



**BLUFFDALE CITY COUNCIL  
MEETING AGENDA  
Wednesday, May 13, 2020**

**\*This meeting will ONLY be conducted electronically\***

Notice is hereby given that the Bluffdale City Council will be taking public comment during an electronic meeting at [www.bluffdale.com](http://www.bluffdale.com) on Wednesday, May 13, 2020, at **6:00 p.m.** There are several ways to participate in this meeting:

1. Visit [www.bluffdale.com](http://www.bluffdale.com) for the details regarding streaming of the meeting.
2. Email your comments to: [councilmeetingcomment@bluffdale.com](mailto:councilmeetingcomment@bluffdale.com)
3. Mail your written comments to: Bluffdale City Hall, Public Comment, 2222 West 14400 South, Bluffdale, Utah 84065.
4. For those who want to make a live comment during the meeting, please contact Natalie Hall at [nhall@bluffdale.com](mailto:nhall@bluffdale.com) for more information and to get the meeting ID number.

Written comments must be submitted prior to the public meeting or any time until the Public Comments item on the meeting agenda is completed. All comments must be under 4 minutes (if spoken) or 600 words (if written). Comments **must** include full name, address and must reference the agenda item in the subject line. Comments will be read into the meeting by a Bluffdale employee for consideration by the Council.

**WORK SESSION 6:00 P.M.** – (The work 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 work session).

1. Roll Call
2. Presentations –
  - 2.1 Saddleback Pointe Development discussion, presenter, Dana Howland.
  - 2.2 Budget discussion, staff presenters, Bruce Kartchner and Stephanie Thayer.
3. Council Discussion

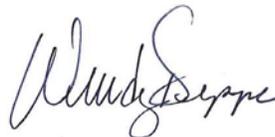
**BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 7:00 P.M.**

1. Roll Call
2. **PUBLIC FORUM** – To bring items not already on the agenda before the City Council. Details outlined above.
3. **CONSENT AGENDA** –
  - 3.1 Approval of the April 01, 2020, City Council Meeting Minutes.
  - 3.2 Approval of the April 08, 2020, City Council Meeting Minutes.

- 3.3 Approval of Resolution No. 2020-32, authorizing execution of an Interlocal Cooperation Agreement for the installation of Advanced Traffic Management Systems (ATMS) and Closed-Circuit Television Connections.
- 3.4 Approval of Resolution No. 2020-33, authorizing the City of Bluffdale's participation in the Jordan Valley Municipalities UPDES Storm Water Permit Program.
- 3.5 Approval of Resolution No. 2020-34, adopting the 2019 Salt Lake County Hazard Mitigation Plan.
- 3.6 Approval of Resolution No. 2020-36, adopting an Amended Style Guide for the City of Bluffdale.
4. **PUBLIC HEARING** – Consideration and vote on a proposed General Plan Land Use Map Amendment Application for 1.71 acres from Neighborhood Commercial to Commercial, located at approximately 13912 South 2700 West, Jeremy Bitner, Applicant, staff presenter, Grant Crowell.
5. **PUBLIC HEARING** – Consideration and vote on a proposed Zoning Map Amendment Application for 1.71 acres from R-1-43 Residential to GC-1 General Commercial, located at approximately 13912 South 2700 West, Jeremy Bitner, Applicant, staff presenter, Grant Crowell.
6. Budget discussion, staff presenters, Bruce Kartchner and Stephanie Thayer.
7. Consideration and vote on Resolution 2020-35, amending the Bluffdale City Employee Policies and Procedures Manual, staff presenter, Warren James.
8. Consideration and vote on Ordinance No. 2020-10, adopting the proposed Text Amendment to City Code 1-7-1(A), Departments and Divisions, staff presenter, Todd Sheeran.
9. Mayor's Report
10. City Manager Report and Discussion
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: May 08, 2020**

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET NEWS; POSTED AT THE BLUFFDALE CITY HALL, 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**

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.

**BLUFFDALE CITY COUNCIL  
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**Present:** Mayor Derk Timothy  
Wendy Aston  
Traci Crockett  
Jeff Gaston  
Mark Hales  
Dave Kallas

**Staff:** Mark Reid, City Manager  
Todd Sheeran, City Attorney  
Bruce Kartchner, Finance Director  
Grant Crowell, City Planner/Economic Development Director  
Michael Fazio, City Engineer  
Shane Paddock, Public Works Director  
Stephanie Thayer, Chief Accountant/Human Resources Director  
Natalie Hall, Emergency Preparedness Manager  
Jennifer Robison, Senior City Planner  
Warren James, Fire Battalion Chief  
Wendy Deppe, City Recorder

**Others:** Dana Howland, Howland Partners  
John Raggett, Serenity Funeral Homes  
Lehi Rodriguez, Serenity Funeral Homes

Mayor Timothy called the meeting to order at 6:00 p.m. The meeting was held electronically and streamed through Facebook. Mayor Timothy reminded the public that comments may be submitted via e-mail to councilmeeting@bluffdale.com, through regular mail, or Zoom by e-mailing Natalie Hall at nhall@bluffdale.com.

**WORK SESSION**

**1. Roll Call.**

All Members of the City Council were present.

**2. Presentations.**

**2.1 Saddleback Pointe Development Discussion, Presenter, Dana Howland.**

Dana Howland from Howland Partners, Inc. introduced Lehi Rodriguez from Serenity Funeral Home and his partner, Larry Hansen. John Raggett, a representative from the factory that creates crematory machines, was also present. Mr. Howland explained that Mr. Rodriguez is interested in developing a funeral home and crematory in four of the six units within the Saddleback Pointe Development on 2700 West. The development is currently in a General Commercial zone and allows for a mortuary but does not specify the allowance of a crematorium. Mr. Howland stated

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that an application had been submitted for a text amendment to change the definition of mortuary to include crematoriums.

Mr. Howland reported that the company is interested in moving one of their funeral homes from Draper to Bluffdale. The funeral home is currently located in Draper off I-15 and 12300 South.

Mr. Rodriguez noted that Serenity Funeral Homes have been in business for 20 years in Utah, and for 12 years in Draper. The company runs a total of four funeral homes in Utah with locations in St. George, Lindon, Draper, and Logan as well as three cremation centers in St. George, Lindon, and Logan. The company's business strategy over the next few years is to relocate the Draper and Lindon locations.

Mr. Rodriguez reported that Mr. Howland has been great to work with and he was pleased with the location, the area, and the potential for expansion. The business works closely with other funeral homes and the Veterans Memorial Cemetery in Bluffdale. If the request is approved, the funeral home and cremation center will be the first and only in Bluffdale.

Wendy Aston asked what kind of emissions are produced by a crematorium. Mr. Rodriguez replied that the cremation centers are built to be safe for communities. John Raggett, Vice President of American Crematory Equipment, reported that Serenity Funeral Homes will be using equipment from his company. He explained that the emissions are lower than those of a fast food restaurant due to the high temperatures used in the cremation process, which is generally 1,500 to 2,000 degrees. The process emits particulates so minute that they are not hazardous. Mr. Raggett noted that crematories have been located in Southern California near schools, playgrounds, and homes and would not have been placed in those locations if there were any emission issues.

Mr. Rodriguez explained that his company does a lot of work in the community and works with hospice centers and the public to provide education on the burial and cremation processes. He added that the rate of cremation has increased in the State of Utah in the last few years, and approximately 50% of the population is choosing cremation.

Mayor Timothy asked if there is any noise associated with the process and what is added to the building to make the process less noticeable. Mr. Raggett stated that one smokestack will come out of the building that will be covered with a façade. Only heat fumes will be emitted unless an upset cremation occurs where there is smoke. Those events are rare and usually the result of operator error. They are not harmful and are rectified immediately.

Mayor Timothy asked about the height of the smokestack. Mr. Raggett explained that the crematory is eight feet tall and the stack is 10 feet for a total height of 18 feet. He recommended that the stack come out of the building four to six feet for safety reasons. The only person that can hear the equipment is the person running it. Mr. Howland mentioned that the smokestack will not be visible since the building is only 26 feet tall.

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Mr. Rodriguez explained that each of the Serenity Funeral Homes facilities includes a cremation center because it is important for the company to take care of the process from beginning to end to ensure accuracy, dignity, and respect for families.

Wendy Aston asked if any particulate matter comes out of the smokestack. Mr. Raggett replied that the maximum allowed is 60 PPM (Parts Per Million) and the crematory emits less than that. The equipment is made of low Nitrogen Oxide (NOx) burners and is designed to be smokeless and odorless. The particulate is minimal compared to a fireplace or fast food restaurant.

Mr. Howland explained that the applicant will be renting approximately 5,800 square feet of space with approximately 4,000 square feet consisting of the funeral home, offices, a conference room, and a chapel. He shared a photograph of the crematory that is 4'W x 10'D x 5'H. The machine will be housed in a small space within the warehouse portion of the mortuary.

Mark Hales asked if anyone will be living in the funeral home. Mr. Rodriguez replied that staff does not sleep on the premises. The hours of operation will be from 9:00 a.m. to 5:00 p.m. Monday through Friday; however, staff is available around the clock with three people will be on call at night. The employees take the transport vehicle home to use for transports that are requested after hours.

City Manager, Mark Reid asked if there is a retail component associated with the funeral home. Mr. Howland noted that sales and service are taxable. The company pays sales tax and property tax and all merchandise that is sold is taxable. They also pay property taxes on the crematory and some of the equipment in the funeral home.

Mr. Howland noted that the other two businesses in the building consist of an insurance firm and a construction company. He added that Mr. Rodriguez has been given the first right of refusal if they wish to expand.

Mr. Howland reported that a letter of reference from Jenkins-Soffe Funeral Chapel and Cremation Center was provided to Mr. Crowell just before the meeting for distribution to the Council Members. Mr. Rodriguez thanked the Council for their consideration and assured them that the company will represent the City very well.

**2.2 Budget Discussion, Staff Presenters, Bruce Kartchner and Stephanie Thayer.**

Finance Director, Bruce Kartchner reported that staff continues to work on the budget. They recently found that the property taxes have met the budget for 2020 and there is one more month to collect. Staff was also working on analyzing the sales tax information and have received preliminary data for March. The numbers had not yet been finalized as staff was still determining the expectation for sales tax revenue for the remainder of 2020 and the 2021 projections. Since Bluffdale's data was not included in the projections from the State of Utah, staff had to extrapolate the information and identify whether any changes needed to be made for 2021. The figure was currently being left with a 20% reduction of 2020 sales tax numbers.

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Mayor Timothy noted that other cities agreed to calculate a 20% reduction and asked if Mr. Kartchner considered 20% to be a safe number. Mr. Kartchner explained that it may be an overly pessimistic number and he expects it will be somewhat lower. He added that the projections for the State of Utah are expected to be poor at the end of this fiscal year and the first part of 2021; however, it is expected to recover and grow fairly quickly in the last nine months of 2021.

Mr. Kartchner further explained that individual projections depend on the make-up of cities and how they collect sales tax revenue. Since Bluffdale is different due to the sales tax revenue that comes from online sales, the City gets 0.5% that normally goes to cities with brick and mortar stores. As retailers have shut down, consumers have shifted to ordering online. Although the numbers for online sales were not in yet, Mr. Kartchner expected the 20% figure may be reduced.

Chief Accountant/Human Resources Director, Stephanie Thayer highlighted additional changes to the revenue and expenditures and noted that the re-appropriation of the fund balance to balance the budget has been reduced to \$168,000.

- Two seasonal park positions and one seasonal Streets Worker were added back into the budget. All other positions were still postponed. Last year, there were seven to 10 seasonal workers who were mostly used for Old West Days. Some of the seasonal employees were brought in as permanent part-time employees.
- Changes in the Fire Department were made and reallocated within their budgets; therefore, the change was flat. The changes were for equipment and some revised estimates. The overall budget remained flat for additional personnel due to the reallocation of funds. The Fire Department currently has one Battalion Chief position that is part-time and the addition of a second position was added. Since the positions are part-time, there are no medical or dental benefits; however, there will be some benefits such as social security.
- The antibody test kits in the City Council budget were originally added to the 2021 fiscal year but could be moved to 2020 as an invoice was recently received. The kits may end up in both years if additional test kits are purchased. Mr. Reid pointed out that there is no net effect on the budget since the invoice is for \$14,000 and the City budgeted \$50,000. Any kits purchased next fiscal year would be offset by revenues. Ms. Thayer would correct the item for the next review. Mr. Reid recommended listing the kits in both years.
- There is an item in the Capital Projects Fund from the Fire Department to purchase a response vehicle for the New Battalion Chief position. Ms. Thayer noted that the fire engine that did not receive grant funding was removed from the revenue side and replaced on the expenditure side for another type of engine at a cost of \$400,000.
- Mr. Kartchner pointed out that the Fire Department's Interim Chief highlighted additional positions that may be desired by the New Chief. The positions were not being filled at this point; however, they may be reevaluated along with City employee raises at the mid-year point in 2021 as discussed previously.
- Ms. Thayer removed a cemetery item that was on the last budget revision. Mr. Kartchner noted that the item was for software the City was going to pay for but was delayed until next year.

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Dave Kallas asked if the request for a New Battalion Chief is a part-time position. Chief James explained that it is part-time. The standard is to have a Chief respond to and assist with calls and scheduling. The schedule is typically eight hours per day and 16 hours on call at night, which provides the benefit of having a Chief available 24 hours per day/7 days per week while only paying 16 hours of wages for two days.

Council Member Kallas asked about the status of the fire engine. Chief James stated that the department intends to sell one of their old fire trucks to Fire Trucks Unlimited to provide revenue that will go toward the cost of the new fire engine. The new engine could be used to participate in Emergency Management System responses where the Fire Department would get paid well to help during the fire season in California and Washington in the fall. The program pays for the use of the fire truck and personnel and, depending on the length of deployment, can provide a profit of \$40,000 to \$100,000.

Mayor Timothy did not believe Bluffdale ever participated in the program because firemen were not available due to their employment with other fire stations. Chief James stated that 25 to 30 firefighters are interested and qualified to go if the opportunity arises. They will take a vacation from their departments for the time they are away. Chief James added that, as a member of the Metro Fire Agency, a Type 6 fire engine such as the Ox at Station 91 could be sent with personnel from other communities. The State pays the liability insurance, workers' compensation, and other expenses and writes a check for 80% for expenses for an immediate profit.

Wendy Aston asked what preparations are needed and if the Department could participate in this upcoming fire season. Chief James replied that the Department has already surveyed its equipment and would just need to purchase a new pump for the Type 6 engine at a cost of approximately \$5,000 to \$6,000 and a new hose for \$1,200.

Mr. Reid noted that the new engine would not be ready this year due to the build time. Chief James stated that it takes eight to nine months because they need to buy a commercial chassis and build the box. He estimated it will take eight to 10 months including the bidding and inspecting process.

Mr. Reid was not sure the City would be comfortable sending a new engine to California and mentioned that the reimbursement from the Ross Program took six to eight months. Chief James explained that this program is through FEMA rather than the Forest Service, and FEMA provides the reimbursement much more quickly. He noted that the Department is willing to participate in the Ross program but it does take longer to get revenue.

Chief James recommended tabling the Type 1-3 engine to the next budget year. He suggested moving forward with selling the oldest engine and participating in the FEMA program to offset the cost of the new engine. Mr. Reid asked if Chief James was comfortable only having one Ox in the station. Chief James confirmed that he was very comfortable.

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Jeff Gaston asked which engine is being sold. Chief James stated that it is the old red and white engine and noted that it is not safe or reliable. Mr. Reid stated that it will likely sell for less than \$50,000. Chief James agreed and noted that it should be sold quickly to avoid losing any more value. Mr. Reid confirmed that the other two engines do not qualify for the FEMA program since they need brush fire engines. Chief James replied that a brush or wildland engine is required.

Jeff Gaston asked who would cover insurance for the firefighters that are sent to California. Chief James stated that insurance is covered by the State of Utah and FEMA. He confirmed that there is no risk to the City for the firefighters.

**3. Adjournment.**

The Work Session adjourned at 7:00 p.m.

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**Present:** Mayor Derk Timothy  
Wendy Aston  
Traci Crockett  
Jeff Gaston  
Mark Hales  
Dave Kallas

**Staff:** Mark Reid, City Manager  
Todd Sheeran, City Attorney  
Bruce Kartchner, Finance Director  
Grant Crowell, City Planner/Economic Development Director  
Michael Fazio, City Engineer  
Shane Paddock, Public Works Director  
Stephanie Thayer, Chief Accountant/Human Resources Director  
Natalie Hall, Emergency Preparedness Manager  
Jennifer Robison, Senior City Planner  
Warren James, Fire Battalion Chief  
Wendy Deppe, City Recorder

**Others:** Jeremy Bitner

**BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**

**1. Roll Call.**

All members of the City Council were present.

**2. PUBLIC FORUM**

Mayor Timothy encouraged the public to submit comments via e-mail or join the Zoom meeting by emailing Emergency Preparedness Manager, Natalie Hall. There were no public comments.

**3. CONSENT AGENDA**

**3.1 Approval of the April 1, 2020, City Council Meeting Minutes.**

**3.2 Approval of the April 8, 2020, City Council Meeting Minutes.**

**3.3 Approval of Resolution 2020-32, Authorizing Execution of an Interlocal Cooperation Agreement for the Installation of Advanced Traffic Management Systems (“ATMs”) and Closed-Circuit Television Connections.**

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- 3.4 **Approval of Resolution No. 2020-33, Authorizing the City of Bluffdale's Participation in the Jordan Valley Municipalities UPDES Storm Water Permit Program.**
- 3.5 **Approval of Resolution No. 2020-34, Adopting the 2019 Salt Lake County Hazard Mitigation Plan.**
- 3.6 **Approval of Resolution No. 2020-36, Adopting an Amended Style Guide for the City of Bluffdale.**

Jeff Gaston requested that items 3.5 and 3.6 be removed from the Consent Agent. Traci Crockett asked that Item 3.3 also be removed.

**Mark Hales moved to approve Item Nos. 3.1, 3.2, and 3.4 on the Consent Agenda. Dave Kallas seconded the motion. Vote on motion: Traci Crockett-Aye, Mark Hales-Aye, Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye. The motion passed unanimously.**

Traci Crockett asked for verification on the initial cost and monthly payment for the Advanced Traffic Management System. City Engineer, Michael Fazio stated that the initial cost is \$10,200 and the annual payment is \$1,320 per year. The annual payment is required whether or not the system is being utilized.

**Traci Crockett moved to approve Item 3.3. Dave Kallas seconded the motion. Vote on motion: Mark Hales-Aye, Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye. The motion passed unanimously.**

Jeff Gaston noted that the Hazard Mitigation Plan referenced in Item 3.5 looks different than the one that was previously passed. He asked about the differences including the roles of the City departments involved and noted that the Public Works and Emergency Management Departments do not appear to be included. Ms. Hall replied that the plan is updated every five years as required by FEMA and this version is more specific to the City of Bluffdale. The Public Works and Emergency Management Departments are involved with the Fire Department and have the most responsibility in responding to hazards.

Jeff Gaston asked if the plan provides more power or control to any of the departments and how it affects department heads. Ms. Hall explained that it specifies hazards that exist in the City and which department is responsible for mitigation. Mr. Reid added that the plan provides more specific guidance on hazards such as the Jordan Valley chlorine system and the Union Pacific Railroad.

**Jeff Gaston moved to approve Item 3.5. Dave Kallas seconded the motion. Vote on motion: Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye, Mark Hales-Aye. The motion passed unanimously.**

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Jeff Gaston asked who requested the changes to Item 3.6. Chief James stated that the request is from the Fire Department and involves the previous style guide that had a blue logo. He explained that blue does not look good on fire engines and noted that the request is to change the color from blue to red and to add some limited branding to add a “B” for Bluffdale in red or black on the fire trucks.

Chief James pointed out that the t-shirt design will remain the same, except for the addition of a small “B” to incorporate the branding. Council Member Gaston did not like the idea of putting a “B” in the patch and preferred not to make any changes to the patch. He was comfortable with the minor change to the t-shirts and polos.

Council Member Gaston asked where the B will be placed on the fire trucks. Chief James explained that the logo will be small and placed on the back of ambulances and fire trucks. The logos on the doors will consist of the patch design.

Traci Crockett agreed with keeping the current design of the patch. Mayor Timothy confirmed that the resolution is acceptable as long as the B is removed from the patch.

Jeff Gaston asked if the new fire engine will be painted the same as the one in Independence. Chief James confirmed that it would.

**Jeff Gaston moved to approve Resolution No. 2020-36, Adopting an Amended Style Guide for the City of Bluffdale with No Changes to the Bluffdale City Fire Department Fire Patch. Wendy Aston seconded the motion. Vote on motion: Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye, Make Hales-Aye, Dave Kallas-Aye. The motion passed unanimously.**

**4. PUBLIC HEARING – Consideration and Vote on a Proposed General Plan Land Use Amendment Application for 1.71 Acres from Neighborhood Commercial to Commercial, located at approximately 13912 South 2700 West, Jeremy Bitner, Applicant, Staff Presenter, Grant Crowell.**

Mayor Timothy noted that agenda item numbers 4 and 5 will be heard together and the public hearing will incorporate both items. The items will be voted on separately.

City Planner/Economic Development Director, Grant Crowell reported that Jeremy Bitner is requesting a General Plan Land Use Amendment and a zoning request for a vacant property on 2700 West. The property is the last remaining in the commercial zone that has not been changed to commercial.

Mr. Crowell displayed the existing General Plan Map and explained that, other than a parcel to the north owned by the Utah Department of Transportation (“UDOT”), this property is the last piece of land on the west side. He noted that the UDOT property will not be redeveloped into anything other than road infrastructure.

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Mr. Crowell reported that the Planning Commission had a public discussion on the shape of the parcel and it was suggested that a piece of the property be cut to correct the shape; however, the General Plan has always included the “dog ear” portion as being the same designation as the rest of the parcel. Mr. Crowell explained that if that part of the property was left as residential use, it would be non-conforming and too small for a home.

Mr. Crowell noted that the City Council adopted the updated Transportation Plan that included 13900 South. He explained that Transportation Impact Fees could be used for infrastructure because the entire block is expected to develop and will need infrastructure in the middle. Mr. Crowell stated that Mr. Bitner and the neighbors have spoken to the City about potential alignments. The applicant was proposing a small office building on the west side of the property; however, nothing had been adopted or finalized.

Jeremy Bitner appreciated the assistance he has received from City staff. He has a good relationship with the neighbor and there is only one home next to the property under consideration. Mr. Bitner had spoken with the neighbor, Murray Winters who confirmed that he is in favor of the area going commercial and would like Mr. Bitner to develop the property. Mr. Winters was also considering changing his property to commercial use.

Jeff Gaston thanked Mr. Bitner for being willing to change the property to commercial and for investing in the property. He had hoped this area would be developed into a commercial property, and he supported Mr. Bitner’s request.

Dave Kallas asked if Mr. Bitner had any opinion or preference concerning the alignment of 13900 South. He added that it would be nice to have the road go straight through rather than turn at an angle. Mr. Bitner stated that it helps in some ways to have it at a 90-degree angle. The commercial lot is approximately 20,000 square feet in size and if the road is 57 feet, it would take away from the lot. The goal was to get most of the road on the UDOT property.

Mr. Bitner noted that there are also limits on 2700 West because the Maverik Gas Station does not want to give up any property. He added that Diamond Rental has approached him on a 30,000 square foot piece of land they would like to purchase and they would also like access from a public road. Mr. Bitner outlined additional challenges associated with putting in a straight road. He stated that the design being presented appears to be the most satisfactory to all parties involved.

Mayor Timothy opened the public hearing. Mr. Kartchner and Ms. Hall noted that no comments were submitted via e-mail or Zoom. Mayor Timothy left the public hearing open while the Council continued the discussion to provide the public additional time to comment.

Jeff Gaston asked Mr. Bitner to provide details about the proposed office building and asked if individual spaces would be available. Mr. Bitner reported that he is a licensed Marriage and Family Therapist through Alliance Family Counseling of Utah and noted that he will likely use the site as a counseling clinic. He added that the building will be 4,000 to 5,000 square feet in size and will be owner-occupied or subleased to other medical professionals.

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Wendy Aston asked if the design of the road will help prevent speeding. Mr. Fazio stated that the City will need to post a reduced speed limit of 15 to 20 MPH so that motorists slow down before the curve. Signs should also be posted indicating that there is a sharp curve.

Mayor Timothy noted that it is similar to the sharp turn behind Redwood Road behind the Maverik gas station. Mr. Fazio agreed and stated that designing it with the curve provides access to the property that UDOT owns and the City may be able to acquire the right-of-way.

No public comments were received. Mayor Timothy closed the public hearing.

**Dave Kallas moved to approve the Proposed General Plan Land Use Amendment application for 1.71 acres from Neighborhood Commercial to Commercial, located at approximately 13912 South 2700 West. Mark Hales seconded the motion. Vote on motion: Jeff Gaston-Aye, Traci Crockett-Aye, Mark Hales-Aye, Dave Kallas-Aye, Wendy Aston-Aye. The motion passed unanimously.**

**5. PUBLIC HEARING – Consideration and Vote on a Proposed Zoning Map Amendment Application for 1.71 Acres from R-1-43 Residential to GC-1 General Commercial, located at approximately 13912 South 2700 West, Jeremy Bitner, Applicant, Staff Presenter, Grant Crowell.**

**Dave Kallas moved to approve the Proposed Zoning Map Amendment Application for 1.71 acres from R-1-43 Residential to GC-1 General Commercial, located at approximately 13912 South 2700 West. Wendy Aston seconded the motion. Vote on motion: Traci Crockett-Aye, Mark Hales-Aye, Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye. The motion passed unanimously.**

**6. Budget Discussion, Staff Presenters, Bruce Kartchner and Stephanie Thayer.**

Mr. Kartchner reported that there are no pros or cons to Chief James' recommendations on purchasing a fire truck and reminded the Council that impact fees can be used if the purchase exceeds \$500,000. If the purchase does not exceed that amount, other sources of funding will need to be used such as the Capital Projects Fund.

Wendy Aston asked if there is money in the budget for an additional Battalion Chief. Mr. Kartchner replied that the money is in the budget, and the position will be filled. He added that one of the Inspector positions and the Plan Reviewer position will not be filled but will be reviewed mid-year. Mr. Reid asked if any current firefighters are qualified for either of those positions and if they could be paid for an additional shift to save money on hiring expenses. Chief James noted that the difference is only \$1.25 an hour and it could likely be fit into the budget.

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Chief James stated that he currently performs inspections and relies on crew members on occasion. The position also performs sprinkler system inspections and plumbing reviews in addition to other duties.

Dave Kallas asked for clarification on the Reappropriation Fund and the difference between the current and previous budgets presented. Mr. Kartchner explained that the budget must balance and the City is required to keep a reserve of cash on hand to use when expenses exceed revenues. The City is required by State statute to have at least 5% but not more than 25% available in reserves at the end of each year to carry over to the next year.

The City currently has expenditures that exceed revenues in the amount of \$168,347. Staff has been able to reduce that amount significantly from the previous deficit of \$650,000. Mr. Kartchner noted that this amount could increase or decrease depending on the Certified Tax Rate that the County provides the first part of June and the additional property taxes the City collects.

Staff continued to go through details of the budget to identify items that can be removed or deferred. Mr. Kartchner noted that the service levels for parks and other public areas will be lower than last year and the Council Members may receive occasional calls about issues in the parks due to the reduced manpower.

Mr. Reid pointed out that money spent on Park Workers on Old West Days will be down significantly and will likely offset the decrease in Park Workers. One of the seasonal workers will work on Saturdays, which is a service the City has not previously provided.

Dave Kallas was pleased to see that the appropriation was reduced so dramatically. Mr. Kartchner noted that the department heads have been very diligent about minimizing requests for their departments. He was comfortable with the current deficit but had some concerns about the financial impact COVID-19 may have had on the City. Mr. Reid was tempted to increase the sales tax projections but the impact of COVID-19 is so uncertain that he decided to wait until January. Staff would continue to work to find ways to reduce expenses.

Council Member Kallas was not overly concerned about the current deficit since the City is maintaining a balance of between five and 25 percent. Mayor Timothy preferred to keep the sales tax with a 20% reduction knowing that it can be added back mid-year if needed. Even if \$168,000 had to be spent to balance the budget, the City's reserves will remain at 16%.

Mr. Kartchner agreed and was more concerned with the lease payment and bond for the Public Works Building and other expenses for capital projects. He added that the 20% discount on sales tax is acceptable and he believes the City will be fine next year. The numbers projected for March were better than expected but the numbers for April will provide a better indication.

Mr. Kartchner thanked the Council for giving clear direction to make Public Safety the top priority. He also expressed appreciation for the department heads' sacrifices toward this goal.

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**7. Consideration and Vote on Resolution 2020-35, Amending the Bluffdale City Employee Policies and Procedures Manual, Staff Presenter, Warren James.**

Chief James reported that he was requesting a minor functional change to the Employee Policies and Procedures Manual. The manual refers to a 28-day work cycle with a 212-hour limit; however, since the shift rotation is a six-day rotation, Chief James was asking to change the 28-day cycle to a 24-day cycle. Chief James reported that the number of hours will remain the same as a percentage, and the change will make scheduling easier for Captain Roberts.

Ms. Thayer reported that as a member of the Utah State Retirement System (“URS”), it was requested that the City provide a policy to allow employees and certain non-merit positions to be exempt from the retirement system if they choose. Each participating employer is required to designate which positions can be included in the option.

**Dave Kallas moved to approve Resolution 2020-35, Amending the Bluffdale City Employee Policies and Procedures Manual. Wendy Aston seconded the motion. Vote on motion: Mark Hales-Aye, Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye. The motion passed unanimously.**

**8. Consideration and Vote on Ordinance 2020-10, Adopting the Proposed Text Amendment to City Code 1-7-1(A), Departments and Divisions, Staff Presenter, Todd Sheeran.**

City Attorney, Todd Sheeran reported that the Council previously discussed the City’s Organizational Chart and voted to have the City Manager maintain it. A draft was circulated and the matter includes a text amendment for final approval.

Dave Kallas noted that the creation of departments and positions should be approved by the City Council due to budget impacts and asked why the change to allow the City Manager to make those decisions was proposed. Mr. Reid stated that the City Manager needs to request approval from the City Council for the budget if a position or department is created; therefore, the City Manager cannot create a department or position without City Council approval.

Jeff Gaston did not like the proposed language and noted that it appears to give all the power to the City Manager. He requested an organizational chart with no names and he did not support the approval of the text amendment.

**Council Member Gaston moved to deny the change to the ordinance. The motion died for lack of a second.**

Mayor Timothy thought the wording matched what the City Council previously agreed on. Dave Kallas agreed with having the City Manager organize and set up the organizational structure; however, he suggested amending the text to specify that the City Manager may create departments

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and positions with the consent of the City Council. The Council Members agreed with the recommendation.

Jeff Gaston asked Mr. Reid to provide a chart with positions only that the Council can approve or deny when there are changes. Council Member Gaston preferred that the ordinance remain as it was originally written and did not see a need for the amendment. Mark Hales did not believe the Council should have to vote on the flow chart every year. Council Member Kallas agreed that it is beneficial to see the chart but he did not believe the Council needs to approve it.

The Council Members discussed whether the change to the original Code was necessary. Jeff Gaston offered to write a revised ordinance. Mr. Reid stated that he would have staff prepare a resolution that incorporates the suggestions from Council Members Kallas and Hales for distribution to the Council Members.

**Mark Hales moved to table the item until the next City Council meeting. Dave Kallas seconded the motion. Vote on motion: Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye, Mark Hales-Aye. The motion passed unanimously.**

**9. Mayor's Report.**

Mayor Timothy reported on the following:

- Zoom has helped get the mayors together and the response to COVID-19 has been handled very well.
- Bluffdale Elementary School recently held a simulated Congressional Hearing called “We the People” with its fifth-grade students. The program is typically held in the City Council Room; however, due to COVID-19, it was held through Zoom. Ms. Fisher did an amazing job of ensuring that the students were well-versed on Zoom and the event was flawless. Mayor Timothy thanked staff for assisting with the letters from the Mayor that were sent to students. He also thanked Natalie Hall, Terri Bawden, and Allison Wilcox for their help as well as Mr. Reid for loaning out his staff.
- Mayor Timothy noted that information was erroneously published in the newsletter regarding Salt Lake County’s requirements on licensing flocks and inspecting pens. He asked if any Council Members received complaints and Jeff Gaston and Wendy Aston confirmed that they did. Mayor Timothy reported that the publication was a mistake because the City does not require the licensing and inspection of pens and has different requirements than the County. He asked the Council Members to let those who have complained know that it was a mistake that will be retracted.
- Mr. Sheeran reported that the licensing of animals and a permit is required for chickens but he believes the requirements were being reviewed and revised by the County. Mr. Crowell stated that the City has local land use control over animals. The City uses the County’s licensing but the publication was a mistake and should not have been printed.
- There had been discussions about allowing pygmy goats and chickens, except for roosters, on R-1-10 properties. Mayor Timothy thought they were allowed on residential properties

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but recently learned that the City does not allow them. He believes it is reasonable to have a few chickens but no roosters and asked Mr. Reid to have staff write a proposal to allow them. He advised Mr. Reid not to make any changes to R-1-43 properties. Dave Kallas asked that infill overlays also be allowed for R-1-10 properties. Mayor Timothy asked Mr. Reid to make sure that the infill overlays are included in the proposal.

- A few negative comments had been received about the cancellation of Old West Days but Mayor Timothy has also received many positive comments supporting his decision.

**10. City Manager Report and Discussion.**

Mr. Reid reported on the following:

- Jeff Gaston reported that the Mosquito Abatement Program provides residents who have ponds with free fish that eat mosquitoes. The program is free to all Salt Lake County residents. The City can also request fogging for neighborhoods where mosquito issues are prevalent. Mayor Timothy asked if the fish are for standing water only or if rivers can be treated. Council Member Gaston stated that the fish can be used in rivers and canals but not in the Jordan River due to dangers to the other fish in the river. Jeff Gaston noted that a heavy mosquito season is expected and mosquito traps will be set up near the prison where there is heavy floodwater to prevent West Nile cases.
- The American Legion will not be holding its Memorial Day program this year. The Public Works Department will put out flags and will ensure the cemetery is in great shape.
- Mr. Reid asked Chief James to provide an update on the COVID-19 response and personal protective equipment (“PPE”) supplies. Chief James stated that the Fire Department is still working diligently on COVID-19 cases. There has been a significant reduction in medical calls; however, the response teams are still taking precautions and ensuring that only one individual has contact with the patient while wearing PPE. The department has a good supply of N-95 masks, surgical isolation masks, hand sanitizer, and Tyvek.
- Chief James reported that he met with State Lands Fire and Forestry, and they are anticipating a large fire season statewide. He will be meeting with them again and provide the City Council with recommendations on restrictions for the summer.
- Chief James recognized Captain Evans for his work on handling the Wildland program and Captain Roberts for his scheduling efforts during the COVID-19 crisis. He noted that the department met with a vendor on a software package that will help with scheduling.
- Chief James reported that the fogging systems have been successful and are being used frequently. Mr. Reid asked Chief James if any firefighters have tested positive for COVID-19. Chief James replied that only one firefighter has tested positive and the trace routing being done appears to show that it was likely contracted through a community spread at a restaurant. Chief James attributed the health of the crews to the effectiveness of PPE.
- Grant Crowell provided an update on the Bringhurst project and noted that commercial buildings and homes are going in. He reported that 78 townhomes are currently being developed and are under construction or review. Three permits have been submitted for commercial shell buildings that consist of approximately 140,000 square feet.

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- Mr. Reid reported that the Fire Chief position has been advertised and only two out of state individuals have applied so far. More applications were expected as the deadline approaches.
- Mr. Fazio provided an update on Spring View Farms and the restriping that was requested by the City Council for a turn lane at the entrance of the development. Mr. Reid reported that the curb and gutter have been installed on Porter Rockwell Boulevard Segment Four and asphalt has been poured from 14600 South to the river abutment where the bridge will cross over. He also noted that the floor has been poured on the water tank and the project is progressing.
- Mr. Fazio stated that there is sufficient space for two lanes and a median at the Spring View Farms entrance. The north side will have approximately two feet of shoulder on the road. Mr. Fazio requested approval to send the street crew to change the road. It was reported Mr. Fazio provided the design.

Traci Crockett shared concerns about the impact on the bike lane where the turn lane will be located. Mr. Fazio replied that due to the narrow part of the road, the lane will either need to be designated as a shared bike lane or a ramp will need to be installed to allow access back to the road. Mr. Reid stated that the shared lane will only be a few hundred feet long and drivers should be able to see any bicyclists.

The Council Members discussed whether the lane needs further review and discussed alternative options. Jeff Gaston suggested using paint to make the changes to the road and bike lane as a low-cost option that could easily be changed if issues arise. Mr. Reid stated that staff will paint the road before August when the middle school opens.

- Mr. Reid reported that 250 COVID-19 testing kits were purchased and the cities are working on a date and time for testing. Ms. Hall will initiate a social media campaign to spread the word to the public. A testing date of May 27 was currently being considered.
- Public Works Director, Shane Paddock reported that a disaster was averted on Sunday, May 10 when a passerby reported a leak at the new tank site. A gopher dug a tunnel in the embankment that breached the tank. Streets Superintendent, Kurt Deters responded immediately and filled the hole. If it had continued to leak, it would have enlarged and the canal would have been breached under pressure causing the formwork to be damaged. Mr. Paddock recognized the swift action of Mr. Deters and noted that he is a very diligent and hard-working employee. He added that the canal master was contacted and shut down the canal until the breach was repaired.
- Mr. Reid stated that all of the “Closed” signs at City Hall have been removed. Although a formal announcement has not yet been made, the building is open for full-time business. Social distancing signs will be left up permanently at the front counter for both health and confidentiality purposes.
- Employees are returning to City Hall after working from home. Three employees are currently working at the front counter and more employees are expected to return on June 10 or 11. Mr. Reid reported that there has been some contention between employees who

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get to continue working from home and those who do not. He pointed out that employees are needed in the office to handle traffic coming into the building.

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 Share, Security Issues, or any Alleged Criminal Misconduct.**

Jeff Gaston moved to go into Closed Session to discuss the acquisition of real property. Traci Crockett seconded the motion. Vote on motion: Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye, Mark Hales-Aye. The motion passed unanimously.

Staff was invited to attend the meeting along with Scott Holmes of JRCA and Miriam Drury, the City's Real Estate Agent.

The City Council was in closed meeting from 9:33 p.m. to 10:31 p.m.

12. **Adjournment.**

The City Council Meeting adjourned at approximately 10:34 p.m.



Wendy L. Deppe, CMC  
City Recorder

Approved: June 10, 2020

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**Present:** Mayor Derk Timothy  
Wendy Aston  
Traci Crockett  
Jeff Gaston  
Mark Hales  
Dave Kallas

**Staff:** Mark Reid, City Manager  
Todd Sheeran, City Attorney  
Bruce Kartchner, Finance Director  
Grant Crowell, City Planner/Economic Development Director  
Michael Fazio, City Engineer  
Shane Paddock, Public Works Director  
Natalie Hall, Emergency Preparedness Manager  
Warren James, Fire Battalion Chief  
Wendy Deppe, City Recorder

**Others:** Scott Holmes, JRCA  
Miriam Drury, City Real Estate Agent

At approximately 9:33 p.m., Mayor Derk Timothy called the meeting to order.

**Motion:** Jeff Gaston moved to go into Closed Session to discuss the acquisition of real property.

**Second:** Traci Crockett seconded the motion.

**Vote on Motion:** Vote on motion: Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye, Mark Hales-Aye. The motion passed unanimously.

The Council discussed the acquisition of real property.

**Motion:** Jeff Gaston moved to adjourn the Closed Session.

**Second:** Traci Crockett seconded the motion.

**Vote on Motion:** Vote on motion: Dave Kallas-Aye, Wendy Aston-Aye, Jeff Gaston-Aye, Traci Crockett-Aye, Mark Hales-Aye. The motion passed unanimously.

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The City Council resumed the open portion of the electronic meeting at 10:31 p.m.

A handwritten signature in black ink, appearing to read "Wendy L. Deppe". The signature is written in a cursive style with a large initial "W".

Wendy L. Deppe, CMC  
City Recorder

Approved: June 10, 2020