

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 2, 2016, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH**

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

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Rachelle Conner, City Recorder; Hazel Dunsmore, Human Resource Director; Russ Fox, Assistant City Manager; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Bryan Roberts, Police Chief; and Bob Wylie, Finance Director

---

**Dinner**

**Study Meeting**

**1.0 Discussion: General Plan Update**

[6:02:48 PM](#)

1.1 Keith Morey, Community Development Director, advised the purpose of the meeting tonight is to go through the information the General Plan consultants have come up with and allow the Council and Planning Commission to weigh in with their vision.

[6:04:31 PM](#)

1.2 Bruce Meighen, consultant, reviewed the six “big” ideas they came up with after speaking with the public. They are as follows:

- Create greenbelt of open space, parks, and trails as an edge to the city and connecting the Jordan River with the Traverse Mountains and Forest Service land
- Build a transit loop by extending the light rail further south and potentially extending the line to the Frontrunner commuter rail
- Incorporate transit-oriented development at both existing and future rail stations
- Redevelop the Town Center as part of a cohesive, master-planned vision, and create a walkable commercial/entertainment/residential district that defines the community and character of Draper
- Preserve the rural character of the central neighborhoods while allowing for additional street connections and enhancements to trail and greenway systems
- Integrate land uses between I-15 and Frontrunner to protect and amenitize residential areas, while still allowing for commercial and manufacturing growth

The group talked about air quality, transit-oriented development and opportunities similar to the Farmington station. They would like to have simple rail stations rather than huge developments to maintain neighborhoods. They talked about investments, the Town Center area, and maintaining one-acre lot subdivisions. The group also discussed how detailed the General Plan should be, how the Transportation Master Plan would be

incorporated into the General Plan, the development of the prison area, and possibly adding a connection across I-15.

## **Business Meeting**

[7:01:52 PM](#)

### **1.0 Call to Order: Mayor Troy K. Walker**

[7:02:15 PM](#)

### **2.0 Thought/Prayer and Pledge of Allegiance**

[7:02:39 PM](#)

2.1 The prayer was offered by Grey Bailey, Scout Troop #1201.

[7:03:08 PM](#)

2.2 The Flag Ceremony was performed by Scout Troop #1201 and was led by Nico Stevens.

[7:05:00 PM](#)

### **3.0 Recognition: Juan Diego Catholic High School Football Team State 3A Champions**

3.1 Mayor Walker recognized the football team for winning their 6th State Football Championship since 2002. The team posted 306 rushing yards in its 28 to 13 victory over Morgan.

[7:12:37 PM](#)

### **4.0 Public Comments**

To be considerate of everyone attending the meeting, public comments will be restricted to items not listed on this or a future 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.

[7:13:46 PM](#)

4.1 Matt Erickson, resident, advised it is important to be compassionate towards others. He said he contacted the City about a preschool that is not meeting its teacher to student ratio. He was told that the City could not do anything about it. He expressed that something should be done to show an interest in the young people.

[7:16:10 PM](#)

4.2 Josh Weeks, Boy Scout, stated he is requesting a crosswalk at 13200 South and Highland Drive because students cross there, and it is dangerous.

[7:17:29 PM](#)

4.3 Grey Bailey, Boy Scout, advised Draper has been doing well lately. Everyone is friendly, and the streets work well.

[7:18:27 PM](#)

**5.0 Consent Items**

- a. **Approval of February 2, 2016, City Council Meeting Minutes**
- b. **Approval of Agreement #16-21** with Nelson Brothers Construction for Pump Station Back Up Generators
- c. **Approval of an Agreement with Compass Minerals Inc.** to Provide Type B and C Deicing Road Salt for the City
- d. **Approval of an Interlocal Agreement with Salt Lake County** for Transportation Funding for Lone Peak Parkway
- e. **Approval of the Mowing and Landscape Maintenance Services Contract** with Terracare
- f. **Approval of Resolution #16-10**, Appointing Adam Crayk to the Parks, Trails, and Recreation Committee

[7:19:16 PM](#)

**5.1 Councilmember Summerhays moved to remove Item E from the consent items. Councilmember Vawdrey seconded motion.**

[7:20:00 PM](#)

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

[7:19:44 PM](#)

**5.3 Councilmember Rappleye moved to approve the remaining consent items. Councilmember Summerhays seconded the motion.**

[7:20:24 PM](#)

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

[7:20:43 PM](#)

**5.5 Councilmember Summerhays indicated the City had problems with the maintenance contract last year until they finally got a new company in there to take care of it. The new company does a fairly good job. He said he would prefer to separate the new items and put them out for another bid. The City could possibly save money, and it would not take a long time to get this done.**

[7:23:09 PM](#)

**5.6 Councilmember Stenquist stated Terracare came in and took over the landscaping last year. He asked when that occurred. Rhett Ogden, Parks and Recreation Director, indicated they started on July 22, 2015, and staff was very happy with their work. The City had to get rid of the company that originally got the contract. This year, staff wanted to add some of the small neighborhood pocket parks to the maintenance contract. This would free up City staff, and Mr. Ogden stated he feels confident that Terracare can handle the additional properties. The current contract allows the City to add additional items to the scope of work.**

Councilmember Stenquist then questioned when they will get started on this work. Mr. Ogden indicated the contract runs from April 1, 2016, to the end of October 2016.

[7:26:24 PM](#)

5.7 Councilmember Weeks asked for clarification about what Councilmember Summerhays is asking to go out for bid. Councilmember Summerhays explained he would like the additional work to go out for bid. He would like to see if the City can get a cheaper price.

Councilmember Weeks then asked staff whether it would be easier to work with one contractor for the maintenance or if working with two companies would be fine. Mr. Ogden responded it is easier to deal with one company that knows what the City's expectations are.

[7:28:18 PM](#)

5.8 Councilmember Rappleye asked Mr. Ogden if he thought it would be beneficial to pull the new items off and send it out for bid. Mr. Ogden noted they could get a lower bid by doing that; however, the current contractor had the second lowest bid when they sent out the RFP. The City had to terminate the contract with the lowest bidder due to failure to perform and then went with Terracare. If they send it out to bid, they may end up with some of the same problems they had last year.

[7:29:37 PM](#)

5.9 Councilmember Weeks noted some of her neighbors were not happy with how the parks were taken care of in the beginning of the last year, but they were happy with how they looked towards the end of the year. Quality is an issue with the residents.

[7:31:03 PM](#)

**5.10 Councilmember Vawdrey moved to approve Item E on the consent calendar. Councilmember Rappleye seconded the motion.**

[7:31:26 PM](#)

5.11 Councilmember Vawdrey stated she is comfortable with moving forward with the staff's recommendation.

[7:31:42 PM](#)

5.12 Councilmember Rappleye advised if they do have problems with this, staff needs to fix it quickly.

[7:31:54 PM](#)

5.13 Councilmember Weeks expressed appreciation to Councilmember Summerhays for looking out for the residents' tax dollars.

[7:32:23 PM](#)

**5.14 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Vawdrey, and Weeks voting in favor. Councilmember Summerhays voted no. The motion carried with a majority vote of 4 to 1.**

[7:32:43 PM](#)

**6.0 Public Hearing: Grayson Place Zone Change, Request for Approval of a Zone Change from RA1 to RA2 on 1.04 Acres, Located Generally at 1111 East 13200 South**

[7:33:02 PM](#)

6.1 Mr. Morey displayed an aerial map of the parcel. The applicant previously made application for a rezone to third-acre lots, and the Council was concerned that the lot size was too small. The applicant is now asking for a rezone to half-acre lots. The property surrounding this application is already zoned RA2. The Land Use Map designates this area as low density, and the half-acre lots fall within that category.

[7:34:57 PM](#)

6.2 Councilmember Weeks asked whether the same owner owns this entire parcel. Mr. Morey stated he does.

[7:35:37 PM](#)

6.3 Dan Stewart, applicant, explained he owns all of the property in question as well as a few lots behind this. He had originally wanted third-acre lots, which makes sense in this area; however, not everyone agreed. Their intent now is to rezone the property to half-acre lots.

[7:36:43 PM](#)

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

[7:37:00 PM](#)

**6.5 Councilmember Weeks moved to approve the Grayson Place zone change. Councilmember Summerhays seconded the motion.**

[7:38:09 PM](#)

**6.6 A roll call vote was taken with Councilmembers Rapple, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

[7:38:26 PM](#)

**7.0 Public Hearing: Draper Senior Assisted Living Plat Amendment, Dividing Lot 1 of the South Mountain Community Subdivision into Two Lots, Generally Located at 14178 South Bangerter Parkway**

[7:38:46 PM](#)

7.1 Mr. Morey reviewed the proposed plat for the Draper Senior Living facility and the elevations for the project. The developer would like to construct this project in phases, so they are asking for a plat amendment. The Planning Commission recommends approval of this item.

[7:40:19 PM](#)

7.2 Councilmember Summerhays asked whether they have addressed the parking for this facility. He expressed concern with the parking at the five-story facility in the area. They are currently renting out the units to anyone. Mr. Morey noted the City has not made any efforts to amend the City Code to increase parking density at these types of facilities. They could do that if the Council is interested in making the changes.

Councilmember Summerhays advised the facility on Pioneer Road does not have enough parking, and that is a concern for him. Mr. Fox explained that due to their location in the Town Center Zone, the facility was granted a reduction of required parking.

[7:44:40 PM](#)

7.3 Councilmember Rappleye questioned whether the Senior Assisted Living Center is a permitted use in this area. Mr. Morey stated it is. The only action tonight is the consideration of the plat amendment.

[7:45:01 PM](#)

7.4 Councilmember Weeks wondered whether the facility would have access from Bangerter or a private road. Mr. Morey stated they are accessing from the private road.

[7:46:13 PM](#)

7.5 Steve Stubblefield, Jacobsen Development, stated it has been a pleasure working with the City staff on this application, and he is excited about this project.

[7:46:40 PM](#)

7.6 Councilmember Summerhays asked how many parking spaces are planned for the facility. Mr. Stubblefield advised they have 85 parking spaces for Phase I, and this facility will have 101 beds.

[7:47:12 PM](#)

**7.7 Mayor Walker opened the public hearing.**

[7:47:21 PM](#)

7.8 Gordon Fuller, resident, stated the parking and access to the road are a major issue. He does not have a problem with the project, but he is concerned with the access. There is already a problem with the overflow parking from the church on the roads. He is also concerned with the plat being divided. The parcel next to the residential area appears to be undeveloped. He would prefer to have the entire parcel approved so the property owner has to maintain all of the property.

[7:49:17 PM](#)

**7.9 Mayor Walker closed the public hearing.**

[7:49:22 PM](#)

7.10 Councilmember Weeks asked whether there will be sidewalks along the private road for people wanting to visit the park across the street. Mr. Morey explained the site plan has

already been approved, so the Council cannot tell them they have to make any changes. The action tonight is whether or not to approve the plat amendment to allow them to do this project in two phases. All property owners are required to keep their property clean, so if it is a problem that can be addressed.

[7:51:10 PM](#)

**7.11 Councilmember Stenquist moved to approve the Draper Senior Assisted Living Plat Amendment. Councilmember Vawdrey seconded the motion.**

[7:51:59 PM](#)

7.12 Councilmember Rappleye indicated staff can address it if there are problems with parking violations.

[7:52:12 PM](#)

7.13 Councilmember Stenquist said it seems to him that the majority of the parking is coming from the church in the area.

[7:52:49 PM](#)

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

[7:53:03 PM](#)

**8.0 Public Hearing: Lone Peak Medical Center Condominium Subdivision Plat Amendment Converting an Existing Building on the Lone Peak Medical Center Campus into a Condominium, Located Generally at 96 East Kimballs Lane**

[7:53:25 PM](#)

8.1 Mr. Morey stated this request is very straight forward. It is important for doctors to be able to own their own space rather than having to lease it on an ongoing basis. The Lone Peak Hospital has built this new building, and they would like to sell the units to the doctors as office condominiums. The Planning Commission and staff recommend approval.

[7:54:25 PM](#)

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

[7:54:52 PM](#)

**8.3 Councilmember Rappleye moved to approve the Lone Peak Medical Center Condominium Plat Amendment. Councilmember Weeks seconded the motion.**

[7:55:16 PM](#)

8.4 Councilmember Rappleye noted this is a common practice, and it attracts the doctors because they are able to own a space rather than rent it.

[7:55:49 PM](#)

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

[7:56:08 PM](#)

9.0 **Action Item: Resolution #16-09, to Approve an Amended Interlocal Agreement for Phase II of the Mountain Accord**

[7:56:19 PM](#)

9.1 Russ Fox, Assistant City Manager, advised the City Council approved this agreement last year, and there is a commitment from the City to pay \$180,000 over the next three years. There have been some administrative changes involved in this agreement, so this is an amendment to the original agreement. Mr. Fox indicated the Mayor is on the Executive Board of the Mountain Accord Committee.

[7:57:48 PM](#)

9.2 Mayor Walker explained this organization is trying to plan mountain transportation for the future to protect the canyons.

[7:58:51 PM](#)

9.3 Councilmember Stenquist moved to approve Resolution #16-09. Councilmember Rappleve seconded the motion.

[7:59:06 PM](#)

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

[7:59:19 PM](#)

10.0 **Council/Manager Reports**

[7:59:44 PM](#)

10.1 Councilmember Weeks indicated she would like to do a teacher appreciation day at the aquarium and have the City recognize the outstanding teachers in Draper.

Councilmember Weeks then noted she was working with Scott Harbertson, Economic Development Corporation of Utah (EDCU), about the Town Center idea on the fifty-five undeveloped acres. She understands that the property owner has rights; however, she would like to get something drawn up to present to the property owner to show him what could be done on his property. She is interested in having an ice rink and creating a gathering area for the residents.

Councilmember Stenquist stated the City spent a long time a few years ago coming up with the Master Plan for the Town Center. The City has to be careful, because they do not build things. They just lay the ground work from a zoning perspective. He said he is not sure it is the City's place to do a concept rendering on privately owned property. They did

it for the prison property, but that was a unique situation. The Town Center currently has architectural standards and requirements in place.

Councilmember Summerhays explained the executor of the trust for that property is Darwin Fitzgerald. He has many people every week asking to do projects on this property, and he is not interested in doing anything with it right now. It is money driven, and there are many brothers and sisters involved in the decisions on that property.

Councilmember Weeks said she knows the City would not want to spend a lot of money on this, but it is her understanding that Farmington came up with a plan for the Farmington station and presented that to the developer, and that is how they got that moving. She asked whether the Council would be on board if she was able to get the Fitzgerald's interested in the concept. The majority of the Council was not interested in putting money towards a plan.

Councilmember Weeks indicated it is her concern that Draper does not have many gathering spots for the residents. It takes a while to get good projects going, and she would like to have a good direction of what the Town Center would look like.

[8:14:14 PM](#)

10.2 Councilmember Stenquist indicated the City received a letter from the Heritage HOA pertaining to the water fees they have to pay. He asked whether that item was resolved. He said he is fine with the fee as long as it is fair. Glade Robbins, Public Works Director, stated staff is working on this.

Councilmember Stenquist then asked about a request from the Traverse Ridge Special Service District (TRSSD) about plowing some private roads. Mr. Dobbins clarified that there are some private neighborhoods that are plowed by private companies. In some of those developments, the snow is too deep for the plows to do a good job. They would like the City to go in with the big plow machine, one time, to clear up the roads for them. They are willing to pay the full cost to have this done. The City has not previously done anything on the private roads. The question is who the City would bill. The District is proposing that they would pay for it rather than the homeowners associations.

Subsequent to Council discussion, they were concerned with the District using their funds to pay for that service rather than the homeowners associations. They were fine with the District billing the homeowners associations. The equipment belongs to the District.

Mr. Dobbins indicated they have an agreement with the District to pay the City for services, so the City would bill the District for the services. Whether the District uses their funds or bills the homeowners associations is the District's call.

Councilmember Stenquist asked whether the City Council has oversight on things like that, because he thinks they should. Mr. Dobbins replied the City Council delegated the responsibility of the budget and how it is spent to the Board.

Councilmember Stenquist expressed a need to reevaluate the agreement and the authority they have.

Mr. Dobbins stated it is his understanding that the Council is not interested in having the private roads plowed in the District unless the homeowners associations (HOA) paid for those services. The City Council concurred.

Councilmember Weeks explained that she attended the meeting last week, and a gentleman expressed concern that he is paying to have his private road plowed and maintained on top of paying the HOA fee. She said the money is there for the snowplowing, and she thought it went into the HOA fee. Councilmember Stenquist noted their private HOA pays for those services. They bought into that development knowing they had to pay extra fees.

Councilmember Weeks clarified that the HOA is not opposed to paying the fee. She just wanted to make sure that the funds would have to come from the HOA because that is where the additional funds go.

[8:21:02 PM](#)

10.3 Councilmember Rappleye said he received a note of appreciation from the residents in South Mountain regarding the parking enforcement up there.

Councilmember Stenquist indicated he received a lot of phone calls complaining about the enforcement up there because they did not receive any warning.

Councilmember Rappleye then indicated when the snow is deep and staff is running the four-wheeler plow, they catch the edge of the sod with the plow. He noted they might have to fix some areas. He expressed appreciation for the staff plowing the sidewalks.

[8:23:52 PM](#)

10.4 Mayor Walker advised there was an email going around concerning the TRSSD Board meeting with their attorney before speaking with the City again. He indicated that might be a red flag, and they may not want to continue on with the Board if the Board is bent on taking legal action against the entity that created them.

Councilmember Stenquist said they would like to express appreciation to those willing to serve. However, this was an experiment, and the City has learned a lesson from this.

Councilmember Weeks said the Board is using the attorney because they do not know what their legal rights are. They might just be bouncing this off someone just for some information and guidance.

[8:25:32 PM](#)

10.5 Councilmember Vawdrey noted the Historical Society would like the City to know that they are running out of space. They are concerned that the City is moving them. She assured them that she has not heard anything about that. Another problem that came up is

that they currently do not have someone to be the executive director for the Miss Draper pageant. Mayor Walker noted he might have found someone to fill that position.

[8:26:52 PM](#)

10.6 Councilmember Summerhays asked whether backflow preventers are required for commercial sites on the City's water system. Mr. Robbins stated they are required for every connection.

Councilmember Summerhays suggested the City require a water share for every connection to the system. Mike Barker, City Attorney, advised he will look into that.

[8:28:46 PM](#)

10.7 Mr. Dobbins stated the Gardner Development group is asking whether the City Council is interested in splitting the cost to landscape the area where the old road used to go. It is still owned by the City. Gardner Development would maintain it in the future at their cost. The cost would be approximately \$15,000 – \$20,000. The City Council agreed to do this.

[8:30:42 PM](#)

10.8 Mr. Ogden indicated the SunCrest HOA is interested in taking over the maintenance of the parks in the District. Staff is recommending that the City Council does not allow that to happen. It is not a good idea for the City to turn over their facilities to other entities. The new landscape company knows they have to maintain the parks at a higher standard, and he expressed his opinion that the HOA will be happier with their service.

Mr. Ogden then briefed the City Council on a special event that is interested in coming to Draper. It is the "Color Me Rad 5K Race". It is very popular and usually brings in at least 3,000 runners. He then reviewed the plans for the race. The burden for traffic flow is placed on the race organizer, and they are also required to place notices about street closures prior to the race. This is planned for May 5, 2016.

[8:39:01 PM](#)

11.0 **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**

[8:39:17 PM](#)

11.1 Councilmember Summerhays moved to adjourn to a closed-door meeting to discuss property acquisition, litigation, and the professional competence, or physical or mental health of an individual. Councilmember Stenquist seconded the motion.

[8:39:25 PM](#)

11.2 A roll call vote was taken with Councilmembers Rapple, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

11.3 The meeting adjourned at 8:39 p.m.