



BLUFFDALE CITY COUNCIL MEETING AGENDA
Tuesday, January 28, 2014

Notice is hereby given that the Bluffdale City Council will hold meeting Tuesday, January 28, 2014 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 January 14, 2014 meeting minutes.
 - 3.2 Approval of a resolution for a Statewide Utility License Agreement between the Utah Department of Transportation and the City of Bluffdale.
 - 3.3 Preliminary Acceptance of Independence at the Point Plat D1 Subdivision Improvements, Beginning of Warranty Bond Period and Release of Performance Bond.
 - 3.4 Approval of a resolution amending Resolution No. 2013-61 , a Resolution of the Bluffdale City Council Approving a Cooperative Agreement by and between the Utah Department of Transportation and the City of Bluffdale for an Environmental Assessment for Porter Rockwell Boulevard.
4. Consideration and vote on a proposed site plan for South Valley Sewer District, to be located at 1253 West and 1187 West Jordan Basin Lane, South Valley Sewer District, applicant – staff presenter – Alan Peters.
5. Consideration and vote on a resolution for a proposed amendment to the Bluffdale Heights Development Agreement- staff presenter – Vaughn Pickell.
6. Consideration and vote on a resolution designating a representative for Bluffdale City at the Association of Municipal Councils – Mayor Timothy.
7. Consideration and vote on a resolution appointing an alternate member to the Bluffdale City Planning Commission.
8. Mayor's Report.
9. City Manager's Report and Discussion.

PLANNING SESSION

10. Please Note: The planning session is for identifying future items and other council discussion in accordance with Utah Code 52-4-201(2) (a). While the meeting may be open to the public, there will not be any opportunity for public input during the planning session.
11. Closed meeting pursuant to Utah Code § 52-4-205 (1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
12. Adjournment.

Dated this 23rd day of January, 2014

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET MORNING NEWS; POSTED AT THE BLUFFDALE CITY HALL, BLUFFDALE CITY FIRE STATION, AND THE COMMUNITY BULLETIN BOARD AT THE BLUFFS APARTMENTS; EMAILED OR DELIVERED TO EACH MEMBER OF THE BLUFFDALE CITY COUNCIL; ON THE CITY'S WEBSITE AT WWW.BLUFFDALE.COM AND ON THE PUBLIC MEETING NOTICE WEBSITE, WWW.PMN.UTAH.GOV



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.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014**

Present: Mayor Derk Timothy
Bruce Kartchner
Ty Nielsen
Heather Pehrson
Justin Westwood

Others: Mark Reid, City Manager
Vaughn Pickell, City Attorney
Alan Peters, Associate Planner (excused at 8:00 p.m.)
Teddie Bell, City Recorder

Excused: Alan Jackson

Mayor Derk Timothy welcomed those in attendance and called the meeting to order at 7:00 p.m.
BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING

The Regular Business Meeting commenced at 7:00 p.m.

1. Roll Call, Invocation, and Pledge.

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

Ty Nielsen offered the invocation.

Mayor Timothy led the Pledge of Allegiance.

2. PUBLIC FORUM.

There were no members of the public wishing to speak.

3. CONSENT AGENDA:

3.1 Approval of the January 14, 2014, Meeting Minutes.

3.2 Approval of a Resolution for Statewide Utility License Agreement Between the Utah Department of Transportation and the City of Bluffdale.

3.3 Preliminary Acceptance of Independence at the Point Plat D1 Subdivision Improvements, Beginning of Warranty Bond Period and Release of Performance Bond.

3.4 Approval of a Resolution Amending Resolution Number 2013-61, a Resolution of the Bluffdale City Council Approving a Cooperative Agreement by and

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014**

**Between the Utah Department of Transportation and the City of Bluffdale for
an Environmental Assessment for Porter Rockwell Boulevard.**

Bruce Kartchner moved to pass the consent agenda. Ty Nielsen seconded the motion. Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

4. Consideration and Vote on a Proposed Site Plan for South Valley Sewer District, to be located at 1253 West and 1187 West Jordan Basin Lane, South Valley Sewer District, Applicant – Staff Presenter – Alan Peters.

Associate Planner, Alan Peters, presented the staff report and stated that the request from South Valley Sewer District is for two new buildings to be constructed on property zoned R-1-43 at the proposed location off of 1300 West. Although the proposed buildings are commercial, the uses are permitted in the zone. Even though the project is in a residential zone there are transitional development standards that exist for properties in a commercial zone that neighbors residential development. The standards don't necessarily apply in this case, but the applicant agreed to abide by them.

Mr. Peters reported that the first building is an office building and will be closest to 1300 West. To the west will be the maintenance building. Both will be two stories. The proposed masonry office building will be approximately 17,000 square feet in size with 69 parking stalls and surrounded by 44,000 square feet of new landscaping. The proposed maintenance building is 22,000 square feet in size with 36 parking stalls and surrounded by 27,000 square feet of new landscaping. The applicant agreed to provide the 20-foot setback around the parking area with the new buildings set back even further. The security access was described. It was noted that the building will be surrounded by a six-foot masonry wall and substantial landscaping.

Mr. Peters reported that when the Planning Commission discussed the request, they identified two concerns, which were addressed by the applicant. Three additional conditions of approval were added dealing with the lighting plan, truck traffic being limited to the Bangerter Highway access, and additional year-round landscaping.

Mr. Peters identified location of the maintenance building on the site plan and stated that is located on the eastern portion of the property but it borders only one residential property directly. The building is setback substantially with parking starting 230 feet from the property line. The landscaping plan was presented. Mr. Peters reported that there are not many evergreen trees proposed. After discussing the landscaping with the applicants, it was discovered that there is existing lush landscaping that will remain on the opposite side of the stream.

Mr. Peters indicated that one of the transitional development standards prohibits bay doors from facing residential properties unless they are 25 feet or more away from the property line. In this case, the building is 175 feet from the property line. Bay doors are proposed on the opposite side. A photo was shown of the light fixtures that will be placed in the parking lot. Additionally, all truck

BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014

traffic will be restricted to use of the Bangerter Highway access. Mr. Peters stated that approximately four trucks per day are anticipated to access the facility. This concerned the Planning Commission because of the condition of the road and the neighbors' concerns about truck traffic. He pointed out that the City has a truck route ordinance that contains existing restrictions. Currently 1300 West is not a permitted truck route in the City; however, the ordinance has a clear exception for businesses and quasi governmental entities.

Mr. Peters stated that one of the conditions was that the existing 1300 West six-inch water line be upsized as determined by the City Engineer to 12 inches.

In response to a question raised by Justin Westwood, Mr. Peters, stated that a soils report was submitted as part of the building plan. Council Member Westwood felt that ground water might be of concern.

With respect to wetlands, Mayor Timothy stated that there are wetlands throughout the property, which was why the applicants were working with the Army Corps of Engineers. Mr. Peters stated that wetlands are an issue the Sewer District is addressing on the site. He noted that there is a conservation easement on the property, which is the reason the buildings are located where they are.

City Manager, Mark Reid, commented on the truck traffic and stated that most of it will use the Bangerter Highway entrance, which is not in violation of the truck ordinance and is counter to what the Planning Commission recommended. They asked that the exception be removed. Ty Nielsen questioned the number of vehicles that will be generated. Mr. Peters stated that between the two buildings the site will operate from 7:00 a.m. to 4:30 p.m. with a total of 35 employees. Mayor Timothy commented that when the Sewer District built the treatment plant they were expecting semis to go in and out of the plant, which would have had to adhere to the truck ordinance. In an effort to be a good neighbor, the Sewer District built the entrance off of Bangerter Highway. The intent was for large trucks to use that entrance even though realistically they didn't need to.

Craig White identified himself as the South Valley Sewer District General Manager and introduced Brent Packer, the Project Consulting Engineer from Bowen Collins & Associates, and District Engineer, Mike Forrester. Mr. White thanked the Mayor and Council for taking the time to hear their proposal. He stressed that they are very conscientious about being good neighbors. They went above and beyond with the understanding that no one wants a waste water sewer treatment plant in their backyard. Mr. White stated that their large trucks can leave by way of Bangerter in the morning. In the evening, however, they will need the access off of 1300 West.

Mayor Timothy opened the meeting to public comment but noted that a public hearing was not required.

Steve Oxley gave his address as 13966 South 1300 West and stated that he had a few concerns. He was raised in the area and did not have a problem with in-home businesses but felt that an operation of this magnitude goes beyond the impact of an in-home business on a community or neighborhood. Mr. Oxley reported that he had a very similar situation with a previous home he owned where he

BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014

lost over 40% of his property value. He commended the Sewer District for making the facility as pleasing as possible, but he felt that a few things needed to be looked at. He consulted his real estate attorney, his realtor, and contractors who all agreed that his concerns were valid and that there is a high probability that the property and homes in the area will be devalued significantly once the facility is built. Mr. Oxley objected to losing property value again and felt the Sewer District should be required to compensate the homeowners for the loss in value. In addition, he stated that the road is dangerous and employees and trucks should be required to use the Bangerter access to limit traffic.

Sam Naylor gave his address as 1252 West Home Front Circle and stated that his property abuts the subject property. He had concerns, many of which had already been addressed. One of his concerns was lighting. He questioned what the directional lighting will be directly behind his home. He was also concerned with the glow. He suggested that some of the lighting bordering the property shut off automatically from dusk to dawn. Another concern was having year round protection with the trees being evergreens rather than deciduous trees. He appreciated the fact that the District is putting in a six-foot fence. His preference, however, was that it be increased to a seven-foot fence to provide the neighbors more protection.

Mr. Naylor expressed concern with the road. Mayor Timothy stated that there is a plan for the road to be widened. A few changes need to be made in order for the engineering to be finalized. Mr. Reid stated that this is recognized as one of the worst roads in Bluffdale and is scheduled to be improved over the next two to three years. That, however, may have to be advanced in order to take advantage of the Sewer District's water line project and timed in conjunction with the water project. Mayor Timothy reported that a meeting was scheduled the following Friday morning where the matter will be discussed with Mayor Applegarth and others.

Paul Zitting gave his address as 1281 West Home Front Circle and identified his home on the map displayed. He explained that the only option for high speed internet for his business and home is located in the way of the project. It would be difficult to have this option taken away. If the Sewer District extends Comcast, the problem would be resolved. It was suggested that the Sewer District ask that the service be extended in the area.

Mayor Timothy addressed the road issue and stated that the City has a plan and doesn't want to dig up the road twice. Heather Pehrson pointed out that everyone wants their road improved but doing so will increase traffic.

Gloria Quick gave her address as 13885 South 1300 West and stated that she would like the fence to be higher. She stated that no trespassing signs were posted but placed on their side of the fence. She suggested they be put on the opposite side. Mrs. Quick asked where the gate will be located and if it will go all the way around the property. She stated that people often think they can cut through the Sewer District's road and come upon the locked gate. They then access her property and cut out onto 1300 West.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014**

Roger Quick gave his address as 13885 South 1300 West and pointed out that in the corner of the property is a very large Russian Olive Tree that they would like preserved for privacy.

Heather Pehrson asked if it was possible to alleviate the problem the Quicks are experiencing with trespassing. There was discussion on the fence and gate. She also asked if the City can require the Sewer District to use their trucks in a way that differs from what is specified in the Code. City Attorney, Vaughn Pickell, stated that the Code should be followed.

Bruce Kartchner appreciated the kindness of the citizens with respect to what the Sewer District has done but thought it made more sense to put commercial in a commercial zone. Heather Pehrson remarked that the Council made a decision when they adopted the Truck Ordinance and there are similar instances in other parts of the City. She did not see how the Council could deny the request now. Mayor Timothy agreed and stated that it is a permitted use and special care was taken in the planning of the design and the landscaping. With respect to the trucks, the applicants are adhering to the truck ordinance. Mr. Pickell agreed and stated that it wouldn't make sense to treat them differently than the City would treat itself.

Bruce Kartchner moved to pass a resolution approving the proposed site plan for the South Valley Sewer District to be located at 1253 West 1187 West Jordan Basin Lane subject to the following:

Conditions:

- 1. That all requirements of the City Code and adopted ordinances are met and adhered to for this development.**
- 2. That this approval is based on the site plan submittal package received by the City on December 10, 2013.**
- 3. That the existing waterline in 1300 W be upsized according to the specifications determined by the City Engineer.**
- 4. That an iso-lux plan is submitted and a more stringent lighting plan adopted.**
- 5. That all truck traffic is restricted to using the Bangerter Hwy access.**
- 6. That more year round "light blocking" landscaping is provided.**

Ty Nielsen made a friendly amendment to strike DRC condition number five in its entirety as it is covered by the City's ordinance. Bruce Kartchner accepted the friendly amendment.

Ty Nielsen seconded the motion.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014**

Heather Pehrson asked about the timing of the lighting. Mr. White reported that the area is very isolated and they do not have personnel on site at night. He stated that the lights are needed after dark for security.

Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

5. Consideration and Vote on a Resolution for a Proposed Amendment to the Bluffdale Heights Development Agreement – Staff Presenter – Vaughn Pickell.

Mr. Pickell presented the proposed resolution and reported that there is an existing development agreement with Bluffdale Heights. Last fall the Council approved an amendment to the development agreement adding language that the developer would not agree to. As a result, they are still operating under the existing development agreement. The proposed amendment would remove the objectionable language and require the applicant improve the detention pond approved previously in the Phase 4 plans.

Mayor Timothy recalled that in trying to resolve the default the City Council came up with a plan that benefited both sides. That had not been signed, however. He asked what would be wrong with continuing to operate under the original development agreement. Mr. Pickell stated that from the City's point of view the area in question would not be incorporated into the bond. Mayor Timothy's preference was to keep the original development agreement. Mr. Pickell clarified that Parcel B was required for Porter Rockwell Boulevard. The City previously planned to purchase Parcel D and make the lot larger, which would benefit the developer. In exchange, the City was asking to take Parcel C.

Bruce Kartchner's concern was that Parcel C is with the adjacent land that something should be done with it. He was frustrated that the original agreement did not take that sliver into account since the Council talked specifically about not leaving any "islands". It seemed to him that they ought to be able to do something with a significant portion of ground and turn it into something that will benefit the City. Mr. Pickell referenced the map and described various options. It was Bruce Kartchner's opinion that the situation boils down to cost and profitability. The DRC was concerned about access via a driveway. Bruce Kartchner asked about the feasibility of building a full-width City road through the area. City Engineer, Michael Fazio, stated that the lots are too shallow to do that. Access issues were discussed.

Bruce Kartchner commented that it is in the developer's best interest to resolve the issue and move forward. For that reason he was proposing the amendment. As it reads currently, Mayor Timothy saw no benefit to going back to the original development agreement. Council Member Kartchner suggested they think outside the box and instead have one of the front lots become the parking lot with a trail or walkway.

The developer, Ken Milne, stated that a similar plan was presented to the DRC who declined it. He, however, was open to it. Mr. Reid expressed concern about storm water coming off of Pony

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014**

Express. Mr. Milne stated that the pond would have to be approved by the City Engineer and can accommodate all of the projected growth in the area.

Bruce Kartchner moved to not pass a resolution for the proposed amendment to the Bluffdale Heights development agreement. Ty Nielsen seconded the motion. Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

Bruce Kartchner directed staff to work with Mr. Milne to turn the piece of property on the corner into a parking lot and add one more house at the opposite end. Staff should work with Mr. Milne on a cost sharing arrangement. The parking lot could be Lot 406 giving Mr. Milne one more lot with the profit from the additional lot going to the development of the park. The proposed revisions should be incorporated into a new development agreement allowing the project to move forward.

6. Consideration and Vote on a Resolution Designating a Representative for Bluffdale City at the Association of Municipal Councils – Mayor Timothy.

Mayor Timothy asked the Council to recommend an individual to designate as a representative. It was reported that Alan Jackson is currently serving and he has expressed a willingness to continue to serve.

Ty Nielsen moved to approve a resolution appointing Alan Jackson to serve for the term of one year as the Bluffdale City representative at the Association of Municipal Councils with a term to expire January 27, 2015. Heather Pehrson seconded the motion. Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

7. Consideration and Vote on a Resolution Appointing an Alternate Member to the Bluffdale City Planning Commission.

Mayor Timothy reported that Von Brockbank currently serves as the alternate Planning Commission Member. He has done a good job and has been very active. The alternate has always been asked and expected to attend meetings but not participate in the vote if there are six members present. He noted that frequently only five members are present. In addition, by attending meetings the alternate member is kept apprised of what is going on from meeting to meeting.

Heather Pehrson moved to pass a resolution appointing Von Brockbank as an alternate Planning Commission Member to serve until February 1, 2018. Ty Nielsen seconded the motion. Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014

8. Mayor's Report.

Mayor Timothy reported that his first meeting with Mayor Applegarth involved a discussion about adjusting the City boundary. Riverton City proposed the change and conducted the engineering, which was submitted to the City. They have, however, never been given an answer. Mayor Timothy thought Riverton City was owed an answer. He noted that one of the negatives of the proposed boundary modification is the fact that the road is in very bad condition and would become the responsibility of the City.

Mayor Timothy reported that he has received numerous calls on the NSA from all over the world on his cell phone.

The Mayor reported that the legislative session has occurred and there are some bills for charter schools, school districts, and pollution. It seemed to him that some of the excess budget is destined to go to education. He planned to attend the Thursday morning Legislative Update Meetings. He was in the process of trying to prevent something from being passed rather than the other way around.

Mayor Timothy expressed a need for a City Lobbyist to be retained as soon as the current session ends for the next session. Mr. Reid suggested that the City determine who would be a good Lobbyist for Bluffdale between now and the end of this legislative session to hire for next year.

Mr. Reid scheduled a meeting with Council Members Westwood and Pehrson for February 11 at 6:00 p.m. prior to the next Council Meeting.

9. City Manager's Report and Discussion.

Mr. Reid reported that the Dodge Charger is up and running after being repainted and outfitted. It was originally purchased with the intent of becoming part of the City's fleet and to free up another vehicle to serve as a reserve. That was, however, prior to a vehicle being involved in an accident on Bangerter Highway. The City received \$6,900 from the insurance company to replace the vehicle that was totaled. His recollection was that the City paid \$3,200 for it.

Mr. Reid reported that he also has received calls and emails regarding the NSA with the number one request being to turn off the water. In other parts of the country where there are six additional NSA data centers there are legislatures who have talked about giving the states the opportunity to do that. If the state required the City to turn off the water one of the negatives would be the fact that the City has a contract with the NSA to provide them water that is tied to a 25-year \$3.4 million bond. The proceeds the NSA pays the City covers the bond. If the City turns off the water they would default on the bond.

Mr. Reid reported that on January 16 a very sad event took place where the City's Accountant was killed. It was a very difficult situation for all City employees. Grief Counselors came in and visited

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014**

with staff which was determined to be very beneficial. Mr. Reid expressed the City's condolences to the family.

In response to a comment made by Mr. Reid, Mayor Timothy stated that the annotator he likes PDF Studio Pro.

PLANNING SESSION

10. Planning Session.

Bruce Kartchner commented on the Acclaime proposal discussed in a recent joint meeting with the Planning Commission that he was unable to attend. It appeared to him that the developer is getting an additional 50 units by converting previously planned residential units to light industrial. Because of the way the original agreement was written, the developer has the ability to shift the units to other locations within the development. Council Member Kartchner estimated that each unit is worth \$25,000 to \$30,000. It seemed to him that the Planning Commission did not address that particular benefit. He thought that if the City were to allow the additional benefit, they ought to get something in return.

One issue being addressed in that section was the curve of Porter Rockwell Boulevard and how it ties into 14600 South and up to the freeway. He would not object to the additional density in those residential areas if the developer dedicates the curve to the City. Mr. Reid stated that following the joint meeting, the developer was of the opinion that the issue had been resolved. Staff was directed to establish a count of number of units they felt could be transferred to the other area.

Mr. Reid stated that Mr. Tolman felt like the industrial area is of benefit to the City and that the property tax revenue and potential businesses are something the City is looking for. Bruce Kartchner agreed that the light industrial makes sense on the point and per acre it is less valuable than residential at \$75,000 to \$100,000 per acre, however, it is 100% profit if they are able to shift the residential elsewhere. Bruce Kartchner wanted to at least present the concept to the applicant that the Council may want something in return for the additional density. Corridor preservation funds were discussed.

Heather Pehrson reminded the Council of the Iron Will event taking place at Camp Williams to celebrate their 100-year anniversary. It was confirmed that the governor will be in attendance.

Council Member Pehrson reported that a citizen approached her asking if they can purchase City government bonds. Mr. Reid explained that George K. Baum Company sells the City's bonds and they are only for sale at the time the bonding is done. Mr. Reid invited the citizen to contact Matt Dugdale.

**BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 28, 2014**

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

Bruce Karthner moved to go into closed session pursuant to Utah Code §52-4-205(1) to discuss the character, professional competence, or health of an individual. Ty Nielsen seconded the motion. Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

City staff was excused from the remainder of the meeting.

The Council was in closed session from 9:15 p.m. to 10:13 p.m.

Bruce Kartchner moved to adjourn the closed meeting and return to open meeting. Ty Nielsen seconded the motion. Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

Mayor Timothy agreed to sign an affidavit regarding the Closed Meeting.

12. Adjournment.

The City Council Meeting adjourned at 10:13 p.m.



Teddie K. Bell, MMC
City Recorder:



Approved: February 25, 2014

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Tuesday, January 28, 2014**

Present:

**Mayor Derk Timothy
Bruce Kartchner
Ty Nielsen
Heather Pehrson
Justin Westwood**

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

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

Second: Ty Nielsen seconded the motion.

Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

Closed session issues were discussed.

Motion: Bruce Kartchner moved to adjourn the closed meeting and return to open meeting.

Second: Ty Nielsen seconded the motion.

Vote on motion: Bruce Kartchner-Aye, Justin Westwood-Aye, Ty Nielsen-Aye, Heather Pehrson-Aye. The motion passed unanimously.

The City Council resumed the open portion of the meeting at 10:13 p.m.



Teddie K. Bell, MMC
City Recorder
Approved: February 25, 2014



**CITY OF BLUFFDALE
CLOSED MEETING AFFIDAVIT IN LIEU OF MINUTES**

January 28, 2014

I DO HEREBY AFFIRM, being the presiding official over the Closed Meeting held on **Tuesday January 28, 2014 at 9:15 p.m. to 10:13 p.m.**, that it was held for the sole purpose of discussing:

 x

(a) the character, professional competence, or physical or Mental health of an individual or individuals; or

(b) the deployment of security personnel, devices, or Systems

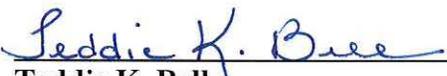
THIS AFFIDAVIT IS SIGNED AND EXECUTED IN ACCORDANCE WITH SECTION 52-4-206(6) OF THE UTAH CODE.



Mayor Derk P. Timothy



ATTEST:



Teddie K. Bell
City Recorder