Agency during the Period of Assistance to provide personnel, equipment, materials and other associated services when responding to the Requesting Agency as described in Article VI.
- H. PARTICIPATING Agency or Agencies – ANY Agency which executes this Agreement. Participating Agencies may include, City Public Works, County Public Works, Public Utilities (including water, wastewater, power, gas, etc.), Public Services (including solid waste facilities, sanitation, etc.), Special Districts, State Agencies (including UDOT, DFCM, DEQ, etc.), Utah National Guard, and any other agency or group that provides services similar to standard public works type operations.
- I. PERIOD OF ASSISTANCE - The period of time beginning with the mobilization of any personnel of the Assisting Agency from any point for the purpose of traveling to the Requesting Agency in order to provide assistance and ending upon the demobilization of all personnel of the Assisting Agency, after providing the assistance requested, to their residence or place of work whichever is first to occur.

- J. REQUESTING Agency – ANY Participating Agency which sustains physical damage to its infrastructure due to natural or man-made causes that seeks assistance pursuant to this Agreement.
- K. SCHEDULE OF EQUIPMENT RATES – The latest rates published by the Federal Emergency Management Agency (FEMA) under the response and recovery directorate applicable to major disasters and emergencies or the pre-published schedule provided by a Participating Agency by January 15 of each year.
- L. WORK OR WORK-RELATED PERIOD – Any period of time in which either the personnel or equipment of the Assisting Agency are being used to render assistance to the Requesting Agency. Specifically included within such period of time are breaks when the personnel of the Assisting Agency will return to work within a reasonable period of time. Also included is mutually agreed upon rotation(s) of personnel and equipment.

ARTICLE III. APPLICABILITY

This Agreement is available to all Participating Agencies, upon signing of the Agreement and maintaining a current resource equipment list (as per Utah Administrative Code R704-2) and a schedule of equipment and manpower rates.

ARTICLE IV. ADMINISTRATION

The administration of the Utah Public Works Emergency Management Alliance (Alliance) will be through the Utah Chapter of APWA. The Utah APWA Emergency Management Committee acts as the committee representing the Utah Chapter of APWA.

The Utah Chapter of APWA, on behalf of the Participating Agencies (Alliance) shall:

- A. Sponsor an annual meeting for Participating Agencies (scheduled as part of the annual APWA Fall Conference).
- B. Maintain a data base of information.
- C. Meet as a committee to address and resolve concerns, create and modify procedures and address and resolve any additional policy or legal issues related to the Alliance.
- D. Maintain a web site to track Participating Agencies. (Currently, this website is located at <http://utah.apwa.net/>)
- E. The web site may be password protected for only the use of Participating Agencies if deemed appropriate by the APWA Emergency Management Committee.
- F. Facilitate and promote a minimum of one training exercise per year. Each Participating Agency is responsible to plan, coordinate, budget and execute one emergency exercise annually.

ARTICLE V. PROCEDURES

In the event that a particular Participating Agency becomes a Requesting Agency, the following procedures shall be followed:

- A. A Participating Agency shall not be held liable for failing to be an Assisting Agency.
- B. Each Assisting Agency shall respond, when practicable, to requests for emergency assistance by providing such resources as are reasonably available to the Assisting Agency. The Assisting Agency shall have the discretion of determining which resources are reasonably available.
- C. The execution of this Agreement shall not create any duty to respond on the part of any Participating Agency.
- D. The Requesting Agency may contact other participating members of the Alliance that may be able to provide the requested resources.
- E. Necessary information in accordance with the procedures defined in this Agreement shall be shared between Requesting and Assisting Agencies.
- F. When contacted by a Requesting Agency, the Authorized Representative of a Participating Agency shall assess if it is capable of providing assistance. If the Authorized Representative determines that the Participating Agency is capable and willing to provide assistance, the Authorized Representative shall notify the Requesting Agency and provide the Requesting Agency with the information as required.
- G. The personnel and equipment of the Assisting Agency shall remain, at all times, under the direct supervision of the designated supervisory personnel of the Assisting Agency. The Incident Commander or Unified Commander, as designated by the Requesting Agency, shall provide work assignments and suggest schedules for the personnel and equipment of the Assisting Agency; however, the designated supervisory personnel of the Assisting Agency shall have the exclusive responsibility and authority for assigning Work and establishing Work schedules for the personnel and equipment of the Assisting Agency. The designated supervisory personnel of the Assisting Agency shall maintain daily personnel time records and a log of equipment hours (including breakdowns, if any), be responsible for the operation and maintenance of the equipment furnished by the Assisting Agency, see to the safety of Assisting Agency personnel and report work progress to the Requesting Agency and/or the Incident Commander.
- H. When possible, the Requesting Agency shall supply reasonable food and shelter for the Assisting Agency personnel. If the Requesting Agency does not provide food and shelter for the Assisting Agency, the Assisting Agency's designated supervisor is authorized to secure, at the expense of the Requesting Agency, the resources

reasonably necessary to meet the needs of its personnel in coordination with the Requesting Agency's procedures. The cost for such resources must not exceed the state per diem rate for that area. Where costs exceed the per diem rate, the Assisting Agency must document and demonstrate that the additional costs were reasonable and necessary under the circumstances.

- I. The Requesting Agency shall provide a communications plan to the Assisting Agency prior to arrival.
- J. The command structure established during the Emergency shall comply with the requirements of the National Incident Management System (NIMS)
- K. The Incident Commander or Unified Commander shall, as soon as reasonably possible, release the personnel, equipment and materials of the Assisting Agency from the Emergency. The personnel, equipment and materials of the Assisting Agency shall, if practical, be released before the personnel, equipment and materials of the Requesting Agency are released.
- L. To the extent permitted by law, Assisting Agency personnel who hold valid licenses, certificates, or permits evidencing professional, mechanical, or other skills shall be allowed to carry out activities and tasks relevant and related to their respective credentials during the specified Period of Assistance.
- M. Personnel, equipment and materials of the Assisting Agency shall be released from the Emergency when it is determined by the Incident Commander or the Unified Commander that the services provided by the Assisting Agency are no longer required or when the supervisory personnel of the Assisting Agency informs the Incident Commander or the Unified Commander that the personnel, equipment and materials provided by the Assisting Agency are otherwise needed by the Assisting Agency.
- N. Credentialing; Each Participating Agency shall provide its own credentialing for identification purposes.

ARTICLE VI. REIMBURSABLE EXPENSES

The terms and conditions governing reimbursement for any assistance provided under this Agreement shall be determined by standard and prevailing rates of the Participating Agencies. If the Assisting Agency and the Requesting Agency agree to the reimbursement of expenses, reimbursement shall be in accordance with the following provisions:

- A. PERSONNEL – During the Period of Assistance, the Assisting Agency shall continue to pay its employees according to its then prevailing rules, regulations, policies and procedures. The Requesting Agency shall reimburse the Assisting Agency for all direct and indirect payroll costs and expenses incurred during the Period of Assistance, including, but not limited to, employee pensions and benefits.

- B. EQUIPMENT – The Requesting Agency shall reimburse the Assisting Agency for the use of the Assisting Agency’s equipment during the Period of Assistance according to the *Schedule of Equipment Rates* established and published by FEMA. All Participating Agencies shall maintain a current list of equipment available (as per Utah Administrative Code R704-2) and the rates for that equipment upon executing this Agreement. If an Assisting Agency uses an alternate basis of rates for equipment listed on the FEMA *Schedule of Equipment Rates*, the rates of the Assisting Agency shall prevail.
- C. MATERIALS AND SUPPLIES – The Requesting Agency shall reimburse the Assisting Agency for all materials and supplies furnished by the Assisting Agency and used or damaged during the Period of Assistance, unless such damage is caused by the negligence of the Assisting Agency’s personnel. The measure of reimbursement shall be the replacement cost of the materials and supplies used or damaged. In the alternative, the parties may agree that the Requesting Agency will replace, with a like kind and quality as determined by the Assisting Agency, the materials and supplies used or damaged.
- D. PAYMENT – Unless mutually agreed otherwise, the Assisting Agency shall bill the Requesting Agency for all expenses no later than ninety (90) days following the release of the Assisting Agency’s personnel and equipment from the Period of Assistance. The Requesting Agency shall pay the bill in full no later than forty-five (45) days following the billing date. Unpaid bills shall become delinquent upon the forty-sixth (46th) day following the billing date. The Assisting Agency may request additional periods of time within which to submit the itemized bill, and the Requesting Agency shall not unreasonably withhold consent to such request, provided, however, that all payment shall occur not later than one year after the date a final itemized bill is submitted to the Requesting Agency.
- E. Each Assisting Agency and its duly authorized representatives shall have access to a Requesting Agency’s books, documents, notes, reports, papers and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance or regulatory audit. Each Requesting Agency and their duly authorized representatives shall have access to the Assisting Agency’s books, documents, notes, reports, papers and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance or regulatory audit. Such records shall be maintained for at least three (3) years where required by law.
- F. DISPUTED BILLINGS – Undisputed portions of a billing shall be paid under this payment plan. Disputed portions of the billing shall be coordinated and addressed as appropriate between the Agencies involved in the dispute.

ARTICLE VII. INSURANCE

Each Participating Agency shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what kinds of insurance and in what amounts, it should carry. Nothing herein shall act or be construed as a waiver of any

sovereign immunity provided by the Governmental Immunity Act of Utah or other exemption or limitation on liability that a Participating Agency may enjoy.

ARTICLE VIII. NO SEPARATE ENTITY OR ACQUISITION OF PROPERTY

This Agreement is an interlocal cooperative agreement under Utah Code. This Agreement does not create any separate legal entity. To the extent this Agreement requires administration other than as set forth herein, it shall be administered by the Authorized Representatives of the Participating Agencies, acting as a joint board.

No real or personal property shall be acquired jointly by the Participating Agencies to perform the conditions of this Agreement unless such acquisition is specifically agreed to in writing by all Participating Agencies. To the extent that a Participating Agency acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, it shall do so in the same manner that it deals with other property of such Participating Agency.

ARTICLE IX. LAWFUL RESPONSIBILITY

This Agreement shall not relieve any Participating Agency of any obligation or responsibility imposed upon it by law or other agreement.

ARTICLE X. INDEMNIFICATION AND HOLD HARMLESS

- A. Consistent with Utah Code, the Requesting Agency shall indemnify and save harmless the Assisting Agency and the officers, employees and representatives of the Assisting Agency, if they are acting within the course and scope of their duties, from all claims, suits, actions, damages and costs of every kind, including but not limited to reasonable attorney's fees and court costs, arising or resulting from the performance or provision of services and materials by the Assisting Agency under this Agreement unless there is a determination that such claims are the result of negligence of the Assisting Agency or the officers, employees or representatives of the Assisting Agency. This Agreement shall not be construed to be a waiver of any rights or protections provided to any Participating Agency under the Governmental Immunity Act of Utah.
- B. The Assisting Agency shall hold harmless and indemnify the Requesting Agency and the officers, employees and representatives of the Requesting Agency against any liability for any and all claims arising from any damages or injuries caused by negligence of the Assisting Agency or the officers, employees or representatives of the Assisting Agency except to the extent of the negligence of the Requesting Agency or the officers, employees or representatives of the Requesting Agency. This agreement shall not be construed to be a waiver of any rights or protections

provided to any Participating Agency under the Governmental Immunity Act of Utah.

- C. Subject to the foregoing, nothing in this Agreement shall be construed as an agreement by a Participating Agency to indemnify or hold harmless, or in any way assume liability, if there is a determination that any personal injury, death or property loss or damage was caused by the negligence of any other Participating Agency or person.
- D. Nothing herein shall be construed to waive any of the privileges and immunities associated with public works services or other related services, including emergency or other services of any of the Participating Agencies. No party waives any defenses or immunity available under the Utah Governmental Immunity Act, nor does any party waive any limits of liability currently provided by the Act.
- E. Each Participating Agency shall be solely responsible for providing workers compensation, insurance, and benefits for its own personnel who provide assistance under this Agreement unless the parties otherwise agree. Each Participating Agency shall provide insurance or shall self-insure to cover the negligent acts and omissions of its own personnel rendering services under this Agreement.

ARTICLE XI. TERM

This Agreement shall have an initial term of fifty (50) years commencing upon the effective date of this Agreement.

ARTICLE XII. TERMINATION

Any Participating Agency may terminate its obligations under and participation in this Agreement, with or without cause, by giving the Alliance at least thirty (30) days prior written notice of the intent to terminate. The termination of this Agreement by any individual Participating Agency shall not affect the validity of this Agreement as to the remaining Participating Agencies. Withdrawal from this Agreement shall in no way affect a Requesting Agency's duty to reimburse the Assisting Agency for costs incurred during a Period of Assistance which occurred during the term of this Agreement, which duty shall survive such withdrawal.

ARTICLE XIII. WHOLE AGREEMENT, AMENDMENTS

This Agreement constitutes the whole agreement of the parties, written or oral, relating to the subject matter of this Agreement. This Agreement may be amended in whole or in part at any time by the Participating Agencies by submitting a written amendment to the Alliance. The amendment shall be submitted to the Participating Agencies of the Alliance for a majority vote. The vote by the Participating Agencies will be conducted by mail. Participating Agencies who fail to vote will have their vote counted as an affirmative vote.

ARTICLE XIV. SEVERABILITY

If any provisions of this Agreement are held to be invalid or unenforceable by a court of proper jurisdiction, the remaining provisions shall remain in full force and effect.

ARTICLE XV. NO THIRD PARTY BENEFICIARIES

This Agreement is not intended to benefit any party or person not named as a Participating Agency specifically herein.

ARTICLE XVI. EFFECTIVE DATE

This Agreement shall be effective as to a particular Participating Agency executing this Agreement upon the date of execution of this Agreement by that Participating Agency. Completion and maintaining of a resource equipment list (as per Utah Administrative Code R704.2) and a schedule of equipment and manpower rates is required thereafter.

ARTICLE XVII. AUTHORIZATION

The individuals signing this Agreement on behalf of the Participating Agency confirm that they are a duly Authorized Representative of the Participating Agency and are lawfully enabled to sign this Agreement on behalf of the Participating Agency.

ARTICLE XVIII. REVIEW BY AUTHORIZED ATTORNEY

In accordance with the Utah Interlocal Cooperation Act this Agreement shall be submitted to the attorney authorized to represent each Participating Agency for review as to proper form and compliance with applicable law before this Agreement may take effect.

ARTICLE XIX. RESOLUTIONS OF APPROVAL NOT REQUIRED

This Agreement may be approved and executed as an executive function in accordance with the provisions of the Utah Interlocal Cooperation Act and the adoption of a resolution of approval is normally not required.

ARTICLE XX. COUNTERPARTS

This Agreement and any amendments to it may be executed in counterparts, each of which shall be deemed an original.

ARTICLE XXI. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the applicable laws of the United States and the State of Utah.

ARTICLE XXII. FILING OF AGREEMENT

An executed counterpart of this Agreement shall be filed with the keeper of records of each Participating Agency. An executed counterpart of this Agreement shall also be filed with the APWA Utah Chapter, representing the Alliance.

In witness whereof, each Participating Agency hereto has executed this Agreement on the respective signature page of that Participating Agency as of the date specified by its signature block.

ARTICLE XXIII. PERSONNEL NOT AGENTS

The employees of the Participating Agencies providing services pursuant to or consistent with the terms of this Agreement are solely the officers, agents, or employees of the Participating Agency that hired them. Each Participating Agency shall assume any and all liability for the payment of salaries, wages, or other compensation due or claimed due, including workers' compensation claims, and each Participating Agency shall hold the other harmless therefrom. The Participating Agencies shall not be liable for compensation or indemnity to any other Participating Agency's employee for any injury or sickness arising out of his or her employment, and the Participating Agencies shall not be liable for compensation or indemnity to any other Participating Agency's employee for injury or sickness arising out of his or her employment, and each party hereby agrees to hold the other party harmless against any such claim.

ARTICLE XXIV. ADDITIONAL AGENCIES

Any subdivision of the State of Utah not specifically named herein ("Prospective Agency") which shall hereafter sign this Agreement or a copy hereof shall become a Participating Agency. Any Agency which becomes a newly accepted Participating Agency is entitled to all the rights and privileges and subject to the obligations of any Participating Agency as set out herein.

NOW, THEREFORE, in consideration of the covenants and obligations contained herein, the Participating Agency listed here, as a Participating Agency, duly executes this Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management this _____ day of _____ 20____.

Agency _____

By: _____ By: _____

Title _____ Title: _____

Approved as to form and legality

By: _____
Agency's Attorney

CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2015-

A RESOLUTION AUTHORIZING EXECUTION OF A MUTUAL AID INTERLOCAL AGREEMENT FOR UTAH PUBLIC WORKS EMERGENCY MANAGEMENT.

WHEREAS the City of Bluffdale (“City”) desires to protect and maintain its infrastructure in times of emergency;

WHEREAS the attached agreement provides a method whereby a local government that has sustained damage from a natural or man-made disaster can obtain emergency assistance in the form of personnel, equipment, materials, and other associated services from participating agencies; and

WHEREAS, pursuant to Utah Code Ann. § 11-13-202, the City is a public agency and may enter into agreements for joint or cooperative undertakings; and

WHEREAS the City Council desires to enter into the attached Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management, finding that doing so will further the public health, safety, and general welfare;

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL AS FOLLOWS:

Section 1. Authorization to Execute Interlocal Cooperation Agreement. The City Council hereby authorizes and directs the Mayor to execute a Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management in substantially the same or similar form attached hereto.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED: January 27, 2016.

CITY OF BLUFFDALE

Mayor

ATTEST:

[seal]

City Recorder

Voting by the City Council: Yes No

Councilmember Jackson	_____	_____
Councilmember Nielsen	_____	_____
Councilmember Preece	_____	_____
Councilmember Westwood	_____	_____
Councilmember Wingate	_____	_____

Agenda Item 6



BLUFFDALE CITY BRANDING SURVEY

JANUARY 2015

Q3. Are you a Bluffdale City resident?

Answer	Response	%
Yes	269	94%
No	16	6%
Total	285	100%

Q4. What is your gender?

Answer	Response	%
Male	137	48%
Female	148	52%
Total	285	100%

Q5. What age range best describes you?

Answer	Response	%
18-24	5	2%
25-34	101	35%
35-44	87	31%
45-54	44	15%
55-64	38	13%
65+	10	4%
Total	285	100%

Q6. What logo design do you like the best?

Answer		Response	%
		165	58%
		120	42%
Total		285	100%

Q7. Read each statement below and choose the logo with the best fit.

Question			Total Responses	Mean
Natural	167	118	285	1.41
Approachable	164	121	285	1.42
More casual	154	131	285	1.46
Warm	170	115	285	1.40
Mix of heritage and opportunity	205	80	285	1.28
Happy	158	127	285	1.45
Opportunity	147	138	285	1.48
Simple	111	174	285	1.61

Q9. Look at the differences in each of the following fonts and then click the option that stands out the most to you. (Note: Click on one area only)

Question	Answer
Spurs	43
Serifs	51
Both	67

spurs

BLUFFDALE

serifs

BLUFFDALE

both

BLUFFDALE

Q10. Look at each "B" for Bluffdale and click on the one you like the most. (Note: Click on one area only)

Question	Answer
With horse	132
without horse	29

with horse



without



Q11. Look at the different colors for each logo and choose the one that stands out the most to you. (Note: Click on one area only)

Answer	Response	%
	93	56%
	43	26%
	29	18%
Total	165	100%

Q12. Study the following seals and then click on the seal that stands out the most to you. (Note: Click on one area only)

Question	Answer
Region #1	13
Region #2	35
Region #3	6
Region #4	108



Region #1



Region #2



Region #3



Region #4

Q14. Look at the differences in each of the following fonts and then click the option that stands out the most to you. (Note: Click on one area only)

Question	Answer
Spurs	53
Spurs & Serifs	59

serifs **BLUFFDALE**

spurs
& serifs **BLUFFDALE**

Q15. Study the different designs of the "B" and then click on the one that stands out the most to you. (Note: Click on one area only)

Question	Answer
straight	71
angled	44

straight



angled



Q16. Look at the different colors for each logo and choose the one that stands out the most to you. (Note: Click on one area only)

Answer	Response	%
	70	58%
	37	31%
	13	11%
Total	120	100%

Q17. Study the following seals and then click on the seal that stands out the most to you. (Note: Click on one area only)

Question	Answer
Region #1	6
Region #2	21
Region #3	7
Region #4	87



Region #1



Region #2



Region #3



Region #4

Q19. Read each tagline below then click and drag each item to rank them from most preferred to least preferred.

Answer	1	2	3	4	5	6	Mean
Life Connected	22	24	38	56	81	64	4.2
Quality Living	46	45	54	54	41	45	3.47
At the Heart of It	24	51	45	46	53	66	3.88
A Great Place to Grow	72	71	49	38	31	24	2.85
Old Values. New Beginnings.	79	54	48	34	21	49	3.04
Life Balanced	42	40	51	57	58	37	3.56

Agenda Item 7

REQUEST FOR CITY COUNCIL ACTION

To: Mayor and City Council
From: Grant Crowell
Date: 21 January 2016
Business Date: 27 January 2016
Subject: City Park Civic Institutional Zone Change
Staff Presentation: Grant Crowell

RECOMMENDATION:

To approve the attached ordinance amending the City of Bluffdale Official Zoning Map from R-1-43 Residential to Civic Institutional for the City Park property, as recommending by the Planning Commission on January 20, 2016.

BACKGROUND AND FINDINGS:

In an effort to reinforce the long term use of the entire City Park property, including the construction of the new City Hall Municipal Building, the City is proposing to change the zoning to the Civic Institutional zoning district. There is no intent to utilize the property in accordance with its existing one acre lot residential zoning. The new City Hall is be considered a permitted use in the CI zone. The subject property is bounded by 14400 S and 2200 W, which are both collector roads in Bluffdale.

The Planning Commission forwarded a positive recommendation based on the following findings:

1. That the proposed changes are consistent with the General Plan.
2. That the proposed changes solidify the City's long term intent with the City Park property.
3. That the proposed changes will not be detrimental to the health, safety, or general welfare of persons or property within the area.

PREVIOUS LEGISLATIVE ACTION

- January 20, 2016: Planning Commission recommended approval 4-0.

SUPPORTING DOCUMENTS

- Proposed ordinance, with exhibit
 - Staff report to Planning Commission
-

CITY OF BLUFFDALE, UTAH

Ordinance No. 2016-xx

AN ORDINANCE AMENDING THE BLUFFDALE CITY OFFICIAL ZONING MAP BY CHANGING THE OFFICIAL ZONING MAP FOR APPROXIMATELY 31.92 ACRES OF LAND FROM R-1-43 RESIDENTIAL TO CIVIC INSTITUTIONAL, OTHERWISE KNOWN AS THE BLUFFDALE CITY PARK ZONE CHANGE.

WHEREAS the City of Bluffdale (the “Applicant”) has initiated an application to amend the Bluffdale City Official Zoning Map by changing the Official Zoning Map from R-1-43 Residential to Civic Institutional, for approximately 31.92 acres of property generally located at 14350 S 2200 W;

WHEREAS the Planning Commission has reviewed and made a positive recommendation to the City Council concerning the proposed change to the Official Zoning Map of Bluffdale City pursuant to the Bluffdale City Land Use Ordinance and the Utah State Code, and the City Council has found the proposed amendments to be warranted and not detrimental to the public health, welfare and safety of the City of Bluffdale; and

WHEREAS the proposed amendment to the Official Zoning Map set forth herein has been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Official Zoning Map.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUFFDALE, STATE OF UTAH, AS FOLLOWS:

Section 1. Zoning Map Amendment. The Bluffdale City Official Zoning Map is hereby amended to change the zoning designation from R-1-43 Residential to Civic Institutional for approximately 31.92 acres of property within the City of Bluffdale, generally located at 14350 S 2200 W, which is more particularly described in Exhibit “A”, attached hereto and incorporated herein by this reference.

See Exhibit ‘A’ for property descriptions

Section 2. Effective Date. This Ordinance shall take effect upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLUFFDALE,
STATE OF UTAH, THIS 27th DAY OF JANUARY, 2016.**

BLUFFDALE CITY

Mayor

ATTEST:

City Recorder

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Jackson	_____	_____
Councilmember Nielsen	_____	_____
Councilmember Preece	_____	_____
Councilmember Westwood	_____	_____
Councilmember Wingate	_____	_____

Exhibit 'A' – Property Descriptions for Civic Institutional Zone Change

33-09-227-009-0000

Legal Description

BEG 1027.275 FT S FR NE COR SEC 9, T 4S, R 1W, S L M; S 296.855 FT; W 638.55 FT; N 296.854 FT; E 638.531 FT TO BEG. 3.67 AC M OR L. 4760-473, 4957-93, 5123-0315 6588-1218 THRU 1224

33-09-227-008-0000

Legal Description

BEG S 825 FT FR NE COR SEC 9, T 4S, R 1W, S L M; S 202.275 FT; W 638.531 FT; N 479.916 FT TO S LINE OF CANAL; S 66[^]30' E ALG SD S LINE 696.28 FT TO BEG. 5 AC. 4717-0956 THRU 960, 6568-395

33-09-227-007-0000

Legal Description

BEG S 1324.13 FT & W 957 FT FR NE COR SEC 9, T 4S, R 1W, S LM; N 870.508 FT TO CANAL; S 73[^]36' E 331.98 FT; S 776.771 FT; W 318.45 FT TO BEG. 6.022 AC M OR L. 4760-413, 4957 93 4760-413, 4957-93, 5123-0315 6588-1218 THRU 1224

33-09-227-006-0000

Legal Description

BEG S 1324.13 FT & W 957 FT FR NE COR SEC 9, T 4S, R 1W, S LM; W 363 FT; N 928.13 FT TO CANAL; E 280 FT; S 55[^]13' 22" E 101.04 FT; S 870.508 FT TO BEG. 7.679 AC M OR L 4760-413, 4957-93 5123-0315 6588-1218 THRU 1224

33-09-201-020-0000

Legal Description

BEG S 89[^]51'37" E 33.01 FT & S 0[^]22'39" W 331.13 FT & S 89[^]51'45" E 635.15 FT FR N 1/4 COR SEC 9, T 4S, R 1W, SLM; S17[^]49'30"E 86.44 FT; S 0[^]21'44" W 579.98 FT; E 630.97 FT M OR L; N 660.0 FT; W 651.85 FT M OR L TO BEG. 9.55 AC M OR L.6930-1517, 7140-0129

Total: Approximately 31.92 acres, more or less



**Community Development Department
Planning Division**
14175 South Redwood Road
Bluffdale, UT 84065
(801) 254-2200 Fax (801) 253-3270 TTY 7-1-1

**STAFF REPORT
15 January 2016**

To: City of Bluffdale Planning Commission
Prepared By: Grant Crowell

Re: City Park Civic Institutional Zone Change
Application No.: 2016-02
Applicant: City of Bluffdale
Location: 14350 S 2200 W
Acreage: 31.92 acres, more or less
Request: To amend the Official Zoning Map from R-1-43 Residential to Civic Institutional (CI) for the City Park properties, which includes the Rodeo Arena and future City Hall site.

SUMMARY & BACKGROUND

In an effort to reinforce the long term use of the City Park property, including the construction of the new City Hall Municipal Building, the City is proposing to change the zoning to the Civic Institutional zoning district. There is no intent to utilize the property in accordance with its existing one acre lot residential zoning. The new City Hall would be considered a permitted use in the CI zone. The subject property is bounded by 14400 S and 2200 W, which are both collector roads in Bluffdale.

ANALYSIS

General Plan and Zoning. The General Plan Land Use Map designates this property for both Civic Institutional and Parks, Recreation and Open Spaces. The existing zoning on the subject property is R-1-43 and is surrounded by R-1-43 zoned property. The CI zone is consistent with the recommendations of the land use element of the General Plan. The list of allowed uses in the CI zone is limited to the following uses:

Permitted Uses:

Cemetery grounds and facilities
Community buildings
Municipal offices
Parks
Schools
Small wind power facilities (as accessory use)
Storage facilities for machinery and equipment

Conditional Uses:

Public or private utilities and maintenance facilities
Public uses
Religious buildings and structures

Approval Criteria. Zoning map amendments are a legislative decision of the City Council, after receiving

a recommendation from the Planning Commission. Broad discretion is given to the City Council when making zoning decisions. Compliance with the general plan, adequate infrastructure, land use rights, and neighborhood compatibility are all valid considerations when making zoning decisions. Adequate findings in support of a positive or negative outcome are recommended.

RECOMMENDATION

Staff recommends approval of the proposed City Park Zoning Map Amendment from R-1-43 to Civic Institutional, application 2016-02, as depicted in the maps attached to this report, based on the following findings:

1. That the proposed changes are consistent with the General Plan.
2. That the proposed changes solidify the City’s long term intent with the City Park property.
3. That the proposed changes will not be detrimental to the health, safety, or general welfare of persons or property within the area.

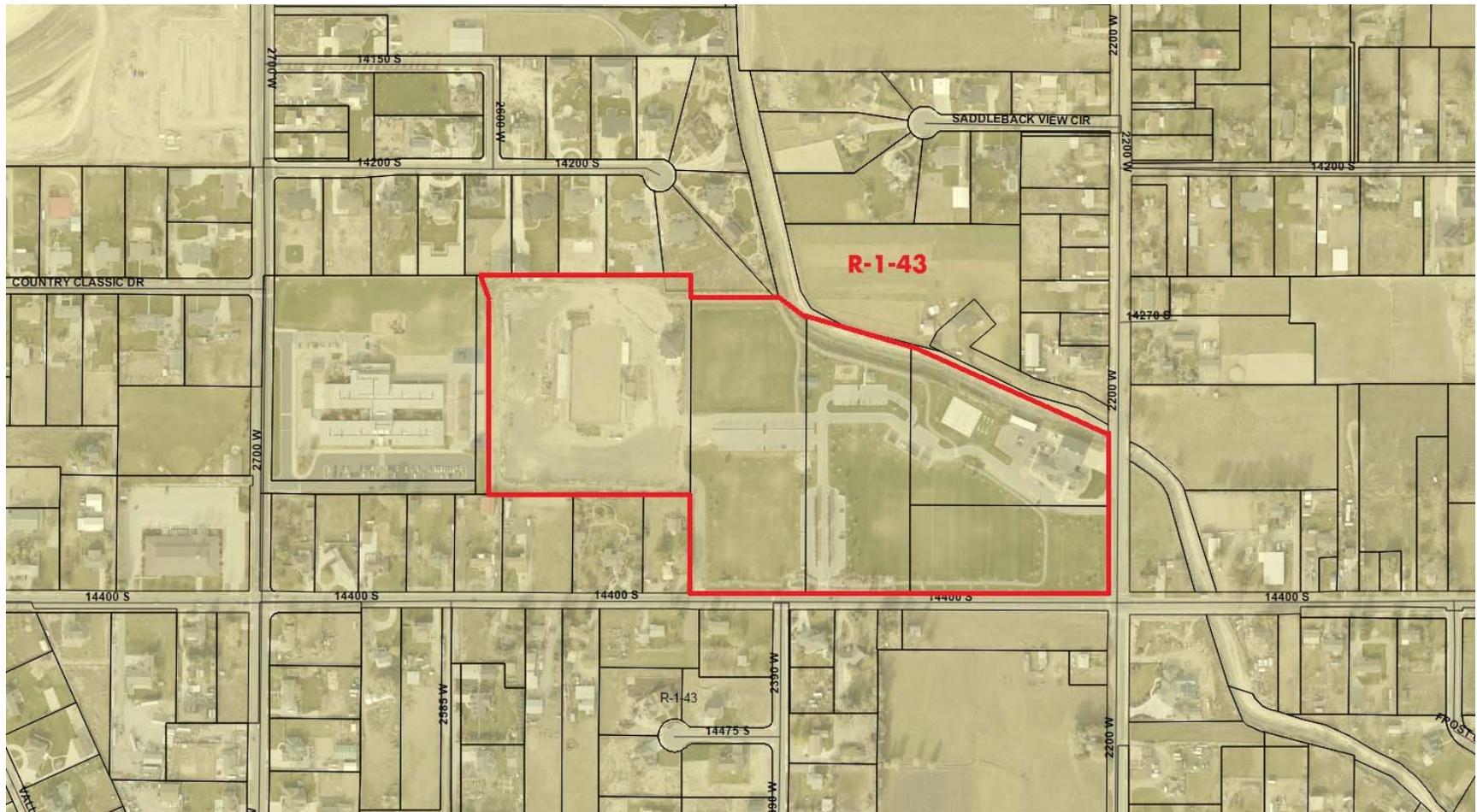
MODEL MOTION

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the City Park Zoning Map Amendment from R-1-43 to Civic Institutional, application 2016-02, based on the findings presented in the staff report dated January 15, 2016, (*and as modified by the additional or revised findings*):”

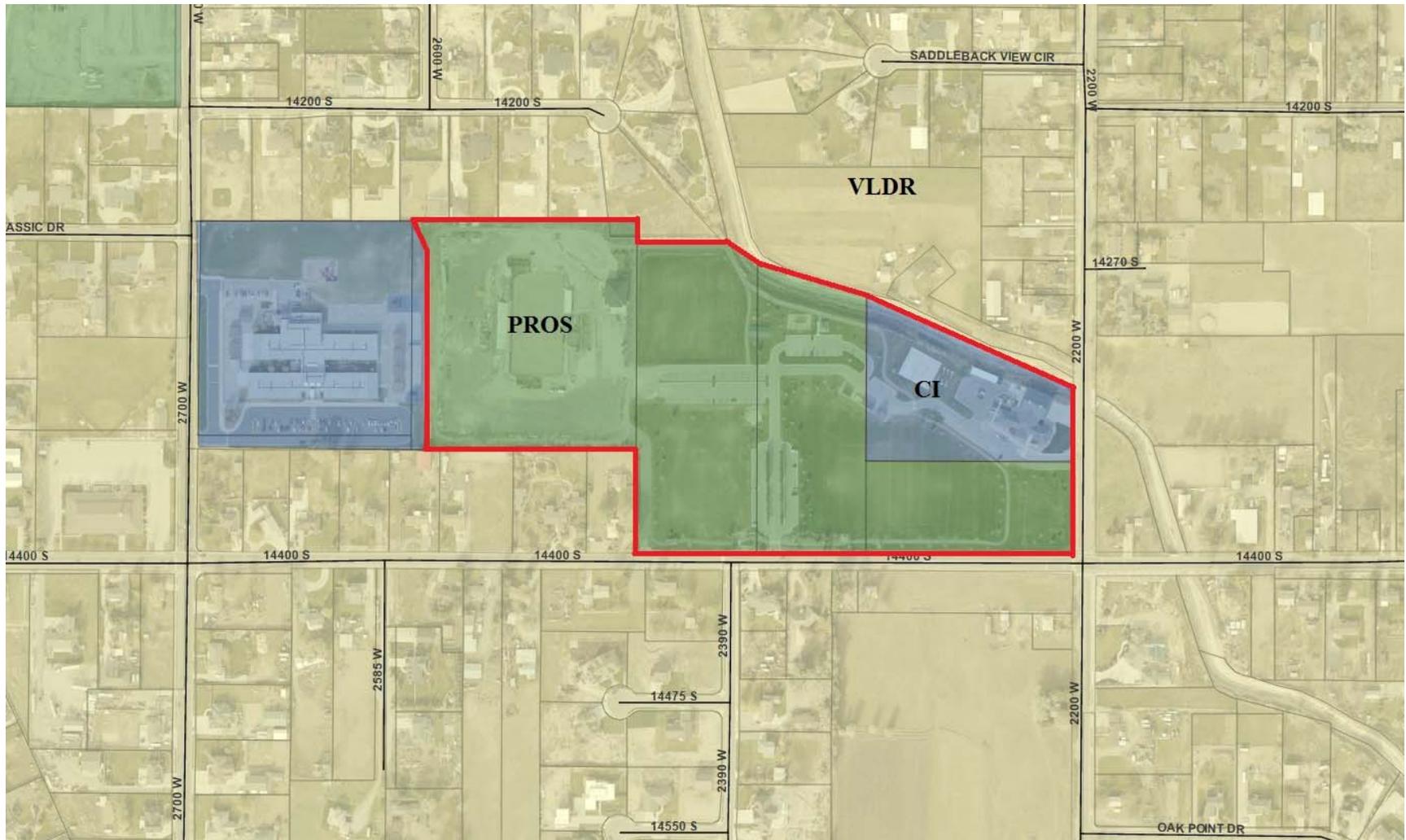
1. List any additional findings...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the City Park Zoning Map Amendment from R-1-43 to Civic Institutional, application 2016-02, based on the following findings:”

1. List all findings...



City Park Vicinity Zoning Map



City Park Vicinity Land Use Element of the General Plan Map

Agenda Item 8

This item (site plan) is placed separately in Dropbox due to the size of the file

Agenda Item 9

RESOLUTION NO. 2016-

**RESOLUTION APPOINTING
BOARD OF ADJUSTMENT MEMBERS**

WHEREAS, there are vacancies for members on the Board of Adjustment; and

WHEREAS, Bluffdale City Council has determined that it is in the public interest to appoint members to the Bluffdale City Board of Adjustment; and

WHEREAS, the Board of Adjustment members serve at the pleasure of the Bluffdale City Council and are appointed by the Mayor with a majority vote of the Bluffdale City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL:

Section 1. Appointment of Board of Adjustment Members. That the following persons be appointed to the Bluffdale City Board of Adjustment to serve until the time indicated by their name:

<u>NAME</u>	<u>TO SERVE UNTIL</u>
VAN NEILSON	FEBRUARY 1, 2020
_____	FEBRUARY 1, 2020

Section 2. Effective Date. This Resolution shall become effective immediately upon its passage and authorizes and directs the Mayor to execute and cause to be delivered the same.

PASSED, ADOPTED AND APPROVED by the Bluffdale City Council this 27th day of January, 2016.

By: _____
Mayor Derk P. Timothy

ATTEST:

By: _____
Wendy L. Deppe, City Recorder

Voting by the City Council:

Aye

Nay

Councilmember Jackson

Councilmember Nielsen

Councilmember Preece

Councilmember Westwood

Councilmember Wingate

Agenda Item 10

**THE CITY OF BLUFFDALE, UTAH
A UTAH MUNICIPAL CORPORATION**

RESOLUTION NO. 2016-

**A RESOLUTION DESIGNATING _____ TO REPRESENT
THE CITY OF BLUFFDALE AT THE ASSOCIATION OF MUNICIPAL COUNCILS**

WHEREAS, the City Council desires to designate _____ to represent the City at the Association of Municipal Councils,

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL:

Section 1. _____ is designated to represent the City of Bluffdale at the Association of Municipal Councils to serve until the time indicated by his name.

NAME

TO SERVE UNTIL

JANUARY 25, 2017

Section 2. This Resolution shall become effective immediately upon its passage and authorizes and directs the Mayor to execute and cause to be delivered the same.

PASSED ADOPTED AND APPROVED by the City Council of Bluffdale, Utah, the 27th day of January, 2016.

By: _____
Mayor Derk P. Timothy

ATTEST:

Wendy L. Deppe, City Recorder

Voting by the City Council:	Aye	Nay
Council Member Jackson	_____	_____
Council Member Nielsen	_____	_____
Council Member Preece	_____	_____
Council Member Westwood	_____	_____
Council Member Wingate	_____	_____

Agenda Item 11

**CITY OF BLUFFDALE, UTAH
A UTAH MUNICIPAL CORPORATION
RESOLUTION NO. 2016-**

**A RESOLUTION CONFIRMING APPOINTMENT OF A PERSON TO THE CITY
TREE BOARD**

WHEREAS, the City Council desires to confirm the appointment of a person to the City Tree Board, for the terms of office indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL:

Section 1. The appointment of Blain Dietrich as a member of the Tree Board, for a term of office to expire on 1 February 2019, is hereby confirmed.

Section 2. This Resolution shall become effective immediately upon its passage and authorizes and directs the Mayor to execute and cause to be delivered the same.

PASSED, ADOPTED AND APPROVED the 27th day of January, 2016.

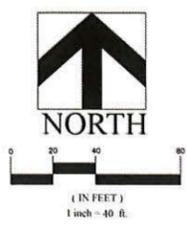
By: _____
Mayor Derk P. Timothy

ATTEST:

Wendy L. Deppe, City Recorder

Voting by the City Council:	Aye	Nay
Council Member Jackson	_____	_____
Council Member Nielsen	_____	_____
Council Member Preece	_____	_____
Council Member Westwood	_____	_____
Council Member Wingate	_____	_____

Agenda Item 14



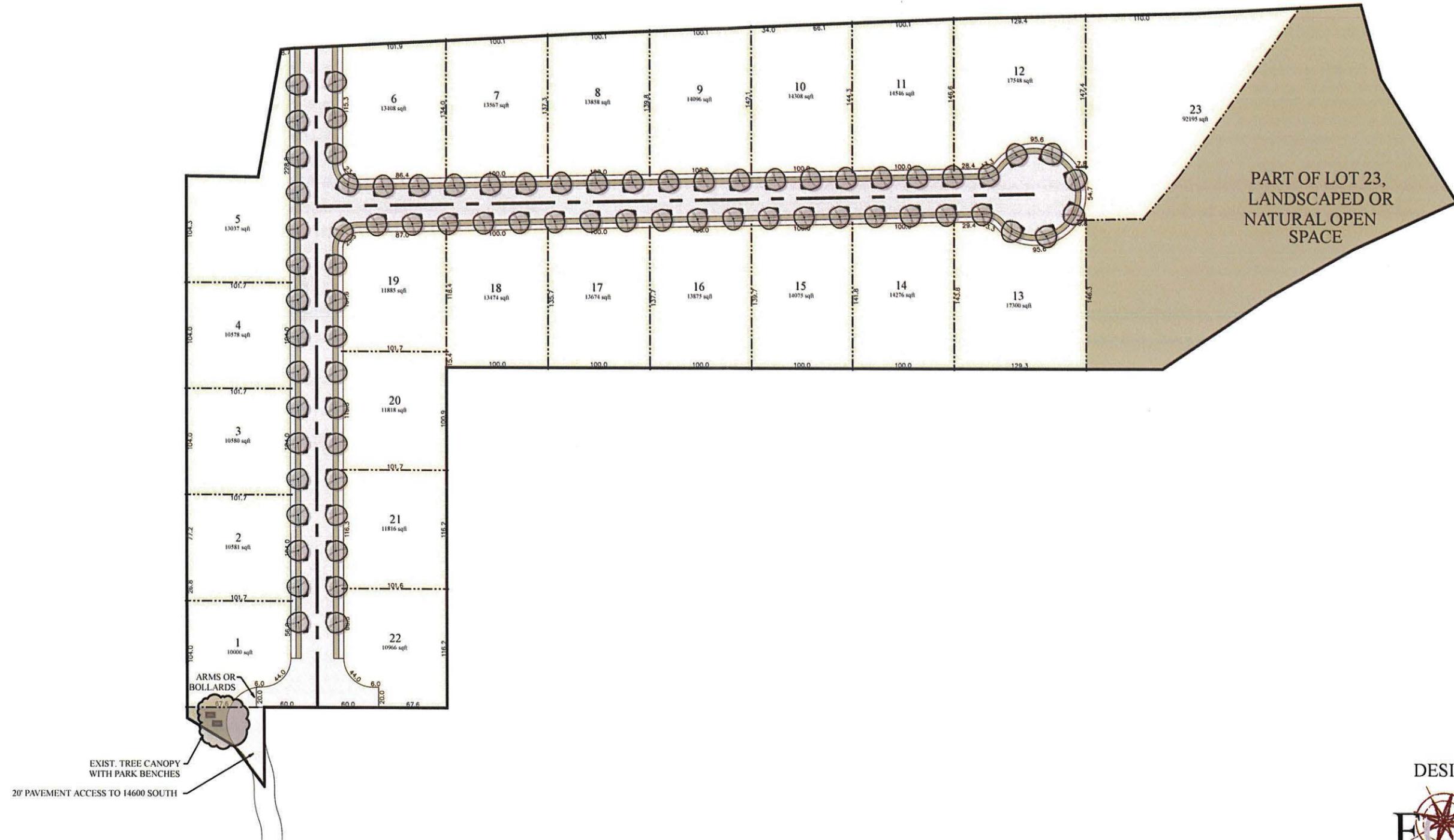
THE PRESERVE AT SPRINGVIEW FARMS

CONCEPT NARRATIVE RESIDENTIAL

LOCATED AT: 14600 S REDWOOD RD, BLUFFDALE, UT

ORIGINAL PROPERTY 10.53 ACRES
SINGLE FAMILY LOTS 23

TOTAL DENSITY 2.18 UNITS/ACRE



GENERAL NOTE:

INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.

DESIGNED BY:

