



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

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, July 27, 2016 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **6:30 p.m.** or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means via telephonic conference call.

**BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 6:30 P.M.**

1. Roll Call, Invocation, Pledge of Allegiance\*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA** –
  - 3.1 Approval of the June 22, 2016 meeting minutes.
  - 3.2 Approval of the July 13, 2016 meeting minutes.
  - 3.3 Preliminary acceptance of Independence at the Point, Plat F Park & Trail, and beginning the warranty period.
4. Presentation and discussion regarding an Emergency Management System, staff presenter, Natalie Hall.
5. Consideration and vote on a resolution of the Bluffdale City Council adopting an Emergency Operations Plan, staff presenter, Natalie Hall.
6. **PUBLIC HEARING** – Consideration and vote on proposed amendments to the Bluffdale City Land Use Ordinance Chapter and Map designation, SD-R Independence Park, and to approve the associated Project Plan, located at approximately 14880 South Noell Nelson Drive; TBP 147, LLC, applicant, staff presenter, Grant Crowell.
7. Mayor's Report
8. 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.

9. **WORK SESSION** – Regarding the Concept Plan for Day Ranch, presenter, Dave Tolman.
10. 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).
11. Consideration and vote on a resolution of the Bluffdale City Council authorizing the execution of a Settlement Agreement with Newman Construction, staff presenter, Brittany Skinner.

**Dated this 22<sup>nd</sup> day of July, 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](http://WWW.BLUFFDALE.COM) AND ON THE PUBLIC MEETING NOTICE WEBSITE, [WWW.PMN.UTAH.GOV](http://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.



**\*\*\*AMENDED\*\*\***

**BLUFFDALE CITY COUNCIL  
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND  
REDEVELOPMENT AGENCY BOARD  
COMBINED MEETING AGENDA  
Wednesday, June 22, 2016**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, June 22, 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 May 25, 2016 meeting minutes.
  - 3.2 Preliminary acceptance of Independence Plats L and N-1, and beginning the warranty period.
  - 3.3 Approval of a resolution declaring certain assets surplus and authorizing the sale of said assets.
4. **PUBLIC HEARING** – Consideration and vote on an ordinance vacating a portion of a public street between the section line and the east right of way line of 1690 West Street at approximately 14353 South 1690 West, Debbie Holt, applicant (continued from the January 6, 2016 Planning Commission meeting), staff presenter, Paul Douglass.
5. **PUBLIC HEARING** – Consideration and vote on amending the General Plan from Very Low Density to Low Density Residential and a Zone Map Amendment from R-1-43 to R-1-10 at approximately 14780 South 1690 West, Dale Bennett & Garth Johnson, applicants, staff presenter, Paul Douglass.
6. Consideration and vote on a resolution approving a Cable Television Franchise Agreement between the City of Bluffdale, Utah, and Comcast of Utah II, Inc., staff presenter, Vaughn Pickell.

7. Consideration and vote on a resolution authorizing execution of an Interlocal Cooperation Agreement with Salt Lake County providing for the transfer of up to \$1,500,000 of County Transportation Funds to the City of Bluffdale, staff presenter, Vaughn Pickell.
8. \*\*\*Consideration and vote on a resolution of the Bluffdale City Council authorizing the City Manager to enter into agreements awarding a contract for the Park to Park Connection Project and establishing a contingency, staff presenter, Michael Fazio.
9. \*\*\*Consideration and vote on a resolution of the Bluffdale City Council authorizing the City Manager to enter into agreements awarding a contract for the Design Improvements of Segment 5 of Porter Rockwell Boulevard, staff presenter, Michael Fazio.
10. Consideration and vote on a resolution authorizing the City's participation in the Utah Retirement Systems Firefighters System for current full-time Firefighters, or the date of hire for future full-time Firefighters, staff presenter, Stephanie Thayer.
11. Consideration and vote on a resolution adopting the Certified Tax Rate for Salt Lake County for the purpose of levying taxes within the City of Bluffdale for the Fiscal Year 2016-2017, staff presenter, Stephanie Thayer.
12. Consideration and vote on a resolution adopting the Certified Tax Rate for Utah County for the purpose of levying taxes within the City of Bluffdale for the Fiscal Year 2016-2017, staff presenter, Stephanie Thayer.
13. **PUBLIC HEARING** – Consideration and vote on a resolution adopting an Amended Budget for the 2015-2016 Fiscal Year, staff presenters, Mark Reid and Stephanie Thayer. **(LBA & RDA Public Hearings held in conjunction)**
14. **PUBLIC HEARING** – Consideration and vote on an ordinance adopting an amended Consolidated Fee Schedule for Administrative, Service and Development fees, including Water rates, charged by the City of Bluffdale, staff presenters, Mark Reid and Stephanie Thayer.
15. **PUBLIC HEARING** – Consideration and vote on a resolution adopting the Budget for the 2016-2017 Fiscal Year, staff presenters, Mark Reid and 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 May 25, 2016 meeting minutes.
3. **PUBLIC HEARING** – Consideration and vote on a resolution adopting an Amended Budget for the 2015-2016 Fiscal Year, staff presenters, Mark Reid and Stephanie Thayer. **(LBA Public Hearing held in conjunction with the City Budget Hearing)**
4. **PUBLIC HEARING** – Consideration and vote on a resolution adopting the Final Budget for the 2016-2017 Fiscal Year, staff presenters, Mark Reid and Stephanie Thayer. **(LBA Public Hearing held in conjunction with the City Budget Hearing)**
5. Adjournment

**BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING**

1. Roll Call
2. **CONSENT AGENDA** –

2.1 Approval of the May 25, 2016 meeting minutes.

3. **PUBLIC HEARING** – Consideration and vote on a resolution adopting an Amended Budget for the 2015-2015 Fiscal Year, staff presenters, Mark Reid and Stephanie Thayer. **(RDA Public Hearing held in conjunction with the City Budget Hearing)**
4. **PUBLIC HEARING** – Consideration and vote on a resolution adopting the Final Budget for the 2016-2017 Fiscal Year, staff presenters, Mark Reid and Stephanie Thayer. **(RDA Public Hearing held in conjunction with the City Budget Hearing)**
5. Adjournment

#### **CONTINUATION OF BUSINESS MEETING**

16. Mayor's Report

17. City Manager's Report and Discussion

#### **PLANNING SESSION**

Please Note: The planning session is for identifying future items and other council discussion in accordance with Utah Code § 52-4-201(2)(a). While the meeting may be open to the public, there will not be any opportunity for public input during the planning session.

18. 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).
19. Adjournment

**Dated this 21<sup>st</sup> day of June, 2016**

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**Wendy L. Deppe, CMC**  
**City Recorder**

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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, June 22, 2016**

1  
2 **Present:** Mayor Derk Timothy  
3 Ty Nielsen  
4 Boyd Preece  
5 Justin Westwood  
6 James Wingate  
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 Stephanie Thayer, Accountant/HR Administrator  
13 Brittany Skinner, Assistant City Attorney  
14 Police Sergeant Shane Taylor  
15 Fire Chief, John Roberts  
16 Wendy Deppe, City Recorder  
17

18 **Others:** Johnny Loumis, Jr., Planning Commission Member  
19 Jaxxon Swallow, Eagle Scout  
20 Stephen Edwards, Legal Counsel for Debbie Holt  
21

22 **Excused:** Alan Jackson  
23

24 **BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**  
25

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

28 **1. Roll Call, Invocation, and Pledge.**  
29

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

32  
33 Ty Nielsen offered the invocation.  
34

35 Scout Jaxxon Swallow, introduced himself and was present to propose a crosswalk sign at the  
36 corner of 14400 South and 2395 West for his Eagle Project.

37  
38 Jaxxon Swallow led the Pledge of Allegiance.  
39

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1   **2.   PUBLIC FORUM.**  
2

3   Jill McGill gave her address as 14035 South Market View Drive, Apartment C204 and was  
4   present to address the emergency access point on the back side of the Bluffs Apartments that  
5   connects to Loumis Parkway. Her understanding was that an agreement was entered into between  
6   the City and EMG, the apartment management company, specifying that it would remain an  
7   emergency access point. The City has changed significantly since the apartments were  
8   constructed. Mrs. McGill noted that there is only once entrance from Redwood Road, which is  
9   very dangerous. There is a light intended at that location eventually, but she considered it to be  
10   very dangerous for the residents to get in and out, especially during rush hour.

11  
12   Mrs. McGill recognized the issues that exist with the blind curve on 1300 West. Her  
13   understanding was that there have been a few accidents in the area already. She proposed that the  
14   area be made a three-way stop and a sign posted on the blind curve so that oncoming traffic knows  
15   to slow down. It was verified by Mayor Timothy that the speed limit in the area is 25 mph.  
16   Mrs. McGill was not sure about funding and did not know what the cost would be to purchase and  
17   post three stop signs. She also was not aware of other potential legal ramifications. She  
18   commented that a lot of people support what is proposed. Mayor Timothy stated that when  
19   Smith’s opens for business on the Gateway property, there will be a natural tendency for people to  
20   want to go through the area. He suggested that be considered as well. Possible options were  
21   discussed including connecting the Gateway property to 1300 West without going through the  
22   Bluffs. He considered that to be a better option than opening the gate.

23  
24   Mrs. McGill described the difficulty she has had getting to and from her home. She stated that her  
25   husband has severe anxiety and refuses to travel during certain times of the day because he cannot  
26   get onto Redwood Road. In addition, there have been accidents in front of the entrance that have  
27   prevented her from leaving her home for work because she cannot get across the road. She asked  
28   what the next step should be. Mayor Timothy agreed to stay in contact with Mrs. McGill. He

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1 stated that the City gets an equal number of complaints about the gate being open as having it  
2 closed.

3  
4 Johnny Loumis, Jr. gave his address as 14315 South Loumis Parkway and addressed the following  
5 talking points:

- 6  
7 1. Bluffs Road was never intended to be used as a primary entrance or exit and was not  
8 engineered as such. It was always intended to be as a secondary road emergency access  
9 only.
- 10  
11 2. Loumis Parkway has no center turn lane to turn left and coming from the apartments or  
12 townhomes there is no left hand turn to the east or north. The area is very dangerous  
13 because of blind spots with the curvature of the road and speeding.
- 14  
15 3. Mr. Loumis' wife has had several close calls when the gate has been open and she now  
16 returns home from work on Loumis Parkway. Others have made mention of close calls as  
17 well.
- 18  
19 4. Loumis Parkway was not built to handle the additional volume from the Bluffs  
20 Apartments. Trophy Homes never wanted to participate in developing Loumis Parkway  
21 and would not contribute to its improvement.
- 22  
23 5. Loumis Parkway has the S curve on one end and the corner of 1300 West and Redwood  
24 Road curve on the other. Neither can absorb traffic from the Bluffs Apartments.
- 25  
26 6. Bluffs residents should approach the Smith's developers to resolve the problem. Exiting  
27 onto Loumis Parkway will only cause additional problems.
- 28  
29 7. If the City were to pass the request, he could foresee a huge liability for the City because  
30 neither road was engineered or planned to accommodate the additional traffic from the  
31 Bluffs.

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1  
2 Jaxxon Swallow gave his address as 14539 South 2700 West and reported that for his Eagle  
3 Project he was proposing a crosswalk at 14400 South and 2395 West. He would like to install two  
4 crosswalk signs as well to make motorists aware that pedestrians are crossing and to be alert.  
5 Photos of the finished project were displayed. Jaxxon highlighted the benefits of the proposed  
6 sign including:

- 7  
8 1. Pedestrian safety;  
9  
10 2. Low maintenance design that is easy to repair. With the solar panel the sign will operate  
11 up to 30 days 24/7 operation. Without the solar panel, the battery alone can last up to 30  
12 days. No power or trenching is needed to install the unit.

13  
14 The cost of the sign is \$6,000. Jaxxon was not sure how much money he could raise but stated  
15 that packets were prepared to distribute to residents. City Manager, Mark Reid, clarified that the  
16 City would help with the project as it will greatly enhance the park and the safety of the school  
17 children. He believed it was in the City's best interest to provide assistance. Installation and  
18 shipping of the sign would be provided free of charge by the sign company. The price was also  
19 discounted due to the merit of the project. The height of the sign was described as 7 ½ to 8 feet to  
20 the bottom of the sign. The Council agreed to include the cost of the sign in the budget. Jaxxon  
21 was commended for choosing a project that benefits the community for his Eagle Scout Project.

22  
23 Ruth Rowley gave her address as 14073 South Chardonnay and addressed the purchase of her  
24 condominium in the Vintage thinking that Bluffdale would be a nice place to live. She was  
25 concerned about what was discussed tonight and stated that there are a lot of children in the area.  
26 If there is another option for the road she asked why it was not being investigated. Her  
27 understanding was that the City Council established the roadway and the City constructed Market  
28 Street, which was very nice, and then took it away. Access and safety issues were discussed.  
29 Ms. Rowley urged the City Council to do something and take action.  
30

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1 Stephanie Loving gave her address as 14072 South Senora Way. She reported that she spoke to  
2 the Fire Chief and obtained information relating to the gated exit that was intended to be only an  
3 emergency exit for the Bluffs Apartments. She stressed that it is for emergency use only. The  
4 Fire Chief explained to her that the only reason it was opened was because of vandalism.  
5 Mr. Reid explained that the gate has been torn down and totally removed. The City ultimately  
6 donated \$5,000 to the Bluffs Apartments to install a camera to monitor the gate and reduce  
7 vandalism.

8  
9 Ms. Loving stated that the residents of Vintage Condos and Townhomes and the Bluffs  
10 Apartments believed it was taken down because construction was taking place and it allowed them  
11 to have more access. She stated that there has been a serious problem with vandalism in their  
12 subdivision. She serves on the HOA board and wants to resolve the issues. If there was another  
13 access for the Bluffs she believed it would eliminate a lot of the vandalism that is occurring. They  
14 have put up security cameras and noticed that the vandalism is being done by residents of the  
15 Bluffs Apartments. Ms. Loving proposed that there be a separate access for the Bluffs and that  
16 Vintage View not be a public through street. She wanted to ensure the safety of children. She  
17 recommended two speed bumps be installed at the top and bottom and a stop sign and pedestrian  
18 crossing put in similar to what was proposed by Jaxxon Swallow. Ms. Loving also recommended  
19 the Vintage have a separate access.

20  
21 Ms. Loving commented on the park that will be built nearby, which will be a great place for  
22 children to play. It will, however, create an issue with children from the Bluffs who will come  
23 through Vintage and behind the townhomes to get to the park. A recent incident involved  
24 teenagers in what appeared to her to be a sexual assault. The Vintage residents were concerned  
25 that they are needing to put so much time and effort into keeping the area safe.

26  
27 There were no further public comments. The Public Forum was closed.  
28

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COMBINED MEETING MINUTES  
Wednesday, June 22, 2016**

1 **3. CONSENT AGENDA.**

2  
3 **3.1 Approval of the May 25, 2016 Meeting Minutes.**

4  
5 **3.2 Preliminary Acceptance of Independence Plats L and N-1, and Beginning the**  
6 **Warranty Period.**

7  
8 **3.3 Approval of a Resolution Declaring Certain Assets Surplus and Authorizing**  
9 **the Sale of Said Assets.**

10  
11 **James Wingate moved to approve the consent agenda as written. Ty Nielsen seconded the**  
12 **motion. The motion passed with the unanimous consent of the Council.**

13  
14 **4. PUBLIC HEARING – Consideration and Vote on an Ordinance Vacating a Portion**  
15 **of a Public Street Between the Section Line and the East Right of Way Line of 1690**  
16 **West Street at Approximately 14353 South 1690 West, Debbie Holt, Applicant**  
17 **(continued from the January 6, 2016 Planning Commission Meeting), Staff Presenter,**  
18 **Paul Douglass.**

19  
20 City Planner/Economic Development Director, Grant Crowell, presented the staff report and stated  
21 that the applicant has requested that the City Council consider the vacation of a portion of an  
22 existing public right-of-way. The proposed vacation area was identified as between the back of  
23 the sidewalk from the newly constructed 1690 West to the section line. Some of the property is  
24 beyond what is necessary for the existing road. He noted that there is a power line approximately  
25 20 feet behind the sidewalk, which is in the public interest. With a vacation request, a  
26 determination is made as to whether any private parties would be adversely affected by vacating  
27 the public interest.

28  
29 Mr. Crowell reported that the Planning Commission reviewed the request and ultimately  
30 forwarded a positive recommendation to vacate but retain 20 feet behind the sidewalk in the event  
31 additional right-of-way is necessary. It was clarified that the power pole will remain in the public  
32 right-of-way. The Planning Commission proposed that 20 feet be retained in the public right-of-  
33 way behind the current curb location.

34

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1 Steve Edwards identified himself as the legal counsel for the applicant, Debbie Holt. He clarified  
2 that Ms. Holt was appreciative of the proposed vacation but wished to have a full vacation rather  
3 than the proposed partial vacation. He stated that the statute indicates that the right-of-way is to be  
4 vacated where there is good cause for it and neither the public interest nor any person will be  
5 materially injured by it. Both components of the statute are met through the total vacation of the  
6 right-of-way. Mr. Edwards explained that the right-of-way being sought is enjoyed by Ms. Holt's  
7 neighbors to the north and south. An aerial photo of the property was displayed showing the  
8 proposed vacation and the neighboring properties.

9  
10 Mr. Edwards' understanding was that the Planning Commission is recommending that an area that  
11 is approximately 20 feet in depth past the sidewalk remain in the right-of-way. He questioned  
12 what the legal basis or source documents were for the right-of-way associated with Ms. Holt's  
13 property. He reported that Ms. Holt purchased the property in 1985. The home was built in 1952.  
14 He recommended that Ms. Holt be treated the same as her neighbors to the north and south.

15  
16 Mayor Timothy opened the public hearing. There were no members of the public wishing to  
17 speak. The public hearing was closed.

18  
19 In response to a question raised by Ty Nielsen, the right-of-way line was identified as the parcel  
20 line.

21  
22 In response to a question raised, City Attorney, Vaughn Pickell, reported that the power lines are  
23 within the area that will remain in the public right-of-way if the vacation is adopted. If it is fully  
24 vacated, the power lines will be on private property, which will affect franchise agreements. If it  
25 is in the public right-of-way and a project requires a pole to be moved, Rocky Mountain Power  
26 will move them. If it is on private property, the City has to pay for relocation.

27  
28 **Ty Nielsen moved to approve the ordinance vacating a portion of a public street between the**  
29 **section line and the east right-of-way line of 1690 West Street at approximately 14353 South**

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1 1690 West as recommended by the Planning Commission. Justin Westwood seconded the  
2 motion.

3  
4 Boyd Preece was not opposed to the full vacation but would want to be aware of the potential  
5 impacts of the road widening. James Wingate clarified that the City has no intention of using it.  
6 Even if they don't give the whole piece, Ms. Holt can still use the property in a similar manner.

7  
8 **Vote on motion: Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Nay, Ty Nielsen-**  
9 **Aye. The motion passed 3-to-1.**

10  
11 **5. PUBLIC HEARING – Consideration and Vote on Amending the General Plan from**  
12 **Very Low Density to Low Density Residential and a Zone Map Amendment from R-**  
13 **1-43 to R-1-10 at Approximately 14780 South 1690 West, Dale Bennett and Garth**  
14 **Johnson, Applicants, Staff Presenter, Paul Douglass.**

15  
16 Justin Westwood identified his home on the site map displayed and stated that he may have  
17 conflict of interest.

18  
19 Mr. Crowell presented the staff report and stated that the subject property has been utilized as part  
20 of the same farm area. Existing crossings and access issues were a significant topic of discussion  
21 among the Planning Commission. He explained that the existing zoning framework has the  
22 transition of the two main residential zones in the area on the property line. Much of the historic  
23 Bluffdale development along Redwood Road is zoned R-1-10. Property to the south and west is  
24 zoned R-1-43. The General Plan anticipates commercial redevelopment along Camp Williams  
25 and Redwood Road in the future. A few parcels have been zoned commercial over the past few  
26 years, which was expected to continue. That area, however, is separated by canals and will not  
27 likely extend to the subject property.

28  
29 Mr. Crowell explained how the property is accessed and indicated where the narrow public street  
30 ends. In some places, it is difficult to pass. Features of the surrounding property and zoning were  
31 described. The General Plan provides guidance but does not specify how to address a situation  
32 where the line goes through the middle of the property. Currently 20 homes are proposed.

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1 Mr. Crowell indicated that the Planning Commission forwarded a negative recommendation on  
2 both proposals.

3  
4 Dale Bennett, identified himself as the Engineer for the applicant, Erlene Johnson. He reported  
5 that since the Planning Commission Meeting they took Commissioner Loumis' advice to perform  
6 more due diligence. This week they have worked with various people and obtained a lot of  
7 information. They met with Gary Cannon, the President of the canal company, who expressed a  
8 willingness to work with the applicants on the road widening. Mr. Bennett stated that there is  
9 approximately 270 feet from the access to the corner where the public road begins. They also  
10 received an email from the Anderson Trust, which owns the property to the north of the Andersons  
11 and Mr. Westwood. They indicated that they would be willing to work with the applicant as well.  
12 Their intent is to sell the property and develop it. They agreed to work with the applicants on  
13 another access onto Redwood Road. Mr. Bennett asked the Council to continue the matter to the  
14 next meeting to allow them more time to compile additional materials.

15  
16 Mr. Bennett stated that they have reached out to all of the landowners but have not yet had a  
17 chance to negotiate with all of them. They contacted UDOT and set up a pre-application meeting  
18 which was scheduled for the following week. At that time, they will review the various options  
19 available.

20  
21 Mayor Timothy commented that the 30-lot rule on a single point of ingress/egress will be an issue.  
22 Without a second access the City Council almost has to deny the request. In order for it to be  
23 approved, he felt that the second access must be part of the proposal. Mr. Reid stated that at the  
24 point near the access off of Redwood Road, the 30-lot rule is still in place unless access is  
25 obtained across the bridge on the south. He asked the applicants how many lots would be  
26 proposed if the property were rezoned R-1-10. Mr. Bennett estimated it would be 23 lots with  
27 one-half acre average lot sizes.

28  
29 The applicant, Erlene Johnson, gave her address a 14516 South Camp Williams Road and reported  
30 that years ago they developed an 80-acre subdivision to the south. Her recollection was that the

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1 subdivision is accessed off of Camp Williams Road. At that time, they had a right-of-way into the  
2 canal from years earlier. The Mayor indicated that that would be something to be worked out if  
3 the request is approved.

4  
5 Mayor Timothy opened the public hearing.

6  
7 Linda Crane gave her address as 14846 South 1690 West and stated that 1690 West is a very  
8 narrow road and requires caution. If 23 homes are added to the road with the associated traffic,  
9 there will be problems. She questioned how the road could be widened since the canal company  
10 only owns so much property. Ms. Crane thought the applicants should first be required to prove  
11 that the proposal will fit in the community and be safe. She recommended the applicants stay  
12 away from 1690 West and pursue other safer alternatives.

13  
14 Chris Nielsen gave his address as 14648 South 1690 West and encouraged the developer to look at  
15 other alternatives to 1690 West for safety reasons. He has lived on 1690 West for 33 years and  
16 felt that the cost of increasing the road size will ultimately decrease the lot sizes. Mr. Nielsen did  
17 not consider 1690 West to be viable due to the width.

18  
19 Roger Kent gave his address as 14860 South 1690 West and identified his property on the map  
20 displayed. He highlighted a very steep hill that makes it very difficult to drive on in the winter.  
21 He noted that it has never been maintained during the winter months.

22  
23 There were no further public comments. The public hearing was closed.

24  
25 Noticing issues were discussed. It was clarified that no additional notices were required beyond a  
26 meeting notice. Ty Nielsen asked about the ramifications to the applicant if the request is denied.  
27 Mr. Pickell stated that if the request is denied, the applicants would have to reapply.

28  
29 Justin Westwood referenced the steep hill and acknowledged the need for a new bridge. Another  
30 ingress/egress option would be needed other than 1690 West. He stated that the access identified

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1 by Mrs. Johnson suggested that it would involve the resolution of additional issues. Boyd Preece  
2 recommended the request be denied since there are too many undecided issues.

3  
4 **Ty Nielsen moved to deny the request to amend the General Plan from Very Low Density to**  
5 **Low Density Residential and a Zone Map Amendment from R-1-43 to R-1-10 at**  
6 **approximately 14780 South 1690 West. James Wingate seconded the motion. Vote on**  
7 **motion: James Wingate-Aye, Boyd Preece-Aye, Ty Nielsen-Aye, Justin Westwood-**  
8 **Abstained. The motion passed unanimously with one abstention.**

9  
10 **6. Consideration and Vote on a Resolution Approving a Cable Television Franchise**  
11 **Agreement Between the City of Bluffdale, Utah, and Comcast of Utah II, Inc., Staff**  
12 **Presenter, Vaughn Pickell.**

13  
14 Mr. Pickell presented the staff report and provided the Council with an updated Franchise  
15 Agreement between Comcast and the City of Bluffdale. The current agreement expired and the  
16 updated document conforms with existing federal law. The agreement allows for relocation by  
17 Comcast at their expense for City projects with 10 days' notice. It also requires Comcast to pay a  
18 franchise fee to the City. Over the past year this has equated to approximately \$45,000. Mayor  
19 Timothy indicated that a correction needed to be made to the effective date.

20  
21 **Ty Nielsen moved to approve a resolution approving a Cable Television Franchise**  
22 **Agreement between the City of Bluffdale, Utah and Comcast of Utah II, Inc., as written with**  
23 **the corrected effective date. James Wingate seconded the motion. Vote on motion: Boyd**  
24 **Preece-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye. The motion passed**  
25 **unanimously.**

26  
27 **7. Consideration and Vote on a Resolution Authorizing the Execution of an Interlocal**  
28 **Cooperation Agreement with Salt Lake County Providing for the Transfer of up to**  
29 **\$1,500,000 of County Transportation Funds to the City of Bluffdale, Staff Presenter,**  
30 **Vaughn Pickell.**

31  
32 Mr. Pickell informed the Council that the proposed agreement was put forward by Salt Lake  
33 County who is the entity that disburses the County Transportation Funds. It is intended to serve as

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1 a reimbursement situation where the City can qualify for up to \$1.5 million in reimbursement from  
2 the County. Mayor Timothy clarified that the effective date of the agreement will be June 22,  
3 2016.

4  
5 **James Wingate moved to approve a resolution authorizing the execution of an Interlocal**  
6 **Cooperation Agreement with Salt Lake County providing for the transfer of up to**  
7 **\$1,500,000 of County Transportation Funds to the City of Bluffdale. Justin Westwood**  
8 **seconded the motion. Vote on motion: Boyd Preece-Aye, Ty Nielsen-Aye, Justin Westwood-**  
9 **Aye, James Wingate-Aye. The motion passed unanimously.**

10  
11 **8. Consideration and Vote on a Resolution of the Bluffdale City Council Authorizing the**  
12 **City Manager to Enter into Agreements Awarding a Contract for the Park to Park**  
13 **Connection Project and Establishing a Contingency, Staff Presenter, Michael Fazio.**  
14

15 City Engineer, Michael Fazio, described the project and stated that the bids were opened on June  
16 20 and the low bidder was Miller Paving, Inc. at a cost of \$97,561.48 plus a 10% contingency for  
17 a total of \$107,317.63. Three bids were received with one being declared unresponsive. It was  
18 recommended that the project be approved.

19  
20 Mr. Fazio stated that it could be done in January or February of next year or late in the fall. The  
21 Mayor indicated that it cannot be done in the fall because of the timing of the school. Mr. Reid  
22 stated that the agreement with the school is to do it during the summer while school is out.  
23 Timing issues were discussed. The possibility of delaying it for one year was mentioned.  
24 Mr. Reid stated that because the job is so small, it is difficult to find any bidders.

25  
26 **Justin Westwood moved to pass a resolution authorizing the City Manager to enter into**  
27 **agreements awarding a contract for the Park to Park Connection Project with Miller**  
28 **Paving, Inc., including a 10% contingency, for a total of \$107,317.63. Ty Nielsen seconded**  
29 **the motion. Vote on motion: James Wingate-Aye, Boyd Preece-Aye, Ty Nielsen-Aye, Justin**  
30 **Westwood-Aye. The motion passed unanimously.**

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1 **9. Consideration and Vote on a Resolution of the Bluffdale City Council Authorizing the**  
2 **City Manager to Enter into Agreements Awarding a Contract for the Design**  
3 **Improvements of Segment 5 of Porter Rockwell Boulevard, Staff Presenter, Michael**  
4 **Fazio.**  
5

6 Mr. Reid recommended that the above matter be tabled as additional information was needed to  
7 proceed.

8  
9 **Ty Nielsen moved to table the above item until a future meeting. Justin Westwood seconded**  
10 **the motion. The motion passed with the unanimous consent of the Council.**

11  
12 **10. Consideration and Vote on a Resolution Authorizing the City’s Participation in the**  
13 **Utah Retirement Systems Firefighters System for Current Full-Time Firefighters, or**  
14 **the Date of Hire for Future Full-Time Firefighters, Staff Presenter, Stephanie**  
15 **Thayer.**  
16

17 Accountant, HR Administrator, Stephanie Thayer, presented the resolution authorizing the City’s  
18 participation in the Utah Retirement Systems Firefighters System. Currently, Bluffdale has one  
19 full-time employee in the Fire Department, who is the Fire Chief. His benefits will be retroactive  
20 to the date he went full-time, which was March 17, 2014. One of the key requirements to  
21 participate in the fund is to maintain the full-time Fire Chief position. No budget adjustment is  
22 required. It was noted that the change will result in a better benefit for Chief Roberts.

23  
24 Mr. Reid indicated that if the City brings any more full-time employees into the Fire Department,  
25 they will be eligible for the pension. Those that are Tier 1 will receive a better benefit than is  
26 available for public employees. Because of Chief Roberts’ hire date, he is a Tier 2 employee.  
27 There is no budget adjustment because the City has been paying toward his pension. Any  
28 employee hired will get a better pension benefit.

29  
30 **Ty Nielsen moved to approve the resolution authorizing the City’s participation in the Utah**  
31 **Retirement Systems Firefighters System for current full-time firefighters or the date of hire**  
32 **for future full-time firefighters. Justin Westwood seconded the motion. Vote on motion:**

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

3  
4 **11. Consideration and Vote on a Resolution Adopting the Certified Tax Rate for Salt**  
5 **Lake County for the Purpose of Levying Taxes Within the City of Bluffdale for the**  
6 **Fiscal Year 2016-2017, Staff Presenter, Stephanie Thayer.**

7  
8 Ms. Thayer recommended that the tax rate of .001218, as set by the State Auditor, be adopted.  
9 The rate is the same for Utah and Salt Lake Counties. Mr. Reid reported that the certified tax rate  
10 sets the City's property tax rate. If the City chooses to impose a tax increase, they would need to  
11 go through the Truth in Taxation hearing process which would result in a vote in August. Mr.  
12 Reid explained that the certified tax rate is set based on property valuations in order to maintain  
13 the same property tax level as the previous year. If property valuations had increased, the certified  
14 tax rate would have decreased in order to generate the same amount of property tax. The  
15 difference is that any property added in terms of growth would result in an increase in property tax  
16 to the City. Year to year a similar property tax is included in the budget. With the annexation of  
17 the Utah Data Center, a portion of the City is in Utah County. For that reason, a certified tax rate  
18 needs to be set in both Salt Lake and Utah Counties. The certified tax rate in Utah County will  
19 generate less than \$1,000 in property tax.

20  
21 Mayor Timothy asked why the projected property tax is not less than it was this year. Mr. Reid  
22 explained that the actual property tax is always much higher than what is projected compared to  
23 the certified tax rate. Every year the property tax budget is set at the amount the certified tax rate  
24 will generate.

25  
26 **Justin Westwood moved to pass a resolution adopting the certified tax rate for Salt Lake**  
27 **County for the purpose of levying taxes within the City of Bluffdale for the fiscal year 2016-**  
28 **2017 at a rate of .001218. Ty Nielsen seconded the motion. Vote on motion: James**  
29 **Wingate-Aye, Boyd Preece-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed**  
30 **unanimously.**

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1 **12. Consideration and Vote on a Resolution Adopting the Certified Tax Rate for Utah**  
2 **County for the Purpose of Levying Taxes Within the City of Bluffdale for the Fiscal**  
3 **Year 2016-2017, Staff Presenter, Stephanie Thayer.**  
4

5 It was noted that the certified tax rate for both Salt Lake and Utah Counties is the same at .001218.

6  
7 **Justin Westwood moved to pass a resolution adopting the certified tax rate for Utah County**  
8 **for the purpose of levying taxes within the City of Bluffdale for the fiscal year 2016-2017 at a**  
9 **rate of .001218. Ty Nielsen seconded the motion. Vote on motion: James Wingate-Aye,**  
10 **Boyd Preece-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously.**

11  
12 **13. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting an**  
13 **Amended Budget for the 2015-2016 Fiscal Year, Staff Presenters, Mark Reid and**  
14 **Stephanie Thayer. (LBA and RDA Public Hearings Held in Conjunction.)**  
15

16 Ms. Thayer highlighted the proposed changes ending June 30, 2016. She explained that to bring  
17 down the General Fund balance, there is a proposal to reduce the transfer to Capital Projects from  
18 the General Fund from 22% to 8%. She noted that the maximum is 25% and the minimum is 5%.

19  
20 Ms. Thayer next referenced changes to the City Council and Sanitation, Professional and  
21 Technical, line items which appear to be slightly over budget. It was proposed that a change be  
22 made to more closely reflect the amount needed.

23  
24 It was proposed that \$1,000 be budgeted for an overage in the Bluffdale Arts Advisory Board's  
25 costume budget. Mayor Timothy indicated that it was taken into account with the additional to be  
26 budgeted next year. Mr. Reid doubted they would use any of the reserve but was intended to be a  
27 safety measure to ensure that they do not go over budget. The change was essentially for auditing  
28 purposes.

29  
30 With regard to the Miss Bluffdale Pageant, there was an increase in the cost of fundraising. For  
31 Old West Days, it was recommended that \$15,000 of the fund balance be used.

32

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1 A question was raised about what contributed to the City Council Professional and Technical  
2 costs. Mr. Reid stated that is primarily transcription of the minutes. The dollar amount has not  
3 changed but varies based on the length of meetings and the amount of time spent.

4  
5 Mayor Timothy opened the public hearing. There were no public comments. The public hearing  
6 was closed.

7  
8 **Ty Nielsen moved to approve the resolution adopting an Amended Budget for the 2015-2016**  
9 **fiscal year. Justin Westwood seconded the motion. Vote on motion: James Wingate-Aye,**  
10 **Boyd Preece-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed unanimously.**

11  
12 **14. PUBLIC HEARING – Consideration and Vote on an Ordinance Adopting an**  
13 **Amended Consolidated Fee Schedule for Administrative, Service, and Development**  
14 **Fees, Including Water Rates Charged by the City of Bluffdale, Staff Presenters, Mark**  
15 **Reid and Stephanie Thayer.**

16  
17 Ms. Thayer presented the proposed changes shown in red. They included the hotel transient tax,  
18 which was in anticipation of a hotel locating in Bluffdale. The intent was for the City to have the  
19 ability to charge a transient room tax pursuant to Utah law. Under Police, a GRAMA request was  
20 changed to the actual cost per the ordinance. With regard to the Cemetery, outside of City  
21 business hours an additional \$100 is typically charged for a regular burial. There was nothing  
22 similar for cremations.

23  
24 With regard to water rates, Mr. Reid stated that an email was sent out proposing a water rate  
25 increase. Bruce Kartchner was asked to look at the water rates. Mr. Reid reported that the City is  
26 currently receiving just under a 3% increase from Jordan Valley Water Conservancy District. The  
27 current rate is \$1.75, \$2.15, \$2.85, and \$3.50 per 1,000 gallons. Mr. Reid's proposal was to  
28 increase the rates by \$.10, \$.15, \$.20, and \$.25 on the respective tiers. The rate increase will be  
29 effective for the City on July 1. In response to a question raised, Mr. Reid stated that all of the  
30 City's culinary water is purchased from Jordan Valley. There are individuals in the City that have  
31 wells and the City has one well but it is not used for culinary water.

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1  
2 Mayor Timothy commented that not all of the increase is to accommodate growth. For instance,  
3 additional water storage is needed for the current population that growth does not account for. He  
4 believed the City's rates were significantly low in terms of what the needs will be. He suggested  
5 that Mr. Kartchner perform his analysis after July 1 when he is employed full-time by the City.  
6 The Mayor did not want to raise rates twice and did not consider the increase proposed by  
7 Mr. Reid to be substantial enough. In response to a question raised, the Mayor stated that there  
8 have been complaints received about water rates being too high from citizens, however, they are  
9 people who water their entire yard with culinary water. The Mayor was concerned that if the rates  
10 are not increased sufficiently now, they will eventually have to be increased again. He was of the  
11 opinion that if not raised enough now, they will be raised twice in a short period of time. Mr. Reid  
12 clarified that rates can be raised at any time but it would be noticed as a separate meeting rather  
13 than a change to the fee schedule.

14  
15 Mr. Reid stated that each year since he came to work for the City, they have done a small rate  
16 increase each year that equaled the amount of the increase imposed by Jordan Valley. He  
17 explained that the majority of the City is in Tier 1. Mayor Timothy stated that when he was  
18 running for Mayor there were only six or eight users that were over 100,000. Mr. Reid indicated  
19 that there are at least 12 now. He explained that one of the purposes of the tiers is to promote  
20 conservation. They have done their conservation by paying for the reuse water project.

21  
22 SWPP fees were discussed. Mr. Reid reported that the requirements for the City to perform  
23 inspections for SWPP has created an increase. They have contracted with a company to perform  
24 the inspections. In analyzing the situation over the next three to six months, they may decide to  
25 bring inspector services in house. It was noted that the inspections have to be taking place by July  
26 1.

27  
28 With regard to the water rate, Mayor Timothy commented that if the lowest tier was changed it  
29 could be increased significantly and still very few citizens would notice. Those that complain

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1 about the cost are typically those in the higher tiers. Changing the higher tiers twice would be  
2 much worse than imposing a single increase.

3  
4 Mayor Timothy opened the public hearing. There were no public comments. The public hearing  
5 was closed.

6  
7 Ty Nielsen proposed there be one water rate change rather than two. Mr. Reid compared  
8 Bluffdale's rates with those of surrounding cities. For example, Riverton City has no tiers and  
9 charges a flat rate of \$3.90 per 1,000 gallons. Bluffdale's cost from Jordan Valley during the  
10 summer months is \$1.68 per 1,000 gallons. Residents are charged \$1.75. He noted that Riverton  
11 City gets their water at a lower cost than Bluffdale because they traditionally had other sources.  
12 Mayor Timothy did not think they were doing the citizens a favor by charging such a low rate  
13 since the system has issues and there are major facilities that need to be built.

14  
15 The Council agreed to only increase water rates once, which would be included in the February  
16 budget amendment or sooner, once Mr. Kartchner completes the study and the noticing  
17 requirements are met.

18  
19 Justin Westwood addressed ball fields and violation fees. It was noted that no fee is charged for  
20 practices. It was suggested that there be clarification with regard to reserving fields for practices.  
21 Council Member Westwood preferred to reserve the fields for local teams when they request it.  
22 Mr. Reid stated that typically, the ability to reserve the field is opened up early in the year.  
23 Mr. Reid stated that changes could be made to how the fields are handled but he preferred to  
24 involve Alan Jackson and Blain Dietrich in the decision since they are most involved with the ball  
25 fields.

26  
27 **Ty Nielsen moved to approve an ordinance adopting an Amended Consolidated Fee**  
28 **Schedule for Administrative, Service, and Development fees, including water rates charged**  
29 **by the City of Bluffdale. Justin Westwood seconded the motion. Vote on motion: James**

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1 Wingate-Aye, Boyd Preece-Aye, Ty Nielsen-Aye, Justin Westwood-Aye. The motion passed  
2 unanimously.

3  
4 15. **PUBLIC HEARING – Consideration and Vote on a Resolution Adopting the Budget**  
5 **for the 2016-2017 Fiscal Year, Staff Presenters, Mark Reid and Stephanie Thayer.**  
6 **(LBA and RDA Public Hearings Held in Conjunction).**

7  
8 Mr. Reid reported that it would be necessary for the Council to finalize the budget tonight.

9 Ms. Thayer highlighted the changes made to the budget document since the last Council Meeting.  
10 She also listed the changes made since it was last emailed to the Council the previous week. The  
11 property tax figures were modified to match the dollar amount, which decreased the City's  
12 property tax revenue. Inspection fees for SWPP were added for both the revenues and  
13 expenditures in the amount of \$120,000. For City Council Professional and Technical fees, since  
14 the current year was higher and a budget adjustment was needed, they decided to impose an  
15 increase next fiscal year.

16  
17 Mr. Reid commented on the inspection fees and stated that they are pass through fees. Whatever  
18 is charged to the City is eventually passed on to the buyer. With respect to Sanitation, next year's  
19 budgeted amount was increased to be in line with the amended budget. With regard to the  
20 bleachers at the Rodeo Arena, Ms. Thayer's understanding from the last meeting was that they  
21 will hold off for the time being. She made a list of items they would be moving forward with for a  
22 total of \$250,000, which should decrease the expenses by \$600,000.

23  
24 A question was raised by Justin Westwood as to whether the intent is for it to be a horse arena for  
25 the community or a venue for larger events. If it is a horse arena, he did not object to the arena  
26 blend and black widow. If the intent is to change it to a venue, he did not support the idea of  
27 purchasing a \$100,000 tractor and attachment. Mayor Timothy stated that the tractor and  
28 attachment will be needed either way. Mr. Reid agreed and stated that the arena is groomed daily.  
29 The groomer proposed to be purchased is better than the one they have now and horse people in

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1 the community would like to see it upgraded. The arena blend and the black widow were the only  
2 two items the Rodeo Committee unanimously agreed on.

3  
4 The option of having a lid or no lid was discussed. The Mayor explained that most ticket sales  
5 will be done on line and ticketholders will expect the City to protect them from rain or inclement  
6 weather. He stated that the options are 5,000 seats with a lid or 3,000 without depending on the  
7 direction the City wants to go. Mr. Reid compared it to a football stadium where games are held  
8 rain or shine with or without a lid.

9  
10 Under Park Impact Fees, Ms. Thayer reported that they looked at the park projects but  
11 unfortunately could only remove the Mount Jordan Park, for \$15,000 because the remainder may  
12 have been completed but still needs to be reimbursed. They also added a request for the Plat K  
13 Park at a cost of \$700,000. Mr. Reid explained that their agreement with the developer was that  
14 the City would reimburse up to the amount collected. One of Mr. Kartchner's other projects was  
15 to show how much was collected in each area.

16  
17 The Capital Projects budget did not include the Parks tractor at a cost of \$60,000. Mr. Reid was  
18 confident that they can find a good used tractor for that amount. He indicated that a tractor cannot  
19 be purchased out of Park Impact Fees and will have to come out of Capital Projects.

20  
21 Ms. Thayer reported that the 1300 West resurface overlay was added by the City Engineer.

22 Mr. Reid reported that the numbers were just received this week. The overlay will run from 14600  
23 South to the power line corridor going south on 1300 West. It was noted that it is currently the  
24 worst road in the City. The amount budgeted was \$70,000.

25  
26 Ms. Thayer next addressed the Water Operations Fund at 14400 South. She indicated that a 16-  
27 inch dry irrigation line for the charter school water line is proposed at a cost of \$30,000. Mr. Reid  
28 stated that the school is proposing to put in a water line and the City is proposing to upsize it. It  
29 will be dry because it has no connections to either side. Because the road in front of it is being

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1 done now they will put it in place. When they come through later with the water project they can  
2 avoid tearing up that portion of the road.

3  
4 Additional recent changes were described. The budget was updated and placed in Dropbox to  
5 show the additional four items. The first was to increase the Mayor's salary by the same amount  
6 as the Council received. There was also a request for Court travel and training of \$1,000.

7 Mr. Reid reported that the judge is now required to attend two different conferences. In  
8 Engineering they are proposing to increase the part-time salaries and wages for an Engineering  
9 Intern by \$20,000. With regard to the Class C Road Fund, Mr. Reid reported that an analysis was  
10 performed on the amount of revenue received. They expect to complete \$220,000 in projects with  
11 a projected revenue of \$425,000. In looking at the situation more closely, based on what the  
12 Mayor had seen with Class C Road Funds, the amount of revenue they expect to come in was  
13 reduced along with the amount that will go into reserves. Mr. Reid reported that the City will still  
14 receive more in revenue than they have budgeted in projects. Ms. Thayer stated that \$20,000 was  
15 included in the budget for ADA ramps at Independence. It was noted that they cost approximately  
16 \$5,000 each.

17  
18 With regard to salary increases, James Wingate asked if they could see a comparison to  
19 neighboring cities. Mr. Reid stated that traditionally Bluffdale has been substantially lower.  
20 Council Member Wingate prepared a comparison and emailed it to the City Council Members for  
21 review. He wanted to have data to support the City's decision. He looked at the cities of  
22 Riverton, Herriman, Draper, Lehi, and Saratoga but questioned whether it was a fair comparison  
23 since they all have much higher populations. He also looked at cities with similar populations.

24  
25 Mayor Timothy opened the public hearing. There were public comments. The public hearing was  
26 closed.

27  
28 **Ty Nielsen moved to adopt the budget for the 2016-2017 fiscal year. Justin Westwood**  
29 **seconded the motion. Vote on motion: James Wingate-Aye, Boyd Preece-Aye, Ty Nielsen-**  
30 **Aye, Justin Westwood-Aye. The motion passed unanimously.**

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL,  
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD, AND  
REDEVELOPMENT AGENCY BOARD  
COMBINED MEETING MINUTES  
Wednesday, June 22, 2016**

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

4 **1. Roll Call.**  
5

6 All Members of the Local Building Authority were present with the exception of Alan Jackson,  
7 who was excused.

8  
9 **2. CONSENT AGENDA.**  
10

11 **2.1 Approval of the May 25, 2016 Meeting Minutes.**  
12

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

15  
16 **3. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting an**  
17 **Amended Budget for the 2015-2016 Fiscal Year, Staff Presenters, Mark Reid and**  
18 **Stephanie Thayer. (LBA Public Hearing Held in Conjunction with the City Budget**  
19 **Hearing).**  
20

21 Justin Westwood moved to adopt the Amended Budget for the 2015-2016 fiscal year. Ty  
22 Nielsen seconded the motion. Vote on motion: James Wingate-Aye, Boyd Preece-Aye, Ty  
23 Nielsen-Aye, Justin Westwood-Aye, Chair Derk Timothy-Aye. The motion passed  
24 unanimously.

25  
26 **4. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting the Final**  
27 **Budget for the 2016-2017 Fiscal Year, Staff Presenters, Mark Reid and Stephanie**  
28 **Thayer. (LBA Public Hearing Held in Conjunction with the City Budget Hearing.)**  
29

30 The above matter was addressed as part of the Regular Meeting.

31  
32 Justin Westwood moved to adopt the final budget for the 2016-2017 fiscal year. Ty Nielsen  
33 seconded the motion. Vote on motion: James Wingate-Aye, Boyd Preece-Aye, Ty Nielsen-  
34 Aye, Justin Westwood-Aye, Chair Derk Timothy-Aye. The motion passed unanimously.  
35

**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, June 22, 2016**

1 **5. Adjournment.**

2  
3 The LBA Meeting was adjourned.  
4

5 **BLUFFDALE CITY REDEVELOPMENT AGENDA BOARD MEETING**

6  
7 RDA Chair, Ty Nielsen, assumed the Chair.  
8

9 **1. Roll Call.**

10  
11 All Members of the Bluffdale City Redevelopment Board were present with the exception of Alan  
12 Jackson, who was excused.  
13

14 **2. CONSENT AGENDA.**

15  
16 **2.1 Approval of the May 25, 2016, Meeting Minutes.**

17  
18 **Justin Westwood moved to approve the consent agenda. James Wingate seconded the**  
19 **motion. The motion passed with the unanimous consent of the Board.**  
20

21 **3. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting an**  
22 **Amended Budget for the 2015-2016 Fiscal Year, Staff Presenters, Mark Reid and**  
23 **Stephanie Thayer. (RDA Public Hearing Held in Conjunction with the City Budget**  
24 **Hearing).**

25  
26 The above matter was addressed as part of the Regular Meeting.  
27

28 **Mayor Derk Timothy moved to approve the amended budget for the 2015-2016 fiscal year.**  
29 **Justin Westwood seconded the motion. Vote on motion: James Wingate-Aye, Boyd Preece-**  
30 **Aye, Chair Ty Nielsen-Aye, Justin Westwood-Aye, Mayor Derk Timothy-Aye. The motion**  
31 **passed unanimously.**  
32

33 **4. PUBLIC HEARING – Consideration and Vote on a Resolution Adopting the Final**  
34 **Budget for the 2016-2017 Fiscal Year, Staff Presenters, Mark Reid and Stephanie**  
35 **Thayer. (RDA Public Hearing Held in Conjunction with the City Budget Hearing).**  
36

37 The above matter was addressed as part of the Regular Meeting.  
38

**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, June 22, 2016**

1 Mayor Derk Timothy moved to approve the final budget for the 2016-2017 fiscal year.  
2 Justin Westwood seconded the motion. Vote on motion: James Wingate-Aye, Boyd Preece-  
3 Aye, Chair Ty Nielsen-Aye, Justin Westwood-Aye, Mayor Derk Timothy-Aye. The motion  
4 passed unanimously.

5  
6 **5. Adjournment.**

7  
8 The RDA Meeting was adjourned.  
9

10 **CONTINUATION OF BUSINESS MEETING**

11  
12 Mayor Timothy resumed the Chair.

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

15  
16 Mayor Timothy reported that the Bluffdale Elementary 5<sup>th</sup> graders recently had a 5k race at the  
17 park. He remarked that it is very beneficial to have the park adjacent to the elementary school.  
18 He wished the school districts and charter schools would do more to allow the accommodation of  
19 City parks and schools so that resources can be shared.

20  
21 Mayor Timothy informed the Council that the following Monday is the postponed Jordan School  
22 District Meeting on the cost of building schools at 1:00 p.m. at the Auxiliary Building. He  
23 planned to attend. Appreciation was expressed to the Mayor for his efforts to get them to be more  
24 efficient. The Mayor stated that he added a link to the City's website dealing with the growth in  
25 the school district. He thought it was good information to make available to the public.

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

28  
29 Mr. Reid commented on the joint use of parks and stated that as they have spoken to the Jordan  
30 School District about development taking place on the Day property in Independence, they have  
31 discussed the possibility of negotiating a joint use and locating the City park next to their field.

32  
33 Mr. Reid reported that \$12,000 was budgeted for the mid-block crossing. They would like to look  
34 at possibly doing one nearby and eliminating the northern crossing guards if determined to be a

**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, June 22, 2016**

1 safe alternative. The Mayor thought that eliminating the crossing guard and changing to an  
2 electronic crossing might be difficult for parents to accept.

3  
4 Approval was given to add the Jordan River Commission Interlocal Agreement to the July 13  
5 agenda.

6  
7 The following Friday a tour was to be taken of fire stations in Springville and Lehi. The architect  
8 of the facilities is the current architect retained by the City. The group will also visit stations in  
9 Ogden the following week.

10  
11 Mr. Reid reported that Lynn Larson, who has done the majority of the Jordan River Parkway, is  
12 retiring with a celebration scheduled the following day from 11:30 a.m. to 1:00 p.m.

13  
14 An update was given on City Hall. Mr. Reid stated that very little work has been done over the  
15 past few weeks because they are waiting for the steel to come in. Work had begun on the sewer  
16 project portion to connect to the sewer line. For that reason, half of the road is missing. Mr. Reid  
17 reported that the Furniture Committee has made their first initial visits.

18  
19 Construction has begun on Noell Nelson Drive. There has been some push back from the adjacent  
20 property owner on the northwest who did not grant the City permission to enter his property. The  
21 City will stay off of the property completely and put curb and gutter down one side. When the  
22 property owner wants to develop his property he will have to donate property and install the  
23 sidewalk and park strip. Mayor Timothy recommended the City do the minimum and not buy  
24 more than is necessary.

25  
26 With regard to the charter school, they are working to widen 14400 South.

27  
28 Mr. Reid reported that the City's website is live and asked that any suggestions be submitted to  
29 staff.

30

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL,  
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD, AND  
REDEVELOPMENT AGENCY BOARD  
COMBINED MEETING MINUTES  
Wednesday, June 22, 2016**

1 Tuesday, June 29 at 1:00 p.m. will be the Change of Commands Ceremony at Camp Williams.  
2 Mr. Reid planned to attend. He reported that the current Commander, Colonel Smith, is becoming  
3 the new Commander at the Draper National Guard Headquarters. The Commander at the Draper  
4 National Guard Headquarters, Colonel Price, is becoming the new Camp Commander.

5  
6 Mr. Reid reported that staff met with Chris McCandless and Laura Hanson from the Jordan River  
7 Commission earlier in the day about the possibility of building a reservoir at the south end of town  
8 in order to enhance the water capacity of the secondary water system. They thought they could get  
9 the property donated by the County because the County needs a recreational facility there. One of  
10 the items on their list of desired recreational facilities is an urban fishery. Staff will be meeting  
11 with Salt Lake County in the near future to discuss the possibility of swapping property they own  
12 off of 1300 West in order to locate a public works facility off of the Narrows Road.

13 Mr. McCandless and Ms. Hanson thought the County would be very interested in swapping  
14 property because they are very interested in preserving open space along the river. In response to  
15 a question raised, Mr. Reid stated that the City would be interested in a beach similar to Black  
16 Ridge if the County will put it in and maintain it.

17  
18 Mr. Reid commented on the exit gate at the Bluffs and stated that there have been at least three  
19 accidents with injuries when the gate was down that required transportation by ambulance.

20  
21 **PLANNING SESSION**

22  
23 There were no planning session items discussed.

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

30  
31 Justin Westwood moved to go into closed meeting regarding the professional competence or  
32 health of an individual. James Wingate seconded the motion. The motion passed with the  
33 unanimous consent of the Council.

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, June 22, 2016**

1  
2 The Council was in closed meeting from 9:53 p.m. to 9:55 p.m.  
3

4 **19. Adjournment.**  
5

6 **Justin Westwood moved to adjourn. James Wingate seconded the motion. The motion**  
7 **passed with the unanimous consent of the Council.**

8  
9 The City Council Meeting adjourned at 9:55 p.m.  
10

11  
12  
13 \_\_\_\_\_  
14 Wendy L. Deppe, CMC  
15 City Recorder:  
16

17 Approved: \_\_\_\_\_

**DRAFT - FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL  
CLOSED MEETING MINUTES  
Wednesday, June 22, 2016**

1 **Present:** Mayor Derk Timothy  
2 Ty Nielsen  
3 Boyd Preece  
4 Justin Westwood  
5 James Wingate  
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 Brittany Skinner, Assistant City Attorney  
12 Wendy Deppe, City Recorder  
13

14 At approximately 9:53 p.m. Mayor Derk Timothy called the meeting to order.  
15

16 **Motion:** Justin Westwood moved to go into closed meeting regarding the professional  
17 competence or health of an individual.  
18

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

21 **Vote on Motion:** The motion passed with the unanimous consent of the Council.  
22

23 Issues pertaining to the professional competence and health of an individual were discussed.  
24

25 The City Council returned to the City Council chambers to resume the open portion of the meeting  
26 at 9:55 p.m.  
27  
28  
29

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

34 Approved: \_\_\_\_\_



**\*\*\*AMENDED\*\*\*  
BLUFFDALE CITY COUNCIL  
MEETING AGENDA  
Wednesday, July 13, 2016**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, July 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 June 08, 2016 meeting minutes.
  - 3.2 Approval of a resolution of the Bluffdale City Council authorizing the City Manager to enter into a Construction Agreement for relocation work between Rocky Mountain Power and the City of Bluffdale, for Power Lines located at or near Porter Rockwell Boulevard.
  - \*\*\*3.3 Preliminary acceptance of Iron Horse Plat B Subdivision, and beginning the warranty period.
  - 3.4 Approval of a resolution of the Bluffdale City Council authorizing the City Manager to execute a Local Government Contract between the Utah Department of Transportation and the City of Bluffdale for Design of Segment 5 of the Porter Rockwell Boulevard.
  - 3.5 Approval of a resolution of the Bluffdale City Council authorizing the Mayor to enter into a Cooperative Agreement between the Utah Department of Transportation and the City of Bluffdale for a New Traffic Signal and Roundabout Installation on 14600 South at the Railroad Crossing and 1000 West.
4. Presentation and discussion regarding the Bluffdale City Fire Department Semi-Annual Statistical Report, staff presenter, Fire Chief Roberts.
5. **PUBLIC HEARING** - Consideration and vote on an ordinance amending the City Standards and Specifications related to Typical Street Cross Sections and Electrical Lighting Standards, staff presenter, Michael Fazio.

6. **PUBLIC HEARING** – Consideration and vote on an ordinance amending the City Standards and Specifications, adopting Parks and Recreation Landscape Standards, staff presenter, Michael Fazio.
7. Consideration and vote on Preliminary and Final Subdivision Plat Application for Taylor Acres for six (6) residential lots in the R-1-43 Zone, located at approximately 1950 West 14400 South, Greyfriars Estates, LLC, applicant, staff presenter, Jennifer Robison.
8. Consideration and vote on resolution of the Bluffdale City Council authorizing the City Manager to enter into a General Service Agreement with Erosion Control Services, Inc., to provide Storm Water Pollution Prevention Construction Inspections (SWPPP), staff presenter, Michael Fazio.
9. Consideration and vote on a resolution of the Bluffdale City Council authorizing the Mayor to enter into an Interlocal Cooperation Agreement modifying the 2010 Interlocal Cooperation Agreement that established the Jordan River Commission, with the City of Bluffdale becoming a member of the Commission, staff presenter, Vaughn Pickell.
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. 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).
13. Adjournment

**\*\*\*AMENDED this 12<sup>th</sup> day of July, 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](http://WWW.BLUFFDALE.COM) AND ON THE PUBLIC MEETING NOTICE WEBSITE, [WWW.PMN.UTAH.GOV](http://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, July 13, 2016**

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

8 **Staff:** Mark Reid, City Manager  
9 Vaughn Pickell, City Attorney  
10 Michael Fazio, City Engineer  
11 Brittany Skinner, Assistant City Attorney  
12 Police Sergeant Shane Taylor  
13 Fire Chief, John Roberts  
14 Bruce Kartchner, City Treasurer  
15 Jennifer Robison, Senior Planner  
16 Wendy Deppe, City Recorder  
17

18 **Others:** Ken Milne  
19

20 **Excused:** James Wingate  
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 James Wingate, who was  
29 excused.

30 City Manager, Mark Reid, offered the invocation.  
31  
32

33 City Engineer, Michael Fazio led the Pledge of Allegiance.  
34

35 **2. PUBLIC FORUM.**  
36

37 There were no members of the public wishing to address the Council.  
38

39 **3. CONSENT AGENDA.**  
40

41 **3.1 Approval of the June 8, 2016 Meeting Minutes.**  
42

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL  
MEETING MINUTES  
Wednesday, July 13, 2016**

1           **3.2    Approval of a Resolution of the Bluffdale City Council Authorizing the City**  
2           **Manager to Enter into a Construction Agreement for Relocation Work**  
3           **Between Rocky Mountain Power and the City of Bluffdale, for Power Lines**  
4           **Located at or Near Porter Rockwell Boulevard.**

5  
6           **3.3    Preliminary Acceptance of Iron Horse Plat B Subdivision, and Beginning the**  
7           **Warranty Period.**

8  
9           **3.4    Approval of a Resolution of the Bluffdale City Council Authorizing the City**  
10          **Manager to Execute a Local Government Contract Between the Utah**  
11          **Department of Transportation and the City of Bluffdale for Design of Segment**  
12          **5 of Porter Rockwell Boulevard.**

13  
14          **3.5    Approval of a Resolution of the Bluffdale City Council Authorizing the Mayor**  
15          **to Enter into a Cooperative Agreement Between the Utah Department of**  
16          **Transportation and the City of Bluffdale for a New Traffic Signal and**  
17          **Roundabout Installation on 14600 South at the Railroad Crossing and 1000**  
18          **West.**

19  
20    Ty Nielsen moved to pass the consent agenda. Justin Westwood seconded the motion. Vote  
21    on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Boyd Preece-Aye.  
22    The motion passed unanimously.

23  
24    **4.       Presentation and Discussion Regarding the Bluffdale City Fire Department Semi-**  
25          **Annual Statistical Report, Staff Presenter, Fire Chief Roberts.**

26  
27    Fire Chief, John Roberts, presented the Bluffdale Fire Department medical statistics and stated  
28    that the report period is from November 1, 2015 to April 30, 2016. There were 147 calls with  
29    76% originating in Bluffdale. There were 21 calls that resulted in crews going to Riverton, 19 that  
30    went to Draper, and 6 calls to Herriman. Chief Roberts highlighted call specifics. He stated that  
31    when a call comes in, the goal is to get crews out as quickly as possible. Their dispatch team took  
32    one minute or less to get in the truck on 85 of the calls. It took two to three minutes on 109 of the  
33    calls. One call took four to five minutes.

34  
35    In route to arrival times were next presented. Four calls took 15 minutes or longer due to the  
36    railroad trestle. Twelve calls took greater than 10 minutes to arrive on scene. There were 101  
37    calls that took less than five minutes. The data presented also included calls outside of Bluffdale  
38    City.

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL  
MEETING MINUTES  
Wednesday, July 13, 2016**

1  
2 Chief Roberts stated that depending on the severity of a call, there are times when no lights or  
3 sirens are used. In the early morning hours, they avoid using lights and sirens whenever possible.  
4 The hospitals they responded to were identified as Riverton with 47 patients and Jordan Valley  
5 with 7 patients. Other area hospitals were also mentioned.

6  
7 There were 61 fire calls received with 15 involving actual fires. Several “good intent” calls were  
8 also received as well as hazardous conditions, gas spills, and service calls. There were 11  
9 structural fires and chemical releases and reactions, rubbish fires, flammable spills, and natural gas  
10 leaks. Chief Roberts reported that they received assistance from the Unified Fire Authority (UFA)  
11 10 times and provided assistance to them 15 times. In response to a question raised, Chief Roberts  
12 reported that on the 4<sup>th</sup> of July the department responded to nine calls.

13  
14 Sergeant Shane Taylor expressed appreciation to the Mayor and Council. He recognized Ty  
15 Nielsen for all he does for Old West Days and presented him with a brass sheriff’s badge in  
16 recognition of his efforts.

17  
18 **5. PUBLIC HEARING – Consideration and Vote on an Ordinance Amending the City**  
19 **Standards and Specifications Related to Typical Street Cross Sections and Electrical**  
20 **Lighting Standards, Staff Presenter, Michael Fazio.**

21  
22 City Engineer, Michael Fazio, reported that the City standards have been modified to reflect the  
23 new APWA requirements. The RAP was also changed from 10% to 15% to reflect industry  
24 minimum standards. It was noted that the changes may enhance pavement quality. The electrical  
25 street lighting standards were also changed in terms of the distance between street lights according  
26 to street type.

27  
28 Mayor Timothy opened the public hearing. There were no public comments. The public hearing  
29 was closed.

30  
31 **Justin Westwood moved to adopt an ordinance amending the City standards and**  
32 **specifications related to Typical Street Cross Sections and Electrical Lighting Standards.**

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL  
MEETING MINUTES  
Wednesday, July 13, 2016**

1 **Alan Jackson seconded the motion. Vote on motion: Ty Nielsen-Aye, Boyd Preece-Aye,**  
2 **Justin Westwood-Aye, Alan Jackson-Aye. The motion passed unanimously.**

3  
4 **6. PUBLIC HEARING – Consideration and Vote on an Ordinance Amending the City**  
5 **Standards and Specifications, Adopting Parks and Recreation Landscape Standards,**  
6 **Staff Presenter, Michael Fazio.**  
7

8 Mr. Fazio reported that the City did not have standards for constructing park infrastructure and the  
9 City’s consultants, Bio-West Engineering, prepared the proposed standards for review. Dave  
10 Fenn, Blain Dietrich, Jennifer Robison, and Grant Crowell served on the team that reviewed the  
11 standards.

12 Boyd Preece asked if top soil testing could take place since top soil is needed in specific areas.

13 Mr. Reid indicated that the standards can be amended, if needed. Alan Jackson clarified that top  
14 soil of four inches was included in the standards.  
15

16 Mayor Timothy opened the public hearing. There were no public comments. The public hearing  
17 was closed.  
18

19  
20 **Ty Nielsen moved to approve an ordinance amending the City Standards and Specifications,**  
21 **adopting a Parks and Recreation Landscape Standards. Justin Westwood seconded the**  
22 **motion. Vote on motion: Ty Nielsen-Aye, Boyd Preece-Aye, Justin Westwood-Aye, Alan**  
23 **Jackson-Aye. The motion passed unanimously.**  
24

25 **7. Consideration and Vote on Preliminary and Final Subdivision Plat Application for**  
26 **Taylor Acres for Six (6) Residential Lots in the R-1-43 Zone, Located at**  
27 **Approximately 1950 West 14400 South, Greyfriars Estates, LLC, Applicant, Staff**  
28 **Presenter, Jennifer Robison.**  
29

30 Senior Planner, Jennifer Robison, presented the staff report and stated that the application is for  
31 both preliminary and final plat approval. The request is for six residential lots in the R-1-43 zone.  
32 The applicant is requesting that a cul-de-sac come off of 14400 South. There was also a request to  
33 slightly reduce the street standard and construct a private street rather than a public street. Due to  
34 the future widening of 14400 South, there were constraints which was the reason the applicant

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL  
MEETING MINUTES  
Wednesday, July 13, 2016**

1 decided to go to a cul-de-sac situation. The lots near the entrance are one-acre in size with  
2 building envelopes specified for those that need to meet the width requirements. It was most  
3 important to meet the zoning criteria, which is why the applicant was requesting a deviation from  
4 some of the other standards.

5  
6 Mrs. Robison reported that because of the potential widening of 14400 South, there were concerns  
7 with this particular layout and the intersection and how it will affect Frost Court across the street.  
8 The applicant appeared before the Board of Adjustment twice to discuss the issue with them. A  
9 traffic study was provided by Hales Engineering that was reviewed by the City Engineer to ensure  
10 that the intersection will function properly. The Board of Adjustment agreed to allow the offset of  
11 up to 36.1 feet for safety reasons. The proposed conditions of approval were reviewed and  
12 discussed. Mrs. Robison stated that the Planning Commission recommended approval of the  
13 request.

14  
15 Mayor Timothy expressed concern with the offset. Traffic movement issues were discussed.

16  
17 Boyd Preece recused himself from the vote because he has been involved in the process and made  
18 a commitment to the project prior to being elected to the City Council.

19  
20 **Ty Nielsen moved to approve the preliminary and final subdivision plat application for**  
21 **Taylor Acres for six (6) residential lots in the R-1-43 zone located at approximately 1950**  
22 **West 14400 South, Greyfriars Estates, LLC. Approval was subject to the following:**

23  
24 **Conditions:**

- 25  
26 **1. That the variance allows an offset intersection of up to 36.1' (as previously approved**  
27 **by the original variance).**  
28  
29 **2. That the curb and gutter along the property be placed at the final or build out to City**  
30 **Engineer recommendations.**

31

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL  
MEETING MINUTES  
Wednesday, July 13, 2016**

1       **3. Taylor Ridge Lane shall be constructed as a ¾ intersection, prohibiting left turn**  
2       **egress movements onto 14400 South, while permitting right-turn egress and left and**  
3       **right turn ingress.**

4  
5       **4. That a raised island be placed at the entrance to the subdivision preventing any left**  
6       **movement when exiting the subdivision.**

7  
8       **5. That all other requirements and recommendations included in the traffic impact**  
9       **study for the subdivision shall be allowed.**

10  
11       **Justin Westwood seconded the motion.**

12  
13       In response to a question raised by Alan Jackson, City Attorney, Vaughn Pickell, stated that the  
14       Council is bound by the Board of Adjustment action. Mayor Timothy stated that the remedy to  
15       the Board of Adjustment is to sue the board within 30 days. He recommended that the City  
16       Council receive notification of the outcome following any Board of Adjustment action. He  
17       considered it to be the City Council's duty to make sure that everything, including the Board of  
18       Adjustment, is handled properly. Alan Jackson was not in favor of the request but understood the  
19       Council's position.

20  
21       **Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Boyd Preece-**  
22       **Abstain. The motion passed unanimously with one abstention.**

23  
24       **8. Consideration and Vote on a Resolution of the Bluffdale City Council Authorizing the**  
25       **City Manager to Enter into a General Service Agreement with Erosion Control**  
26       **Services, Inc. to Provide Storm Water Pollution Prevention Construction Inspections**  
27       **(SWPPP), Staff Presenter, Michael Fazio.**  
28

29       Mr. Fazio indicated that the above item is very critical for the City. As the owner of a storm water  
30       system the City has requirements that must be met. The City's UPDES permit requirement was  
31       described as of July 1, 2016.

32  
33       Mayor Timothy asked if the cost could be included in the Building Permit Fee. Mr. Pickell stated  
34       that it can and the fee schedule provision allowing the fees to be charged will be adopted. It is a

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL  
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1 separate fee but is added on. Mr. Reid commented that it was added on as a budget item. In  
2 response to a question raised, Mr. Reid stated that as of July 1, 2016 there is a new requirement  
3 that greatly expands the City’s obligations. It was anticipated that the firm will conduct all  
4 inspections for the time being. Mr. Reid stated that for the first 90 days they will utilize the  
5 company and reevaluate whether they want to hire an internal person to do them. There is enough  
6 money in the budget to justify hiring a full-time employee.

7  
8 **Justin Westwood moved to pass a resolution authorizing the City Manager to enter into a**  
9 **General Service Agreement with Erosion Control Services, Inc. to provide Storm Water**  
10 **Pollution Prevention Construction Inspections. Alan Jackson seconded the motion. Vote on**  
11 **motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Boyd Preece-Aye. The**  
12 **motion passed unanimously.**

13  
14 **9. Consideration and Vote on a Resolution of the Bluffdale City Council Authorizing the**  
15 **Mayor to Enter into an Interlocal Cooperation Agreement Modifying the 2010**  
16 **Interlocal Cooperation Agreement that Established the Jordan River Commission,**  
17 **with the City of Bluffdale Becoming a Member of the Commission, Staff Presenter,**  
18 **Vaughn Pickell.**

19  
20 Mr. Pickell reported that the proposed agreement is between the various members of the Jordan  
21 River Commission. It was clarified that the agreement is to join the Jordan River Commission and  
22 must be accepted or rejected with no modifications.

23  
24 **Justin Westwood moved to pass a resolution authorizing the Mayor to enter into an**  
25 **Interlocal Cooperation Agreement modifying the 2010 Interlocal Cooperation Agreement**  
26 **that established the Jordan River Commission with the City of Bluffdale becoming a**  
27 **Member of the Commission. Alan Jackson seconded the motion. Vote on motion: Alan**  
28 **Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, Boyd Preece-Aye. The motion passed**  
29 **unanimously.**

30  
31 **10. Mayor’s Report.**

32  
33 Mayor Timothy reported that Smith’s went out to bid and were supposed to have received the bids  
34 back the previous week. They are planning to commence construction on August 15 as long as

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1 Smith's and Woodbury can reach an agreement on purchasing the land. The only issue holding up  
2 the project is the traffic light and UDOT's approval. Woodbury wrongfully assumed that at least  
3 one of the 12 meetings that have already taken place would count as the pre-application meeting.  
4 The Mayor noted that a meeting must be held prior to making application. UDOT indicated that  
5 they had not yet held the pre-application meeting, which meant that the 45-day approval had not  
6 yet begun. The Mayor expressed a desire to be present at the pre-application meeting, which was  
7 scheduled for July 6. He ultimately was unable to attend and one of the previous meetings was  
8 counted as the pre-application meeting and the 45-day period began. He noted that it is not  
9 necessary to wait the 45 days, particularly since the project has been planned for the last two  
10 years.

11  
12 Mayor Timothy stated questions still remain on the light and the agreement will not be entered  
13 into by Smith's until the light is firm. In response to a question raised, Mayor Timothy stated that  
14 once Smith's finalizes the purchase, the groundbreaking will likely be held sometime between the  
15 end of July and August 15.

16  
17 With regard to the jurisdictional transfer, they are awaiting the Corridor Preservation  
18 determination. Applications were due July 1 but the Public Utilities Meeting will not meet again  
19 until next month. The matter must go through COG, whose next meeting is scheduled for  
20 Thursday, August 25. By then the City will know if they will receive the \$1.5 hoped for. The  
21 Mayor clarified that the approval will come from COG. The Mayor noted that the administration  
22 of the funds changed from UDOT to the County.

23  
24 **11. City Manager's Report and Discussion.**  
25

26 Mr. Reid reported on City Hall and stated that progress has been fairly slow. They have tied in all  
27 of the well field lines and brought them into the building so that the geothermal wells are in place.  
28 They are currently working on testing. The steel is still a few weeks out. Efforts were underway  
29 to expedite the process.

30  
31 Staff has met with representatives regarding the Fire Station off of Noell Nelson Drive and the  
32 matter seemed to be progressing.

**DRAFT – FOR DISCUSSION PURPOSES ONLY**

**BLUFFDALE CITY COUNCIL  
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1  
2 Mr. Reid reported on two major upcoming events. The first is the Rodeo scheduled for July 29  
3 and 30. The Council Members were asked to let him know which night they would like to attend  
4 and the number of tickets they would like. The second event is Old West Days scheduled for  
5 August 8 through the 13. The Council was asked to let Mr. Reid now as soon as possible what  
6 they would like to do in the parade. In the past they have had a wagon and horse from Craig  
7 Rasmussen, however, he recently sold both. The possibility of having a wagon pulled by a pickup  
8 or tractor with hay bales was discussed. Mr. Reid needed a count of how many people they need  
9 to accommodate. Mayor Timothy commented that he was looking for more children to ride with  
10 him.

11  
12 **PLANNING SESSION**

13  
14 Boyd Preece reported that there have been two meetings on the Point of the Mountain  
15 Commission. The first one he listened to online. The second was held earlier in the day at the  
16 Capitol, which he attended. Council Member Preece's goal is to have the UDOT pond moved or  
17 reduced in size. He proposed that the Members of the Commission discuss the issue. They have  
18 been cordial, but until the study is done no one wants to champion the cause and are not interested  
19 in listening or discussing it. He reported that the RFP for the study will go out soon and will be a  
20 lengthy process. He spoke to a few people at UDOT who indicated that they have not rejected it  
21 outright but his experience was that UDOT won't take action unless they are forced to. He  
22 recommended Bluffdale submit a statement project for a hotel. He recommended they hire a  
23 Lobbyist to approach those involved.

24  
25 Mr. Reid confirmed that there was push back from UDOT regarding moving the temporary pond,  
26 which was one of his fears with locating the temporary pond on the corner of 14600 South and  
27 Porter Rockwell Boulevard. Mayor Timothy stated that UDOT believes that their temporary pond  
28 is temporary because the curb will displace it. Now that the road is going straight and it is already  
29 on corridor preservation property, they believe it is where it should be. As a result, the City's  
30 desire to do UDOT a favor essentially backfired.

31

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1 In response to a question raised by Justin Westwood, Mr. Reid reported that the Movie in the Park  
2 begins at dusk on Friday, July 15.

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

9  
10 **Justin Westwood moved to go into Closed Meeting to discuss pending or imminent litigation.**  
11 **Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye,**  
12 **Justin Westwood-Aye, Boyd Preece-Aye. The motion passed unanimously.**

13  
14 The City Council was in Closed Meeting from 7:55 p.m. to 8:23 p.m.

15  
16 **13. Adjournment.**

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

21  
22 The City Council Meeting adjourned at 8:23 p.m.

23  
24  
25  
26  
27 \_\_\_\_\_  
28 Wendy L. Deppe, CMC  
29 City Recorder:

30 Approved: \_\_\_\_\_



## **Memo**

**Date:** July 21, 2016

**From:** Michael Fazio 

**To:** Mark Reid, City Manager  
Mayor Timothy  
City Council

**CC:**

**RE:** Independence at the Point Plat F Park and Trail

---

City Engineering/Public Works has inspected the Independence at the Point Plat F Park and Trail 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 July 28, 2016.

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



## ***Memo***

**Date:** July 18, 2016

**From:** Leonard Hight 

**To:** Michael Fazio

**RE:** Acceptance of Independence North Trail

---

Michael, punch lists were made on the phase F trail as various sections were completed. An overall punch list was created recently with only one item to correct. This item has been completed. I have involved Dave Fenn with the parks department with the sprinkler system and he has given his approval for a final.

I recommend we approve this trail.

**CITY OF BLUFFDALE, UTAH**

**Resolution No. 2016-\_\_**

**A RESOLUTION OF THE BLUFFDALE CITY COUNCIL ADOPTING AN EMERGENCY OPERATION PLAN.**

**WHEREAS** an Emergency Operations Plan (EOP) can reduce the vulnerability of citizens and communities within the City of Bluffdale (“City”) to loss of life, injury, damage and destruction of property during natural, technological, or human-caused emergencies and disasters or during hostile military or paramilitary actions;

**WHEREAS** an EOP helps the City prepare for prompt and efficient response and recovery to protect lives and property affected by emergencies and disasters;

**WHEREAS** an EOP helps the City respond to emergencies using all systems, plans and resources necessary to preserve the health, safety and welfare of persons affected by an emergency;

**WHEREAS** an EOP helps communities and citizens within the City with recovering from emergencies and disasters by providing for the rapid and orderly restoration and rehabilitation of persons and property affected by emergencies;

**WHEREAS** an EOP provides an emergency management system encompassing all aspects of pre-emergency preparedness and post emergency response, recovery and mitigation and

**WHEREAS** the City desires to adopt and EOP in the interest of public health, safety and welfare;

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

**Section 1. Adoption of an Emergency Operations Plan.** The Bluffdale City Council hereby adopts the Emergency Operations Plan attached in Exhibit A.

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

**PASSED AND APPROVED:** July 27, 2016.

---

Mayor

**ATTEST:**

[seal]

---

City Recorder

Voting by the Council:

Yes No

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

# REQUEST FOR CITY COUNCIL ACTION

---

To: Mayor and City Council  
From: Grant Crowell  
Date: 22 July 2016  
Business Date: 27 July 2016  
Subject: Adoption of Independence Village Residential Special District SD-R  
(zoning map, zoning text, and project plan)  
Staff Presentation: Grant Crowell

## **RECOMMENDATION:**

To approve an ordinance adopting the Independence SD-R special district, as recommended by the Planning Commission on July 20, 2016, with the following findings:

1. That no other zone classification exists that more appropriately suits the proposed development of the property.

## **BACKGROUND:**

On May 11, 2016, the City Council adopted a new zoning category – Special Districts. A Special District (SD) is a very flexible land use type which can be applied to any qualifying property within the City of Bluffdale, residential, commercial or otherwise. On May 25, 2016, the applicant met with the City Council during their regularly scheduled planning session to discuss the concept plan proposal for Independence Village (then referred to as Independence Park), as required by the Special District processing requirements.

The proposed residential special district – SD-R Independence Village, will establish all the zoning regulations for the subject property, including: lot size, density, allowed and restricted uses, setbacks, height, architecture, open spaces, street guidelines, signage, processing requirements, and so forth. This SD zone is a stand-alone base zone, and not considered an overlay. Additionally, a project plan for the SD-R will be adopted as part of the zoning approval. The creation of a SD zone is a legislative zoning decision by the City Council interpreting the General Plan and intent of the community to create projects that would not otherwise be allowed through standard zoning tools. The project presents 181 single family lots, private park spaces and private trail, a proposed City fire station site, and public streets, all adjacent to Noell Nelson Drive.

## **PREVIOUS LEGISLATIVE ACTION**

- July 20, 2016: Planning Commission recommended approval, 3-2.

## **SUPPORTING DOCUMENTS**

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

**CITY OF BLUFFDALE, UTAH**

**ORDINANCE NO. 2016-xx**

**AN ORDINANCE CREATING THE INDEPENDENCE VILLAGE RESIDENTIAL SPECIAL DISTRICT (SD-R INDEPENDENCE VILLAGE), WHICH CREATES A NEW ZONING MAP DESIGNATION, A NEW ZONING ORDINANCE TEXT CHAPTER, AND ADOPTS AN ACCOMPANYING PROJECT PLAN FOR A SPECIFIC GEOGRAPHICAL AREA.**

**WHEREAS** the City of Bluffdale Land Use Ordinance has adopted a Special District special purpose and overlay zone chapter which allows property owners to propose specific zoning regulations and plans for their properties;

**WHEREAS** an applicant and property owner representative have made application to create the Independence Village Special District (Independence SD-R) which presents specific zoning regulations and plans which will govern the subject property’s development; and

**WHEREAS** the proposed map and text amendments and development project plan set forth herein have been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held and public notice given in accordance with Utah law and local ordinance to obtain public comment regarding the proposed amendments to the Land Use Ordinance and Zoning Map.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUFFDALE, UTAH:**

**Section 1. Zoning Map Amendment.** The City Council hereby amends the official zoning map from the Heavy Commercial (HC) designation to a new designation of Independence Village SD-R on the entire property as indicated in Exhibit ‘A’:

See Exhibit ‘A’

**Section 2. Text Amendments and Project Plan Approval.** The City Council hereby adopts a new chapter in the City’s Land Use Ordinance entitled SD-R Independence Village Project Plan, which includes the project plan requirements for Independence Village to Title 11 of the Bluffdale City Code, as indicated in Exhibit ‘B’

See Exhibit ‘B’

**Section 3. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 3. Effective Date.** This Ordinance shall take effect upon recording in the office of the City Recorder, publication, posting, or thirty (30) days after passage, whichever occurs first.

APPROVED, ADOPTED AND PASSED and ordered published by the Bluffdale City Council, this 27<sup>th</sup> Day of July, 2016.

CITY OF BLUFFDALE

\_\_\_\_\_  
Mayor

ATTEST: [SEAL]

\_\_\_\_\_  
Wendy Deppe  
Bluffdale City Recorder

Council members	Voting:	
	AYE	NAY
Alan Jackson	_____	_____
Ty Nielsen	_____	_____
Boyd Preece	_____	_____
Justin Westwood	_____	_____
James Wingate	_____	_____

## Exhibit A: Independence Village Legal Description

The following parcel descriptions comprise the zoning map rezoning area for Independence Village SD-R:

Parcel 1.

BEG N 0°57'20" E 822.61 FT FR S 1/4 COR SEC 11, T4S, R1W, SLM; N 0°57'20" E 487.1 FT; N 89°46'37" E 1335.24 FT; S 0°36'31" W 490.7 FT; S 89°56' W 1338.14 FT TO BEG. (LESS NOELL NELSON DRIVE AS PER ROAD DEDICATION PLAT 2015P-158). 14.63 AC M OR L. ;

Along with:

Parcel 2.

BEG N 0°57'20" E 184.03 FT FR S 1/4 COR SEC 11, T4S, R1W, SLM; N 0°57'20" E 638.58 FT; N 89°56' E 1338.14 FT; S 0° 36'31" W 638.53 FT; S 89°56' W 1342.01 FT TO BEG. (LESS NOELL NELSON DRIVE AS PER ROAD DEDICATION PLAT 2015P-158). 19.16 AC M OR L.; and

Along with an approximately 0.80 ac of dedicated road right of way, listed as a separate unnumbered parcel by the Salt Lake County Assessor's office which lies directly west of and adjacent to the two parcels listed above.

Total rezoning area: 34.59 acres, more or less.

## ARTICLE I. SD-R INDEPENDENCE VILLAGE PROJECT PLAN

11-11I-1: PURPOSE:

11-11I-2: EXISTING CONDITIONS

11-11I-3: CONCEPTUAL SITE PLAN:

11-11I-4: DEVELOPMENT STANDARDS AND DESIGN GUIDELINES:

### 11-11I-1: PURPOSE:

The purpose is to develop Independence Village, a residential neighborhood consisting of 181 single family detached lots on public streets, an HOA owned and maintained park and trail and the dedication of a City fire station all on approximately 34.6 acres located east of Noell Nelson Drive (1000 West) at approximately 14900 South.

### 11-11-I-2: EXISTING CONDITIONS

Figure 1 shows the existing conditions on the property and immediate surroundings.



Figure 1

**11-11I-3: CONCEPTUAL SITE PLAN:**

**1.. Conceptual Site Plan**

Figure 2 is the Independence Village Conceptual Site Plan.

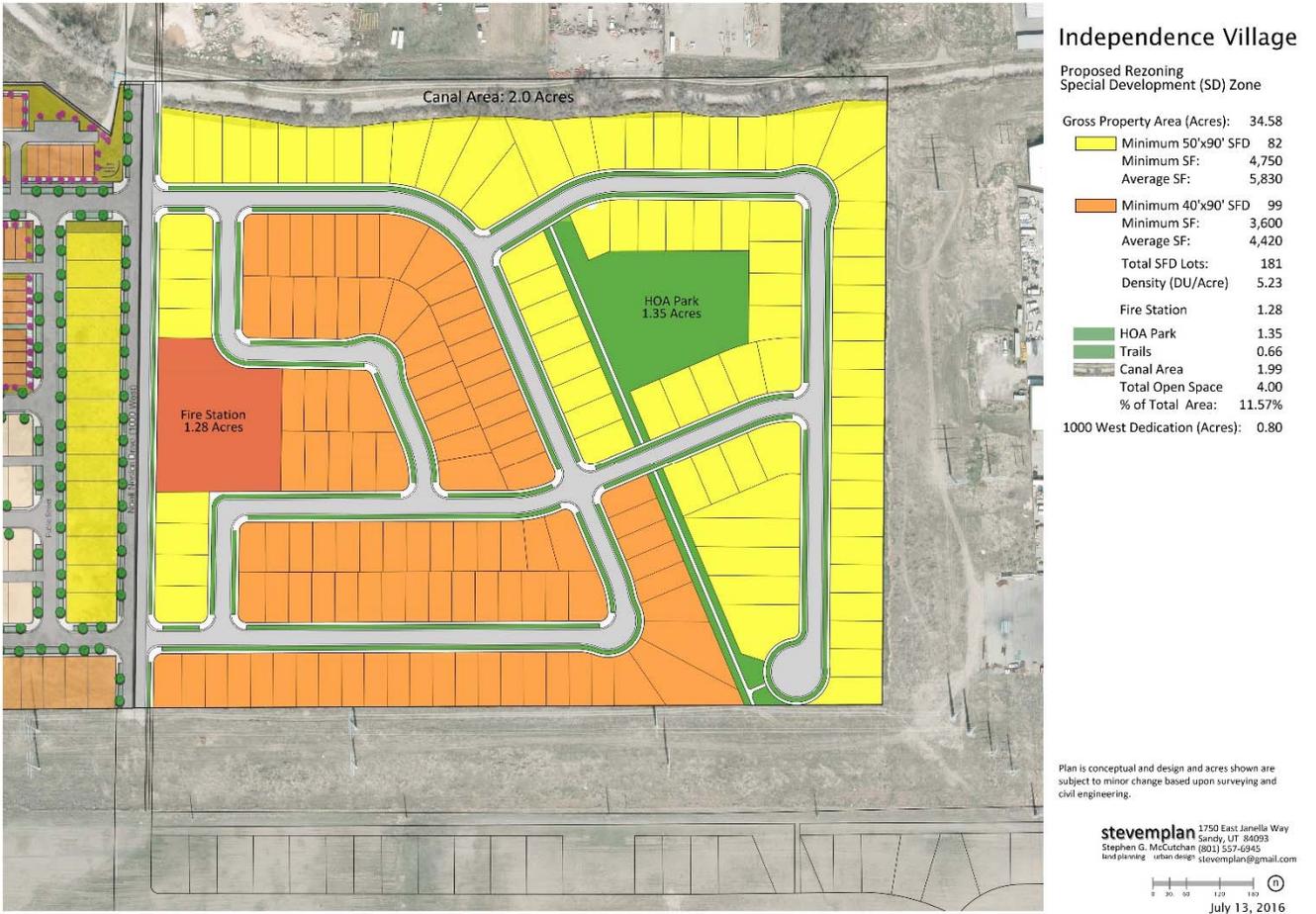


Figure 2

**Table 1**  
**Independence Village**  
**Concept Plan Statistical Summary**

Land Use	Acres	Residential Density (DU/Ac)	No. of Lots
40'x'90' SFD Lots	13.24	7.47	99
50'x 90' SFD Lots	15.26	5.37	82
<b>Residential Subtotal</b>	<b>28.50</b>	<b>6.35</b>	<b>181</b>
<hr/>			
<b>Fire Station Dedication</b>	<b>1.28</b>		
Private Active (Trail)	0.66		
Private Active (HOA Park)	1.35		
Private Passive (Canal)	1.99		
<b>Open Space Subtotal</b>	<b>4.00</b>		
<hr/>			
<b>1000 West Dedication</b>	<b>0.80</b>		
<b>Totals</b>	<b>34.58</b>	<b>5.23</b>	<b>181</b>

Acres and residential densities shown in Figure 1, Table 1 and throughout the zone are approximations based upon best available information. Civil engineering and surveying will revise and refine the numbers.

## 2. Fire Station Dedication

The property owner intends to dedicate a minimum of 1.15 acres along the east side of Noell Nelson Drive (1000 West) to Bluffdale City to construct and operate a fire station. This leaves a difference of 0.13 acres in the size of the fire station site, 1.28. The 0.13 acres is the equivalent of a 50 foot wide lot that was deleted to enlarge the fire station site. The property owner is requesting compensation for the net revenue lost in the 0.13 acres.

## 3. Parks, Open Space and Trails Plan

Within a small lot, single family detached neighborhood like Independence Village, active open space needs to be provided to compensate for the smaller, private rear yard areas. Each lot contains sufficient private rear yard open space for small family gatherings, outdoor entertaining and small children play areas. Active park and trail areas will provide the opportunity for larger, family and neighborhood gatherings, picnicking and informal play areas for sports and similar recreation.

Independence Village's active open space includes a 0.66-acre private trail and a 1.35-acre private park. The trail will connect with the City owned and maintained trail along the north side of Independence at the Point. Independence Village will work with Rocky Mountain Power to permit the trail extension and connection across the powerline easement. The trail connection will allow Independence Village residents to access both park and school facilities within all of Independence. As a private HOA owned and maintained trail, the developer will not request City reimbursement for the value of the trail land and the improvements.

Independence Village proposes a privately owned and maintained HOA park of approximately 1.35 acres. It is anticipated that the park will be an informal play area that includes turf, trees and an

automatic irrigation system. As a privately owned and maintained park, the developer will not request reimbursement for the value of the park land and the improvements.

1.99 acres of the site is within an easement for the East Jordan Canal and will be dedicated to the canal company who will maintain the canal and its immediate surroundings. The developer will build a coated, chain link fence along the canal property line and the rear lot line of the adjacent lots.

The total active and passive parks, trails and open space areas are approximately 4.00 acres. This is 11.6% of the gross site area and 12.0% of the net site area (not including the Noell Nelson Drive 0.8-acre dedication).

#### **4. Street Cross Sections**

All of the streets in Independence Village are designed to be public streets constructed to the City's "Standard Residential A" street standard, generally described a 55 foot right of way, 25 feet of asphalt, 2.5-foot concrete curb and gutters, a 7.5 foot landscaped parkstrips and a 5 foot concrete sidewalks.

#### **11-11I-4: DEVELOPMENT STANDARDS AND DESIGN GUIDELINES:**

The SD Zone requires specific development standards and regulations that apply to Independence Village. The purpose is to develop standards that will enhance the overall appearance of the neighborhood.

#### **1. Permitted, Conditional and Accessory Uses**

**a. Permitted Uses:** Unless specifically listed, any other use is not a permitted use, Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in Title 11:

Single-family dwellings, detached.

Childcare facilities (less than 6 children).

Parks and recreational facilities.

Public or private rights of way.

Public schools.

Public uses.

Public or private utilities and maintenance facilities.

Residential facilities for elderly persons or persons with a disability in accordance with Chapter 27 of Title 11.

Subdivisions pursuant to the subdivision ordinance and the densities approved in this SD-R Zone.

**b. Conditional Uses:** The following land use types are allowed as conditional uses. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Chapter 20 of Title 11:

Religious buildings and structures.

**c. Accessory Uses and Structures:** The following land use types are allowed as accessory uses. Unless specifically listed, any other use is not allowed as an accessory use. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses

are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this section.

All accessory structures including garages, carports, sheds or similar structures shall be located in the rear one-half of the lot.

Accessory structures for the housing of animals or poultry is not permitted, other than incidental shelter for pets as allowed by city ordinance.

Home occupations pursuant to chapter 23 of Title 11.

Small wind power facilities as provided in chapter 33 of Title 11.

## **2. Lot Areas, Widths and Depths**

### **1. Lots designated on Figure 1: Independence Village Conceptual Site Plan as “40’x90’ SFD”.**

- Minimum lot area: 3,600 Square Feet
- Minimum lot width: 40 Feet (for all of the area within the required front setback. If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to the width of the building, plus side yard setbacks; provided, that the requirement is satisfied at the building setback line.
- Minimum lot depth: There is no minimum lot depth.

### **2. Lots designated on Figure 1: Independence Village Conceptual Site Plan as “50’x90’ SFD”.**

- Minimum lot area: 4,500 Square Feet
- Minimum lot width: 50 Feet (for all of the area within the required front setback. If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to the width of the building, plus side yard setbacks; provided, that the requirement is satisfied at the building setback line.
- Minimum lot depth: There is no minimum lot depth.

## **3. Setbacks**

### **1. Main Building**

Front yard setbacks shall be a minimum of ten (10) feet. Front yard accessed garages facing a street shall be setback a minimum of twenty (20) feet.

Interior side yard setbacks shall be a minimum of five (5) feet. Side yards adjacent to a street shall be setback a minimum of ten (10) feet, except that garages facing a side street shall be setback twenty (20) feet.

Rear yards shall be setback a minimum of ten (10) feet.

### **2. Accessory Buildings**

The side and rear yard setbacks for any permitted accessory building shall be a minimum of five feet (5').

### **3. Projections into Setbacks**

Permitted: The following structures may be erected on or projected into any required setback:

Fences and walls in conformance with all applicable city ordinances and resolutions.

Appropriate landscaping.

Utility service boxes or similar structures.

Setback Areas: The following structures may be erected on or projected into any required front or rear setback not more than four feet (4'), and into a side setback not more than two feet (2'):

Cornices, eaves, sills, buttresses, bay windows or other similar architectural features.

Awnings, decks and planter boxes.

#### **4. Minimum Building Separations**

The minimum building separation between a main and accessory building on the same lot shall be ten (10) feet.

#### **5. Minimum and Maximum Building Heights**

A main building or structure shall not exceed thirty-five feet (35') in height, nor be lower than ten feet (10') in height, rear detached garages shall not exceed fifteen feet (15') and other accessory buildings such as sheds or carports shall not exceed ten feet (10') in height.

#### **6. Minimum Standards for Parking**

Each dwelling unit shall have a minimum of two (2) spaces located within a fully enclosed garage.

#### **7. Public Utility Easements**

Public utility easements need to be a minimum of five feet (5') in width.

#### **8. Minimum Standards for Architectural Design, Streetscape, Fencing and Landscaping**

##### **a. Independence Village Architectural Review Committee (IPARC)**

The C, C & R's shall be recorded with any plat and shall form the Independence Village Architectural Review Committee (IPARC) and give it the power and responsibility to review all building construction within the development. The IPARC shall be comprised of a minimum of two (2) individuals who have experience in either design or construction. The minimum responsibilities of the IPARC shall be the following.

Prior to submittal to Bluffdale City for building permit review, the IPARC shall approve all dwelling unit types including the variety of elevations, materials, color schemes, landscaping and accessory buildings.

The IPARC shall provide Bluffdale City with an approved set of plans and a letter of approval that shall be included with the submittal package for building permit review.

The IPARC shall approve all conceptual and final landscape plans for the design and construction of the HOA Park and the trail.

Prior to submittal to Bluffdale City for building permit review, the IPARC shall approve all requests for fencing construction to insure that the Independence Village thematic fencing is to be constructed.

#### **b. Architectural Design Guidelines**

Consistent with the requirements of the SD Zone, Independence Village requires enhanced architectural elements and features that will result in homes that are thematic and include enhancements to visible side and rear facades from either public streets or the private park or trail. The following architectural design guidelines shall dictate the design and construction of homes within Independence Village:

- Stucco, masonry, fiber cement siding and / or similar construction products shall be used on all exterior walls. No vinyl siding shall be permitted.
- A minimum of two (2) elevations shall be drawn for each dwelling unit type. Differences between elevations may include rooflines, use of exterior materials, color schemes, use or size of porches, window location, size, shape or treatments and similar features that vary the appearance of the elevation.
- Where the same dwelling unit type is to be constructed adjacent to or directly across the street, a different elevation shall be used including a different roofline, exterior materials and color schemes.
- A front façade shall include either masonry or fiber cement siding that covers a minimum of 30% of the façade not including the area of the garage door.
- Windows and doors on the front façade shall be trimmed with wood or a wood-like product that is a minimum six inches (6") in width.
- Covered porches shall be supported by a minimum six inch (6") wood or wood-like post that extend from a minimum thirty-six inch (36") and 12 inch (12") width based covered by the same masonry or fiber-cement siding used on the front façade.
- Where masonry is used on the front exterior at corners, it shall be wrapped around to the side exterior a minimum of 24 inches.
- Rooflines shall not be flat or at a low angle, generally described as less than a 6:12 pitch.
- Front facing garages shall be placed in line with the front elevation, be extended no more than five feet in front of the front elevation or be recessed behind the front elevation. It is encouraged that some of the homes extend the living space or a covered porch to the ten foot (10') front yard setback line or within five feet (5') of the front setback line.
- Rear or side end facades that are visible to a street, the private park or trail shall include additional treatments such as, but not limited to, the addition of the front façade wainscoting down the visible side façade, additional fiber cement siding, additional windows, pop-outs and window or door wood or wood-like trims a minimum of six inches (6") in width.

#### **d. Streetscape Design, Street Trees and Front Yard Landscaping**

Independence Village streets will be public streets designed to the City's "Standard Residential A" street standard. The standard provides a 7.5 foot parkstrip and a 5 foot concrete sidewalk between the back of curb and the right of way / property line. To create a more cohesive neighborhood appearance, similar landscaping of the parkways

shall be performed by the home builder. The following standards shall be followed in the landscaping of the front yards and street side yards.

Turf shall be planted in the parkways. Where possible, drought tolerant turf species may be used to reduce water usage.

Street trees shall be planted and maintained in compliance with City Code Title 7 Chapter 4. A licensed landscape architect shall prepare a list of shade trees to be planted by street and the list shall be provided to the City Planner with each plat application. This list of trees shall be used as a requirement in assigning street trees.

**Shade Trees**

Common Name	Botanical Name	Height (ft)	Spacing (ft)	Notes
Elm, American	Ulmus Americana	60-80	30	Use Frontier and Pioneer cultivars-they resist disease.
Honey Locust	Gleditsia triacanthos	30-70	30	Produces 7" long seedpods. Variety Inermis is thornless.
Japanese Pagoda Tree	Sophora japonica	20-40	30	Green leaflets, white flower clusters late summer, takes heat
Norway Maple	Acer Platanoides	20-40	30	
Mountain Ash	Sorbus aucuparia	20-50	30	Brilliant display of orange-red fruit in fall.
Oak, English	Quercus robor Fastigiata	40-60	30	Fastigiata is columnar with ridged and furrowed branches.
Oak, Swamp White	Quercus bicolor	50-60	30	Bark becomes deeply ridged and furrowed with age.
Oak, Bur	Quercus macrocarpa	70-80	30	Gray-brown bark becomes deeply ridged and furrowed.
Zelkova	Zelkova serrata	60-70	30	Green Vase or Village Green varieties best. Fast grower.
London Planetree	Platanus x. acerifolia	50-60	30	Mottled bark
Basswood	Tilia Americana	30-40	30	Compact growth

The home builder shall landscape the front yards of all lots based upon a conceptual landscape plan approved by the IPARC. The landscaping shall include an automatic irrigation system. The landscaping shall include turf, shrubs and groundcovers.

The front yard landscaping shall be installed prior to issuance of a certificate of occupancy except that between the months of October and April, the home builder may delay the installation until the end of the following month of June if a bond is posted pursuant to the City's adopted fee schedule.

The home builder shall construct the IPARC approved thematic fencing between homes at a distance no more than five (5) behind the corner of the dwelling unit. The home builder shall also construct the IPARC approved thematic fencing along the length of the street side lot line from a distance no more than five (5) from the building corner and the lot rear corner.

As part of the IPARC approval, the home builder may choose to not build the fencing between homes if full landscaping including side and rear yards is installed.



**e. Fencing**

The consistent and uniform installation of thematic fencing will contribute to the Independence Village sense of neighborhood. The thematic fence, TREX Seclusions Woodland Brown, maintenance free fence.

Figure 3 shows the location of required fencing that will be installed by the home builder. The home builder will also be required to construct the thematic fencing between homes (interior side yard) no more than five (5) feet behind the house corner. The homeowner may choose to install additional thematic fencing along other lot lines not noted on Figure 3.

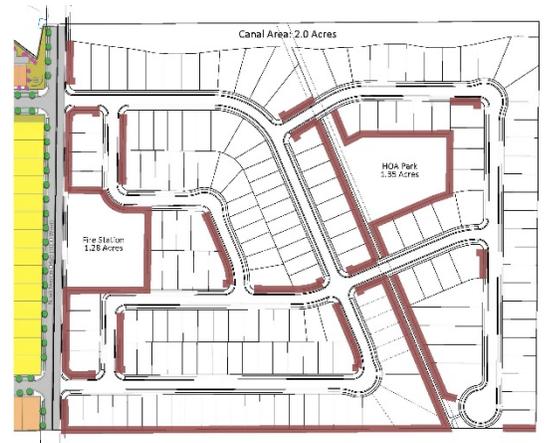


Figure 3



Planning Division  
14175 South Redwood Road  
Bluffdale, UT 84065  
801.254.2200(o) 801.446.8642(f) TTY 7-1-1

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**STAFF REPORT**  
**13 July 2016**

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

**Re:** Creation of the SD-R Independence Village (Residential) Special District  
Application No.: 2016-11  
Applicant: TBP 147, LLC  
Acreage: Approximately 34.6 acres  
Affected Location: Approximately 14880 S Noell Nelson Drive  
Request: To amend the Bluffdale City Land Use Ordinance and Map by creating the SD-R Independence Village Special District, and approving the associated project plan

**SUMMARY & BACKGROUND**

On May 11, 2016, the City Council adopted a new zoning category – Special Districts. A Special District (SD) is a very flexible land use type which can be applied to any qualifying property within the City of Bluffdale, residential, commercial or otherwise. On May 25, 2016, the applicant met with the City Council during their regularly scheduled planning session to discuss the concept plan proposal for Independence Village (then referred to as Independence Park), as required by the Special District processing requirements.

The proposed residential special district – SD-R Independence Village, will establish all the zoning regulations for the subject property, including: lot size, density, allowed and restricted uses, setbacks, height, architecture, open spaces, street guidelines, signage, processing requirements, and so forth. This SD zone is a stand-alone base zone, and not considered an overlay. Additionally, a project plan for the SD-R will be adopted as part of the zoning approval. The creation of a SD zone is a legislative zoning decision by the City Council interpreting the General Plan and intent of the community to create projects that would not otherwise be allowed through standard zoning tools.

**ANALYSIS**

The proposed zoning approval creates a new chapter in the Bluffdale Land Use Ordinance and a new zoning map designation that only applies to the subject area of the application – SD-R Independence Village.

**Existing General Plan and Zoning.** The existing general plan land use designation for the property is Mixed Use and the current zoning is Heavy Commercial. Residential densities in the mixed use land use designation in the vicinity (Independence Master Planned Community) are approximately seven units per acre. The zoning proposal presents a residential density of just over five units per acre. The site's location has been determined to not be a prime commercial location and residential is consistent with other land uses adjacent to the property.

**Layout and Configuration.** The Independence Village subdivision consists of approximately 34.6 acres on generally flat property, south of the East Jordan Canal, north and east of the original Independence Master Planned Community, south and west of existing light industrial development, and on the east side of Noell Nelson Drive. It is adjacent to two electrical power corridors and has a Questar gas line running through the middle of the property that has been incorporated into the project design. Two accesses to the project come off of Noell Nelson Drive, a collector road, designed to handle increased traffic volumes in this area of the community.

The conceptual site plan (concept subdivision plan) shows a mix of up to 181 single family dwelling sites with a minimum lot size of 3600 square feet, a private park and trail system, a site identified for dedication as a City fire station site, and a public street network with street trees within a 55' right of way. Two general single family lot size products have been identified (40' x 90' and 50' x 90'). Smaller setbacks and public utility easements are being proposed, commensurate with the lot sizes. Front loaded garages will be setback a minimum of 20' to allow driveway parking that does not obstruct the sidewalk.

Final design studies continue to refine the site design for the Fire Station site. The City will work with the developer to determine final layout, which may require additional modifications to the conceptual site plan during preliminary and final plat design.

The homes within Independence Village will be required to get approval from an architectural control committee (ARC) prior to submittal to the City for building permit approval. The ARC will administer a variety of architectural goals and requirements which are detailed in the zoning text.

**Uses.** The proposed land uses in the SD-R zone are consistent with what we have approved in other small lot residential subdivisions in the City and are included in the proposed zoning text.

## **SPECIAL DISTRICT ZONE REQUIREMENTS**

To process and approve a request to create a SD zone, certain minimum requirements must be met (staff observations in parentheses):

11-11H-2: QUALIFICATION:

For property to qualify for SD Zone classification the following conditions shall be met:

1. The property to be classified shall be at least ten (20) acres for residential and mixed use projects. The property shall be at least five (5) acres for commercial, industrial, or manufacturing projects. **(Met, 34.6 acres)**
2. The proposal conforms to the goals, objectives, and density recommendations of the City's General Plan. **(General Plan designation is Mixed Use)**

3. The applicant shall demonstrate to the Planning Commission and City Council that development on the property would be constrained by topographic or other natural features, by platting or ownership configuration, by impact from public utility structures or other public structures or facilities, or that no other zone classifications exist that more appropriately suit the proposed development of the property. **(Legislative Policy Determination)**

4. The development of the property shall prepare a comprehensive Project Plan that addresses development issues specific to the site including, but not limited to, architectural design standards, landscaping, street trees, open space and parks, trail connections to the City's existing or proposed system, phasing and processing of development or similar characteristics. **(submitted and included)**

5. The entire site proposed for SD District classification shall be included in a development plan for review and recommendation by the Planning Commission and approval by the City Council as an amendment to the City's Land Use Ordinance and Official Zoning Map. **(submitted and included)**

#### 11-11H-3: LAND USES ALLOWED:

Land uses allowed within an SD Zone shall be established by the review process as described in Section 11-11H-8: Specific Development Standards and Regulations. **(land uses have been submitted and included)**

#### 11-11H-4: DISTRICT DESIGNATION:

When the land uses to be allowed in a specific SD Zone are determined, a permanent suffix for the district shall be established that shall be adopted and shown on the official Bluffdale City Zoning Map. Establishment of an SD designation shall conform to the hearing and approval requirements for Zoning Map and Land Use Ordinance text amendments. The suffix shall describe the dominant land use characteristic of the district, as illustrated and shall also include the name for the particular district:

1. SD-R (residential uses) – name **(SD-R Independence Village)**

#### 11-11H-5: CITY COUNCIL REVIEW PRIOR TO SUBMITTAL OF AN APPLICATION FOR SPECIAL DEVELOPMENT DISTRICT (SD) ZONE

The application for the SD Zone combines applications for a zone map amendment, zone text amendment and a concept plan. Prior to the City accepting a rezoning application to the SD Zone, an applicant shall participate in a City Council planning session during a regularly scheduled and agenda'd public meeting, where the City Council shall discuss the proposed SD Zone rezoning application and whether it qualifies for SD Zone consideration as indicated by the criteria outlined in Section 11-11H-2. The determination of the Planning Commission and City Council are advisory and are performed to provide the applicant with additional information prior to submitting the formal, complete application. **(City Council Planning Session item on May 25, 2016; met)**

#### 11-11H-6: DEVELOPMENT AGREEMENT

The applicant may choose to submit a Development Agreement proposal as a part of the SD Zone application. If so, a Draft Development Agreement shall be submitted as part of the formal, complete application. After review by City Staff, the Draft Development Agreement shall be reviewed and approved by the City Council prior to or concurrent with adopting the ordinance approving the SD Zone rezoning. **(no development agreement submitted or required)**

## 11-11H-7: PROJECT PLAN:

Due to the site specific nature of the SD Zone, all requests for rezoning shall be accompanied by a Draft Project Plan for review and approval by the Planning Commission and City Council. The Project Plan shall be incorporated into the zoning text amendment proposal and formatted as necessary for codification.

The Project Plan must achieve and identify techniques to provide a development with uniform and compatible site and building standards when the project area is completely built out. The Project Plan must demonstrate compliance with the requirements of this article, as applicable. Any deviations from the City's Land Use Ordinance and City Standards requirements shall be specifically listed and approved by the City. The minimum submittal requirements included in the Project Plan shall be the following:

1. Existing Conditions Map that is a topographical map, aerial, satellite photos or equivalent, identifying all lands protected under state and federal statutes from development and any additional features or elements protected under city ordinance.
2. Conceptual Site Plan showing streets, lots and building placement where applicable.
3. Preliminary Street Cross Sections which conform to the City construction standards.
4. The proposed pedestrian, bicycle and active transportation network.
5. Conceptual Parks, Trails and Open Space Plan, which demonstrates connectivity with the City's existing and planned trail system
6. Preliminary plans for parking including off-street parking and snow removal where necessary.
7. Architectural requirements and design theme.
8. Street tree plan.
9. Other elements necessary to demonstrate or clarify the unique aspects of the proposal. **(Submitted project plan meets minimum submittal requirements and is attached)**

Based upon the specific circumstances of each proposed project, the City may require additional studies to be incorporated as part of the Project Plan. These studies may include, but not necessarily limited to, the following.

1. Preliminary culinary and irrigation water.
2. Preliminary storm drainage plans.
3. Preliminary utility plans.
4. Traffic analysis.
5. Geotechnical analysis. **(these studies have not been determined to be necessary at this concept level; detailed engineering is required for preliminary and final plats, pursuant to City land use ordinances)**

## 11-11H-8: SPECIFIC DEVELOPMENT STANDARDS AND REGULATIONS:

As part of the Project Plan, the applicant shall prepare and submit to the City for Planning Commission review and City Council approval specific development standards and regulations for the proposed site. The specific development standards and regulations included shall be site specific provided such standards and regulations are in general conformity with adopted City policies, programs, and plans and all applicable chapters of this code. Such standards and regulations may include, but are not limited, to:

1. Permitted, conditional and accessory uses.
2. Minimum lot areas, widths and depths.
3. Minimum setbacks.
4. Minimum building separations.
5. Minimum and maximum building height requirements.
6. Maximum lot coverage.
7. Minimum standards for access, parking and loading.
8. Minimum amount of open space including active and passive parks, trails, recreation facilities and active and passive open spaces including the long term plans for ownership and maintenance.
9. Minimum standards for architectural design, streetscape, fencing, signage and landscaping, including a process for design approval and administration.

A. The Special Development (SD) Zone allows a property owner to develop using standards that are specific to the property thus permitting land use types, densities, lot sizes, setbacks and similar features that may differ from other City zones. There is an expectation that the buildings constructed in the SD Zone will be based upon architectural design guidelines that exceed requirements in other City zones. There is also an expectation that the architecture in the SD Zone will be more thematic and include more architectural elements and features. Where visible from an adjacent street or gathering place like a park or trail, there is an expectation that the visible side and rear facades of buildings will include additional architectural treatments that are usually placed on front facades, such as masonry, fiber cement siding or similar coverings and windows or doors will include additional treatments like pop-outs or wider wood or wood-like trims. The actual type of architectural feature and element enhancements for each building will vary depending upon the type of development and the perceived need but will be enumerated in the approved Project Plan.

10. Street tree plan.
11. Such other regulations and standards as may be necessary to accomplish the purposes and intent of the SD District. **(submitted project plan addresses all required elements)**

## RECOMMENDATION ON PROPOSED ZONING CHANGES

Staff recommends that if the Planning Commission believes there is good cause to create a new Special District Zoning Designation – SD-R Independence Village, they should forward a positive recommendation to the City Council for the proposed zoning map and text amendment, application 2016-11, and create appropriate findings. A finding that could be utilized as a starting point for a positive or negative recommendation could include:

1. Consistency with the goals and objectives of the City’s General Plan.

### MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the proposed text amendment creating a new Special District Ordinance – SD-R Independence Village chapter in the Bluffdale City Land Use Ordinance, application 2016-11, based on the following findings...”

1. List all findings. . .

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the proposed text amendment creating a new Special District Ordinance – SD-R Independence Village chapter in the Bluffdale City Land Use Ordinance, application 2016-11, based on the following findings:”

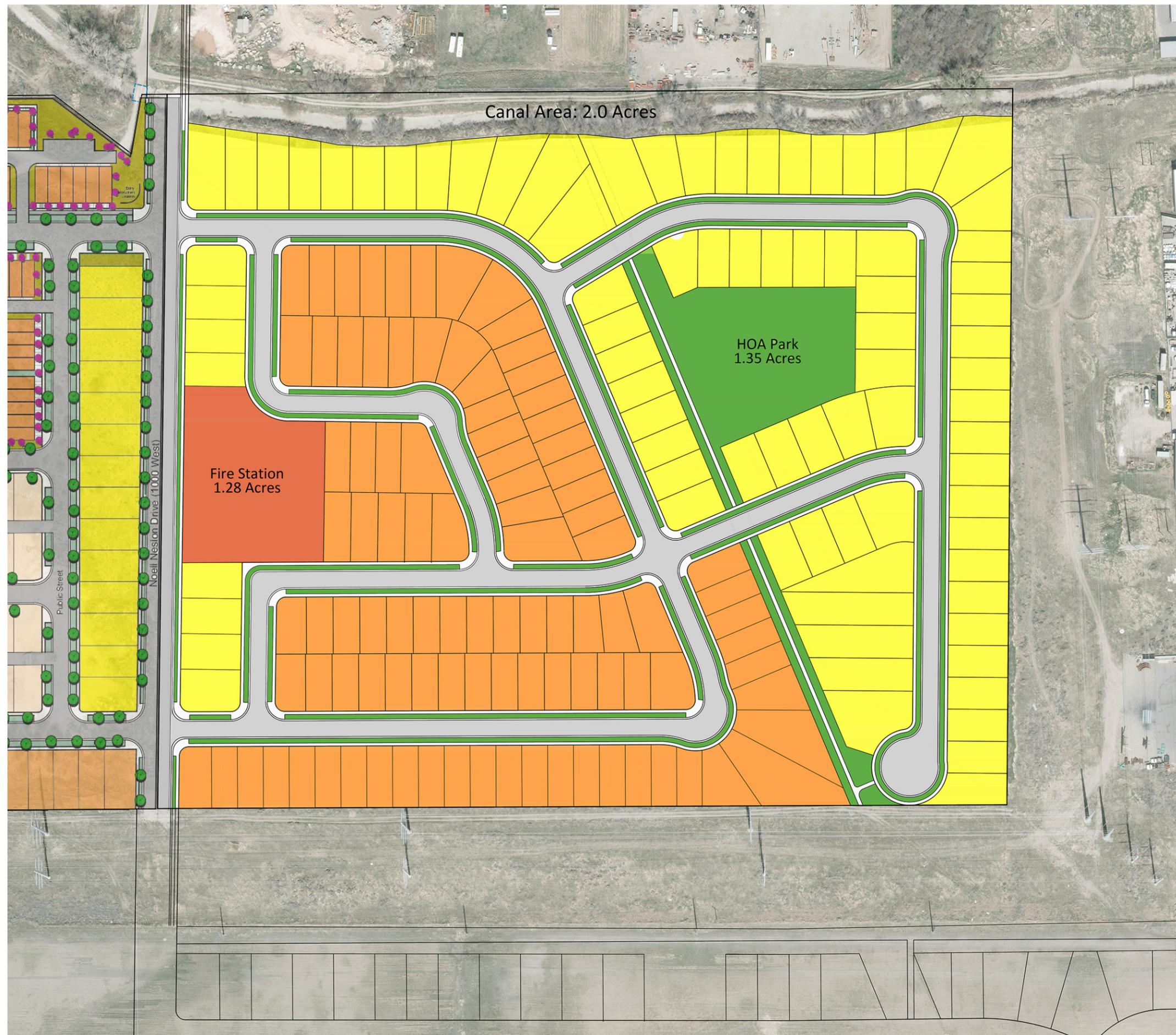
1. List all findings...

# Independence Village

## Proposed Rezoning Special Development (SD) Zone

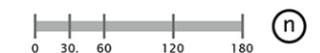
Gross Property Area (Acres): 34.58

	Minimum 50'x90' SFD	82
	Minimum SF:	4,750
	Average SF:	5,830
	Minimum 40'x90' SFD	99
	Minimum SF:	3,600
	Average SF:	4,420
	Total SFD Lots:	181
	Density (DU/Acre)	5.23
	Fire Station	1.28
	HOA Park	1.35
	Trails	0.66
	Canal Area	1.99
	Total Open Space	4.00
	% of Total Area:	11.57%
	1000 West Dedication (Acres):	0.80



Plan is conceptual and design and acres shown are subject to minor change based upon surveying and civil engineering.

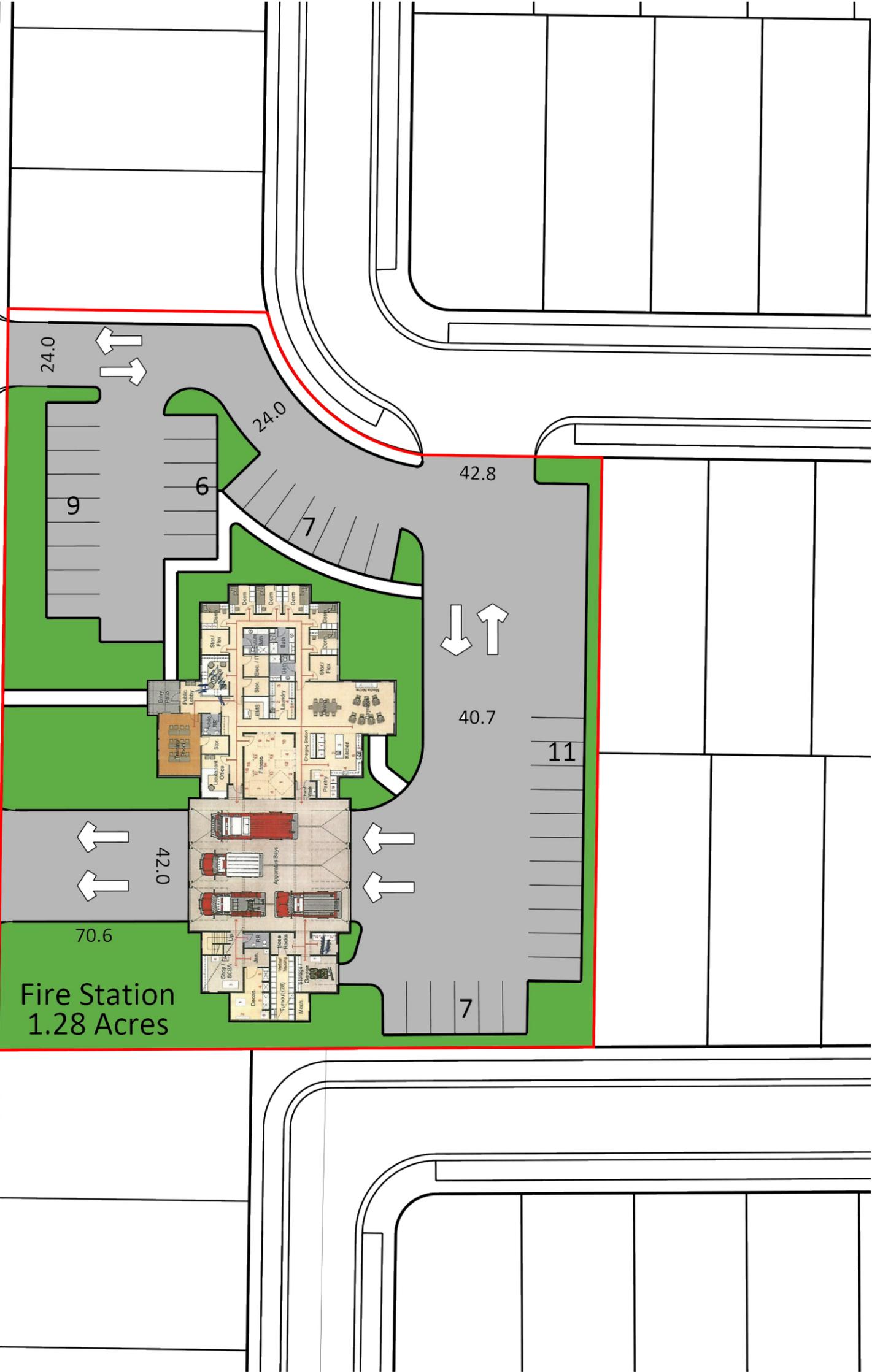
**stevemplan** 1750 East Janella Way  
Sandy, UT 84093  
Stephen G. McCutchan (801) 557-6945  
land planning urban design stevemplan@gmail.com



July 13, 2016

Noell Neslon Drive (1000 West)

Fire Station  
1.28 Acres



**CITY OF BLUFFDALE, UTAH  
RESOLUTION NO. 2016-\_\_\_\_**

**A RESOLUTION OF THE BLUFFDALE CITY COUNCIL AUTHORIZING THE  
MAYOR TO EXECUTE A SETTLEMENT AGREEMENT BETWEEN THE CITY OF  
BLUFFDALE, WILLIAM JEFF NEWMAN, AND NEWMAN CONSTRUCTION, INC.**

**WHEREAS** the City of Bluffdale (“City”) has undertaken the design and construction of Noell Nelson Drive (1000 West);

**WHEREAS** the City has attempted to acquired property to accommodate the road construction by filing a complaint against William Jeff Newman for eminent domain (Utah Third District Court, Case No. 160901044); and

**WHEREAS** the parties have reached an agreement wherein the City will acquire the needed property, requiring the dismissal of the litigation;

**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 and directs the Mayor to execute a Settlement Agreement between the City of Bluffdale, William Jeff Newman and Newman Construction, Inc., and to take all other steps to fulfill the agreement.

**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:** July 27, 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 \_\_\_\_\_

## Settlement Agreement

between

**The City of Bluffdale, William Jeff Newman, and Newman Construction, Inc.**

This Settlement Agreement ("Agreement") is entered into this 22 day of July 2016, between the City of Bluffdale, a Utah municipal corporation ("City"); William Jeff Newman, an individual, and Newman Construction, Inc., a Utah corporation (collectively known as "Newmans"). Each party singularly known as "Party" or collectively known as "Parties."

### Recitals

WHEREAS the City desires to construct a road known as Noell Nelson Drive and located at approximately 1000 West ("Road"), which is adjacent to property owned by William Jeff Newman ("Newman Property," described in **Exhibit A**;

WHEREAS the City desires to acquire a portion of the Newman Property to facilitate construction of the Road;

WHEREAS the City and the Newmans were unable to agree upon the value for the property needed for the Road;

WHEREAS after the Parties were unable to agree upon the value of the property needed for the Road, the City filed a complaint against William Jeff Newman in Utah's Third District Court, Case No. 160901044, seeking to obtain the property needed for the road by eminent domain ("Litigation");

WHEREAS, based upon agreement of the Parties, the Court entered a Stipulated Order of Immediate Occupancy on February 19, 2016;

WHEREAS the Parties have continued to meet and engage in settlement negotiations and have reached an agreement to dispose of all issues related to the acquisition of the property and all other claims between them;

WHEREAS the Parties desire to reaffirm the application of a development agreement applicable to the property owned by William Jeff Newman despite any previous foreclosure proceedings; and

WHEREAS the City has authority pursuant to Utah Code Ann. § 10-9a-102(2) and Bluffdale City Code § 11-29-1 to enter into development agreements;

### Agreement

NOW, THEREFORE, in consideration of the foregoing recitals, the Parties hereby agree as follows:



1. Fee Simple Parcels. William Jeff Newman shall convey the property described in **Exhibit B**, attached hereto, by general warranty deed to the City ("Fee Simple Parcels).
2. Compensation. The City shall compensate William Jeff Newman for the land purchase in the amount of One Hundred Thousand Dollars (\$100,000.00) upon delivery of the deed(s) and easements described below. The Parties agree that this amounts to full just compensation under the laws of Utah and the United States.
3. Slope Easement. William Jeff Newman shall convey a permanent easement for the slope property located near the pond on Mr. Newman's property, more particularly described and shown in **Exhibit C**, attached hereto ("Slope Easement").
4. Temporary Construction Easement. William Jeff Newman shall convey a temporary construction easement encompassing the area located 10 feet west from the right of way line ("Construction Easement"). The Construction Easement shall terminate upon completion of the Road project.
5. Dismissal of Litigation. Upon delivery of the deeds for the Fee Simple Parcels, the Slope Easement, and the Construction Easement, the City shall promptly file a motion to dismiss, with prejudice, the Litigation.
6. Reaffirmation of Development Agreement. The Parties agree that despite any previous foreclosure proceedings, including those by Zions First National Bank, the original development agreement pertaining to the Newman Property, dated December 11, 2007, and recorded in the Office of the Salt Lake County Recorder as Entry No. 10470370, Book 9623, Page 8016 *et seq.*, amended by the First Amendment to Development Agreement for Independence at Bluffdale dated March 11, 2008, and the Second Amendment to Development Agreement for Independence at Bluffdale dated May 3, 2011, recorded as Entry No. 11162662 in the office of the Salt Lake County Recorder (collectively, "Original Development Agreement"), is hereby reaffirmed and ratified to be in full force and effect, including the total density approved by the Original Development Agreement for the Newman Property.
7. Amendment of Development Agreement. Newmans have submitted to the City a proposed amendment to the Original Development Agreement for the portion of the Newman Property located south of the East Jordan Canal. The City agrees to review and process that proposed amendment and the accompanying subdivision in good faith and in accordance with applicable state law and City ordinances.
8. Waiver of Claims. Upon delivery to the City of the deeds and easements discussed herein, Newmans waive any claim to reimbursement for expenses relating to assistance with construction design, meetings, suggestions, time, or any other thing related to the



design of the Road. Newmans also waive any and all other claims related to or arising out of the acquisition, design, or construction of the Road by the City.

9. No Personal Liability of Certain Persons. No member, official, employee, consultant or agent of the City shall be personally liable to Newmans in the event of any default by the City under this Agreement.
10. Entire Agreement. This Agreement constitutes the entire Agreement and understanding of the Parties with respect to the subject matter hereof, and supersedes all prior agreements, arrangements and understandings relating to the subject matter hereof. No representation, promise, inducement or statement of intention has been made by either of the parties that is not embodied in this Agreement.
11. Modification. A modification of, or amendment to, any provision contained in this Agreement shall be effective only if the modification or amendment is in writing and signed by each of the Parties. Any oral representation or modification concerning this Agreement shall be of no force or effect.
12. Authority. The signers of this Agreement warrant that they have authority to sign on behalf of the Parties for the purposes stated herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement the date hereinabove first written.

**WILLIAM JEFF NEWMAN:**

  
\_\_\_\_\_  
William Jeff Newman

**CITY:**

CITY OF BLUFFDALE, a Utah municipal corporation

\_\_\_\_\_  
Derk P. Timothy, Mayor

**NEWMAN CONSTRUCTION, INC.:**

  
By:   
Its: 



ACKNOWLEDGEMENTS

STATE OF UTAH )  
 :SS  
COUNTY OF SALT LAKE )

On the \_\_\_ day of \_\_\_\_\_, 2016, personally appeared before me Derk P. Timothy, who being duly sworn, did say that he is the Mayor of the CITY OF BLUFFDALE, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Derk P. Timothy acknowledged to me that the City executed the same.

\_\_\_\_\_  
Notary Public

STATE OF UTAH )  
 :SS  
COUNTY OF SALT LAKE )

On this 22 day of July, 2016, before me Mandy Sharp, a notary public, personally appeared William Jeff Newman, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.



Mandy Sharp  
Notary Public

STATE OF UTAH )  
 :SS  
COUNTY OF SALT LAKE )

On this 22 day of July, 2016, before me Mandy Sharp, a notary public, personally appeared William Mark Newman who being duly sworn, did say that he is the President of the Newman Construction, Inc., a Utah corporation, and that the foregoing instrument was signed in behalf of the Newman Construction, Inc., by authority of its board of directors and said William Mark Newman acknowledged to me that Newman Construction, Inc., executed the same.



Mandy Sharp  
Notary Public

*Handwritten mark*

EXHIBIT A

NEWMAN PROPERTY

2/21



Exhibit "A"

Beginning at a point South 89°28'11" West along the center Section line 2487.66 feet from the East quarter corner of Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian, running thence South 00°48'33" West 30.00 feet; thence South 84°12'50" West 148.40 feet to a point on the East line of the Southwest quarter of said Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian; thence South 00°48'33" West along said East line of the Southwest quarter of said Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian 1255.61 feet; thence South 76°39'07" West 45.42 feet; thence North 00°29'27" West 277.05 feet; thence South 07°39'54" West 279.88 feet; thence North 89°30'33" East 24.93 feet; thence South 09°49'27" West 95.00 feet; thence North 52°55'56" West 153.33 feet; thence South 89°30'33" West 692.09 feet to the East line of the Denver and Rio Grande Railroad property; thence following the said East line of the Denver and Rio Grande Railroad property the following five (5) courses 1) North 28°01'46" East 20.08 feet; 2) North 62°16'11" West 75.00 feet; 3) North 28°17'32" East 1050.05 feet; 4) North 62°16'11" West 150.00 feet; 5) North 28°20'27" East 301.71 feet to a point on the center Section line; thence North 89°28'15" East along said center Section line 437.69 feet to the center of said Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian; thence North 89°28'11" East along said center Section line 166.51 feet to the point of beginning.

Less and excepting therefrom any portion of said property lying within the bounds of 14600 South Street, as the same was conveyed to Salt Lake County by mesne instruments of record.

M

**EXHIBIT B**  
**FEE SIMPLE PARCELS**

*M*

## **Jeff Newman Parcel R.O.W. Description**

### **PARCEL A**

A parcel of land located in the Southwest Quarter of Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Bluffdale City, Salt Lake County, Utah, and, more particularly described as follows:

BEGINNING at a point on the quarter section line of said Section 11 and the easterly boundary line of that certain property as recorded in Bk 9940, Page 946 of the Office of the Salt Lake County Recorder, which is 61.86 feet South 00°48'25" West along the section line from the Salt Lake County Survey monument marking the Center of said Section 11 (the basis of bearings is North 89°28'05" East 2654.18 feet between the Center Quarter corner and the East Quarter corner of said Section 11), and running thence along said Section line and said boundary line South 00°48'25" West 1247.42 feet; thence continuing along said boundary line the following three (3) calls: 1) South 89°30'27" West 25.00 feet; 2) North 00°48'29" East 277.05 feet; 3) South 07°29'59" West 128.91 feet; thence North 00°48'25" East 977.08 feet thence North 14°22'01" East 35.36 feet to a point on a 193.50 foot radius curve to the right; thence 47.27 feet along the arc of said curve through a central angle of 13°59'47" (chord bears North 14°29'03" East 47.15 feet) to a point of compound curvature of a 239.50 foot radius curve to the right; thence 46.57 feet along the arc of said curve through a central angle of 11°08'25" (chord bears North 27°03'10" East 46.49 feet) to the point of beginning.

Contains 44,776 square feet or 1.030 Acres.

Together with:

### **PARCEL B**

A parcel of land located in the Southeast Quarter of Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Bluffdale City, Salt Lake County, Utah, and, more particularly described as follows:

BEGINNING at a point on the quarter section line of said Section 11, which is 34.31 feet North 89°28'05" East along the section line from the Salt Lake County Survey monument marking the Center of said Section 11 (the basis of bearings is North 89°28'05" East 2654.18 feet between the Center Quarter corner and the East Quarter corner of said Section 11), and running thence along said Section line and said boundary line North 89°28'05" East 131.82 feet; thence South 00°51'31" West 28.06 feet; thence South 83°33'28" West 140.79 feet to a point on a 96.50 foot radius curve to the left; thence 43.84 feet along the arc of said curve through a central angle of 26°01'53" (chord bears North 11°17'27" East 43.47 feet) to the POINT OF BEGINNING.

*41*

Contains 4,691 square feet or 0.108 Acres.

Together with:

**PARCEL C (Culvert in East Jordan Canal)**

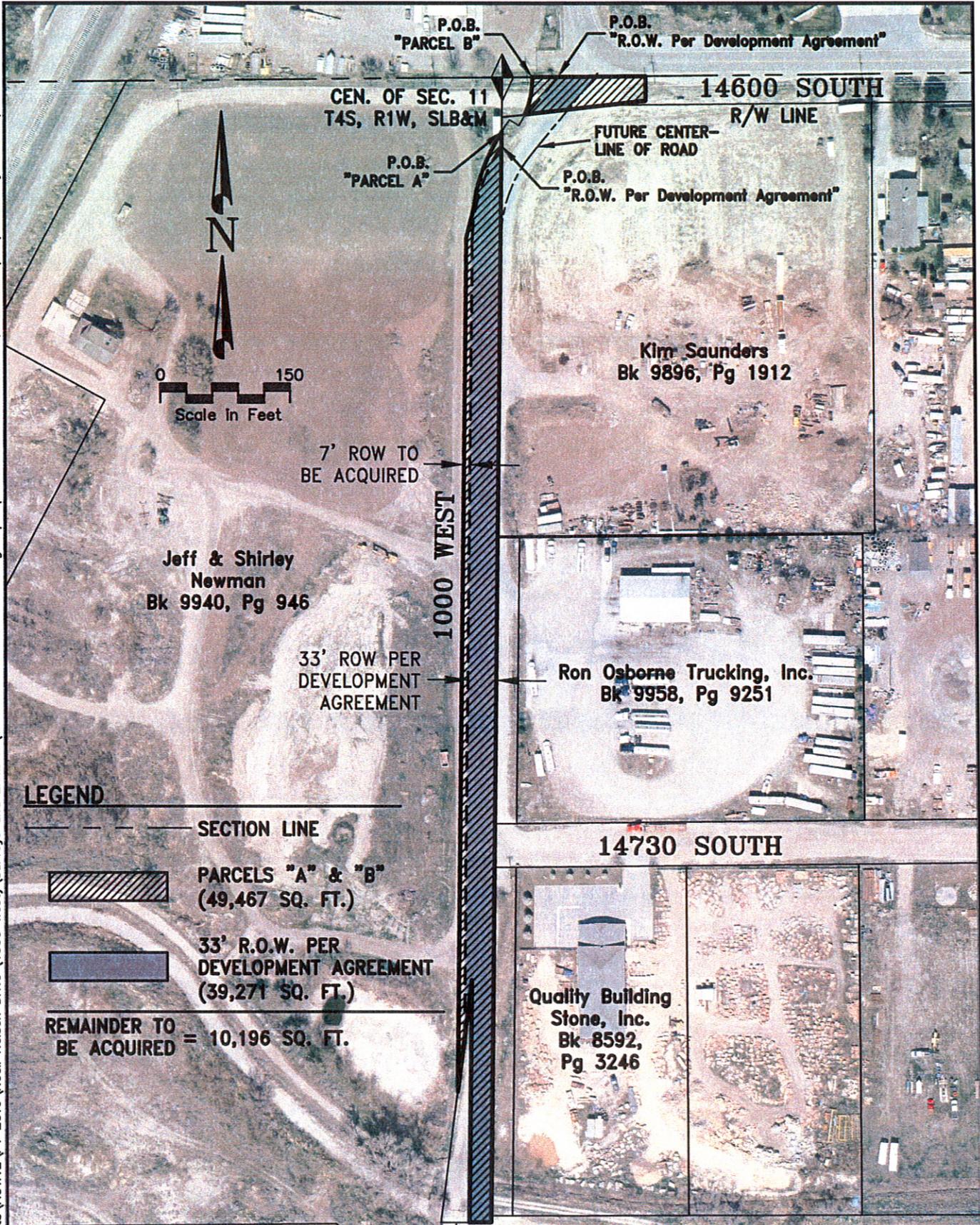
A parcel of land located in the Southwest Quarter of Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Bluffdale City, Salt Lake County, Utah, and, more particularly described as follows:

BEGINNING at the northerly corner of the Westgate Aclaime at Independence Subdivision as recorded in the Office of the Salt Lake County Recorder, which is 1309.28 feet South  $00^{\circ}48'25''$  West along the section line and 39.78 feet South  $89^{\circ}30'16''$  West from the Salt Lake County Survey monument marking the Center of said Section 11 (the basis of bearings is North  $89^{\circ}28'05''$  East between the Center Quarter corner and the East Quarter corner of said Section 11), and running thence along the boundary of said Subdivision South  $09^{\circ}49'27''$  West 13.46 feet; thence North  $80^{\circ}33'17''$  West 20.49 feet; thence North  $25^{\circ}44'52''$  East 10.82 feet; thence North  $89^{\circ}29'58''$  East 17.81 feet to the POINT OF BEGINNING.

Contains 224 square feet or 0.005 Acres.

M

Path: G:\Projects\ACTIVE\FY 2016\Noel Nelson Drive (1000 West)\Surveys and Exhibits\EXHIBIT- NEWMAN TAKE.dwg | plot date: November 20, 2015 | plotted by: K.Thompson



**LEGEND**

- SECTION LINE
-  PARCELS "A" & "B"  
(49,467 SQ. FT.)
-  33' R.O.W. PER  
DEVELOPMENT AGREEMENT  
(39,271 SQ. FT.)
- REMAINDER TO  
BE ACQUIRED = 10,196 SQ. FT.

The City of  
**BLUFFDALE**

**1000 WEST STREET**

R.O.W. - JEFF & SHIRLEY NEWMAN

DESIGNED KT	DATE 11/20/15	PROJECT NO. N/A
DRAWN KT	DATE 11/20/15	SHEET NO. 1 OF 1
CHECKED MF	DATE 11/20/15	DRAWING NO. N/A

21

Petri: G:\Projects\ACTIVE\FY 2016\Holl Nelson Drive (1000 West)\Surveys and Exhibits\EXHIBIT- NEWMAN CULVERT TAKE.dwg | plot date: January 20, 2016 | plotted by: kthompson

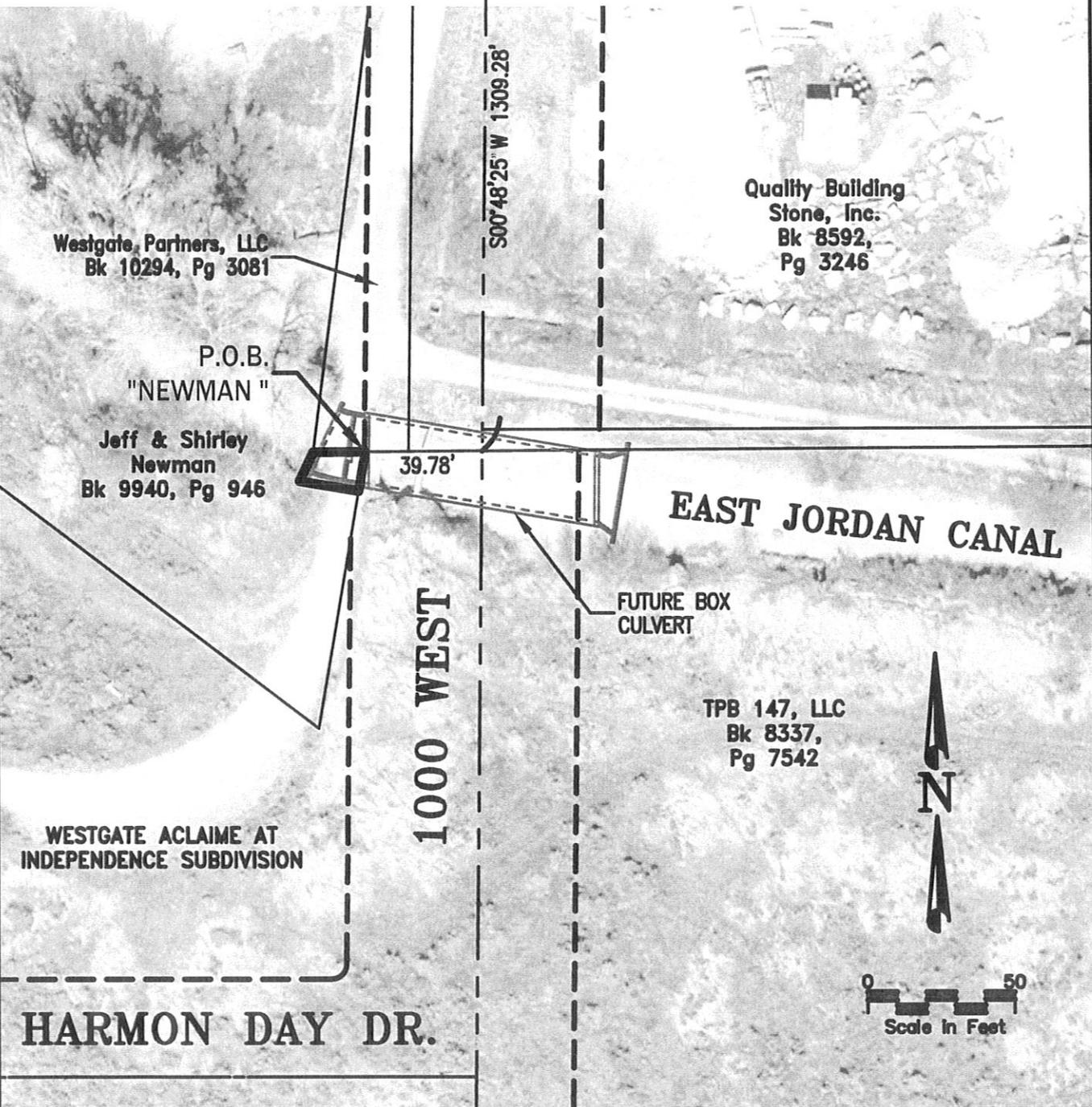
SECTION CORNER

CENTER OF SECTION 11  
T4S, R1W, SLB&M

14600 SOUTH

**LEGEND**

- SECTION LINE
- ROW LINE



The City of  
**BLUFFDALE**

**1000 WEST STREET**

PROPERTY ACQUISITION FOR CULVERT END

DESIGNED KT	DATE 01/20/16	PROJECT NO N/A
DRAWN KT	DATE 01/20/16	SHEET NO 1 OF 1
CHECKED MF	DATE 01/20/16	DRAWING NO N/A

*Handwritten initials*

EXHIBIT C  
SLOPE EASEMENT

**Newman Parcel**  
**Property Acquisition for Fill Slope**  
**Legal Description**

A parcel of land located in the Southwest Quarter of Section 11, Township 4 South, Range 1 West, Salt Lake Base and Meridian, Bluffdale City, Salt Lake County, Utah, and, more particularly described as follows:

BEGINNING at a point which is 960.19 feet South 00°48'25" West along the section line and 40.00 feet North 89°11'35" West from the Salt Lake County Survey monument marking the Center of said Section 11 (the basis of bearings is South 00°48'25" West between the Center Quarter corner and the South Quarter corner of said Section 11), thence South 00°48'25" West 200.67 feet; thence South 07°29'59" West 58.71 feet; thence North 06°16'20" West 35.39 feet; thence North 01°48'42" West 68.35 feet; thence North 06°04'06" East 156.23 feet to the POINT OF BEGINNING.

Contains 2,103 square feet or 0.048 Acres.

*M*

Path: G:\Projects\ACTIVE\FY 2016\Noell Nelson Drive (1000 West)\Surveys and Exhibits\EXHIBIT-FILL SLOPE.dwg | plot date: July 14, 2016 | plotted by: kthompson

SECTION CORNER

CENTER OF SECTION 11  
T4S, R1W, SLB&M

LEGEND

--- SECTION LINE  
--- ROW LINE

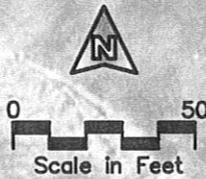
Jeff & Shirley  
Newman  
Bk 9940, Pg 946

P.O.B.

N89°11'35"W  
40.00'

960.19'

EXISTING  
POND



EAST JORDAN CANAL

1000 WEST

N06°04'06"E 156.23'  
S00°48'25"W 200.67'  
N01°48'42"W 68.35'  
N06°16'20"W 35.39'  
S07°29'59"W 58.71'

S00°48'25" W (ARP)

Quality Building  
Stone, Inc.  
Bk 8592,  
Pg 3246

EXISTING  
BOX CULVERT

**BLUFFDALE**  
EST. 1848

1000 West Street

Exhibit A

DESIGNED	KT	DATE	07/14/16	PROJECT NO.	N/A
DRAWN	KT	DATE	07/14/16	SHEET NO.	1 OF 1
CHECKED	MF	DATE	07/14/16	DRAWING NO.	N/A

*Handwritten initials*