



**BLUFFDALE CITY COUNCIL MEETING AGENDA**  
**Tuesday, October 22, 2013**

Notice is hereby given that the Bluffdale City Council will hold a meeting Tuesday October 22, 2013 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **7:00 p.m.** or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means by telephonic conference call.

The Agenda will be as follows:

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

1. Roll Call, Invocation and Pledge.\*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA:**
  - 3.1 Approval of the September 24, 2013 meeting minutes.
  - 3.2 Approval of the October 8, 2013 meeting minutes.
4. Consideration and vote on a revised Preliminary and Final Subdivision Plat Application for Plat I-1 for 27 residential lots and associated streets at approximately 15200 South and Allegiance Drive within the Independence at the Point Master Planned Community, 4 Independence, LLC, applicant – staff presenter – Grant Crowell.
5. Consideration and vote on a resolution approving an amendment to the Agreement for Residential Solid Waste Collection, Curbside Recycling and Green Waste Service – presenter, Greg Walkenhorst, Waste Management of Utah.
6. Consideration and vote on a resolution of the Bluffdale City Council amending the City Logo – staff presenter – Vaughn Pickell.
7. Mayor's Report.
8. City Manager's Report and Discussion.

**PLANNING SESSION**

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

**Dated this 17th day of October, 2013**

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)

  
**Teddie K. Bell, MMC**  
**City Recorder**

Note: The Bluffdale City Council will take a recess at approximately 9:30 p.m. and will evaluate the time needed to complete items not yet heard on the evening's agenda. Items the Council determines may take the meeting past 10:00 p.m. may be removed from the agenda and re-scheduled for the next regularly scheduled meeting. In compliance with the American with Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City Hall at least 24 hours in advance of this meeting at 801-254-2200. TTY 7-1-1.

\*Contact the City Recorder if you desire to give the Invocation.

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**Present:** Mayor Derk Timothy  
Alan Jackson  
Bruce Kartchner  
Noell Nelson  
Ty Nielsen  
Heather Pehrson

**Others:** Vaughn Pickell, City Attorney  
Grant Crowell, City Planner/Economic Development Director  
Michael Fazio, City Engineer,  
Blain Dietrich, Public Works Operations Manager  
Teddie Bell, City Recorder

**Excused:** Mark Reid, City Manager

**BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**

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

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

All Members of the City Council were present.

Ty Nielsen offered the invocation.

Mayor Derk Timothy led the Pledge of Allegiance.

**2. PUBLIC FORUM.**

There were no public comments.

**3. CONSENT AGENDA:**

**3.1 Approval of the September 24, 2013, Meeting Minutes.**

**3.2 Approval of the October 8, 2013, Meeting Minutes.**

Noell Nelson moved to approve the consent agenda. Bruce Kartchner seconded the motion. The motion passed with the unanimous consent of the City Council.

Heather Pehrson moved to address agenda item number five prior to agenda item number four. Ty Nielsen seconded the motion. The motion passed with the unanimous consent of the City Council.

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The Council next addressed agenda item number five after which they discussed agenda item number four.

**4. Consideration and Vote on a Revised Preliminary and Final Subdivision Plat Application for Plat I-1 for 27 Residential Lots and Associated Streets at Approximately 15200 South and Allegiance Drive within the Independence at the Point Master Planned Community, 4 Independence, LLC, Applicant – Staff Presenter – Grant Crowell.**

City Planner/Economic Development Director, Grant Crowell, presented the staff report and stated that the preliminary and final plat for I-1 was approved on June 25, 2013. Originally 29 rear alley-loaded single-family homes were proposed on both sides of the street. The applicant wished to modify the plat and modify the east side of the street to provide for 10 traditional single-family homes. Revisions were expected to be minimal. Mr. Crowell reported that the alley will be removed along the rear of the lots on the east side of the street and the length and width of the lots adjusted from 236 feet to 245 feet. The result will be the development of two fewer building lots on the east side of the street.

In response to a question raised, 4 Independence Representative, Nate Shipp, stated that the lots were moved over slightly to make them fit better. He stated that the change came about because of market demand and the improved look and feel of the project. Noell Nelson expressed concern about the width of the lots and stated that they seem very narrow at 38 feet wide and 106 feet deep. Mr. Shipp clarified that the 38-foot wide lots are the alley-loaded product they are trying to get away from. The narrow width was the reason they decided to go another direction.

**Ty Nielsen moved to accept the revised preliminary and final subdivision plat application for Plat I-1 for 27 residential lots and associated streets at approximately 152 South Allegiance Drive within the Independence at the Point Master Planned Community, 4 Independence, LLC subject to the following:**

**Conditions:**

- 1. That all requirements of the City Code and adopted ordinances are met and adhered to for each proposed plat.**
- 2. That all plats comply with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department.**
- 3. That the project adheres to all requirements of the International Fire Code.**
- 4. That the plat specific CC&R's are recorded with the final plats at the County Recorder's office, if applicable.**

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5. **That all building permit submittals for homes have written or stamped approval from the Independence Development Review Committee, pursuant to the requirements of the DA prior to being submitted to the City.**
6. **That easements for any offsite facilities are provided to the City, as applicable, prior to recording the subject plat.**
7. **That all street trees shall be installed in the park strips prior to the issuance of a certificate of occupancy for all dwellings in accordance with the approved Street Tree Plan.**
8. **That all park strip landscaping irrigation and maintenance is the responsibility of the adjacent property owners or HOA, as applicable.**
9. **That “Parcel A” as dedicated to City shows the design of the access to the Mount Jordan Park parking lot in the construction drawings and approved by the DRC prior to the pre-construction meeting.**

**Findings:**

1. **That this application conforms to the Independence at the Point Development Agreement, as amended, and the requirements of the Mixed Use zone.**
2. **That this application conforms to the City of Bluffdale subdivision ordinance requirements regarding preliminary and final plat approval.**
3. **That the proposed plan will not be detrimental to the health, safety, or general welfare of persons or property within the area.**

**Heather Pehrson seconded the motion.**

Bruce Kartchner referenced Parcel A and asked Mr. Crowell to identify the access to the Mount Jordan parking lot on the map. Mr. Crowell stated that a straight cut through roadway was not desired since it is anticipated that there will be some access from pedestrians and emergency vehicles. The design had since been worked out, the road is under construction.

**Vote on motion: Bruce Kartchner-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Alan Jackson-Aye, Noell Nelson-Nay. The motion passed 4-to-1.**

Bruce Kartchner appreciated the fact that there were no outstanding issues to be addressed by the developer. Mr. Shipp gave credit to staff for their diligence.

The Council next addressed agenda item number six after which they proceeded with the agenda as printed.

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**5. Consideration and Vote on a Resolution Approving an Amendment to the Agreement for Residential Solid Waste Collection, Curbside Recycling and Green Waste Service – Presenter, Greg Walkenhorst, Waste Management of Utah.**

Lance Allen was present on behalf of Waste Management and stated that after they entered into the agreement with the City, a couple of clarifications became necessary. The primary issue had to do with the disposal fee paid by Waste Management who is then reimbursed by the City. Waste Management's preference was for the City to pay the disposal facility directly, Waste Management will then pay the tipping fees incurred.

The second issue had to do with a modification to the service date. Currently service is provided one day per week, however, due to anticipated growth in the City, Waste Management wants the opportunity to come back to the City at some point and split the collection days. Mr. Allen stated that that benefits the City in several ways. First, if there are too many trucks in the City at the same time, there is a tendency to overlap routes, increased wear and tear on streets, and safety issues can result. He noted that as the City grows, more trucks will be needed to provide service. Mr. Allen stated that typically one route serves 800 to 850 homes. Concern was expressed about the green waste program since the majority of growth consists of smaller lots. As a result, there may be less of a demand for the green waste program. The result could be a threshold below the 50% participation and a significantly higher cost. Waste Management was asked to change the tier slightly. City Attorney, Vaughn Pickell, stated that an updated agreement is available for review.

Bruce Kartchner asked what additional overhead will be created by paying the tipping fees directly. Mr. Pickell stated that a contract will be established directly with the landfill. Mr. Allen stated that the City can approach Trans Jordan Landfill and obtain a history of tipping charges paid and compare that cost going forward month by month.

In response to a question raised, Mr. Allen estimated that typically there are two loads per day per route. Presently, there are 3 to 3 ½ trucks running to provide service for the City's 1,800 homes. In response to a question raised by the Mayor, Mr. Allen stated that two drivers who worked in Bluffdale previously are still employed by Waste Management. Mr. Pickell confirmed that the cost was reset to \$5.70. The advantage was that Waste Management agreed to a flat figure rather than a percentage, which benefits the City.

**Heather Pehrson moved to approve a resolution approving an amendment to an Agreement for Residential Solid Waste Collection, Curbside Recycling, and Green Waste Services. Bruce Kartchner seconded the motion. Vote on motion: Noell Nelson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Alan Jackson-Aye. The motion passed unanimously.**

The Council next addressed agenda item number four after which they proceeded with the agenda as printed.

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**6. Consideration and Vote on a Resolution of the Bluffdale City Council Amending the City Logo – Staff Presenter – Vaughn Pickell.**

Mr. Pickell reported that a resolution was included in the Council Members' packets about the possibility of amending the City logo. The official City logo was adopted in 2011 and uses the exact color mix and layout contained in the resolution. Mr. Pickell was asked to prepare a resolution that allows more flexibility. Exceptions were added. In addition an Exhibit B was included with two alternative logo designs. The change would allow the City Manager to vary from the official color mix for clothing. The City Manager would have the option of using either a black or white version of the City logo. An exception was also added to allow the logo to be placed on a white background. Mayor Timothy thought the Council should pick one alternative or another rather than use both.

**Bruce Kartchner moved to amend the City logo as described in the alternative colors and color mixes. The Microsoft Word version of the Bluffdale logo with just the bars and not the image of an animal and people shall be the official City logo. Ty Nielsen seconded the motion.**

Bruce Kartchner clarified that the image with the animals can be used or in certain circumstances, the image without the animals, but only the one with bars. Mayor Timothy explained that sometimes on applications, such as embroidery, the thin lines and small words are problematic. It was noted that the primary logo should be used whenever possible. The alternative, however, was determined to be acceptable.

**Vote on motion: Noell Nelson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Alan Jackson-Aye. The motion passed unanimously.**

**7. Mayor's Report.**

Mayor Timothy reported that he recently attended the Transportation Interim Committee Meeting and was particularly interested in the transportation local option funding. He noted that it was something that the mayors in COM worked on. They involved the Utah League of Cities of Towns and other organizations. Many helped in the effort with the Utah Chamber. They not only fully supported it, but felt there was additional funding that will be needed in the near future. He considered it very important with respect to local transportation and the funding and maintenance of City streets. In years past it was necessary for the City to perform extra maintenance in an effort to catch up. The Mayor commented that the City's roads are in much better condition than they used to be. Four years ago it was estimated that 46% of the City's roads were less than 60 RSL. He estimated that they are now over 80.

Mayor Timothy commented on road maintenance and stated that with a 20-year road, during the first 13 years about 40% of the road life is spent. It takes only about three more years to use the next 40%. For that reason, it is very important to apply the proper treatments to roads while they are still good shape and avoid spending a lot more later on for the same result.

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Mayor Timothy reported that he attended the Governor's invitation to an event promoting a reduction in the requirements for businesses in an effort to encourage them to do business in local communities. Governor Herbert believes strongly in "bottom up" legislation rather than "top down". He feels that controls should be with the local government, however, the local government should not be so overbearing that it turns businesses away rather than promote them. For example, South Jordan City eliminated 100 requirements from their Code that regulated businesses. The Mayor stated that the group had an opportunity to speak to mayors outside of Salt Lake County. He found the meeting to be very beneficial.

Bruce Kartchner brought up the issue of the tax for road maintenance and asked if there has been any discussion regarding financing with something other than the fuel tax. He noted that mileage is increasing while non-traditional fuel vehicles are becoming more prevalent. As a result, the problem will continue to be exacerbated because not enough tax revenue is being generated under that methodology to maintain roads.

Mayor Timothy stated that in discussing the issue with the Tax Commission, rural communities, and the Utah League of Cities and Towns, it was observed that there are other issues in play along with dealing with commercial traffic, which is taxed differently from a personal vehicle. In the end, getting all of the players together and agreeing on something is significant. Heather Pehrson stated that the issue came up with the LTPC and the answer was that there is no demand for it. They, however, plan to get it passed and revisit the issue next year.

Mayor Timothy stated that the legislation may not get to a point that it specifies how the funds are to be distributed. It might be something that is left up to the counties. He noted that if a county does not adopt the legislation, it will not receive funds. The Mayor remarked that to his knowledge 50 to 60 percent will go through the B & C formula. He was more interested in the other percent, which will be allocated by the County, but go through the phasing of the 2040 vision in Salt Lake County. He explained that it is necessary to be in Phase 1 to be funded but the funds will be allocated by the County.

**8. City Manager's Report and Discussion.**

Mr. Pickell reported that in the past the City has adopted a budget for EDA project areas, part of which involves infrastructure. A resolution was adopted designating Porter Rockwell Boulevard as a permissible destination for payments from either project area. Accordingly, staff moved ahead to purchase a portion of the Porter Rockwell Boulevard corridor from 4 Independence, LLC. The property consists of just over two acres. The intent was to bring the matter back to the Agency at a future meeting for authorization to pursue the purchase once there is an accepted contract. While he did not consider the approval to be crucial, he thought it would be good for the record to show that the Agency approved that specific purchase.

Noell Nelson asked about the bridge project that will cross the Jordan River. City Engineer, Michael Fazio, reported that staff is currently working on the environmental documents. He participated in several meetings with UDOT and currently they are in the process of selecting a

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consultant to work on the environmental clearance for the bridge. This will allow the City to use the \$1 million the Mayor received for the project. Environmental issues were discussed. Mr. Fazio stated that if the right team is not assembled, the project will likely be challenged by environmental groups. Mr. Fazio stated that normally obtaining a document costs \$2 million; however, they think they can accomplish it for \$1million. Bruce Kartchner asked Mr. Fazio to keep track of the actual costs so that the City can use EDA funds, if necessary.

Mayor Timothy stated that dealing with the EIS and the fact that the \$1 million was specifically funded for the EIS, if the City needs more money the Legislature may be able to help. The Mayor stated that there are some strategies that will eventually need to be discussed dealing with an interlocal agreement with UDOT and how the transition between Porter Rockwell Boulevard and 14600 South changes jurisdiction. He considered that discussion to be more important than what will be done in the near future.

**PLANNING SESSION**

**9. Planning Session.**

Alan Jackson addressed the Armed Services Memorial and stated that Lehi Wolfley has completed his Eagle Scout project by designing the memorial. Another scout is ready to do the excavating, which is the next step. Beyond that, no scouts were lined up to do other portions of the project. He was disappointed that there had not been more interest. His impression was that most scouts are looking for an easier project. He considered it a great opportunity for young men. As part of the excavation the cement work will need to be done along with pavers.

Alan Jackson stated that the City Council needs to decide how to address the names of veterans or current members of the armed services. If they want names on the memorial he asked what the criteria should be. It was understood that if names are displayed, future accommodation will be needed to add names. Alan Jackson stated that that could be easily accommodated. His preference was to be more liberal than restrictive. At the same time he suggested there be standards. He suggested the City move ahead and complete the project with donations from local businesses or other source. His preference was to have had more scouts get involved; however, that was not the case. Donations were also desired since right now the granite facing on the wall is available at a very good price. Council Member Jackson thought the names should be the highlight of the memorial. Ways of generating names for the memorial were discussed. He expected the project to go quickly once the work begins.

Bruce Kartchner asked for an update on the address changes in Parry Farms. Mr. Fazio stated that a few are still coming in. Notification was sent to the affected residents more than one year ago but some did not receive it.

Brian Aston informed the Council that he cuts and polishes rocks and asked if the City would be interested in having a display at the City Office. Mayor Timothy expressed his support. Mr. Aston was advised to work with City Manager, Mark Reid.

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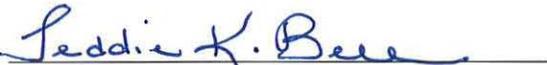
10. **Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character, Professional Competence, or Health of an Individual, Collective Bargaining, Pending or Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including Any Form of a Water Right or Water Shares, Security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

Ty Nielsen moved to go into 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. The motion was seconded by Heather Pehrson. Vote on motion: Noell Nelson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Alan Jackson-Aye. The motion passed unanimously.

The City Council was in closed session from 8:12 p.m. to 8:30 p.m.

11. **Adjournment.**

The City Council Meeting adjourned at 8:30 p.m.



Teddie K. Bell, MMC  
City Recorder:

Approved: November 12, 2013

**BLUFFDALE CITY COUNCIL  
CLOSED MEETING MINUTES  
Tuesday, October 22, 2013**

**Present:**

**Mayor Derk Timothy  
Alan Jackson  
Bruce Kartchner  
Noell Nelson  
Ty Nielsen  
Heather Pehrson**

**Others:**

**Vaughn Pickell, City Attorney  
Grant Crowell, City Planner/Economic Development Director  
Michael Fazio, City Engineer,  
Blain Dietrich, Public Works Operations Manager  
Teddie Bell, City Recorder**

At 8:12 p.m. Mayor Derk Timothy called the meeting to order.

**Motion:** Ty Nielsen moved to go into closed session pursuant to 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.

**Second:** Heather Pehrson seconded the motion.

**Vote on motion:** Noell Nelson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Alan Jackson-Aye. The motion passed unanimously.

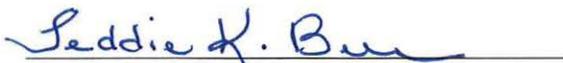
Personnel issues were discussed.

**Motion:** Bruce Kartchner moved to return to open meeting.

**Second:** Ty Nielsen seconded the motion.

**Vote on motion:** Noell Nelson-Aye, Bruce Kartchner-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye, Alan Jackson-Aye. The motion passed unanimously.

The City Council resumed the open portion of the meeting at 8:30 p.m.

  
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Teddie K. Bell, MMC  
City Recorder  
Approved: November 12, 2013