



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, April 13, 2016**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, April 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 March 09, 2016 and March 23, 2016 meeting minutes.
 - 3.2 Preliminary acceptance of Kailye Anne Amended Subdivision, and beginning the warranty period.
 - 3.3 Approve a resolution accepting Glover Landscaping as the low bidder and authorizing the City Manager to sign the 2016-2018 Grass Mowing and Trimming contract.
4. Presentation on Radon Gas, presenter, Eleanor Divver, DEQ's Indoor Radon Coordinator.
5. Presentation and discussion regarding the Bluffdale Traffic manual, BYU project, staff presenter, Michael Fazio.
6. Presentation on creating a Youth City Council for the City of Bluffdale, presenter, Canon Law.
7. **PUBLIC HEARING** – Consideration and vote on a resolution authorizing disposal of a significant parcel of real property, staff presenter, Vaughn Pickell.
8. Consideration and vote on a resolution authorizing execution of a Pipeline Relocation Agreement in the vicinity of 15200 South Porter Rockwell Boulevard, staff presenter, Michael Fazio.
9. Consideration and vote on a resolution authorizing the City Manager to enter into an agreement with the lowest bidder for the City Arena Improvement Project, staff presenter, Michael Fazio.

10. Mayor's Report

11. 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.

12. Discussion on Jordan River Parkway, presenter, Mayor Derk Timothy.

13. 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).

14. Adjournment

Dated this 8th day of April, 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, March 09, 2016**

Notice is hereby given that the Bluffdale City Council, the Local Building Authority of the City of Bluffdale Board, and the Bluffdale City Redevelopment Agency Board of Directors will hold a combined meeting Wednesday, March 09, 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.

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 February 10, 2016 and February 24, 2016 meeting minutes.
 - 3.2 Approve a resolution authorizing the City Manager to enter into an agreement for the 2016 ADA Ramp Improvements Bid.
4. Discussion on Rodeo Arena, staff presenter, Mark Reid.
5. **PUBLIC HEARING** – Consideration and vote on amending Title 11-15-7 D of the Bluffdale City Code to address site plan architectural standards for pre-engineered metal buildings in the R-1-43 zone, Bluffdale City, applicant, staff presenter, Paul Douglass.
6. **PUBLIC HEARING** – Consideration and vote on a commercial site plan for Ridge Rock, located at approximately 1000 West 14600 South in the HC Zone, Big Rock Properties, applicant, staff presenter, Paul Douglass.
7. Consideration and vote on a resolution amending the City of Bluffdale Personnel Policies and Procedures Manual, and classification of the Position Index, staff presenter, Stephanie Thayer.
8. **PUBLIC HEARING** – Consideration and vote on a resolution adopting an Amended Budget for the 2015-2016 Fiscal Year, staff presenter, Stephanie Thayer. **(LBA & RDA Public Hearings held in conjunction)**

LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA** –

2.1 Approval of the January 13, 2016 meeting minutes

3. **PUBLIC HEARING** – Consideration and vote on a resolution adopting an Amended Budget for the 2015-2016 Fiscal Year, staff presenter, Stephanie Thayer. (**LBA Public Hearing held in conjunction with the Budget Hearing**)
4. Adjournment

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA** –
 - 2.1 Approval of the January 13, 2016 meeting minutes
3. **PUBLIC HEARING** – Consideration and vote on a resolution adopting an Amended Budget for the 2015-2016 Fiscal Year, staff presenter, Stephanie Thayer. (**RDA Public Hearing held in conjunction with the Budget Hearing**)
4. Adjournment

CONTINUATION OF BUSINESS MEETING

9. Mayor's Report
10. 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.

11. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
12. Adjournment

Dated this 4th day of March, 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



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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, March 9, 2016**

- 1 **Present:** Mayor Derk Timothy
2 Alan Jackson (arrived at 6:32 p.m.)
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 Michael Fazio, City Engineer
12 Paul Douglass, Associate City Planner
13 Stephanie Thayer, Accountant/HR Administrator
14 Bruce Kartchner, City Treasurer
15 Sergeant Shane Taylor
16 Wendy Deppe, City Recorder
17
18 **Others:** Matt Anderson, Ridge Rock, Inc.
19 Torrey Anderson, Ridge Rock, Inc.
20 Troy Shinsel, Rodeo Arena Chair
21

22 **BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**

23
24 Mayor Derk Timothy called the meeting to order at 6:30 p.m.

25
26 **1. Roll Call, Invocation, and Pledge.**

27
28 All Members of the City Council were present with the exception of Alan Jackson who arrived
29 shortly thereafter.

30
31 Ty Nielsen offered the invocation. Datson Wilcox led the Pledge of Allegiance.

32
33 Scouts present in the audience introduced themselves as Jacob Severn, Killian Godowsky,
34 Brandon Fathers, and Datson Wilcox. All were working on their Citizenship in the Community
35 Merit Badges.

36
37 **2. PUBLIC FORUM.**

38
39 Katie Allen gave her address as 4026 West Muley Court (13800 South). She asked that the

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1 Council look into a traffic study at 13800 South and 4000 West in order to provide safety to her
2 neighbors. She conducted research and discovered that two recent accidents were caused by
3 texting and driving. Mayor Timothy agreed to do all in his power to get a four-way stop there.
4 He reported that half of the intersection is in Riverton and arrangements would be made with
5 them to put in a four-way stop.

6
7 There were no other citizens wishing to address the Council.

8
9 **3. CONSENT AGENDA**

10
11 **3.1 Approval of the February 10, 2016 and February 24, 2016 Meeting Minutes.**

12
13 James Wingate could not recall which set of minutes included a report of a fatal accident but
14 stated that they did not include the location. Mayor Timothy requested that approval of the
15 minutes be tabled to the next meeting.

16
17 **Ty Nielsen moved to table agenda item 3.1 until the next meeting. Justin Westwood**
18 **seconded the motion. The motion passed with the unanimous consent of the Council.**

19
20 **3.2 Approve a Resolution Authorizing the City Manager to Enter into an**
21 **Agreement for the 2016 ADA Ramp Improvements Bid.**

22
23 Mayor Timothy pulled agenda item 3.2 from the consent agenda.

24
25 City Manager, Mark Reid, reported that a grant had been obtained in the amount of \$22,000 from
26 CDBG monies for the 2016 ADA Ramp Improvements. The number of ramps that could be
27 built with the available funds was calculated and the project was put out to bid and came back at
28 \$11,000. If the CDBG money is not used by July 1, 2016, it will be lost. Mr. Reid asked that the
29 Council authorize staff to approach the bidder and add additional handicapped ramps to utilize
30 the entire \$22,000 and expand the scope of the project with a 10% contingency. City Attorney,
31 Vaughn Pickell, described the specifics of the resolution. Mr. Reid asked that it be modified to
32 add \$27,000 plus the 10% contingency for a total of \$30,000. The difference would come out of
33 the Streets budget where the money is available.

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1
2 **Ty Nielsen moved to approve a resolution authorizing the City Manager to enter into an**
3 **agreement with the winning bidder for the ADA ramp improvements in the amount of**
4 **\$30,000, which includes a 10% contingency. Justin Westwood seconded the motion. Vote**
5 **on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye,**
6 **Boyd Preece-Aye. The motion passed unanimously.**

7
8 **4. Discussion on Rodeo Arena, Staff Presenter, Mark Reid.**

9
10 Mr. Reid reported that this year \$400,000 was budgeted for Rodeo Arena improvements. At the
11 May 27, 2015, Council Meeting, the Council authorized staff to complete Phases 1 and 2 of the
12 improvements. There were a total of eight phases associated with the arena totaling just under
13 \$4,000,000. The minutes reported that Phases 1 through 4 would have cost approximately
14 \$250,000 to complete. The Council authorized staff to move forward with Phases 1 and 2 only.
15 The expectation was that the two phases would have totaled less than \$250,000. The one bid
16 received for the Rodeo Arena improvements came in at \$507,000. Mr. Reid recommended the
17 bid not be approved and asked the Council to direct staff to meet with the Rodeo and Arena
18 Committee to look at the scope of the project that went out to bid and determine if some items
19 could be removed or modified.

20
21 Mr. Reid stated that based on the bid received, it is likely that improvements to the arena will not
22 be made this year. The job will likely have to go out to bid in the fall and the project completed
23 next fall or spring. Rodeo Chairman, Troy Shinsel, was invited to be in attendance to discuss
24 with the Council the direction the committee is going. Mr. Shinsel stated that currently the
25 committee is defunct. A few members performed the design but it was never presented to the
26 rest of the committee until it was presented to the City Council in May at a cost of \$3.9 million.
27 He noted that it went from being a City arena to a community event center. The concern was
28 that the people who utilize the arena will lose their ability to use it because it will always be
29 occupied by another event. The majority of the people serving on the Arena Committee were in
30 favor of a three-foot retaining wall where there are currently 2 x 6s holding up the earth where

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1 the bleachers sit. The committee would also like to have seen an arena blend in the arena with a
2 Black Widow groomer and a new or newer tractor to pull the groomer.

3
4 Mr. Shinsel stated that originally the committee consisted of people who utilize the arena for
5 riding and somehow it became an event center. He was concerned that a lot of money was spent
6 on the design and it was done without the consent of the committee. The majority of the Arena
7 Committee members would like to see the retaining wall put back in as a concrete wall rather
8 than wood. They would also like the opportunity to have good ground and a decent place to ride.

9
10 Mr. Shinsel reported that he had not seen the complete set of plans that Jack Anderson was
11 contracted to design. He saw a brief set after the job went out to bid and there was concern about
12 the engineer's estimate. That was the first time he had seen any part of the plan. He reported
13 that he is a contractor and because he serves on the Arena Committee, he chose not to submit a
14 bid on the project to avoid a conflict of interest. He was certain, however, that it was never the
15 committee's intent to spend \$500,000.

16
17 Alan Jackson thought a lot of progress could be made with the wall, cleaning up the parking lot,
18 and making particularly the entrance more presentable. Mr. Shinsel stated that there are groups
19 that use the facility who are willing to volunteer their time to help. Among horse owners there is
20 talk of doing away with the South Jordan Equestrian Park and turning it into an event center with
21 a race track and ball fields. The equestrian community is concerned and does not want to see the
22 Bluffdale Arena go away as well.

23
24 Mayor Timothy asked if it would be possible to do the three-foot wall that was included in the
25 original plan, this year. Mr. Reid stated that City Engineer, Michael Fazio, could reengineer a
26 wall, get it out to bid, and have it completed before June 1. Mr. Shinsel stated that the second
27 retaining wall is along the far east side near the cash and holding pens for the rough stock. He
28 noted that that will have to be done at some point as well. It will be a substantial wall because of
29 the amount of earth that needs to be retained there.

30

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1 Ty Nielsen recommended that staff redesign the plan so that it can be completed this year.
2 Mr. Reid agreed to see what can be completed before June recognizing that the Demolition
3 Derby takes place mid-June. He also wanted to look at the arena in its entirety and determine
4 whether adjustments should be made to accomplish what is necessary. Mayor Timothy agreed
5 and wanted to plan so that they do not undo what was done the previous year. He considered the
6 retaining wall to be an obvious need.

7

8 **5. PUBLIC HEARING – Consideration and Vote Amending Title 11-15-7 D of the**
9 **Bluffdale City Code to Address Site Plan Architectural Standards for Pre-**
10 **Engineered Metal Buildings in the R-1-43 Zone, Bluffdale City, Applicant, Staff**
11 **Presenter, Paul Douglass.**

12

13 Associate City Planner, Paul Douglass, presented the staff report and stated that currently pre-
14 engineered buildings are only allowed in the SG-1 Zone. Dr. Lyle Barbour approached the
15 Council about one month ago and brought up the idea of making the amendment to allow pre-
16 engineered metal buildings in the R-1-43 Zone when constructed in limited instances. These
17 include a livestock-related business that has been permitted in the zone or one that is incidental
18 to a permitted or conditional use.

19

20 Alan Jackson's concern was that there is a reason they have not been allowed in the past. He
21 stated that it is because they do not look good. He suggested the Council consider requiring any
22 side that is visible from the road to have some kind of enhancement. In this instance, he did not
23 object to such a building but was concerned about the ramifications for the rest of the City.

24

25 City Planner/Economic Development Director, Grant Crowell, stated that they would be allowed
26 with a very limited scope. The Council and staff clarified what would be acceptable in terms of
27 siding and the site plan process. It was determined that each structure in a commercial setting
28 would require City Council approval. Procedural issues were discussed. James Wingate
29 suggested verbiage to be included in the site plan.

30

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1 Mayor Timothy opened the public hearing. There were no public comments. The public hearing
2 was closed.

3
4 **Ty Nielsen moved to approve the amendment to Title 11-15-7 D of the Bluffdale City Code**
5 **to address site plan architectural standards for pre-engineered metal buildings in the R-1-**
6 **43 Zone based on the following:**

7
8 **Findings:**

- 9
10 **1. That the proposed amendments will allow for pre-engineered metal buildings in the**
11 **R-1-43 Zone when they are constructed as an accessory building that is incidental to**
12 **a permitted or conditional use of the property.**
13
14 **2. That the proposed amendments preserve the intent of the zoning ordinance for the**
15 **R-1-43 Zone.**
16
17 **3. That the proposed amendments will not be detrimental to the health, safety, or**
18 **general welfare of person or property within the community.**

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

23
24 **6. PUBLIC HEARING - Consideration and Vote on a Commercial Site Plan for Ridge**
25 **Rock, Located at Approximately 1000 West 14600 South in the HC Zone, Big Rock**
26 **Properties, Applicant, Staff Presenter, Paul Douglass.**

27
28 Mr. Douglass presented the staff report and stated that the property consists of 4.97 acres located
29 at 985 West 14600 South, which is on the corner of Noell Nelson Drive and 14600 South. The
30 surrounding uses were identified. Mr. Douglass reported that the site plan consists of a large
31 storage area in the back with access off of Noell Nelson Drive. The building will be situated

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1 toward the front with office space and a shop area in the back. A pre-cast concrete wall will
2 surround the storage area.

3
4 Mr. Douglass presented the landscaping plan and stated that construction of the building and
5 storage yard has pushed a significant amount of landscaping to the exterior of the lot. Staff
6 requested that the applicants provide trees for the park strip area. They asked for a certain
7 number of trees for their parcel and will then plant the remaining trees in the park strip. The
8 Planning Commission suggested that with the entrance and exit there could be some site issues.
9 It was recommended that safety and spacing issues be considered as the trees are planted.

10
11 The proposed building materials were described. Mr. Crowell confirmed that the adjacent
12 property owner will be responsible for the park strip landscaping.

13
14 The applicant, Torrey Anderson, identified himself as one of the owners of Ridge Rock
15 Properties. He gave his address as 5172 Vantage Point Circle, in Herriman. He listed tree
16 species proposed for planting. Ty Nielsen gave his preferences and made suggestions. He
17 indicated that diversity is good with smaller maple trees in the park strip and larger trees between
18 the sidewalk and buildings.

19
20 Mr. Anderson stated that they applied for their variance with UDOT for the entrance. He noted
21 that no utilities need to go in UDOT's road. No issues had been expressed and they hoped to get
22 started as soon as possible. Mr. Anderson stated that all compliance issues with UDOT had been
23 addressed. Ridge Rock was only asking for access on the north side of the property, which
24 UDOT agreed to. The Council agreed that the proposed site plan would be a definite
25 improvement in the proposed location. No issues were anticipated with Questar. In response to
26 a question raised, Mr. Anderson stated that primarily equipment will be stored in the fenced area.
27 For the time being, the current tenant will lease a small area to them. The proposed fence was
28 expected to be eight feet high.

29
30 Mayor Timothy opened the public hearing.

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1
2 Erik Swanson gave his address as 751 West Star Spangled Drive and asked which entrance
3 trucks will use. Mr. Anderson clarified that trucks should never drive through the residential
4 neighborhood and will utilize 14600 South. Mayor Timothy clarified that trucks will not be
5 prevented from going down that road. Mr. Reid stated that it will also eventually connect to
6 Redwood Road to the south, which will make it likely that trucks coming from Utah County will
7 use Redwood Road. Mr. Anderson described the type of storage to be kept on the site.

8
9 There were no further public comments. The public hearing was closed.

10
11 **Justin Westwood moved to approve the commercial site plan for Ridge Rock, located at**
12 **approximately 1000 West 14600 South in the HC Zone subject to the following:**

13
14 **Conditions:**

- 15
16 **1. That all requirements of the City Code are met and adhered to for the site plan.**
17
18 **2. That all engineering standards or recommendations are met and adhered to for the**
19 **site plan.**
20
21 **3. That the applicant obtains a permit from UDOT for access from 14600 South prior**
22 **to applying for building permit.**
23
24 **4. That the applicant obtains a City business license for Ridge Rock, Inc.**
25
26 **5. That the applicant coordinates construction schedules with the City along Noell**
27 **Nelson Drive and 14600 South.**
28
29 **6. That the applicant be required to install and maintain required landscaping in the**
30 **property and park strips as approved.**
31

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1 7. That the required number of trees can be modified lower near the intersection of
2 14600 South and Noell Nelson Drive to preserve clear view areas for traffic safety,
3 based on the City Engineer’s recommendation.

4
5 8. Staff shall work to provide the final landscaping plan according to the discussion.

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

10
11 7. Consideration and Vote on a Resolution Amending the City of Bluffdale Personnel
12 Policies and Procedures Manual, and Classification of the Position Index, Staff
13 Presenter, Stephanie Thayer.
14

15 Accountant/HR Administrator, Stephanie Thayer, reviewed the proposed resolution containing
16 amendments to the Personnel Policies and Procedures Manual. She stated that several current
17 positions have been approved but the position index was not updated. Ms. Thayer indicated that
18 many of the changes were to clarify errors or wording.

19
20 Travel issues and policies regarding per diem were discussed. It was reported that when travel is
21 involved, the cost of the training would be advanced by the City; however, meals and lodging
22 would be reimbursed at the conclusion of the trip once receipts are submitted. Mayor Timothy
23 recommended that Ms. Thayer review the per diem policy with all City employees. James
24 Wingate recommended the Council not micromanage employees’ travel. Meal reimbursement
25 issues were discussed. Mr. Reid stated that currently the City reimburses for meal costs after a
26 trip is taken. He understood, however, that sometimes that could place a financial burden on
27 City employees. Alan Jackson suggested the Council be mindful of that and be flexible.

28
29 City Treasurer, Bruce Kartchner, commented on reimbursement issues and stated that from a tax
30 standpoint, documentation is needed to justify the expense. If reimbursement is given after the

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1 documentation has been submitted, it is much easier to obtain. He strongly advocated
2 reimbursing after the fact.
3
4 With regard to the modification to the Roster section, Ms. Thayer stated that when it was written,
5 the City did not have its own Fire Department. The sentence limiting the roster to 40 employees
6 is now unrealistic. She noted that all of the City’s fire fighters and paramedics are part-time and
7 there must be enough of them on the roster to provide three fire fighters and two paramedics for
8 each 24-hour shift 365 days per year. With all being part-time, they also need to maintain the
9 number of hours worked to less than 30 per week over the course of the year.
10
11 With regard to whether to include the Administrative Services Director or the Finance Director
12 positions, it was recommended that a line item be added so that both could be added. The
13 Mayor’s preference was to call the position “Finance Director” because he realizes this person
14 will do more than just finance. He wanted Bruce Kartchner to understand that the job is specific
15 to finance even though there are various aspects to it. The pay grade was to be 28.
16
17 With the new job description, Ty Nielsen asked if his time on the Council would count as service
18 time toward his own retirement as an employee of another city. Ms. Thayer researched the
19 matter and was informed by her contact at URS that that was not the case and Council Member
20 Nielsen’s service on the Council would not count. Mr. Reid stated that if the level of pay for
21 Tier 1 employees is increased to a certain amount, once he leaves the City he would be able to
22 continue adding years of service if he chose not to retire until after his time on the Council. The
23 other Council Members could be declared eligible for a state retirement and begin accumulating
24 years of service because of their time on the Council.
25
26 Mr. Reid reported that the City’s System Engineer has passed his Professional Engineering
27 certification and is now licensed with the state. He recommended the Council now establish a
28 category for him. A City Planner has also completed additional education and with her years of
29 service it was felt that in order to keep her, an upgrade should be made to her title. Mr. Reid
30 reported that the Law Clerk also passed the Bar exam and the Subdivision Inspector is in the

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**BLUFFDALE CITY COUNCIL, LOCAL BUILDING AUTHORITY OF THE CITY OF
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1 process of training someone else to help in that area, which leaves no level in which to put that
2 individual. All of the issues mentioned were incorporated into the proposed changes.

3
4 **Ty Nielsen moved that with the few minor adjustments mentioned, the Council approve the**
5 **resolution amending the Bluffdale City Personnel Policies and Procedures Manual and the**
6 **classification of the Position Index and add a line for the Finance Director at a Level 28.**

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

10
11 **8. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting an**
12 **Amended Budget for the 2015-2016 Fiscal Year, Staff Presenter, Stephanie Thayer.**
13 **(LBA 7 RDA Public Hearings Held in Conjunction.)**
14

15 Ms. Thayer reviewed the proposed budget amendments and reported that there are different
16 funds in the budget. Each needs to balance and the expenditures need to be offset by revenue.

17 Mr. Reid stated that in budgeting there are several funds that are paid out of. For example, most
18 employees are paid out of the General Fund. Some funds are restricted, such as impact fees, and
19 each fund can have a reserve. In the General Fund, for example, it is required that at least 5% be
20 kept in reserve but no more than 25% of earnings. The Capital Improvements Fund is used to
21 transfer money for projects to keep the reserves down. Ms. Thayer next reviewed the proposed
22 personnel changes.

23
24 Mr. Reid explained that with property taxes there is a certified tax rate. By law the City has to
25 set the property tax revenue at the exact number identified by the State Auditor's Office to
26 generate new property taxes. For ease of accounting, a fee in lieu was set up where the amount
27 expected to be received in property taxes is established after the budget is approved. He
28 explained that it is nearly impossible to separate property taxes and fee in lieu based on how
29 funds are received by the City.
30

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1 With regard to Capital Projects, Ms. Thayer reported that as the Subdivision Inspector position
2 has changed, they are now short one vehicle. The purchase of a new Inspector’s Truck was
3 added to the budget at a cost of \$40,000. An expenditure of \$12,000 was also proposed to install
4 crossing lights near the park on 14400 South. Mr. Reid stated that at the mid-block crossing, an
5 Eagle Scout is looking to complete a project. He will be working with the lighting company to
6 put it in. Mr. Reid was not sure of the cost but included \$12,000 as a placeholder in the budget.
7 He expected the cost to be closer to \$4,000 or \$5,000.

8
9 Ms. Thayer next addressed the Loumis Parkway expenditure that was decreased by \$20,000.
10 With regard to grading, the actual product cost to repair the slope in Phase 3 of Bluffdale Heights
11 was increased by \$10,000. Mr. Kartchner referred to the first line and stated that because the
12 budget for the cost increased, it was being treated as a debit for expense and a credit for revenue.
13 In the end, the additional funds would be put into the account from the other fund. If the funds
14 are not spent there will be another amended budget closer to year end that will change the
15 numbers to more accurately reflect what was spent. At the end of the year they must be within
16 5% to 25% in the fund balance. Another adjustment will reflect the fact that staff is very good at
17 controlling costs. Mr. Reid commented that over the past four years they have seen at least
18 \$400,000 go from the General Fund to the Capital Projects Fund. They tried to make sure that
19 was shown so that it was apparent that they had enough money to maintain the bond for City
20 Hall over the last four years. As a result, there was a transfer from the General Fund to the
21 Capital Projects Fund. In the future, they will have \$320,000 to be paid toward the bond. It had
22 been shown over the last four years that there is enough revenue.

23
24 Ms. Thayer next addressed the Class C Road Fund and stated that the Loumis Parkway project is
25 decreasing in terms of the amount spent out of the fund. With regard to Park Impact Fees, the
26 Loumis Parkway Trail expenditure was proposed to be increased by \$20,000. Mr. Reid
27 explained that a trail was built along Loumis Parkway for which Park Impact Fees were used. A
28 water line was also put in using Water Impact Fees. A road was built with a portion being paid
29 for with Road Impact Fees. Class C Road Funds were used as well to replace the asphalt. He

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1 noted that the project involved several different funds. He explained that impact fees cannot be
2 used to improve the asphalt so Class C Road Fund money had to be expended. Mayor Timothy
3 stated that he had received numerous positive comments about the new road. Mr. Reid remarked
4 that it was previously one of the worst roads in the City.

5
6 Ms. Thayer reported that the Road and Bridges Impact Fee for Loumis Parkway increased by
7 \$205,000 with the offset. Mr. Reid explained that one of the reasons for the increase was when
8 the road was originally budgeted for, a judgment call was made to complete the road up to the
9 sewer treatment plant road. There was a significant distance from that road to the end of
10 Bluffdale. They ultimately decided to finish it all the way to the border. He noted that the
11 project came in over budget because of the additional length. Mayor Timothy considered it to
12 have been money well spent.

13
14 Ms. Thayer reported on the Storm Drain Impact Fee and stated that it was not originally in the
15 budget and is to complete the Storm Water Master Plan. An increase was proposed of \$40,000
16 that would be offset by Reappropriated Fund Balance. In the Water Fund, salaries and benefits
17 were examined and they seemed to be low. Mr. Reid's opinion was that the estimate was low to
18 begin with. Ms. Thayer expected there to be an adjustment at the end of the year. A water
19 deficiency was identified and \$400,000 was needed to complete Projects 1, 2, 6, and 7. The
20 Council was encouraged to read The Mayor's Message to get more insight into that expenditure.

21
22 Mr. Reid stated that a water deficiency means that there are areas in the City where the water
23 lines are deficient in terms of what is needed for fire flow. They have been identified and four
24 were selected to be repaired immediately. The intent was to get the most for the money spent on
25 the list of deficiencies set forth in the Capital Facilities Plan. Mr. Reid intended to complete
26 them all but there is not enough manpower and time to do so. As a result, the four most
27 important projects were chosen. The remaining projects will be completed next fiscal year.

28
29 Ms. Thayer reported that the Loumis Parkway Water Impact Fee is being decreased by \$120,000.
30 There was also a project from previous years that needs an additional \$30,000 to complete.

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1 Mr. Reid reported on the redundant water project that consists of a pump station that was built in
2 the narrows to connect to Jordan Valley Water Conservancy District’s new line. This would
3 allow water to be pumped up to the City’s tank, which provides an alternate source of water.
4 The SCADA system was inadequate and resulted in the additional \$30,000 expenditure. The
5 cost of the project was reimbursed by the facility to the south. Mayor Timothy acknowledged
6 that 2200 West is in poor condition but he recommended it be postponed.

7
8 Mr. Reid explained that as part of the budgeting process, at the end of the year staff will come
9 back with a final budget adjustment. That will be done the same day next year’s budget is
10 proposed. Staff would now begin working on the new budget, which was expected to take two
11 to three months to compile. Mr. Reid reported that it typically takes four to five City Council
12 Meetings to finalize the budget. He reminded the City Council that they control the funds of the
13 City and it is staff’s job to make a recommendation.

14
15 Mayor Timothy opened the public hearing. There were no public comments. The public hearing
16 was closed.

17
18 **Justin Westwood moved to pass a resolution adopting an amended budget for the 2015-**
19 **2016 fiscal year. Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye,**
20 **Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion**
21 **passed unanimously.**

22
23 **LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING**

24
25 **1. Roll Call.**

26
27 All Members of the Local Building Authority Board were present.

28
29 **2. CONSENT AGENDA**

30
31 **2.1 Approval of the January 13, 2016, Meeting Minutes.**

32
33 Ty Nielsen moved to approve the consent agenda. Justin Westwood seconded the motion.

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1 The motion passed with the unanimous consent of the LBA Board.

2
3 **3. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting an**
4 **Amended Budget for the 2015-2016 Fiscal Year, Staff Presenter, Stephanie Thayer.**
5 **(LBA Public Hearing Held in Conjunction with the Budget Hearing).**
6

7 The public hearing took place previously during the Regular Business Meeting.

8
9 **Justin Westwood moved to pass a resolution adopting an amended budget for the 2015-**
10 **2016 fiscal year. Ty Nielsen seconded the motion. Vote on motion: Chair Derk Timothy-**
11 **Aye, Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd**
12 **Preece-Aye. The motion passed unanimously.**

13
14 **4. Adjournment.**
15

16 The LBA Meeting was adjourned.

17
18 **BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING**
19

20 RDA Chair, Ty Nielsen, assumed the Chair.

21
22 **1. Roll Call.**
23

24 All Members of the RDA Board were present.

25
26 **2. CONSENT AGENDA.**
27

28 **2.1 Approval of the January 13, 2016, Meeting Minutes.**
29

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

32
33 **3. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting an**
34 **Amended Budget for the 2015-2016 Fiscal Year, Staff Presenter, Stephanie Thayer.**
35 **(RDA Public Hearing Held in Conjunction with the Budget Hearing).**
36

37 The public hearing took place previously during the Regular Business Meeting.
38

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**BLUFFDALE CITY COUNCIL, LOCAL BUILDING AUTHORITY OF THE CITY OF
BLUFFDALE BOARD, AND REDEVELOPMENT AGENCY BOARD
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1 **Mayor Derk Timothy moved to adopt a resolution adopting the amended budget for the**
2 **2015-2016 fiscal year. Justin Westwood seconded the motion. Vote on motion: Mayor**
3 **Derk Timothy-Aye, Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James**
4 **Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

5
6 **4. Adjournment.**

7
8 The RDA Meeting was adjourned.

9
10 **CONTINUATION OF BUSINESS MEETING**

11
12 Mayor Timothy resumed the Chair.

13
14 **9. Mayor's Report.**

15
16 Mayor Timothy reported that there has been discussion about the curve and selling the property
17 to the adjoining owner. The intent is to get as good a price as possible for the property by
18 removing the dirt. After the City has used all of the dirt they need to, they will dispose of it. The
19 money received from the sale of the property will go back to the Public Utility Committee who
20 paid for the property. He noted that not all of the property will be sold that was purchased with
21 Corridor Preservation Funds because some has to be reserved for a turn lane. He was in the
22 process of going through the Public Utilities Committee and getting approval of the sale.

23
24 The Mayor reported on legislative issues affecting cities such as HB 318. He reported that Dan
25 McCay tried to get the Mayor to serve on the Advisory Committee, however, it was believed that
26 Bluffdale would not benefit from serving on the committee. Mayor Timothy stated that all of the
27 cities around Bluffdale are in favor of the legislation. He was worried about the possibility or
28 probability that will come from it. How it is written makes it harmless to Bluffdale and in fact,
29 there could be some benefit. He was concerned that if there is a benefit, there is likely something
30 tied to it.

31

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1 **10. City Manager's Report and Discussion.**

2
3 Mr. Reid reported that there are two pieces of legislation affecting all cities. One involves a
4 body camera bill. He noted that Bluffdale officers already have body cameras. The legislation
5 will affect Bluffdale by making sure that they get their policies and procedures in order.

6
7 Another piece of legislation that will affect the entire state that could affect Bluffdale is the
8 Internet Sales Tax. Mayor Timothy reported that the bill died. Mr. Reid stated that when
9 something is purchased over the internet from Amazon, a person does not have to pay sales tax.
10 However, when taxes are prepared at the end of the year there is a line item where the amount of
11 sales taxes that should have been paid should be reported. Mr. Kartchner reported that it is a use
12 tax. When it was first included on the form, there were several hundreds of thousands of dollars
13 collected that had not been claimed previously. He noted that Amazon sales have increased.
14 Mr. Reid stated that the estimated compliance level is 1.6%.

15
16 Mr. Reid reported on the Knight of Heroes Event scheduled for Friday, March 18 at 6:30 p.m.
17 Each Council Member and a guest were registered. Mayor Timothy hoped to have the tables
18 filled to fully represent Bluffdale City.

19
20 Mr. Reid informed the Council that Friday, March 11 is the groundbreaking at 12:00 p.m.
21 Mayor Timothy will be addressing the group. Natalie Hall volunteered to act as the
22 photographer. As an experienced drone pilot, Kevin Thompson agreed to serve as the aerial
23 photographer. Food would be served. Mr. Reid expected the major event to be the ribbon
24 cutting, which will be next February.

25
26 **PLANNING SESSION**

27
28 James Wingate reported on his first Mosquito Abatement District Meeting. He commented on
29 the Zika Virus and stated that the district is trying to field all questions and inquiries to the
30 Health Department. While the virus can be transmitted by mosquitoes, the type that carry it are
31 not native to Utah. The biggest risk is having the virus transferred from people who have come

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1 from areas where it is prevalent. Details were to be posted on the State Health Department
2 website. Council Member Wingate reported that the mosquito species that carry the virus prefer
3 hot damp climates; however, in 2012 a few mosquitoes of this species were trapped in
4 St. George. In 2004, one was trapped in Utah County. The main reason these particular
5 mosquitoes are so difficult to eradicate is because their larvae can survive in small amounts of
6 stagnant water.

7
8 Justin Westwood reported that he was contacted multiple times by citizens about the ball fields
9 in Parry Farms and the sign up process being ineffective. Earlier in the evening there were three
10 teams trying to get on the same field and all claimed they had permission to be there. The desire
11 was for Bluffdale residents to have priority over other cities.

12
13 Council Member Westwood reported that he recently attended the Association of Municipal
14 Governments Meeting and met with UDOT. He found it interesting to see what they are
15 proposing for Porter Rockwell Boulevard. He commented that there are a lot of unknowns in
16 terms of what is going to happen after the prison relocates. The next meeting is scheduled for
17 May 10. As he could not be in attendance at the meeting Alan Jackson agreed to attend in his
18 absence.

19
20 Mayor Timothy reported that he will be hosting the Conference of Mayors Meeting on March 24
21 where Bluffdale City will be providing lunch. Seventeen mayors were expected to attend with
22 approximately 35 box lunches needed. He considered it to be a good opportunity for Bluffdale.
23 He noted that additional budget funds will be used to pay for the cost of hosting the meeting.

24
25 **11. Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character,**
26 **Professional Competence, or Health of an Individual, Collective Bargaining,**
27 **Pending or Imminent Litigation, Strategies to Discuss Real Property Acquisition,**
28 **Including Any Form of a Water Right or Water Shares, Security Issues, or any**
29 **Alleged Criminal Misconduct.**
30

31 Justin Westwood moved to go into Closed Meeting pursuant to Utah Code §52-4-205(1) to
32 discuss property acquisition. James Wingate seconded the motion. Vote on motion: Alan

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**BLUFFDALE CITY COUNCIL, LOCAL BUILDING AUTHORITY OF THE CITY OF
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1 **Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-**
2 **Aye. The motion passed unanimously.**

3
4 The City Council was in closed session from 8:56 p.m. to 9:54 p.m.

5
6 **12. Adjournment.**

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

11
12 The City Council Meeting adjourned at 9:54 p.m.

13
14
15
16
17 _____
18 Wendy L. Deppe, CMC
19 City Recorder:

20 Approved: _____

DRAFT - FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, March 9, 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 Michael Fazio, City Engineer
12 Bruce Kartchner, City Treasurer
13 Wendy Deppe, City Recorder
14

15 At approximately 8:56 p.m. Mayor Derk Timothy called the meeting to order.
16

17 **Motion:** Justin Westwood moved to go into Closed Meeting pursuant to Utah Code §52-4-205(1)
18 to discuss property acquisition.
19

20 **Second:** James Wingate seconded the motion.
21

22 **Vote on Motion:** Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-
23 Aye, Boyd Preece-Aye. The motion passed unanimously.
24

25 Property acquisition issues were discussed.
26

27 The City Council returned to the City Council chambers to resume the open portion of the meeting
28 at 9:54 p.m.
29
30
31
32

33 _____
34 Wendy L. Deppe, CMC
35 City Recorder
36

36 Approved: _____



**BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, March 23, 2016**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, March 23, 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 February 10, 2016, February 17, 2016 and February 24, 2016 meeting minutes.
 - 3.2 Approve a resolution amending the Interlocal Cooperation Agreement for Public Works Services for a five year extension.
4. Presentation and update of the Consumer Price Index for the West Region, presenter Beth Holbrook, Waste Management of Utah, Inc.
5. **PUBLIC HEARING** – Consideration and vote on amending the General Plan from Civic Institutional to Low Density Residential and amending official zoning map from R-1-43 to R-1-10 for 9.53-acres of property, located at approximately 1654 West 14600 South, Ken Olson, applicant, staff presenter, Paul Douglass.
6. Consideration and vote on a Preliminary and Final Subdivision Plat Applications for Iron Horse Plat B for 32 lots and Plat C for 33 lots for 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.
7. Consideration and vote on an ordinance prohibiting open burning without a permit, staff presenter, Vaughn Pickell.

LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING

1. Roll Call
2. **PUBLIC HEARING** – Consideration and vote on a resolution of the Board of Trustees of the Local Building Authority of the City of Bluffdale, Utah, authorizing the Addendum to the Standard Agreement and General Conditions between Owner (Local Building Authority) and Construction Manager (Hughes General Contractors, Inc.) for the Bluffdale City Hall Project, staff presenter, Vaughn Pickell.
3. Adjournment

CONTINUATION OF BUSINESS MEETING

8. Mayor's Report
9. 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.

10. Discussion regarding regulations on corral proximity in relation to residential structures, presenter, Otis Grant.
11. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
12. Adjournment

Dated this 18th day of March, 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.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, March 23, 2016**

- 1 **Present:** Mayor Derk Timothy
2 Ty Nielsen
3 Justin Westwood
4 James Wingate
5 Boyd Preece
6
7 **Staff:** Mark Reid, City Manager
8 Vaughn Pickell, City Attorney
9 Grant Crowell, City Planner/Economic Development Director
10 Michael Fazio, City Engineer
11 Blain Dietrich, Public Works Operations Manager
12 Jennifer Robison, Senior City Planner
13 Paul Douglass, Associate City Planner
14 Anika Estioko, Code Enforcement Officer
15 Wendy Deppe, City Recorder
16
17 **Others:** Beth Holbrook
18 Ken Olson
19 Otis Grant
20
21 **Excused:** Alan Jackson
22

23 **BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**

24
25 Mayor Derk Timothy called the meeting to order at 6:30 p.m.

26
27 **1. Roll Call, Invocation, and Pledge.**

28
29 All Members of the City Council were present with the exception of Alan Jackson who was
30 excused.

31
32 Bryant Silvey, who resides at 15595 South Wood Hollow Cove, offered the invocation.

33
34 The Scouts present were working on their Citizenship in the Community Merit Badges and were
35 identified as Colby Fox, Caydren Shook, Preston Rollins, Bryant Silvey, Brady Utley, Kaden
36 Larsen, Garric Jenkins, Rett Sharp. Webelos working on their Build a Better World Merit
37 Badges were identified as Adam Roller, Logan Tomis, Parker Wilcox, and Jason Garn.

38
39 Caydren Shook led the Pledge of Allegiance.
40

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**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, March 23, 2016**

1 **2. PUBLIC FORUM.**

2
3 Breagan Webb gave his address as 2243 West Apple Crest Lane. He was present to express his
4 shared desire to maintain the current regulations on trail proximities in relation to residential
5 structures. He read the following written statement pertaining to agenda item number 10:

6
7 “I and a significant group of individuals love Bluffdale and call it home because
8 of the small town feel, which is advantageous to raising children. Living here
9 affords us the opportunity to expose our children to the responsibilities of loving
10 and raising horses, chickens, and other animals as well as growing vegetable
11 gardens. We especially love the overwhelming culture of kindness and courtesy
12 we have in our interactions as friends and neighbors in Bluffdale and feel that the
13 City ordinances are designed to reflect and maintain that culture. With that
14 understanding, it is our opinion that Bluffdale’s existing ordinance described in
15 11-7-7 and 11-7-10 where in animals and poultry setback zones are specified as
16 being no less than 75 feet from any dwelling unit thus giving citizens a clear
17 directive as to how far from a neighbor’s home is a courteous distance to house
18 animals and poultry. We feel that a larger distance would be unreasonable for
19 those who share in the joy of raising animals and poultry. On the other hand, a
20 shorter distance would place the sounds and smells of animals and poultry
21 discourteously close to neighbors’ homes. So, as you are here to discuss the
22 agenda item 10 tonight, please note that there is a significant group of individuals
23 who believe our elected City officials were accurate in the original development
24 and design of this ordinance and we would like to see their decision to maintain a
25 courteous distance between animals and residential structures upheld.”

26
27 Mayor Timothy stated that the matter will be discussed in length with agenda item number 10
28 and stated that those who do not stay will not know the outcome of the discussion.

29
30 There were no other citizens wishing to address the Council.

31
32 **3. CONSENT AGENDA**

33
34 **3.1 Approval of the February 10, 2016, February 17, 2016, and February 24,**
35 **2016 Meeting Minutes.**

36
37 **3.2 Approve a Resolution Amending the Interlocal Cooperation Agreement for**
38 **Public Works Services for a Five-Year Extension.**

39
40 **James Wingate** moved to approve the consent agenda. **Ty Nielsen** seconded the motion.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, March 23, 2016**

1 **Vote on motion: Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-**
2 **Aye. The motion passed unanimously.**

3
4 **4. Presentation and Update of the Computer Price Index for the West Region,**
5 **Presenter Beth Holbrook, Waste Management of Utah, Inc.**
6

7 Beth Holbrook, identified herself as the Public Sector Representative from Waste Management
8 of Utah, Inc., and made a Power Point presentation that consisted of a summary of last year and
9 the City's recycling program. It was noted that the City received information on a Consumer
10 Price Index (CPI) increase of 1.8%. Ms. Holbrook reported on last year's recycling totals and
11 how they impacted Bluffdale City. She congratulated the City and stated that theirs was one of
12 the biggest increases percentage wise in terms of recycling. The majority of recycled materials
13 included mixed paper consisting of newspaper and cardboard. Aluminum accounted for 1% of
14 the materials recycled. Plastics represented 8%. The three types of waste were identified as
15 recycling, green waste, and trash. The average volume per household per month was reported as
16 42 pounds. The advantages of recycling included conserving electricity and saving mature trees.
17 Ms. Holbrook stated that currently they are working to get website content and social media for
18 the City to disseminate. She indicated that her goal is to assist the City and ensure that they are
19 able to develop and continue the partnership that they have.

20
21 Mayor Timothy understood that the green cans supplement the blue cans but asked if it was
22 better to have recycling collected every other week or provide a second blue can at a reduced
23 cost. Ms. Holbrook stated that it would be more practical and cost effective to encourage an
24 additional can.

25
26 The Mayor asked how many CMG trucks are running in Bluffdale as opposed to diesel.
27 Ms. Holbrook did not have that number available but agreed to find that information. She
28 commented that in general they are only purchasing CMG unless there are extreme hills where
29 they feel diesel would be more effective in terms of getting up and down hills, especially on
30 snowy days. Currently 50% of their fleet as a whole in the State of Utah is CMG. She also

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1 agreed to provide a calendar showing the days recycling was collected and make that information
2 available on the website.

3
4 Ty Nielsen indicated that he is an Urban Forester and of the 5,179 mature trees that were saved
5 in one year, oxygen was provided for 20,716 people. He reported that one mature tree will
6 provide enough oxygen for four people per year.

7
8 James Wingate asked for clarification on whether glass is recyclable. Ms. Holbrook explained
9 that in Utah glass collection constitutes 4% of the waste stream currently. As a result, they do
10 not include collection. Because of the process in place they are not able to collect it for
11 recycling. For cities who want to provide glass collection, they provide a separate container.

12
13 With regard to green waste, a request was made to begin it at least mid-March rather than wait
14 until April. Ms. Holbrook stated that it is weather based and they have found it to be not as
15 effective to begin in March given the challenges of weather.

16
17 With regard to plastic recycling, Ms. Holbrook stated that ideally a consumer will clean it,
18 remove the labels and then recycle it. From a practical perspective that may not be the most cost
19 effective. Once the plastic is separated out it is treated and the paper label is removed.

20
21 **5. PUBLIC HEARING – Consideration and Vote on Amending the General Plan from**
22 **Civic Institutional to Low Density Residential and Amending Official Zoning Map**
23 **from R-1-43 to R-1-10 for 9.53 Acres of Property, Located at Approximately 1654**
24 **West 14600 South, Ken Olson, Applicant, Staff Presenter, Paul Douglass.**

25
26 Associate City Planner, Paul Douglass, presented the staff report and stated that tonight the
27 Preserve at Spring View Farms will be discussed as well as the General Plan and zone change. It
28 was reported that the request was presented to the Planning Commission the previous week at
29 which time they discussed the possible acreage. The subdivision will consist of 10.57 acres
30 located at 1654 West 14600 South. The applicant would like to facilitate development in the
31 area by changing the zoning from R-1-43 to R-1-10. The Planning Commission unanimously
32 recommended approval. The location was identified on a map displayed. The zoning of the

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1 surrounding properties was reviewed. The proposed subdivision is to be accessed off of Loomis
2 Parkway.

3
4 The applicant, Ken Olson, gave his address as 10299 Spring Crest Lane in South Jordan and
5 stated that he purchased the property under contract about one year ago. The west side of the
6 property is zoned R-1-10, which is the zoning he is requesting. The access road was identified
7 and will essentially combine the new subdivision with an existing neighborhood. Mr. Olson
8 stated that all of the lots are proposed at 105 feet wide. The lots in the neighboring subdivision
9 are 85 feet wide. The wider lots will accommodate a larger home or wider rambler. He stated
10 that the request meets the General Plan requirements and will be compatible with the
11 neighborhood residents will drive through for access as well. Mr. Olson was proposing an
12 upscale neighborhood with contemporary mountain architecture that will be comparable to
13 homes in Deer Valley. The allowed types of fencing were discussed. Lots 1 through 6 will have
14 a minimum square footage on the main level of 2,400 square feet and a three-car garage. Roads
15 that stub will have a gate. In response to a question raised by James Wingate, Mr. Olson
16 clarified that the road going down to 14600 South will be for emergencies only. He noted that as
17 part of the plan the existing home will be torn down.

18
19 Mayor Timothy opened the public hearing.

20
21 An email from Dan Dialogue in opposition to the rezone was submitted and made part of the
22 record. He was unable to be present but stated that the proposed entrance is across the street
23 from his home. He was concerned that the entrance is proposed in a location where traffic is
24 very heavy during the morning and afternoon commutes. He believed that the additional
25 residences will only exacerbate the problem. He also was concerned that vehicles typically
26 travel well above the speed limit, which will likely result in accidents. Last, he stated that
27 cyclists frequently travel 14600 South and rarely obey the rules of the road, which presents
28 safety concerns.

29
30 Debra Bills gave her address as 14471 South 1690 West and was concerned that Mr. Olson is
31 stealing her land because it is sloughing off. She stressed that Mr. Olson does not own property

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1 up to the top of the hill and stated that she will pursue a legal remedy if necessary. She stated
2 that the land was taken to the bottom portion shown in green because it flooded every time he
3 irrigated. They informed the City but nothing was done. Ms. Bills was waiting for someone to
4 do something and thought the district would shore the land up but they have not. They will now
5 have to terrace it or have a wall because she is slowly losing her property. She did not think the
6 situation was fair.

7
8 Brent Christensen gave his address as 1332 Blue Quill Drive and stated that currently he lives in
9 Spring View Farms. He expressed his support for the request because the CRO Zone freed up
10 about 90 acres for the neighbors to use as parks, trails, and ponds. The proposal will help bring
11 those trails together.

12
13 Amanda Alger gave her address as 14628 South 1630 West and expressed opposition to the
14 proposal due to an already existing problems with the roads. She stated that there is a lot of
15 congestion and getting out at the light at 14400 South is very difficult. It is nearly impossible to
16 get to I-15.

17
18 Hillary Spahr gave her address as 14381 South 1690 West and addressed the traffic issues the
19 proposed zoning will create. She had expressed her concerns to the Council on several
20 occasions. As a horse owner she realized the subdivision will not be zoned for horses. She
21 asked if that will affect her. Frequently people build large houses in a rural area and then
22 complain about the smell and flies. She hoped the new residents would understand that they
23 were there first.

24
25 Lyle Wilde gave his address as 14459 South 1690 West and stated that there has been a long
26 standing dispute over the property line on the west side of the development and the east side of
27 his property. He hoped the issue could be worked through and determine where the conflict
28 comes from. Surveys were conducted from the east and west and they all seem to conflict based
29 on the fact that Mr. Matthews did a lot of odd things to the property line. He recommended
30 approval be delayed for a short period of time while the differences are worked through.

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1
2 Bryan Spahr gave his address as 14381 South 1690 West and asked what kind of fencing will be
3 allowed. Mayor Timothy stated that the fencing will be based on what the zoning allows, which
4 is up to an eight-foot wall. Mr. Spahr stated that an eight-foot wall will destroy what they
5 purchased the property for. Mayor Timothy stated that an eight-foot wall could be built whether
6 the zoning is changed or not.

7
8 Grant Snow gave his address as 14212 Stone Fly Drive and was generally in favor of the
9 proposal due to the architecture. The Mayor stated that the decision tonight deals with the
10 zoning and not architecture and what will be allowed to be built.

11
12 Debra Bills gave her address as 14413 South 1690 West and stated that she has lived in Bluffdale
13 for 35 years and has a history here. She stated that all that the new residents, including the
14 Mayor, want to do is tear the City up in to small lots and put houses everywhere. Lot sizes used
15 to be larger and have gotten smaller and smaller. She felt they had lost their perspective.

16
17 Mr. Olson reported that the zone change is needed to install sewer. Any concerns had already
18 been addressed with the R-1-10 zoning and noted that the lots he is proposing are larger than
19 required. He addressed the issue of horses and stated that what is proposed is compatible. With
20 regard to the survey, Mr. Olson stated that he has a warranty deed from the school district who
21 gave him title insurance. He had seen four surveys, three from the school district and one he had
22 done and all are the same and do not conflict.

23
24 There were no further public comments. Mayor Timothy closed the public hearing.

25
26 The Council addressed the gated road. Ty Nielsen's preference was for it to be a road or access
27 rather than a gated road. He stated that times have changed and Bluffdale is growing. Boyd
28 Preece's opinion was that the zoning is a compatible use. James Wingate felt it matched the
29 Wood Duck Hollow as well and thought residents should be able to address their traffic concerns
30 with the Mayor and staff. Mayor Timothy stated that 1690 West going west will be a UDOT

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1 road and trying to do a jurisdictional transfer and PRB would help alleviate traffic off of 14600
2 South with the trestle being the major obstacle.
3
4 Justin Westwood's primary issue was the intersection at 14600 South and 1690 West. He
5 understood that it had been an issue for awhile. He was somewhat satisfied with the second
6 entrance but did not want it to be a dirt road because it will be used to avoid the intersection. If
7 that happens he would be completely opposed to the request. In terms of zoning, he would like a
8 determination to be made on the property line issue. As presented, he had no objection,
9 however, if the lot line moves to the east it could change what could take place here. He
10 proposed that the matter be tabled until the lot line can be determined. The potential discrepancy
11 was thought to be up to 40 feet.

12
13 Ms. Bills stated that it goes over the hill. The previous owner cemented a post in and another
14 property owner dug it out. Legal issues were discussed. City Attorney, Vaughn Pickell, stated
15 that a lot line dispute would be a civil matter between the property owners. Per City ordinance,
16 all that is required is a deed and title report for a subdivision.

17
18 Mr. Olson stated that if there is a dispute and the neighboring owner owns 40 feet in the
19 specified location, it would eliminate several lots because they would not be large enough. The
20 result would be to push the road over and create larger lots on one side of the road. Possible
21 alternatives were discussed.

22
23 Mayor Timothy was concerned that the proposal had gone from 10 lots to 30 lots and allowing
24 stub roads creates no ingress or egress. He was not in favor of exceeding the 30-lot rule with a
25 gated access and felt that now was the time to take a stand.

26
27 Mr. Olson commented that he felt the zoning should be compatible with the neighbors. He
28 clarified that what is proposed is in compliance with the 30-lot rule and the R-1-10 zone. He
29 understood that there can be a maximum of 30 lots with a single access. Once a secondary
30 access is provided additional lots can be developed.

31

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1 Ms. Bills identified the location of a natural spring and stated that in 1983, it was underwater.
2 She was concerned about developing on a dry lake bed where there is a potential for flooding.

3
4 **Ty Nielsen moved to deny the proposed rezone. Justin Westwood seconded the motion.**

5
6 Boyd Preece had heard many valid concerns but not a good reason to not allow the property to be
7 rezoned to R-1-10. He was concerned that if Mr. Olson stops at 30 lots, at some point in the
8 future the property to the south may become available and the owner may want to develop it.
9 His primary concern was with the road going through to 14600 South. Justin Westwood did not
10 want to pave the way for additional development to occur beyond the 30 lots. He noted that he
11 was the only Member of the City Council that voted against the rezone when it was previously
12 brought before the City Council.

13
14 Possible alternatives were discussed. City Planner/Economic Development Director, Grant
15 Crowell, reported that the subdivision ordinance states that the new street should not be offset
16 less than 150 feet. He noted that it is not tied to volume. Mayor Timothy's concern was that if
17 the zoning allows for R-1-10 and the capacity of the homes in the area is more than 30, the next
18 argument in the future will be that the City Council approved R-1-10 zoning knowing that there
19 was more property than what would be allowed with the 30-unit limit. The argument could be
20 made that a temporary access should be allowed to get their full right to the zone.

21
22 Mr. Crowell stated that there are scenarios where the currently adopted subdivision ordinance
23 would allow more than 30 lots on a dead end if the temporary access meets certain criteria.

24
25 **Vote on motion: Justin Westwood-Aye, James Wingate-Nay, Boyd Preece-Nay, Ty Nielsen-**
26 **Aye, Mayor Derk Timothy-Aye. The motion passed 3-to-2. Mayor Timothy voted to break**
27 **a tie.**

28

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1 **6. Consideration and Vote on a Preliminary and Final Subdivision Plat Application for**
2 **Iron Horse Plat B for 32 Lots and Plat C for 33 Lots for Townhomes Including**
3 **Common Areas and Associated Streets, Located at Approximately 15200 South**
4 **Heritage Crest Way, within the Independence Master Planned Community, Edge**
5 **Homes, Applicant, Staff Presenter, Jennifer Robison.**
6

7 Senior City Planner, Jennifer Robison, presented the staff report and stated that the project is part
8 of the Independence at the Point development. The first phase was approved in January. This is
9 the second of three phases needed to complete the subdivision. The location of the property was
10 identified on a site map displayed. The request was to approve Plats B and C, which were
11 presented. Mrs. Robison commented that this portion of Noell Nelson Drive needs to be
12 constructed and DAI is responsible to complete it all the way to Porter Rockwell Boulevard. In
13 order for Edge Homes to be able to continue their development, they acquired an easement from
14 DAI to provide an access. They provided a temporary secondary access to allow the
15 development to continue until the final design is presented. The hope was that it will come
16 together at the same time. If it does not, they provided an easement to provide access into the
17 property.

18
19 With regard to the road, Mayor Timothy struggled with temporary items that are allowed. He
20 felt that as a master developer, when DAI sells property for development, they are committing to
21 the half width plus 10 feet. James Wingate asked if the issuance of the Certificate of Occupancy
22 could be limited until the road is completed. Mr. Pickell explained that they bond for a public
23 improvement but because they are off site they are not part of the plat's improvement package.
24 He questioned whether it was something the City could require. The Mayor did not think DAI
25 was stepping up and being the master developer in this case. He did not think it should be the
26 builder's responsibility to construct a temporary road in order to meet a requirement that the
27 master developer represented. He did not want to penalize the builder in this situation.

28
29 The Mayor commented that when Porter Rockwell Boulevard is built, this extension won't be
30 constructed right away because the apartments across the street won't be constructed for a period
31 of time. He asked where the master developer would then get the incentive to connect the roads.
32 Mr. Pickell explained that the City had no control over the sale of this property to the builder and

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1 it was not part of the subdivision. It, however, meets all of the requirements. The Mayor felt for
2 the builder who purchased the property in good faith. In the future when approvals are granted
3 for a master developer he recommended there be stipulations in writing.

4
5 **Justin Westwood moved to approve a preliminary and final subdivision plat for Iron Horse**
6 **Plat B for 32 lots and Plat C for 33 lots for townhomes including common areas and**
7 **associated streets, located at approximately 15200 South Heritage Crest Way within the**
8 **Independence Master Planned Community. Approval was subject to the following:**

9
10 **Conditions:**

- 11
12 **1. That all requirements of the City Code and adopted ordinances are met and**
13 **adhered to for each proposed plat.**
- 14
15 **2. That all plats comply with the Bluffdale City Engineering Standards and**
16 **Specifications and recommendations by the City Engineer and Public Works**
17 **Department for all relevant construction and plat drawings prior to the plat**
18 **recording.**
- 19
20 **3. That the project adheres to all requirements of the International Fire Code.**
- 21
22 **4. That the plat specific CC&R's are recorded with the final plats at the County**
23 **Recorder's office for Iron Horse Plat B and Plat C.**
- 24
25 **5. That all building permit submittals for townhomes have written or stamped**
26 **approval from the Independence Development Review Committee (IDRC),**
27 **pursuant to the requirements of the DA prior to being submitted to the City.**
- 28
29 **6. That all public park strips, landscaping, irrigation and maintenance adjacent to the**
30 **project is the responsibility of the HOA. Street trees are required to be installed in**
31 **the park strip adjacent to Heritage Crest Way in accordance with the approved**
32 **Independence Project Street Tree Plan. Park strips and street trees along Noell**

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1 Nelson will be installed with the road project, but will be the responsibility of the
2 HOA to maintain for the Iron Horse overall project.

3
4 7. That any construction activities or land disturbance adjacent to Porter Rockwell
5 Boulevard be coordinated and approved by the City Engineer prior to commencing
6 any construction activities.

7
8 8. That a copy of the easement obtained by Edge Homes and provided to the City to
9 access Noell Nelson Drive for a temporary secondary access until dedication and
10 construction of Noell Nelson is completed will be included with the mylar at the time
11 of recordation of Final Plat B and C.

12
13 James Wingate seconded the motion. Vote on motion: James Wingate-Aye, Boyd Preece-
14 Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously.

15
16 Mayor Timothy asked staff to identify the options available to the City Council to strengthen
17 their abilities for future opportunities.

18
19 7. **Consideration and Vote on an Ordinance Prohibiting Open Burning without a**
20 **Permit, Staff Presenter, Vaughn Pickell.**

21
22 Mr. Pickell reported that the request is from the Fire Chief to adopt an ordinance that requires a
23 permit to be obtained before open burning is allowed. State Air Quality regulations from the
24 Division of Air Quality direct people to obtain permits from their local fire authority. Currently
25 the City does not have an avenue for that process to occur. Several items are exempted from the
26 permit requirement such as outdoor grills and fireplaces, recreational campfires (provided the
27 materials are cleaned immediately of charcoal), indoor fireplaces, solid burning fuel devices, and
28 the burning of weeds along ditch banks and fence lines.

29
30 Mr. Pickell stated that there is also a limitation on the type of material that can be burned with a
31 permit. Air quality has to be good or to the green level on the Air Quality Index. The clearing

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1 index has to be 500 or greater. Trash, rubbish, tires, or oil can be burned and a permit cannot be
2 obtained to burn those items. No cost is associated with the application process.

3
4 The Mayor recommended the City's website be put to good use and allow for as many functions
5 as possible to be performed on line. He asked that the fence line language be removed from the
6 ordinance. A majority of the Council agreed. A key component was thought to be diffusing 911
7 calls so that when the neighbors report seeing smoke, the department is aware of the situation.

8
9 **Ty Nielsen moved to approve an ordinance prohibiting open burning without a permit, as**
10 **written, with an exception on removing language pertaining to fence lines. James Wingate**
11 **seconded the motion. Vote on motion: James Wingate-Aye, Boyd Preece-Aye, Ty Nielsen-**
12 **Aye, Justin Westwood-Aye. The motion passed unanimously.**

13
14 Mr. Pickell stated that non-compliance is a Class B Misdemeanor. Ways to educate the public
15 were discussed such as including information in the newsletter.

16
17 **LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING**

18
19 **1. Roll Call.**

20
21 All Trustees of the Local Building Authority were present with the exception of Alan Jackson
22 who was excused.

23
24 **2. PUBLIC HEARING – Consideration and Vote on a Resolution of the Board of**
25 **Trustees of the Local Building Authority of the City of Bluffdale, Utah, Authorizing**
26 **the Addendum to the Standard Agreement and General Conditions between Owner**
27 **(Local Building Authority) and Construction Manager (Hughes General**
28 **Contractors, Inc.) for the Bluffdale City Hall Project, Staff Presenter, Vaughn**
29 **Pickell.**

30
31 Mr. Pickell reported that Hughes General Contractors were selected as the contractor for City
32 Hall. In a separate resolution they entered into a contract that specifies that at the end of the
33 construction documents phase they will bid out the project and then enter into an addendum for a
34 guaranteed maximum price. They completed the bidding and value engineering and were able to

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1 reduce some of the costs. The total guaranteed maximum price was set at \$6,670,435. The costs
2 were itemized in the exhibit to the agreement.

3
4 Mayor Timothy commented that the value engineering portion included a list of items to be
5 evaluated. Some included upgrades for items that are already outdated. Other items were to be
6 kept such as heated entryways to City Hall. The Mayor considered the price to be as low as it
7 can be while still being able to construct a building that is useful.

8
9 Mayor Timothy opened the public hearing. There were no public comments. The public hearing
10 was closed.

11
12 Appreciation was expressed to staff, the Mayor, and all who have worked on the project and
13 ultimately have a building that will serve the City's current and future needs without being
14 extravagant.

15
16 **Justin Westwood moved to pass a resolution of the Board of Trustees of the Local Building**
17 **Authority of the City of Bluffdale, Utah, authorizing the Addendum to the Standard**
18 **Agreement and General Conditions between Owner (Local Building Authority) and**
19 **Construction Manager (Hughes General Contractors, Inc.) for the Bluffdale City Hall**
20 **Project. Ty Nielsen seconded the motion. Vote on motion: James Wingate-Aye, Boyd**
21 **Preece-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously.**

22
23 **3. Adjournment.**

24
25 The LBA portion of the meeting was adjourned.

26
27 **CONTINUATION OF BUSINESS MEETING**

28
29 **8. Mayor's Report.**

30
31 Mayor Timothy reported that at the most recent Regional Growth Council (RGC) Meeting they
32 looked at long-term transportation planning. There was discussion about adding to the RTP the
33 piece of road that runs from the charter school on 14000 South to connect to 3600 West, which is

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1 along the regional park. There are also active maps on the Wasatch Front Regional Council's
2 website for the small area meetings that are coming up. Bluffdale's small area meeting is
3 scheduled for April 25 from 3:00 p.m. to 5:00 p.m. at Riverton City Hall. This is an opportunity
4 to look at the Wasatch Front Regional Council's plan and address it at various into shorter
5 meetings. As neighborhoods they can meet and talk with those in authority about the plan so that
6 they know what the residents want.

7
8 Mayor Timothy reported on the Knight of Heroes event and was grateful to those in attendance.
9 He reported that Bluffdale had four full tables represented and the presentation was very well
10 done. He expressed appreciation to the Police and Fire personnel for all they do.

11
12 The Mayor reported that the play took place last weekend and was a success. The experience
13 highlighted the need for the City to have a place to hold plays so residents aren't forced to drive
14 to other cities.

15
16 Mayor Timothy reported that a meeting was held with UDOT to discuss Porter Rockwell
17 Boulevard and a jurisdictional transfer between Porter Rockwell Boulevard and 14600 South.
18 Details were not discussed since it is necessary to wait for the \$1.5 million for corridor
19 preservation for Segment 4, which is ongoing. Segment 5 was also discussed at the same
20 meeting. The Mayor explained that UDOT is exchanging funds with the City and will be
21 advancing \$5.5 million to the City who will be building Segment 5. They have to follow federal
22 rules because it is federal money. They will then be reimbursed by the City when money is
23 received from the Wasatch Front Regional Council in 2019. The Mayor stated that there is a 6%
24 match, or \$300,000, which was of concern to him. UDOT, however, agreed to provide the
25 match.

26
27 The Mayor reported that he would be hosting the Conference of Mayors Meeting in Bluffdale the
28 following day. He considered it a good opportunity and stated that his focus will be the history
29 of Bluffdale and zoning and planning. He also wants to discuss the City's long-term planning,
30 which is kept updated.

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1
2 **9. City Manager's Report and Discussion.**
3

4 City Manager, Mark Reid, was excited to see the negotiations with UDOT and how well they
5 went. He thought the Mayor had done a wonderful job of getting the most for the City.

6
7 With regard to the Knight of Heroes, Mr. Reid spoke to the Police and Fire personnel and they
8 appreciated the support and attendance at the event.

9
10 Mr. Reid reported that Corridor Preservation funds were received and they purchased all of
11 Segment 3. They now own Segments 1, 2, and 3 for Porter Rockwell Boulevard. He stated that
12 beyond that they own the corridor all the way through Independence and will probably only be
13 able to build to Noell Nelson Drive but will stretch it as far as possible.

14
15 Mr. Reid indicated that Saturday, March 26 will be the Lions Club Easter Egg Hunt at 10:00 a.m.

16
17 Mr. Reid stated that the City's website is under construction and Friday, March 25, is the
18 deadline to submit materials.

19
20 A bid was received for Vintage Park in the amount of \$8,600 for the Conceptual Master Plan.

21 Mayor Timothy asked if there was a use in the City for the dirt that was excavated. Staff agreed
22 to look into the matter.

23
24 Mr. Reid reported that a bid was received for the Rodeo Grounds in the amount of \$570,000.

25 Staff and members of the Rodeo Committee met and modified the scope of work and it is again
26 back out to bid. The intent was to complete the retaining wall before June 1.

27
28 The Miss Bluffdale Pageant was scheduled for Saturday, March 26, at 7:00 p.m. at the Riverton
29 City Little Theatre behind their City Council Room on the second floor of Riverton City Hall.

30
31 Mr. Reid stated it has been requested that staff look at the SD Zone. Mr. Crowell had been
32 working on it and is close to completing a draft. Mr. Reid asked if the desire of the Council was
33 to have a base density due to where it is located. There was some question about what could go

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1 into the zone that would provide flexibility. Mr. Crowell explained that the proposal they have is
2 from the applicants and staff responded to the request. The draft is three to four pages long and
3 it is a flexible zone. The differences between the SD zone and the Development Agreement
4 were discussed. He noted that development agreements are intended to serve as a supplement to
5 the underlying zoning. Mr. Pickell commented that the law or zoning cannot be changed by
6 contract.

7
8 Mayor Timothy's concern with that type of zoning in that it would be a permanent negotiation
9 because there is no starting point and no limit. He thought some parameters should be set. He
10 recommended that staff be involved with the proposed SD zoning open space requirement.

11
12 **PLANNING SESSION**

13
14 Boyd Preece referenced 1690 West 14400 South and was advised to discuss his concerns with
15 City Engineer, Michael Fazio.

16
17 **10. Discussion Regarding Regulations on Corral Proximity in Relation to Residential**
18 **Structures, Presenter, Otis Grant.**

19
20 Otis Grant gave his address as 14380 South Camp Williams Road and stated that he and his wife
21 built a home on 1.1 acres with the intent to use it as horse property. He was later informed that
22 corrals must be 75 feet from a neighbors' house. His home is 67 feet away from his neighbor to
23 the south. He spoke to his neighbors and resolved the issue. About two weeks ago he received a
24 citation informing him that on April 13 he has a court meeting and was charged with a Class B
25 Misdemeanor. Mr. Otis stated that he lives on a corner lot with neighbors to the north and
26 behind him. He asked if the square footage requirement could be reduced. He stated that in his
27 estimation, after meeting the requirement, he has less than one-half acre of usable horse property.
28 The specifics of the site were discussed and possible options were discussed.

29
30 Ty Nielsen asked that staff provide options for consideration. He was concerned that in this
31 situation the neighbor gets to dictate the use of Mr. Otis' property. He thought the requirement
32 was overly restrictive and recommended it be changed to 40 feet. Council Member Nielsen

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, March 23, 2016**

1 recommended staff come up with alternatives to present to the Council with the proposed 40-foot
2 requirement.

3
4 Mr. Grant stated that with the current zoning he can put each of the four horses in a 12' x 12'
5 corral. That being the case, he would have been better off buying a condominium and boarding
6 his horses at the Salt Lake County Equestrian Center. He noted that he could have done that for
7 less money than buying a house in Bluffdale. Mr. Grant stated that although he is the only one
8 protesting tonight, if the rules were enforced there would be hundreds of people with him. He
9 looked at other properties in the City and found that there are some corrals as close to 10 feet
10 from their neighbor. He considered that too close but stated that he can find some that are within
11 20 to 30 feet. He thought that property owners should be able to use their property as it was
12 intended and the requirement should be 30 to 35 feet.

13
14 Mayor Timothy stated that a citation is a citation and non-compliance is non-compliance. Just
15 because someone else hasn't been cited does not mean that another person automatically does
16 not get cited. He stated that when Mr. Grant purchased his property it was his responsibility to
17 know what the rules are. He did, however, think there should be some flexibility in dismissing
18 the citation.

19
20 Mr. Pickell described the citation and the City Council's options. He stated that Mr. Grant has
21 been cited and has an arraignment scheduled where he will enter a plea of guilty, not guilty, or
22 no contest. The City Council could direct Mr. Pickell to dismiss the charges or they can proceed
23 to prosecute. Mayor Timothy stated that regardless, Mr. Grant has to be in compliance even if
24 the citation is dismissed.

25
26 Ty Nielsen stated that when he purchased his property he heard about the setback and measured
27 and found that there is 25 feet from his barn to his house. He considered the requirement to be
28 too restrictive, especially for a community like Bluffdale. He recommended the requirement be
29 reduced to 40 feet. Council Member Nielsen did not see how reducing the requirement by 35
30 feet will damage property values.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, March 23, 2016**

1
2 Public Works Operations Manager, Blain Dietrich, addressed the Council as a homeowner rather
3 than a City employee and stated that he is affected by the opposite scenario. He does not live on
4 a corner lot but his lot borders a corner lot. As a result, their back yard becomes his side yard.
5 The property owner wants to build a corral and barn on his property, which he thought he should
6 have the right to do. His setback, however, is only 10 feet, which means he would lose 65 feet in
7 order to build a home on his own lot and stay away from his neighbor's barn if it goes in first.
8 He felt that it takes away land value and can potentially take away someone's right to build on
9 their property.

10
11 Mayor Timothy felt that if a corral goes in first and the house is built later, the corral dimensions
12 should be restricted. He felt it was the corral impacting the house and not the house impacting
13 the corral and there is probably an option in the ordinance that states that with an existing
14 residence, a corral cannot be within a certain distance. A future residence, however, is only
15 restricted by the setback of the property line. Mr. Dietrich stated that he purchased his property
16 first and does not want a horse that close.

17
18 Hillary Spahr reported that she has had horses her entire life and has lived in various places. She
19 stated that the setback for a corral in any horse community is 10 feet from the property line
20 except for very high end neighborhoods with very expensive homes with pools. In those cases,
21 they ask that you place them 20 feet from the property line to avoid contamination of the pool.
22 Mayor Timothy stated that Salt Lake County and Draper have setbacks similar to Bluffdale's.
23 Very seldom does the City look very far outside their border to compare. He stated that while
24 the requirements were likely less restrictive than in the past, rules are in place to protect adjacent
25 property owners. Ms. Spahr's opinion was that 10 feet from the property line is acceptable and
26 reasonable.

27
28 Mr. Dietrich stressed that he is not opposed to horses and he does not mind if his neighbor's
29 horses come up to the fence and use it as pasture. For him, a barn or corral is a place where
30 horses are fed and watered. Historically, those are places where defecation happens and more

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Wednesday, March 23, 2016**

1 stench is concentrated there. He was in favor of a corral being back 75 feet from a health
2 perspective. He was not in favor of preventing someone from using their property and letting
3 horses wander up to the fence. His opinion was that where horses are fed and watered, other
4 factors should be taken into consideration. Also, when it rains and horses are under cover, they
5 tend to kick and bang, which is noisy. In those instances, additional distance is a benefit as well.

6
7 Mayor Timothy directed the Mr. Pickell to dismiss the citation and give Mr. Grant 45 days for
8 the City Council making a decision to alter the ordinance or move the corral while they come up
9 with an alternative plan.

10
11 Mr. Pickell suggested the matter be tabled or continued. Mr. Reid stated that there are people
12 who have been out of compliance in terms of the number of horses allowed and the City has
13 given them up to six months to come into compliance and find a new place to move the horses.
14 Mr. Pickell did not recommend the Council bind itself to making a change.

15
16 Mr. Pickell agreed to drop the charges if Mr. Grant removes the horses from the corral and takes
17 one end down while the matter is sorted out. Another option was to postpone the matter for six
18 months, which would allow Mr. Grant to keep the horses on his property. Mr. Pickell stated that
19 Mr. Grant should go to the arraignment and plead not guilty. Another option was to dismiss the
20 charges and refile again if needed. Mr. Grant saw no reason to go to the arraignment if the intent
21 is to change the requirements. He noted that there are many other people in Bluffdale who are
22 out of compliance but they have not received even a warning. Mr. Pickell stated that his intent is
23 to respect the process and not bypass the judge. Mr. Grant stated that his goal is to get the Class
24 B Misdemeanor off his record. Mr. Pickell informed Mr. Grant that because he has not been
25 convicted, the misdemeanor is not on his record.

26
27 Mrs. Grant, Otis Grant's mother, stated that having a Class B Misdemeanor on her son's record
28 causes him stress. She did not think it was fair to impose when the Council may change the
29 requirements. She saw no reason for the charge not to be dropped. Mayor Timothy stated that
30 the Council is trying to help. If the City does nothing, the legal process will still take place.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Wednesday, March 23, 2016**

1
2 Options available to Mr. Grant were discussed. The Council felt that simply removing the horses
3 from the property would be enough to show that the corral is not being used as such and bring
4 him into compliance. Mr. Pickell stated that without taking down one panel the property could
5 be sold and the structure could be used as a corral. By partially dismantling it, it no longer can
6 be used for its intended purpose. Mayor Timothy agreed and believed that if the horses are
7 removed it is no longer a corral. Mr. Pickell agreed to drop the charges if Mr. Grant is in
8 compliance and at the direction of the Governing Body.

9
10 **11. Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character,**
11 **Professional Competence, or Health of an Individual, Collective Bargaining,**
12 **Pending or Imminent Litigation, Strategies to Discuss Real Property Acquisition,**
13 **Including Any Form of a Water Right or Water Shares, Security Issues, or any**
14 **Alleged Criminal Misconduct.**

15
16 **Ty Nielsen moved to go into Closed Meeting pursuant to §52-4-205(1) to discuss property**
17 **acquisition. Justin Westwood seconded the motion. Vote on motion: Ty Nielsen-Aye,**
18 **Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed**
19 **unanimously.**

20
21 The City Council was in closed session from 10:24 p.m. to 11:35 p.m.

22
23 **12. Adjournment.**

24
25 **Ty Nielsen moved to adjourn. Justin Westwood seconded the motion. Vote on motion: Ty**
26 **Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion**
27 **passed unanimously.**

28
29 The City Council Meeting adjourned at 11:35 p.m.

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

36 Approved: _____

DRAFT - FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, March 23, 2016**

- 1 **Present:** Mayor Derk Timothy
- 2 Ty Nielsen
- 3 Justin Westwood
- 4 James Wingate
- 5 Boyd Preece
- 6
- 7 **Staff:** Mark Reid, City Manager
- 8 Vaughn Pickell, City Attorney
- 9 Grant Crowell, City Planner/Economic Development Director
- 10 Michael Fazio, City Engineer
- 11 Blain Dietrich, Public Works Operations Manager
- 12 Wendy Deppe, City Recorder
- 13

14 At approximately 10:24 p.m. Mayor Derk Timothy called the meeting to order.

15
16 **Motion:** Ty Nielsen moved to go into Closed Meeting pursuant to Utah Code §52-4-205(1) to
17 discuss property acquisition.

18
19 **Second:** Justin Westwood seconded the motion.

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

23
24 Property acquisition issues were discussed.

25
26 The City Council returned to the City Council chambers to resume the open portion of the meeting
27 at 11:35 p.m.

28
29
30
31
32 _____
33 Wendy L. Deppe, CMC
34 City Recorder

35 Approved: _____

Agenda Item 3.2



Memo

Date: March 22, 2016

From: Michael Fazio 

To: Mark Reid, City Manager
Mayor Timothy
City Council

CC:

RE: Kailye Anne Amended Subdivision

City Engineering/Public Works has inspected the Kailye Anne amended subdivision improvements and verified they meet the City specifications and requirements (see attached memo from Leonard Hight.)

I recommend preliminary acceptance of the inspected completed work and beginning the warranty period effective April 14, 2016.

A warranty bond is being retained for the entire warranty period.



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: March 21, 2016
From: Leonard Hight 
To: Michael Fazio
RE: Kailye Anne Amended Subdivision

Michael, I have observed all the improvements as they were performed in this subdivision. I made a punch list when the contractor said he was done and verified that it was complete. I have collected all the testing that was done and verified that it met our code. I recommend that we accept this subdivision and start the warranty.

Agenda Item 3.3



Memo:

To: Mayor, Council and City Manager

From: Blain Dietrich, Public Works Manager

Date: April 6, 2016

Re: Lawn Mowing Services

Mayor, City Council and Manager:

Our 2014-2015 lawn mowing services contract has come to the end of its term. We advertised and received (6) bids this year. I would like to let you know that A to Z Landscaping, our former contractor, did bid on the project; however they were not the low bidder this year. Please thank them for their good work. Included in the packet is a copy of the bid tab for your review. As spring is upon us, I would like to recommend that we accept the low bidder, Glover landscape.

Sincerely,

Blain Dietrich
Public Works Manager

**CITY OF BLUFFDALE, UTAH
RESOLUTION NO. 2016-_____**

A RESOLUTION OF THE BLUFFDALE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS AWARDING A CONTRACT MOWING AND TRIMMING BID FOR 2016-2018 AND ESTABLISHING A CONTINGENCY.

WHEREAS the City of Bluffdale (“City”) owns and maintains a system of parks and trails (“System”);

WHEREAS the City has advertised a Request for Bids for mowing and trimming of the System for the years of 2016-2018 (“Project”);

WHEREAS the City opened the bids for the Project on March 21, 2016; and

WHEREAS six bids were submitted, of which the Glover’s Landscape, LLC, bid of \$42,923.23 per season was the lowest responsive and responsible bid;

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

Section 1. Authorization to Execute Agreement. The City Council hereby authorizes the City Manager to execute the necessary agreements to award the Project to Glover’s Landscape, LLC, including a notice of award and an agreement for the Project with a Contract Price of \$42,923.23 per season. The City Council authorizes the City Manager to expend an additional 10 percent for contingencies (\$4,292.32 per season) that might arise with the Project for a total of \$47,215.55 per season.

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

PASSED, ADOPTED AND APPROVED: April 13, 2016.

Mayor Derk P. Timothy

ATTEST:

[seal]

Wendy Deppe, City Recorder

Voting by the City Council:

Aye

Nay

Councilmember Jackson

Councilmember Nielsen

Councilmember Preece

Councilmember Westwood

Councilmember Wingate



Mowing Bid for 2016-2018

NOTICE REQUEST FOR BIDS FOR GRASS MOWING AND TRIMMING

Sealed bid proposals will be received by the City of Bluffdale (“City”) for the mowing and maintenance of various parklands and parcels between April and November 2016 and between April and November 2018.

Bids shall be marked “2016-2018 Mowing Bid,” and shall delivered to the City of Bluffdale, 14175 South Redwood Rd., Utah 84065, **no later than 10:00 AM on March 21, 2016**. Bids will be opened and read at that time.

Sealed bid proposals shall be submitted upon the forms furnished by the City, which may be obtained at Bluffdale City Offices located at 14175 South Redwood Rd.

All contractors must be licensed, insured, bonded and must follow all State and Federal laws. All contractors shall provide Workers Compensation documentation and verification that all employees are authorized to work in the United States.

Contractor shall provide a minimum of three (3) references.

The City reserves the right to reject any or all proposals as is deemed in the best interest of the City.

Blain Dietrich
Public Works Manager

Contract

2016-18 FOR GRASS MOWING – LANDSCAPING

A. CONDITIONS – INSTRUCTIONS – TERMS

- Bid price shall be for the maintenance of mowing and trimming grass at the following locations:

EXISTING PARKS - 2016			
Name	Square Feet	Acres	Address
Bluffdale City Main Park - CH & FS	650,000	14.02	14400 South 2200 West
City Cemetary And Building	80,000	1.84	14175 South Redwood Road
Bluffdale Heights Park	20,000	0.46	700 West 15200 South
Aclaime Park/pond	63,918	1.47	533 West Koins Way
Phillip Gates Memorial Park	82,000	1.88	14400 South 970 West
Parry Farms - Baseball Fields	120,000	2.75	1511 West Rockhollow Drive
Ponderosa Park	42,500	0.98	3180 West Buehler Circle
Ten Sleep Circle Park	18,000	0.41	14730 South 2700 West
Parry Farms - Detention Pond	91,476	2.1	15488 South Iron Horse Blvd
Palisades Park	49,500	1.14	3400 West 13800 South
Camp Williams - Mixing Station	68,500	1.57	17000 South Jordan Narrows Road
Market View mow strips	3,000	0.069	13920 South Redwood Road
Total:	1,288,894	28.689	3591.24 month

EXISTING - 2016			
INDEPENDENCE PARKS & TRAILS	Square Feet	Acres	Address
Independence Trails	112,500	2.58	Listed as A and B on map
Porter Rockwell	10,904	0.25	number 7 on map 570 west
Independence - Mount Jordan Park	160,736	3.69	Listed as number 8 on map
Pocket Park 1 - Freedom Point Way	13,068	0.30	Listed as number 1 on map
Pocket Park 2 - Freedom Point Way	13,068	0.30	Listed as number 2 on map
Center Pocket Park	18,730	0.43	listed as number 5 on map Allegiance Drive
West Detention Park	83,199	1.91	Listed as number 4 on map Red Coat Drive
Heritage Crest to PRB mow strips	1056		Listed as number 6 on map
Total:	413,261	9.46	1033.15 Month

Future Parks expected during Mowing Contract			
	Square Feet	Acres	Address
Detention Pond Park	175,111	4.02	Listed as number 3 on map Noell Nelson Drive-TBT
Park	250,470	5.75	Listed as number 9 on map Noell Nelson Drive-TBT
Parry Farms Expansion	25,000	0.57	15488 South Iron Horse Blvd-TBT
Vintage Park	152,420	3.50	14050 South Loomis Parkway-TBT
Total:	603,001	13.84	1507.50 month

Future Parks are subject to change based on the phasing, design and acceptance by the City.

Parks will be measured at the time of acceptance.

Bids may be adjusted in the same ratio as bid amount to Sq.Ft. to LM.

A map is provided for the Independence parks.

Maps see APPENDIX A:

The above parks and parcels shall be mowed once per week, from April through October, 2016, and again from April through October, 2017 and 2018. The exact week to begin and finish shall be as instructed by the Public Works Manager. Weather conditions may involve the mowing more or less frequently than once a week, as instructed by the Public Works Manager. Payment by the City shall be made only for maintenance, mowing and trimming services actually provided by the contractor. Payment shall be made by the City within 30 days following receipt of an invoice from the contractor.

2. Award of Contract. The City shall determine the lowest responsible bidder upon the basis of bids submitted, but reserves the right to reject any or all bids if the best interests of the City are thereby served.
3. The City at its sole discretion may exercise an option to renew this contract on a year-to-year basis.
4. All bid proposals shall include a certified check or Bid Payment Bond in the amount of 10% of the total bid price to be made payable to Bluffdale City. Every bidder who submits a bid specifically waives the right to withdraw it.
5. Envelopes shall be clearly marked on the exterior "2016-2018 Mowing and Trimming Bid."
6. The deadline for the submission of bids shall be **10:00 AM, March 21, 2016**, and shall be submitted at the Bluffdale City Building, 14175 South Redwood Rd., Bluffdale, UT 84065.
7. Bids will be opened and read at 10:00 AM, March 21, 2016.
8. No contract may be assigned, sublet, or transferred without prior written consent by the City.
9. The price of this bid shall be neither directly nor indirectly the result of any agreement or collusion with any other bidder.
10. Bid Proposals shall be submitted upon the forms furnished by the City and may be obtained at 14175 South Redwood Road.
11. The Contractor agrees to furnish and pay all necessary expenses for all labor, tools, and equipment in connection with this proposal and contract.
12. The contractor shall obey all laws and ordinances, secure all permits and licenses as may be necessary, and provide notices necessary and incidental to the due and lawful protection of the work regarding the obstruction of streets and driveways, maintaining signals, and storm water facilities.

13. Contractor shall be responsible for repairing all damage caused by services. This includes but is not limited to sprinklers, water lines, trees, and shrubs. Contractor shall notify the City of all damages.
14. The contractor, as well as its employees or agents, assumes all risk and danger associated with the contractor's obligations and operation of this contract. Contractor agrees that neither the City nor any of its officials, employees, agents or representatives, shall be held liable for any injuries or death arising out of the contractor's obligations and services for this contract. Contractor further agrees to indemnify, defend, and hold the City, and its officials, employees, agents and representatives harmless from and against any claims or damages arising out of contractor's obligations and services to be provided pursuant to this contract.

B. SPECIFICATIONS

It is the intent of the City to maintain its lands and parks in a clean, neat, and orderly appearance, suitable to its intended active or passive recreational use. The contractor shall:

1. Perform all lawn mowing, including but not limited to trimming, edging, and cleanup;
2. Perform weekly mowing, or as needed, as directed by the City;
3. Edge fully around all hard edges, all fence lines, trees, and headstones;
4. Remove all grass clippings from walkways, parking lots, and other paved areas (including trails);
5. Clean up trash and debris on grass before mowing;
6. Furnish all labor, supervision, equipment, fuel, materials, tools, supplies, services and special skills required to perform the maintenance as set forth herein;
7. Repair, replace, and satisfactorily correct all damage to lands, grass, and vegetation;
8. Leave grass clippings on the lawn to decompose, unless in such significant clumps or piles that would damage or suffocate the grass;
9. Catch cemetery lawn clippings;
10. Not blow grass onto any roadway, parking area, storm drains, or adjacent private property;
11. Not mow in severe wet conditions so as to damage the turf, drainage or soil;
12. Take every precaution to avoid spilling or leaking petroleum products on lawns or parking lots. If such spills or leaks occur, the contractor will take immediate steps to clean up the spill in accordance with recommended standards for dealing with spillage of hazardous materials;
13. Accept the City's recommendation to not have lawn mowed or maintained during drought conditions.

C. BONDING – INSURANCE CERTIFICATES

Every bidder shall supply certificates of insurance to the City for:

1. Workers Compensation Insurance that complies with the Workers Compensation Laws of Utah.
2. Automobile Liability Insurance with minimum of \$500,000 combined single limit bodily injury and/or property damage.
3. Comprehensive General Liability Insurance with minimum limits of \$500,000 combined single limit bodily injury and/or property damage.
4. **Bid Bond Security.** Each bid must be accompanied by a money order, cashiers or certified check, make payable to the City of Bluffdale, or a bond with corporate surety, in the amount of 10 percent of the bid. Said bid security shall be forfeited to the City in the event a bidder neglects or refuses to enter into a written contract with the City within 10 days of the award of the contract to the bidder by the City. After the award of the contract, the bid security of each unsuccessful bidder shall be returned to each such bidder. The security of the successful bidder, to whom the contract is awarded, shall be returned upon the execution of the contract. Bond amount shall be based on a minimum of 25 cuttings for the contract period.

D. CONTRACTOR’S ACKNOWLEDGEMENT AND CERTIFICATION

Business Name Glover Landscapes Phone Number 801-495-9050
Address 913 W. 14600 S. City Bluffdale Zip 84065
E-mail spmatz@glover.com
Emergency Contact Name Todd Smith Phone Number 801-608-3284

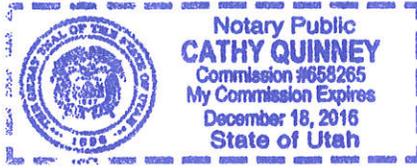
I, Sean Matz, hereby acknowledge and certify that the work to be performed will meet or exceed the conditions, terms, and specifications of the contract.

TOTAL COST 6171.89 per month
all site existing and nonexisting

Sean Matz
Bidder’s Name

Sean Matz Sean Matz
Bidder’s Signature

913 W. 14600 S. Bluffdale, UT 84065
Address



Cathy Quinney

Witness _____

Signed _____

Title Notary

Date 4/4/16

* * *

E. MUNICIPAL ACKNOWLEDGEMENT AND CERTIFICATION

Once this contract proposal is accepted and signed by the City it shall be authorization for the 2014 2015 contract for mowing and trimming.

ACCEPTED: _____

City Manager

Date

Attest to by: City Recorder

Signed _____

SEAL

Google Maps *MAIN PARK*



Imagery ©2016 Google, Map data ©2016 Google 100 ft

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft

Ten Sleep park

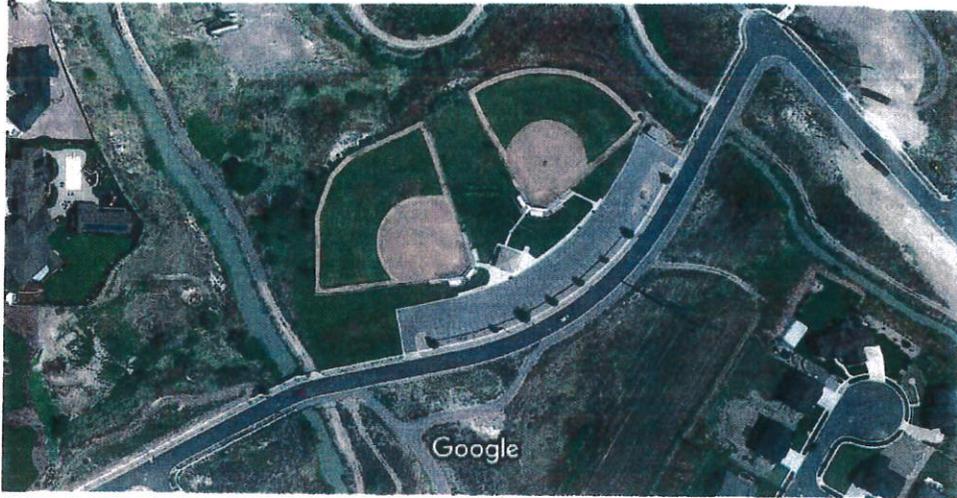
Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft

City Cemetary

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft

Baseball fields

Rerry farms

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft

mixing station

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft

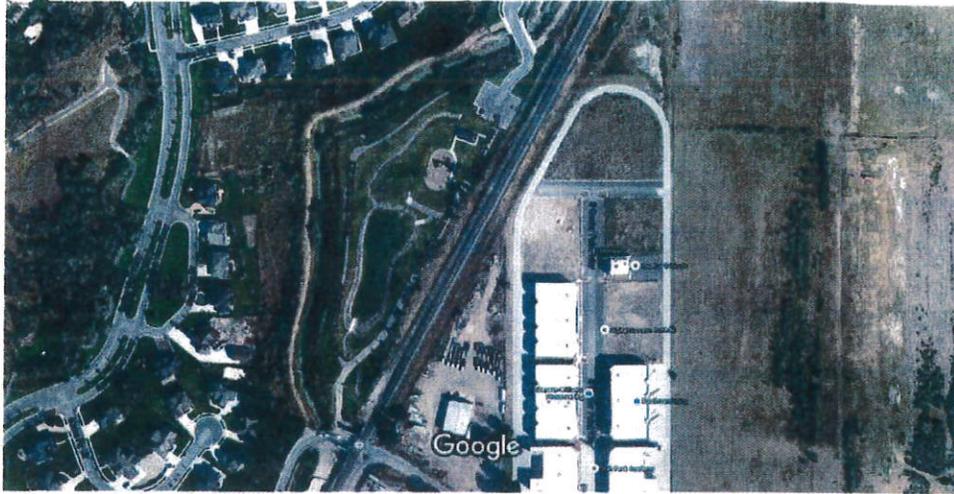
Ponderosa Park

Google Maps



market place

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 100 ft

Overlook Park

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft

Perry Farms Detention Pond

Google Maps Palisades



Imagery ©2016 Google, Map data ©2016 Google 50 ft

BID

Date 3/23/2016

Proposal of Glover Landscape Services (hereinafter called "BIDDER", organized and existing under the laws of the State of Utah, doing business as _____).

*Insert "a corporation", "a partnership", or "an individual" as applicable.

To the City of Bluffdale (hereinafter called "CITY").

In compliance with your Advertisement for Bids, BIDDER hereby proposes to perform all work for the **Mowing Bid for 2016-2018** in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to his own organization that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed and to cease work by **November 30, 2018**.

BIDDER acknowledges receipt of the following ADDENDUM:

BIDDER acknowledges having reviewed project's specifications SM
(Initial)

The BIDDER agrees to perform all the work described in the specifications and shown on the plans for the following UNIT PRICE BID (Figures are to be typewritten or clearly and legibly printed in ink.): _____

The BIDDER agrees that this bid shall be good and may not be withdrawn for 60 calendar days as stated in the specifications after the scheduled closing time for receiving bids.

The BID unit prices shall include all labor, materials, mobilization, rentals, bailing, shoring, removal, overhead, profit, insurance, sales tax, other applicable taxes and fees, etc., to cover the finished work of the several kinds called for.

Upon receipt of written notice of the acceptance of this bid, BIDDER will execute the formal contract attached within 10 days and deliver a Surety Bond or Bonds as required by the General Conditions. The bid security amounting to five (5) percent of the base bid is hereby attached in

the sum of (\$ 4,292.32) and is to become the property of the OWNER in the event the contract and bond are not executed within the time above set forth, as liquidated damages for the delay and additional expense to the OWNER caused thereby.

BID SCHEDULE

For a responsive bid, write in unit price for each item, multiply by respective units, and total price. The GRAND TOTAL amount will be used for the selection of the LOW BIDDER. Ensure that the Measurement and Payment Section is signed and included along with the Bid Schedule in your Bid.

Item No.	Item Description	Quantity	Unit	Item Total
Existing Parks – 2016:				
1	Bluffdale City Main Park – CH & FS	1	WK	\$ 379.69
2	City Cemetery and Building	1	WK	\$ 87.21
3	Bluffdale Heights Park	1	WK	\$ 13.57
4	Aclaime Park/Pond	1	WK	\$ 39.10
5	Phillip Gates Memorial Park	1	WK	\$ 49.61
6	Parry Farms – Baseball Fields	1	WK	\$ 71.71
7	Ponderosa Park	1	WK	\$ 26.65
8	Ten Sleep Circle Park	1	WK	\$ 12.40
9	Parry Farms – Detention Pond	1	WK	\$ 55.12
10	Palisades Park	1	WK	\$ 30.72
11	Camp Williams – Mixing Station	1	WK	\$ 41.76
12	Market View Mow Strips	1	WK	\$ 3.68
Existing Independence Parks & Trails – 2016:				
14	Independence Trails	1	WK	\$ 67.34
15	Porter Rockwell	1	WK	\$ 8.28
16	Independence – Mount Jordan Park	1	WK	\$ 95.39
17	Pocket Park 1 – Freedom Point Way	1	WK	\$ 9.54
18	Pocket Park 2 – Freedom Point Way	1	WK	\$ 9.54
19	Center Pocket Park	1	WK	\$ 12.83
20	West Detention Park	1	WK	\$ 50.31
21	Heritage Crest to PRB Mow Strips	1	WK	\$ 10.55
Future Expected Parks During Mowing Contract:				
22	Detention Pond Park	1	WK	\$ 103.75
23	Park	1	WK	\$ 145.00
24	Parry Farms Expansion	1	WK	\$ 16.47
25	Vintage Park	1	WK	\$ 90.55
WEEKLY BASE BID TOTAL \$				1,430.77

Measurement and Payment

Specification Section N/A: Parks Maintenance

Item No. 1-25	Description: Grass Mowing and Trimming	Unit: Weekly
<p>a. This item includes all labor, materials, rental equipment, plans and any other appurtenant item needed to maintain parks and trails by mowing grass and trimming throughout the months of April and November for the duration of the contract (approximately 35 weeks in a given maintenance year).</p> <p>b. Unit prices are based on costs to maintain individual areas on a weekly basis.</p>		

I Sean Matz hereby certify I have read and understand the Measurement and Payment items, their description and inclusions.

Sean Matz
Signature

Sean Matz, VP of Business Development
Print Name and Title of Signer and his/her Authorization

END OF SECTION

THE AMERICAN INSTITUTE OF ARCHITECTS



ALA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Glover Landscaping Services
913 West 14600 South, Bluffdale, UT 84065
as Principal, hereinafter called the Principal, and Employers Mutual Casualty Company
P.O. Box 712, Des Moines, IA 50306-0712
a corporation duly organized under the laws of State of IA

as Surety, hereinafter called the Surety, are held and firmly bound
unto Bluffdale City

14175 S Redwood Road, Bluffdale, UT 84065
as Obligee, hereinafter called the Obligee, in the sum of

Ten Percent of Amount Bid Dollars (\$ 10%),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents.
WHEREAS, the Principal has submitted a bid for

2014-2015 Mowing and Trimming

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with
the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or
Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt
payment of labor and material furnished in the prosecution hereof; or in the event of the failure of the Principal to enter
such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the
penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith
contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise
to remain in full force and effect.

Signed and sealed this 21st of March, 2016.

(Witness) Glover Landscaping Services (Principal) (Seal)

BY: (Title)

Kewa

Employers Mutual Casualty Company

(Witness)

Stephanie Garahana

BY: Stephanie Garahana



INSURANCE

P.O. Box 712 • Des Moines, Iowa 50306-0712

CERTIFICATE OF AUTHORITY INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

1. Employers Mutual Casualty Company, an Iowa Corporation
2. EMCASCO Insurance Company, an Iowa Corporation
3. Union Insurance Company of Providence, an Iowa Corporation
4. Illinois EMCASCO Insurance Company, an Iowa Corporation

5. Dakota Fire Insurance Company, a North Dakota Corporation
6. EMC Property & Casualty Company, an Iowa Corporation
7. Hamilton Mutual Insurance Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

Stephanie Garahana

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the following Surety Bond:

Surety Bond Number: Bid Bond
 Principal : Glover Landscaping Services
 Obligee : Bluffdale City

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

Bruce G. Kelley, Chairman
of Companies 2, 3, 4, 5 & 6; President
of Company 1; Vice Chairman and CEO
of Company 7

Michael Freel
Assistant Vice President/
Assistant Secretary

Seals



IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 13th day of January, 2014. On this 13th day of January, 2014 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Michael Freel, who, being by me duly sworn, did say that they are, and are known to me to be the Chairman, President, Vice Chairman and CEO, and/or Assistant Vice President/Assistant Secretary, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Michael Freel, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2016.

CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 13th day of January, 2014, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 21st day of March 2016

Agenda Item 4

Agenda Item 5

Agenda Item 6

BLUFFDALE YOUTH CITY COUNCIL
RESOLUTION No. _____

A RESOLUTION ESTABLISHING A BLUFFDALE YOUTH CITY COUNCIL

BE IT HEREBY RESOLVED, by the City Council of Bluffdale City, State of Utah, as follows:

WHEREAS Residents of Bluffdale support a Youth City Council; and

WHEREAS, Over 70 cities in Utah have recognized the need for Youth City Councils in their community and have established Youth City Councils; and

WHEREAS, The Youth City Council will make Bluffdale a better place in which to live; and

WHEREAS, The Youth City Council will benefit Bluffdale City and its residents by organizing meaningful community events, orchestrating community service projects, and helping the city and nonprofits with existing events; and

WHEREAS, Bluffdale City recognizes that the youth of the community are a valuable asset to the community and will be the future leaders of Bluffdale; and

WHEREAS, The Youth City Council will prepare the youth of Bluffdale for the future by teaching responsibility, leadership, hard work, service, parliamentary procedure, and communication;

NOW, THEREFORE, be it hereby resolved by the Bluffdale City Council that a Bluffdale Youth City Council be established with the following guidelines:

1. The Youth City Council shall have one or more advisors for the purpose of mentoring the youth and providing an experienced opinion when needed. The Youth City Council advisors will attend the meetings of the Youth City Council and participate in Youth City Council projects.
2. The purpose and goals of the Bluffdale Youth City Council will be to:
 - Organize events that will have a positive effect on the community;
 - Organize volunteering for existing city and nonprofit events;
 - Provide a safe, engaging, and educational framework for youth in the community to better themselves and their community; and

- Write and establish its own charter and amend it when necessary with City Council approval.
3. The Youth City Council will abide by the Youth City Council Charter, which will be established by the Youth City Council and approved by the Bluffdale City Council. Amendments to the charter will only be enforced after approval from the Bluffdale City Council.
 4. The Youth City Council will require a budget of \$750 per year to cover T-Shirts, admission into the Utah Association of Youth Council, and Legislation Day at the capital. Any additional funds required for the operation of the Youth City Council will be obtained through fundraising and donations.
 5. This resolution shall take effect immediately upon passage.

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 7



Legal Department
14350 South 2200 West
Bluffdale, UT 84065
(801) 254-2200 Fax (801) 253-3270

To: Mayor and City Council
From: Vaughn R. Pickell, AICP, City Attorney
Date: April 8, 2016
Re: Disposal of a Significant Parcel of Real Property (PRB Curve Surplus)

Mayor and Council Members:

As you know, the City has worked to acquire right-of-way to construct the Porter Rockwell Boulevard. Initially, the plan for PRB was to curve directly towards I-15. However, plans have changed and the PRB is now planned to be a T-intersection with 14600 South. That reconfiguration has resulted in a surplus of 2.015 acres of property.

Simple Products has proposed to purchase the surplus property at \$8.00 per square foot. I have done the noticing required by state law and local ordinance. The state statute requires a public hearing before you decide to dispose of a significant parcel of real property.

Possible Motion

I move to adopt the resolution authorizing the disposal of a significant parcel of real property, finding that the proposed disposal of the surplus property will further the public health, safety, and general welfare. State specific reasons why it is in the public's best interest.

-or-

I move to deny the resolution authorizing the disposal of a significant parcel of real property, finding that the proposed disposal of surplus property will be contrary to the public health, safety, or general welfare. State specific reasons why it is not in the public's best interest.

Sincerely,
Vaughn R. Pickell, AICP
City Attorney

CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2016-

A RESOLUTION AUTHORIZING DISPOSAL OF A SIGNIFICANT PARCEL OF REAL PROPERTY.

WHEREAS the City of Bluffdale (“City”) has planned a major arterial road known as Porter Rockwell Boulevard (“PRB”);

WHEREAS the City acquired property for the construction of PRB near the intersection of 14600 South;

WHEREAS at the time of purchase, the City had planned for the road to curve towards I-15, but now plans for the road are for a T-intersection with 14600 South;

WHEREAS the reconfigured intersection has resulted in a surplus of 2.015 acres (“Surplus Property”);

WHEREAS the City has provided the notice required by Utah Code Ann. § 10-8-2(4) and Bluffdale Code § 7-5-2, and has held a public hearing on the proposed disposition of the surplus property;

WHEREAS the City Council finds the sale of the surplus property 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 Dispose of a Significant Parcel of Real Property. The City Council hereby authorizes the City Manager to dispose of the Surplus Property for a sale price of \$8.00 per square foot.

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

PASSED AND APPROVED: April 13, 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 8



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-559-7781; mfazio@bluffdale.com

Memo

Date: 8 April 2016

From: Michael Fazio, P.E. 

To: Mark Reid, City Manager

Mayor Timothy

City Council

CC:

RE: Porter Rockwell Boulevard Segment 3 Questar High Pressure Line Relocation Agreement

The City is preparing to advertise the construction three lanes of the third segment of Porter Rockwell Boulevard. Two utilities are in conflict with the road alignment, 1. Questar high pressure line and 2. Two high voltage power poles. The City requested Questar to bury the exposed high pressure line to allow for the construction of the road to move forward. Questar requires that the City enter into a Pipeline Relocation Agreement to set the condition of the relocation and for reimbursement of costs related to the relocation (please see the exhibit that is part of the agreement).

I recommend authorizing the City Manager to enter into an agreement with Questar to relocate the high pressure line.

CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2016-

A RESOLUTION AUTHORIZING EXECUTION OF A PIPELINE RELOCATION AGREEMENT IN THE VICINITY OF 15200 SOUTH PORTER ROCKWELL BOULEVARD.

WHEREAS the City of Bluffdale (“City”) has planned a major arterial road known as Porter Rockwell Boulevard (“PRB”);

WHEREAS Questar Gas Company (“Questar”) owns and operates a 20-inch high pressure (HP) natural gas pipeline (“Pipeline”) and the PRB will cross Questar’s Pipeline;

WHEREAS the Pipeline needs to be relocated so that the PRB can be constructed as planned and Questar has proposed the attached agreement; and

WHEREAS the City Council finds relocation of the Pipeline pursuant to the terms outlined in the attached agreement 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 Encroachment Agreement. The City Council hereby authorizes the City Manager to execute a Pipeline Relocation Agreement with the Questar Gas Company in the form attached hereto.

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

PASSED AND APPROVED: April 13, 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	_____	_____

PIPELINE RELOCATION AGREEMENT

(15200 South Porter Rockwell, Bluffdale – FL 34)

This Pipeline Relocation Agreement (Agreement) is entered into this ___ day of April 2016, between QUESTAR GAS COMPANY, a Utah corporation (Questar Gas) and the City of Bluffdale, a Utah municipal corporation (Bluffdale). Questar Gas and Bluffdale may be referred to collectively as the “Parties” and singularly as a “Party” all as governed by the context in which such terms are used.

RECITALS

A. Questar Gas owns and operates a 20-inch high pressure (HP) natural gas pipeline (the Pipeline), which is located within a right-of-way recorded in the records of Salt Lake County, State of Utah (Existing Right-of-Way). Questar Gas refers to the Pipeline as Feeder Line 34.

B. The Existing Right-of-Way runs underneath property upon which Bluffdale plans to build a new three-lane arterial road south of 15000 South (the Project). The Pipeline’s current location interferes with the Project.

C. In order to avoid potential conflicts between the Pipeline and the Project, the Parties desire to relocate the Pipeline according to the terms and in the location identified in this Agreement.

OPERATIVE PROVISIONS

1. Scope of Work.

a. Questar Gas will remove approximately 250 linear feet of the Pipeline (Removed Section) and install approximately 250 feet of 20-inch Pipe (Relocated Section), as shown on the attached Exhibit “A,” incorporated by this reference. Questar Gas shall perform and furnish the following (collectively the Relocation Work):

- i. design engineering, trenching or boring, procurement of materials; and,
- ii. installation of the Relocated Section, backfill, compaction; and,
- iii. removal and disposal of the Removed Section; and
- iv. clean-up for the Removed Section and the Relocated Section.

b. Questar Gas shall obtain any and all necessary governmental permits and/or approvals required to perform the Relocation Work.

c. Questar Gas shall provide survey and staking/marketing for the location of the Relocated Section.

2. Right of Way and Easement.

a. Questar Gas shall install the Relocated Section deeper within the Existing Easement.

b. Bluffdale hereby grants Questar Gas temporary access over and across existing roads within the vicinity of the Relocation Work to allow Questar Gas to complete the Relocation Work.

3. Estimated Costs. Questar Gas estimates the costs of the Relocation Work to be \$209,000 (Estimated Costs). This estimate is based upon prices of material and labor as of April 06, 2016, and does not account for increases due to unknown and unforeseen circumstances, including but not limited to, delays in accomplishing the Relocation Work, contaminated soils, frost, and rock trenching.

4. Payment. Bluffdale shall pay the full, actual costs incurred by Questar Gas for the Relocation Work. Within seven (7) calendar days of execution of this Agreement, City shall pay the Estimated Costs to Questar Gas.

Within 120 days following completion of the Relocation Work, Questar Gas shall submit to City an itemized statement of the final, actual costs incurred ("Final Costs"). In the event that the Final Costs exceed the Estimated Costs, City shall pay the additional amount required to Questar Gas within 60 days after the receipt of Questar Gas' itemized statement. If the Final Costs are less than the Estimated Costs, the difference shall be refunded to City with the itemized statement. In the event either Party fails to make the payments required under this Agreement, interest shall accrue on the undisputed unpaid balance at the maximum legal rate.

5. Conditions Precedent. Questar Gas' obligations under this Agreement are conditioned upon the following:

a. Questar Gas' ability to obtain necessary approvals for installation of the Relocated Section.

b. Questar Gas' ability to timely engage a contractor, and obtain materials.

c. Receipt by Questar Gas of payment of the Estimated Costs from Bluffdale.

6. Cancellation. If the Relocation Work does not begin within one year from the date of this Agreement, Questar Gas may, at its option cancel this Agreement.

7. Schedule. Questar Gas will take reasonable steps to ensure the Relocation Work is commenced within a reasonable time after execution of this Agreement. Questar Gas will notify Bluffdale at least 48 hours in advance of beginning the Relocation Work. Questar Gas may adjust its schedules without notice as required to handle emergencies on its system, after which it will informally notify Bluffdale as to when the Relocation Work will be resumed.

8. Notices. All notices concerning this Agreement, other than the day-to-day communications between the Parties, shall be in writing and shall be sent to the relevant address set forth below. The Parties may designate other addressees or addresses by notice to the other Party. A notice shall be deemed effective (a) when given by hand delivery; (b) three days after

deposit into the U.S. mail, postage prepaid; or (c) one business day after deposit with commercial overnight delivery service, charges prepaid.

Questar Gas Company
Attn: Mike Gill, Mailstop DNR222
P.O. Box 45360
Salt Lake City, Utah 84145-0360

City of Bluffdale
Attn: Michael Fazio
14241 South Redwood Road,
Suite A050
Bluffdale, UT 84065

9. Miscellaneous.

a. In the event of any dispute relating to this Agreement, whether or not the dispute results in litigation, the prevailing Party shall be entitled to recover all costs, including reasonable attorney fees.

b. This Agreement shall be binding upon and shall inure to the benefit of the Parties, and their respective successors and assigns.

c. The provisions of this Agreement are severable, and should any provision be deemed void, unenforceable or invalid, such provision shall not affect the remainder of this Agreement.

d. This Agreement shall be governed by the laws of Utah.

e. Neither Party shall be liable for any failure to perform this Agreement when the failure is due to any cause which is not reasonably within the control of the Party affected. Prompt, detailed notice of any force majeure shall be given by the Party claiming inability to perform. In the event of force majeure, the Parties shall immediately take all reasonable action necessary to abate the cause.

f. The indemnity obligations in this Agreement shall survive the termination of this Agreement for the applicable statute of limitations.

g. Each person signing this Agreement warrants that the person has full legal capacity and authority to execute this Agreement on behalf of the respective Party and to bind such Party.

INTENDING TO BE LEGALLY BOUND, the Parties have executed this Agreement as of the date first written above.

QUESTAR GAS COMPANY

CITY OF BLUFFDALE

Brad Hasty
General Manager,
Engineering and Project Management

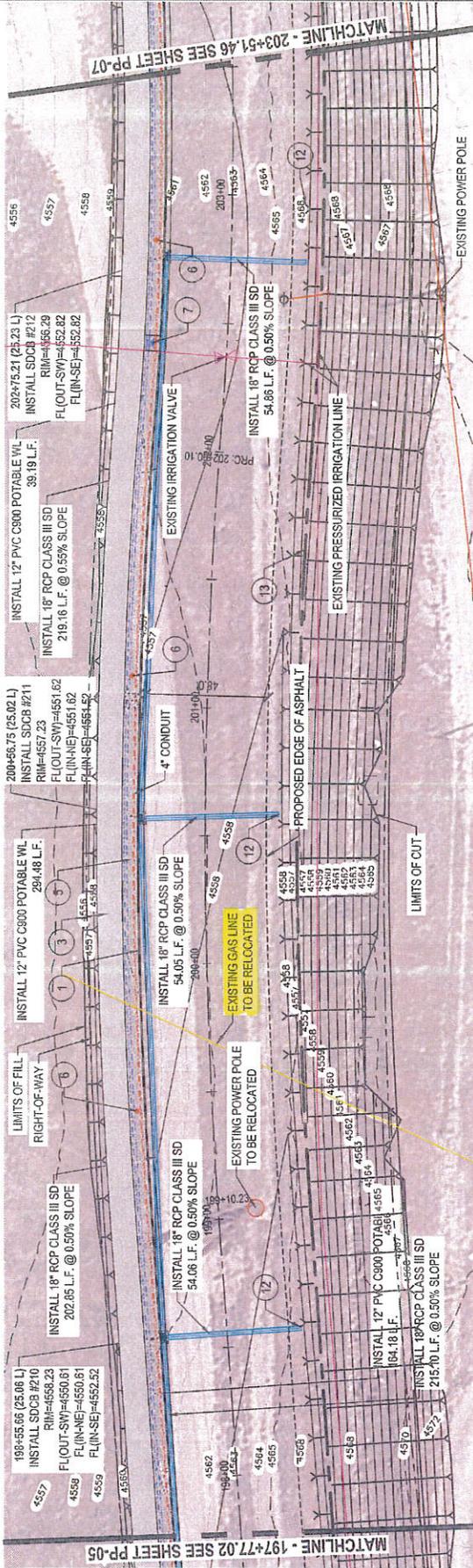
By:
Its:

EXHIBIT “A”

KEYNOTES

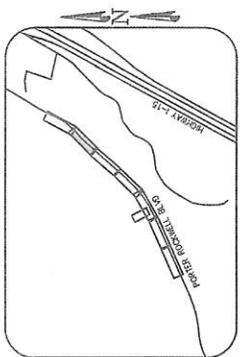
- 1 INSTALL 30" TYPE 'B' CURB AND GUTTER PER UDOT STANDARD DETAIL GW-2, AND SPECIFICATIONS
- 2 INSTALL 30" TYPE 'A' CURB AND GUTTER PER APWA STANDARD DETAIL 205 AND SPECIFICATIONS
- 3 INSTALL 10' ASPHALT TRAIL PER C.O.B. STANDARD DETAIL ST-7A/B AND SPECIFICATIONS
- 4 INSTALL CONCRETE SIDEWALK PER APWA STANDARD DETAIL 231 AND SPECIFICATIONS
- 5 INSTALL PARK STRIP LANDSCAPING
- 6 INSTALL STREET LIGHT PER C.O.B. STANDARDS
- 7 INSTALL FIRE HYDRANT ASSEMBLY PER C.O.B. STANDARD DETAIL W-5 AND SPECIFICATIONS
- 8 INSTALL 10' ASPHALT TRAIL PER C.O.B. STANDARD DETAIL ST-7A/B AND SPECIFICATIONS
- 9 INSTALL 12" GATE VALVE PER C.O.B. STANDARDS
- 10 INSTALL 12"x12" TEE PER C.O.B. STANDARDS
- 11 INSTALL 12" PLUG PER C.O.B. STANDARDS
- 12 INSTALL 18" SD PLUG
- 13 INSTALL DRAINAGE SWALE PER DETAIL ...

PRELIMINARY



LEGEND

- ROAD CENTERLINE
- RIGHT-OF-WAY LINE
- CURB & GUTTER
- SIDEWALK
- PARK STRIP
- EDGE OF ASPHALT
- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- OVERHEAD POWER LINES W/POLE AND GUY ANCHOR
- UNDERGROUND TELEPHONE LINE, MANHOLE & PEDESTAL
- SEWER LINE, MANHOLE & CLEANOUT
- STORM DRAIN LINE, MANHOLE & CATCH BASIN
- WATER LINE & VALVE
- IRRIGATION LINE
- GAS LINE & VALVE



KRY MAP
N.T.S.

NO.	DATE	BY	REVISIONS
1	07/20	KT	PROJECT
2	08/15	KT	DRAWING
3	08/15	KT	REVISION
4	08/15	KT	REVISION
5	08/15	KT	REVISION
6	08/15	KT	REVISION
7	08/15	KT	REVISION
8	08/15	KT	REVISION
9	08/15	KT	REVISION
10	08/15	KT	REVISION
11	08/15	KT	REVISION
12	08/15	KT	REVISION
13	08/15	KT	REVISION

PORTER ROCKWELL BLVD (SEGMENT 3)

PLAN & PROFILE

The City of
BLUFFDALE



ALL DIMENSIONS UNLESS OTHERWISE NOTED TO BE IN ACCORDANCE WITH STANDARD PRACTICES

Agenda Item 9



Memo

Date: April 5, 2016

From: Michael Fazio 

To: Mark Reid, City Manager

Mayor Timothy

City Council

CC:

RE: City Arena Improvement Project

The bids for the City Arena Improvement Project were opened on Monday, April 4, 2016 at 1:00pm.

The apparent low bidder is J. Lyne Roberts & Sons, Inc., of Provo Utah. Their bid for the project as advertised is \$123,723.

J. Lyne Roberts & Sons, Inc. have done construction for the City of Bluffdale; most recently the City Park Pavilion. They are familiar with Bluffdale, having built three parks located in the City (Springview Farms, Overlook Park and Sage Estates). Our Engineering Construction Manager has given a positive review of their work.

I recommend awarding the City Arena Improvements project to J. Lyne Roberts & Sons, Inc., approving the resolution allowing the City Manager to enter into an agreement for the City with J. Lyne Roberts & Sons, Inc., and authorizing the bid amount with an additional 10% contingency, for a total of \$136,095.

**CITY OF BLUFFDALE, UTAH
RESOLUTION NO. 2016-_____**

A RESOLUTION OF THE BLUFFDALE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS AWARDING A CONTRACT FOR THE CITY ARENA IMPROVEMENTS AND ESTABLISHING A CONTINGENCY.

WHEREAS the City of Bluffdale (“City”) owns and maintains an arena for equestrian events and other civic events;

WHEREAS the City is undertaking a project known as the City Arena Improvement Project (“Project”);

WHEREAS the City advertised a request for bids and opened the bids for the construction of this Project; and

WHEREAS the City desires to award the contract for the Project to the lowest responsive and responsible bidder;

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

Section 1. Authorization to Execute Agreement. The City Council hereby authorizes the City Manager to execute the necessary agreements to award the Project to the lowest responsive and responsible bidder. The City Council authorizes the City Manager to expend an additional 10 percent for contingencies that might arise with the Project.

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

PASSED, ADOPTED AND APPROVED: April 13, 2016.

Mayor Derk P. Timothy

ATTEST:

[seal]

Wendy Deppe, City Recorder

Voting by the City Council:

Aye

Nay

Councilmember Jackson

Councilmember Nielsen

Councilmember Preece

Councilmember Westwood

Councilmember Wingate
