

Approved 12.01.2015

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 17, 2015, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH.

PRESENT: Mayor Troy Walker, and Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Rachelle Conner, City Recorder; Hazel Dunsmore, Human Resource Director; John Eining, Deputy Police Chief; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; and Glade Robbins, Public Works Director

4:30 p.m. Park Dedication: South Fork Park

5:00 p.m. Park Dedication: Dayland Dog Park

Dinner

Study Meeting

[5:52:31 PM](#)

1.0 Discussion: Equestrian Board

- 1.1 Doug Vawdrey, chair, reviewed the improvements the Board would like to see done at the Equestrian Center as follows:
- More seating
 - Add seats to the south end
 - Add parking
 - Build a rock wall on the south end and fill up ravine area with dirt to add parking

Mr. Vawdrey indicated they are looking to schedule three events next year, which included Bull Riders Only, an Enduro race, and a Nitro Circus event. They would need the additional seating to make the events feasible. There is not a cost estimate available at this time.

Mr. Dobbins advised this will take a lot of design work, so staff will have to spend some money to get this done.

The group then discussed the issues involved with the proposed parking plan.

Mr. Dobbins stated staff will hire the professionals they need to look at design options for the site. They will spend as little money as possible.

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2.0 Discussion: 13800 South Bangerter Project

- 2.1 Scott Cooley, City Engineer, reviewed the proposed 13800 South Bangerter Project for the Council. They plan to start construction this spring, and it should be finished by the fall. The project will go from approximately 100 East to just east of 300 East. The project will add turn lanes at the intersection to help with the traffic congestion. There is a need for property acquisition on the north side of 13800 South.

Mr. Dobbins advised they have decided to hold off on doing 300 East until after this project is done, to help with traffic issues. The Council expressed concern that the residents on 300 East are not going to be happy that this is being delayed again.

- 2.2 Mr. Cooley then briefed the Council on the proposed Minute Man road closure by the Utah Department of Transportation (UDOT). The closure will be about two months. They have two options for traffic during the closure. The first is to divert traffic to the north side of General RV and up to Bangerter. The second it to make a lane available on the new pavement of I-15, and the traffic would have to go back to the various businesses. It would become a temporary frontage road. UDOT would prefer to detour the traffic.

Subsequent to Council discussion, they decided not to divert the traffic to Bangerter as that road is already busy, and this would increase the problem.

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3.0 Council/Manager Reports

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- 3.1 Councilmember Stenquist said there is an invasion of a noxious weed called spurge up Corner Canyon. He asked what is being done about it. Mr. Robbins indicated staff is aware of the problem, and they are spraying for it.

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- 3.2 Councilmember Rappleye stated the City has adopted an ordinance pertaining to Cottage Industries. The problem comes when a home business owner moves to a different home, and they have to reapply for a conditional use permit. It can be expensive, and take a lot of time.

Mr. Morey stated the process is in place to make sure the businesses that move are in compliance with City requirements.

The Council agreed to have two Councilmembers work with staff to look at options for flexibility. Councilmember Rappleye and Councilmember Summerhays agreed to do this.

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- 3.3 Councilmember Colbert noted there is still a stop sign warning on 300 East prior to the traffic signal that needs to be removed.

Councilmember Colbert then stated there should be signage in place when construction work requires a detour so drivers know where to go.

Councilmember Colbert indicated the City is doing a good job with the snow plowing in SunCrest.

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3.4 Councilmember Vawdrey asked staff to look into green waste recycling and neighborhood clean up options.

Business Meeting

[7:00:47 PM](#)

1.0 Call to Order: Mayor Troy K. Walker

[7:00:45 PM](#)

2.0 Thought/Prayer and Pledge of Allegiance

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2.1 The prayer was offered by Jaxon Barlow.

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2.2 The Pledge of Allegiance was led by Stratton Baugh.

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3.0 Public Comments

To be considerate of everyone attending the meeting, public comments will be restricted to items not listed on the agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.

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3.1 Heather Bird, resident, indicated she brought a group of 8-year old girls to this meeting to see how the City works and to learn about community involvement.

Ellie Hall, 8-year old resident, expressed appreciation for Officer Barnes and the Draper Park.

Ms. Bird then thanked the City Council for their service, especially for Councilmember Colbert for his dedication to the community over the years.

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4.0 Consent Items

- a. **Approval of November 10, 2015, City Council Minutes**
- b. **Approval of the 2015 Municipal General Election Canvass**

- c. **Approval of Bureau of Justice Assistance (BJA) Bulletproof Vest Program Award**
- d. **Approval of FY2015 Commission on Criminal and Juvenile Justice (CCJJ) JAG Grant Award**

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4.1 **Councilmember Stenquist moved to approve the consent items. Councilmember Vawdrey seconded the motion.**

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4.2 **A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

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5.0 **Action Item: For Approval of an Agreement with the Draper Community Foundation for the Purpose of Funding Community Events and Activities**

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5.1 David Dobbins, City Manager, indicated the City is ready to finalize the agreement with the Draper Community Foundation to provide \$120,000 to fund various events. The agreement included the following provisions:

- Signage – They will have one special event permit for the entire calendar year.
- Funds will be used in accordance with State law and the Internal Revenue Service requirements.
- Indemnification – They will maintain general inability insurance that names the City as an additional insured. They will also obtain spectator and participant insurance for all activities held on City property.

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5.2 Councilmember Summerhays asked how much the insurance policy costs. He stated he would like it raised to \$2 million if possible.

Robin McColluch, chair, indicated it is \$15,000 annually for \$1 million, and each event costs more for spectator coverage.

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5.3 Councilmember Colbert asked whether the insurance is in place right now. Mr. McColluch stated it is.

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5.4 Councilmember Vawdrey thanked Mr. McCullough and Lamont Smith for their work on behalf of the City.

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5.5 Mayor Walker expressed his opinion that the \$1 million in coverage is adequate for most of the things the City would be dealing with at these events.

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5.6 Councilmember Rappleve moved to approve the agreement with the Draper Community Foundation. Councilmember Summerhays seconded the motion.

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5.7 A roll call vote was taken with Councilmembers Colbert, Rappleve, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

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6.0 Public Hearing: Thompson Orthodontics Zoning Map Amendment

[7:13:54 PM](#)

6.1 Keith Morey, Community Development Director, displayed an aerial map of the subject property north of the school. This property has been a problem for some time. The applicant would like to put an orthodontics office on this property. Staff feels this is a good use on the property because there would be low impact to the neighbors. It would be a good buffer between the school and the residential homes. The Planning Commission has forwarded a negative recommendation to the City Council due to the concerns expressed from the residents.

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6.2 Matthew Idema, site consultant for applicant, advised they reached out to the residents in the area. They had several neighbors attend a town hall meeting, and none of them were against the application. Mr. and Mrs. Summerhays live across the street from the property, and they were in favor of this type of use. The justification for this application is the proximity to the school, the access to 1300 East is problematic for a residential development, and 1300 East is a collector street. There are also other nontraditional uses along 1300 East. He then presented a proposed layout for the development. The existing building was torn down in order to facilitate this use and clean up the property. He displayed the elevations of the building, and showed that they have a residential feel. He asked the City Council to take into account that this is a major collector road. He reviewed some of the non-residential uses in the area, which included a rental office, charter schools, and churches. He advised this use would not deviate much from what is already out there. This property would not make a good residential lot. He stated staff recommended approval and one of the reasons the Planning Commission recommended denial is because they did not have a reassurance that the use would be an orthodontist office. The applicant is willing to do a development agreement to ensure that would be the use.

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6.3 Mayor Walker opened the public hearing. No one came forward to speak, so Mayor Walker closed the public hearing.

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6.4 Councilmember Summerhays clarified that he was not the Mr. Summerhays who attended the town hall meeting.

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6.5 Mr. Morey indicated if the City Council is inclined to approve this item based on a development agreement, staff would recommend the Council continue this item in order for staff to work with the applicant on the agreement.

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6.6 Councilmember Rappleye said one of his concerns is the traffic in the area. He asked whether staff can provide traffic numbers for the City Council to see how this use would affect the area.

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6.7 Mayor Walker advised since no motion has been made on this item, it will be placed as an action item on the December 1, 2015, City Council agenda for Council consideration.

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7.0 Public Hearing: Canbury Cove Phase 2 Zone Change

[7:28:19 PM](#)

7.1 Mr. Morey displayed an aerial map and the Zoning Map of the property in question. The current zone is RA2, and the Land Use Map shows low to medium density. The Planning Commission recommends denial of this application. Staff has been supportive of some applications in this area because, in many instances, they were adjacent to similar types of developments; however, staff did not make a recommendation on this request because of the input they have been receiving from the residents. The developer's intent is to build rambler-type homes. That is consistent with what is in the neighborhood. However, some residents were concerned that the rezone did not guarantee that is what would happen. This is a unique piece because it is in the middle of 13200 South.

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7.2 Councilmember Rappleye asked whether the intent is to build nice homes on third-acre lots. Mr. Morey stated it is.

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7.3 Councilmember Stenquist asked whether the existing homes would be removed. Mr. Morey stated it was his understanding that at least one of the homes would remain.

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7.4 Councilmember Colbert asked whether the surrounding properties are half-acre or one-acre lots. Mr. Morey replied they are.

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7.5 Dan Stewart, applicant, stated he is not a developer; he is a custom home builder. He is used to building multi-million dollar homes. He looked at the property and did not feel that building on half-acre lots would work. He thought it made more sense to build smaller homes on third-acre lots. He noted larger homes on these lots would not fit with the feel of the neighborhood. He said he will build beautiful homes that would enhance

the neighborhood. He showed on the map that many of the lots in the area are actually third-acre lots rather than half-acre. He displayed elevations of the homes he is proposing to build.

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7.6 Mayor Walker opened the public hearing. No one came forward to speak, so Mayor Walker closed the public hearing.

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7.7 Councilmember Summerhays moved to approve the Canbury Cove Phase 2 zone change. The motion failed for lack of a second.

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7.8 Mayor Walker advised since no motion has been passed on this item, it will be placed as an action item on the December 1, 2015, City Council agenda for Council consideration.

[7:42:04 PM](#)

8.0 Action Item: For Approval of the Land Trade Agreement with Salt Lake County

[7:42:29 PM](#)

8.1 Mr. Dobbins indicated this request is to exchange a piece of City property for a parcel of County property. The County parcel is on the south side of Pioneer Road, and the City's parcel is in the middle of the Salt Lake County golf course. For liability reasons, the City does not want to own the golf course parcel. The County does not want to maintain the landscape strip on the parcel on Pioneer Road. If this exchange does not happen, the County will spray the area to kill the trees and landscaping, so they do not have to maintain it. If they move forward with the property trade, the City would have to change the irrigation. They could also rock the area so it would not need maintenance. There is a gap in the sidewalk, so staff would recommend continuing the sidewalk to remove the gap. The Council does not have to decide tonight what they will do with the land.

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8.2 Councilmember Summerhays indicated this was originally going to be given to the City with no land trade included. The area is not wide enough to keep the trees, and the roots would affect the sidewalk anyway. The best thing the City can do is to just install the sidewalk.

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8.3 Councilmember Colbert said he is not sure why the City would want to take on the cost to take care of this piece of property. It is the County's responsibility, and the cost should not be passed on to the Draper residents. Mr. Dobbins agreed with Councilmember Colbert; however, he said they currently have an incomplete sidewalk system in the area, and this would help to finish it.

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8.4 Councilmember Vawdrey noted this property has not been taken care of all year, and no one knows the County owns it. This would solve a problem, and it sounds like a reasonable thing to do.

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8.5 Councilmember Stenquist noted he has always wondered why there was not a sidewalk there.

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8.6 Councilmember Vawdrey moved to approve the land trade agreement with Salt Lake County. Councilmember Stenquist seconded the motion.

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8.7 Councilmember Colbert questioned why they need to trade the property. Mr. Dobbins explained they do not need to; however, this would rid the City of a liability issue with the golf course parcel.

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8.8 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

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** Mayor Walker indicated they would finish up the Council/Manager reports at this time.

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** Councilmember Vawdrey stated she continues to have concerned residents talk about Corner Canyon trail use for pedestrians. She would like the Parks and Trails committee to come up with a way to separate trails for pedestrians and bicyclists.

Councilmember Stenquist stated that is a big part of the Open Space Master Plan.

Councilmember Rappleye indicated that is a goal of the plan; however, they have not gotten to that point yet.

Councilmember Summerhays reiterated the need to have a full-time employee for trail enforcement.

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** Councilmember Rappleye thanked Mr. Robbins for putting the road information in the newsletter. There was an astounding amount of work done this year.

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** Councilmember Summerhays reiterated the need to provide signage showing who is responsible for the various road construction projects.

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** Mr. Morey indicated there is a need to have a joint meeting with the City Council and Planning Commission to make sure the direction they are going with the General Plan is what the City Council wants to see happen. The Council agreed to schedule this for sometime in January.

Mr. Morey then stated they will have to replace Councilmember Colbert as a member of the General Plan Advisory Committee.

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Mayor Walker commended Mr. Ogden on the first Veteran's Day program.

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9.0 Adjourn to a Closed-Door Meeting to Discuss Property Acquisition, Litigation, and/or the Character, Professional Competence, or Physical or Mental Health of an Individual

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9.1 Councilmember Summerhays moved to adjourn to a closed-door meeting to discuss property acquisition. Councilmember Rappleye seconded the motion.

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9.2 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

9.3 The meeting adjourned at 8:05 p.m.