



**AGENDA - BLUFFDALE CITY COUNCIL
SPECIAL MEETING
Tuesday, May 17, 2005 6:30 p.m.**

Notice is hereby given that the Bluffdale City Council will hold a special meeting Tuesday, May 17, 2005, at the Bluffdale City Hall (upstairs) 14175 South Redwood Road, Bluffdale, Utah scheduled to begin promptly at 6:30 p.m. or as soon thereafter as possible.

AGENDA:

1. Roll Call.
2. Consideration and Vote Regarding Memorandum of Understanding Between Bluffdale City and South Farm, LLC and Frontgate Homes, Inc. in Furtherance of Settling the Disconnection Litigation.
3. Closed Meeting Pursuant to § 52-4-5.
4. Adjournment.

Dated this 13th day of May, 2005



Teddie K. Bell, City Recorder

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 254-2200.

**BLUFFDALE CITY COUNCIL
SPECIAL MEETING MINUTES
Tuesday, May 17, 2005**

Present:

Members: Mayor Wayne Mortimer
Craig Briggs
Morris Clark
Jesse Kelley
Laurie Maxfield
Martha Speed

Others: Brent Bluth, Administrative Services Director
Dale Gardiner, City Attorney
Teddie Bell, City Recorder

Mayor Mortimer called the meeting to order at 6:30 p.m.

Closed Meeting Pursuant to §52-4-5.

Jesse Kelley moved to go into a closed meeting for discussion of pending litigation. Craig Briggs seconded the motion. Vote on motion: Craig Briggs-Aye, Laurie Maxfield-Aye, Martha Speed-Aye, Morris Clark-Aye, Jesse Kelley-Aye. The motion passed.

The City Council was in closed session from 6:35 p.m. to 7:35 p.m.

Morris Clark moved to exit our closed session and return to an open session. Craig Briggs seconded the motion. Vote on motion: Craig Briggs-Aye, Laurie Maxfield-Aye, Martha Speed-Aye, Morris Clark-Aye, Jesse Kelley-Aye. The motion passed.

SPECIAL BUSINESS MEETING

Consideration and Vote Regarding Memorandum of Understanding Between Bluffdale City and South Farm, LLC and Frontgate Homes, Inc., in Furtherance of Settling the Disconnect Litigation.

Jesse Kelley moved that as a member of the Council who voted to reject the Memorandum of Understanding between Bluffdale City, South Farm and Frontgate Homes, that we reconsider the latest version of that Memorandum of Understanding. Morris Clark seconded the motion. Vote on motion: Craig Briggs-Aye, Laurie Maxfield-Aye, Martha Speed-Nay, Morris Clark-Aye, Jesse Kelley-Aye. The motion passed.

Jesse Kelley moved that we accept the latest version of the previous Memorandum of Understanding between Bluffdale City and South Farm and Frontgate Homes with one stipulation--that stipulation being that we move the date for successfully

**BLUFFDALE CITY COUNCIL
SPECIAL MEETING MINUTES
Tuesday, May 17, 2005**

achieving a development agreement from July 1, 2005, to September 1, 2005. Craig Briggs seconded the motion.

Morris Clark stated that in looking through the MOU he attempted to find in the current copy, language dealing with the 10,000 square foot lot amendment made previously. Having looked at the record, he was satisfied that he had an understanding that the applicants were in favor of the minimum 10,000 square foot lot issue on the east side of 4500 West when it was discussed. City Attorney, Dale Gardiner, clarified that the applicants do not believe they made such a commitment. The MOU before the Council was the exact MOU document as was presented last time. His understanding was that Jesse Kelley's motion was for the council to reconsider its decision. His motion was to reconsider the MOU the way it is with one change. Morris Clark disagreed and felt there were actually two changes.

Morris Clark moved to amend the MOU to reinsert the language stating that the minimum lot size on what we call 4500 West be set at 10,000 square feet. Jesse Kelley seconded the motion.

Laurie Maxfield's understanding was that the minimum 10,000 square foot lots were applied to the entire project. Martha Speed had the same understanding. Morris Clark disagreed and didn't feel it was realistic to impose on the entire project. He was referring to the area on the 4500 West dividing road, which proximately dissects the area between the canal and Legacy Highway.

Mr. Gardiner clarified that the applicants do not disagree about what was said with regard to the minimum lot size issue, but they do disagree with what it meant. A map showing parcel numbers was displayed. Morris Clark indicated that his amendment applied to Lots 1, 2, 3, 4, 5, 6, and 7.

Vote on amendment: Craig Briggs-Nay, Laurie Maxfield-Nay, Martha Speed-Nay, Morris Clark-Aye, Jesse Kelley-Nay. The amendment failed.

Martha Speed stated: (verbatim) My apologies to the many citizens of Bluffdale who, like myself, came here for what Bluffdale had to offer -- variety, open space. I don't believe that the way we are going will preserve what we came for. My apologies.

Laurie Maxfield stated: (verbatim) When we voted on this, what was it, a month ago? Whatever. It was probably the first time in this whole three year process that I have questioned that possibly that maybe, well, I need to be careful what I say here, that I wasn't quite sure of my vote. I voted on principles that I've been standing on. I still believe that. But there are other considerations that have been brought to my attention for quite some time that really are concerning me about the future of Bluffdale anyway. That was discussed in closed meeting so I won't bring that up--not appropriate. I think we do need to move forward and we need to try and make a better community for our City. I

**BLUFFDALE CITY COUNCIL
SPECIAL MEETING MINUTES
Tuesday, May 17, 2005**

believe that would be having more one-acre lots with Martha, but tonight I'm going to vote yes.

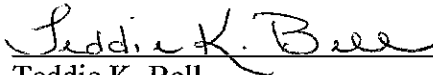
Vote on motion: Craig Briggs-Aye, Laurie Maxfield-Aye, Martha Speed-Nay, Morris Clark-Aye, Jesse Kelley-Aye. The motion passed.

Morris Clark stated: (verbatim) I will say Mayor, just for the record, though, that I have a lot of respect and admiration for this Council and I personally believe that if every citizen in this community understood the process that we went through and knew where we are now, I think they would agree with us that we've taken the right course.

Adjournment.

Craig Briggs moved to adjourn. Morris Clark seconded the motion. Vote on motion: Craig Briggs-Aye, Laurie Maxfield-Aye, Martha Speed-Aye, Morris Clark-Aye, Jesse Kelley-Aye. The motion passed.

The meeting adjourned at 8:00 p.m.



Teddie K. Bell
City Recorder

Approved: June 14, 2005

**BLUFFDALE CITY COUNCIL
SPECIAL CLOSED MEETING MINUTES
Tuesday, May 17, 2005**

Present:

Members: Mayor Wayne Mortimer
Craig Briggs
Morris Clark
Jesse Kelley
Laurie Maxfield
Martha Speed

Others: Brent Bluth, Administrative Services Director
Dale Gardiner, City Attorney
Teddie Bell, City Recorder

At 6:35 p.m. Mayor Mortimer called the meeting to order.

Motion: Jesse Kelley moved to go into a closed meeting for discussion of pending litigation.

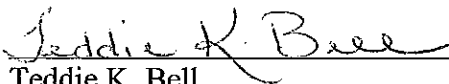
Second: Craig Briggs seconded the motion.

Vote on Motion: Laurie Maxfield-Aye, Morris Clark-Aye, Jesse Kelley-Aye, Craig Briggs-Aye, Martha Speed-Aye. The motion passed.

The City Council was in closed session from 6:35 p.m. to 7:35 p.m.

Pending litigation issues were discussed.

The City Council returned to the City Council chambers to resume the open portion of the meeting at 7:35 p.m.



Teddie K. Bell
City Recorder

Approved: June 14, 2005