

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, APRIL 12, 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

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** David Dobbins introduced Bill Knowles to the City Council. The City has hired Mr. Knowles to work as a City liaison on the 300 East Road Widening Project. Mr. Knowles has done a lot of work with public outreach on large scale projects. This is the first project the City will have a dedicated person doing public outreach, and he will be the main point of contact.

Mr. Knowles then provided a brief background for the City Council and told them what they can expect of him during the 300 East Project.

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1.0 Discussion: FY 2017 Budget

1.1 Bob Wylie, Finance Director, reviewed the proposed 2017 budget for the City Council. He presented the new requests for Capital Projects and Capital Equipment. The new employee requests for Fiscal Year 2017 included:

- Executive Department
 - Social Media Intern part-time
 - \$15,480.00
- Parks and Recreation
 - Parks Maintenance Technician – Sports fields
 - \$94,987.00
 - Parks Maintenance Technician – Playgrounds
 - \$94,987.00
 - Parks Maintenance Technician – General Maintenance
 - \$94,987.00
 - Parks Maintenance Technician – Arborist
 - \$97,774.20
- Community Development

- Planner full time
 - \$62,945.80
- Planner part time
 - \$25,674.00

Mr. Wylie indicated the City Council will need to determine what projects, equipment, and new positions they want to include in next year's budget.

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2.0 Discussion: City Beautification Sites

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2.1 Rhett Ogden, Parks and Recreation Director, displayed a list of the areas in the city that are not being maintained to the standard the City Council would like. He asked the City Council to go through the list and prioritize them. The staff will take the top priority and put a cost estimate together for the Council to review.

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3.0 Discussion: Parks and Recreation Fee Proposal

3.1 Mr. Ogden then reviewed the park fee proposal for the City Council. He provided the estimate of revenue that would be generated as follows:

- Approximately 15,771 Residential Dwelling Units in Draper
 - \$5 per month per residence - \$78,855 per month
 - \$60 annually - \$946,260
 - \$4 per month per residence - \$63,084 per month
 - \$48 annually - \$757,008

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3.2 Mr. Dobbins asked the City Council to determine what amount they wanted for the fee and what they wanted to spend it on. The Council requested more time to consider it.

4.0 Council/Manager Reports

4.1 These will be taken care of at the end of the business meeting.

Business Meeting

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1.0 Call to Order: Mayor Troy K. Walker

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2.0 Thought/Prayer and Pledge of Allegiance

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2.1 The prayer was offered by Keith Morey.

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2.2 The pledge was led by Andy Hyer.

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3.0 Presentation: Draper Elementary 2nd Grade Presenting a Quilt to the City Council

3.1 Lachelle Crandall, Draper Park Middle School teacher, thanked the City Council for allowing them to be here tonight to present the quilt. The second grade class put this together under the direction of Kylie Welling, their art teacher. This project started with the second grade curriculum and the need to learn about the communities around them. Ms. Welling helped them design something that would be unique while allowing the students to learn about the City of Draper. They had a walking field trip where the students were able to walk around and see many of the historical sites that are found on the quilt.

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3.2 Ms. Welling said the Mayor and many of the Councilmembers were able to attend the Draper Park Middle School arts night. She expressed appreciation for their support. The school is the recipient of a grant from the Beverly Taylor Sorensen Foundation, which funds her program. She indicated there is no civilization without art. Art becomes a key component to all learning. They did this quilt in conjunction with their Social Studies curriculum. This program is the first in the Draper Schools, and she expressed her hope that it continues and spreads throughout the rest of the elementary schools. It has been a fantastic opportunity and they are seeing the fruit of their labors. She explained that each of the squares represents a photograph the students were given of various city blocks. The students were then able to use their own artistic interpretation to depict that city block. Ms. Welling indicated they are so proud of the city, and the school is so proud of the students as they learn to love, value, and appreciate their city. The students are becoming wonderful citizens.

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3.3 Mayor Walker thanked the teachers and students. He commented that the quilt is very cool. It depicts many of the iconic buildings and features in Draper. He said the pictures show the prison, Kmart, the temple, and they did a really good job. It is a pleasure for the City to display this at City Hall.

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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.

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4.1 Dan Whittington, resident, briefed the Council on a new product he has created. It is an Active Intake Rotary Ram Air Turbine (AIRRAT). This product increases fuel mileage by at least twenty-two percent, increases horsepower by at least seventeen percent, averages an increase of ten percent on torque, and improves emissions by at least eighteen percent. This product is very non invasive to vehicles, and takes an average of three hours to install. The units start paying for themselves. Fuel prices are low right now, but that will not last. There is no real drawback to this product. The product has been in testing for seven years, and it is very durable. It does not affect the vehicles warranty. He voiced his desire to work with the fleet manager to present this product to him. He left his contact information with the City Recorder.

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4.2 Ken Hollingshead, resident, stated it seems like the City does not like to listen to anyone. He has attempted to speak with various people at City Hall and has not been successful. He said all he wants is a speed bump down his street. There are only two residents on his street. The City had the prime opportunity the other day to cut the road and put one in while they were doing the black top. However, he cannot get a response from the City. He gets a lot of traffic in front of his home due to a kennel in the area. He stated he has lived in this town for over thirty years, and it used to be solitude for him. He said now it is a joke. The officers have driven through the area a few times, but that did not help. He asked the City to do something. The City owes him \$8,000 to put in curb, gutter, and sidewalk in front of his home, and that will probably not ever happen. He told the City to take that money and build him a speed bump.

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5.0 Consent Items

- a. **Approval of March 15, 2016, Minutes**
- b. **Approval of March 29, 2016, Minutes**
- c. **Approval of the Auditor Contract Renewal #1 with Hansen, Bradshaw, Malmrose & Erickson, P.C.** to provide professional auditing services for the City for fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018
- d. **Approval of Agreement #16-56** with Fusion Pipeline Inc for the Suncrest PRVs Project
- e. **Approval of Ordinance #1198**, Amending Section 6-17 of the Draper City Municipal Code Pertaining to Special Events

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5.1 Councilmember Weeks moved to remove Item E from the Consent Items. Councilmember Stenquist seconded the motion.

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5.2 Councilmember Stenquist asked to have Item C pulled from the Consent Items as well. Councilmember Weeks agreed to add that to her motion.

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

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5.4 Councilmember Weeks moved to approve the remaining Consent Items A, B, and D. Councilmember Vawdrey seconded the motion.

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

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5.6 Councilmember Weeks stated she would like to receive more information about the approval of Ordinance 1198 for special events. She expressed concern with the filming event. She is most concerned with the language of having four human participants. Even if they are doing a small film for a student or a low-budget film, they would need the person filming, a lighting guy, a sound guy, and a director. That does not even accommodate for an actor. She questioned how much the special permits cost, and if there is any way to raise the number above four so someone doing a student film in a park will not need a special events permit.

Mike Barker, City Attorney, advised he will defer this to Mr. Ogden to respond. That definition was added as part of an amendment the City Council passed in January.

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5.7 Mr. Ogden noted the changes before the City Council tonight do not reflect that number. That was part of an amendment that was approved approximately six months ago. Staff would have to bring back a different ordinance if the City Council wanted to change that section of the Code. The City has never had a filming permit in the City; however, they desire to have one. They looked at several different cities, including Salt Lake, and that was Salt Lake's recommendation. This would still allow for students to film at the park without a permit. The permit would be required for larger productions.

Councilmember Weeks indicated she understands a larger production because they can create havoc in the city. She is concerned because with YouTube and weddings, there are other opportunities for filming in parks and on the trails. She is concerned with that number being so low. She asked how much the special permit would be and what the process is to obtain one.

Mr. Ogden noted if the Council desires, staff can bring back an amendment for them to consider with a larger number.

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5.8 Councilmember Weeks moved to continue Item E and bring this item back with a larger number for the film events. Councilmember Rappleye seconded the motion.

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5.9 Councilmember Stenquist stated he understands what Councilmember Weeks is saying, and he is happy to take a look at that. However, what is before the City Council right now is basically some small grammar changes. He said he would prefer to fix those tonight and come back with a different ordinance for the other change.

Councilmember Weeks stated she would be okay with that.

Councilmember Rappleye said another thing they may want to consider is defining professional versus amateur. They certainly do not want to require a group of high school kids to obtain a permit. That is a common occurrence now.

Mr. Ogden explained this permit is required when there is an impact to the City. Last week they had a Utah Valley University student who wanted to film the cabin by the Day Barn, and staff told him to go ahead. He was not required to get a permit. The ordinance is more for professional companies that impact the city.

Councilmember Rappleye expressed his opinion that it is good to have a true definition in place in case Mr. Ogden is not here and it gets defined differently in the future.

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5.10 Councilmember Weeks moved to amend her motion to adopt the resolution as proposed and have further discussion about the definition of professional versus amateur and the amount of people considered on a filming crew. Councilmember Rappleye seconded the motion.

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

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5.12 Councilmember Stenquist said the attachment in Item C shows two different options of whether the firm prepares the Comprehensive Annual Financial Report (CAFR) or the City does. It also has an option for the CAFR and a single audit. He questioned what the City prefers.

Mr. Wylie indicated staff prefers to have the auditors prepare the CAFR because it saves a lot of staff time. The single audit item is required when the City receives and expends Federal aid of \$750,000. The auditors would be required to do a special single audit on those funds. This is not something the City does every year.

Councilmember Stenquist then asked whether there is a due date for the audit. The contract is based on estimated hours the City expects them to spend. However, he expressed his opinion that if the City budgets 300 hours for the audit, they will take 300 hours to complete it. He wondered whether they could specify a date for completion in the contract.

Mr. Wylie explained they have to have it submitted within 180 days of the end of the fiscal year. The City Council has to approve that, and it is preferable to do that in the first meeting in December. Staff works with the auditors to make sure everything is done in time to present it to the Council.

Councilmember Stenquist questioned whether there is something that specifies a completion date in the contract. Mr. Wylie replied he is not sure if it says it specifically in the contract; however, it is a state requirement. They know that, and they always get it done.

Mr. Barker noted he would assume that is in the original contract. All of the auditors he has dealt with on a municipal level know of the deadlines and requirements.

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- 5.13 Councilmember Weeks asked whether Councilmember Stenquist's question was the 300 hours. She asked if it typically takes 250 hours or 300.

Mr. Wylie advised it could go on past the 300 hours depending upon the complexity of that fiscal year. With this proposal, they are looking at a fixed fee that they do. If it goes way over that, the City might have to adjust it. Generally Draper's audit is complex enough that it takes that amount of time. It helps the City to have that fixed fee.

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- 5.14 **Councilmember Stenquist moved to approve Item C. Councilmember Vawdrey seconded the motion.**

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

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- 6.0 **Public Hearing: Providing Local Consent for an Off-Premise Alcohol License for Maverik Store #488**

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- 6.1 Keith Morey, Community Development Director, noted the City has been talking about this project for quite awhile. This request would allow the store to do off-premise alcohol sales. The State requires the City to show a 300-foot buffer between churches and schools. He displayed a map showing the buffer. The City has multiple types of alcohol licenses. He showed the different number of alcohol licenses allowed and stated the current ordinance allows a license for every 1,000 residents. The City has 21 of those licenses, so they are well within that limit right now.

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

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6.3 Councilmember Rappleye moved to provide local consent for the off-premise alcohol license for Maverik. Councilmember Weeks seconded the motion.

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

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7.0 Public Hearing: Resolution #16-14, Declaration and Sale of Surplus Property Located Generally at 13217 South Akagi Lane

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7.1 Mike Barker, City Attorney, noted the City was approached by the Sorensens approximately one year ago to see if the City would be interested in selling this portion of property to them. He displayed an aerial view of the property in question. At that time, the Council agreed to sell the property for \$9 per square foot. The property is approximately 367 square feet. The buyer would cover the costs associated with moving the sprinklers, hiring a surveyor, and covering the cost for any lot line adjustment. Those conditions are reflected in the real estate purchase contract. Declaring this property surplus will not have an adverse impact on the use of trail or the parking. It would be beneficial to the Sorensens and the City.

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7.2 Councilmember Summerhays asked who created this. Mr. Barker replied the Sorensens approached the City about this.

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7.3 Eric Sorensen, resident, indicated he has a couple of trailers, and he wants to have an RV pad on the side of his garage to park them so he did not have to park on the street. They would like to move the fence over 5.3 feet by 70 feet long and pour concrete from the street to the back fence to park the trailers. They would cover the cost to move the fence, sprinklers, and fixing the fence and sod. They will make sure everything is perfect. They will also not affect the pine tree in that area.

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7.4 Councilmember Stenquist stated, as a side note, he loves the Sorensen's Christmas display. His family enjoys it every year.

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

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7.6 Councilmember Stenquist moved to approve Resolution 16-14. Councilmember Weeks seconded the motion.

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7.7 Councilmember Summerhays said he is going to vote yes on this, but he wanted to clarify that this is not a taking or encroachment. He expressed concern that this might start a precedent and might have more residents come to the City to ask for this. It makes sense to do this in this incident, but it might not work out for others who come in to ask.

Councilmember Stenquist said that is a really good point. The City does not normally sell off a chunk of a park or open space; however, in this situation, he does not see this causing any harm to the park or to that open space. The community does get the benefit of the revenue. The City is not just giving it away, they are selling it. There might be others who come to the City with similar requests where it might not make sense. The Council has a right to approve or deny the requests on a case-by-case basis.

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

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8.0 Action Item: Resolution #16-22, First Amendment to Hidden Canyon Estates Development Agreement

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8.1 David Dobbins, City Manager, indicated when the City settled with the property owner and the developer of Hidden Canyon Estates, there was an area that was deeded to the developer and the adjacent property owner. They have since come back and asked that the boundary be adjusted two ways. He displayed a map showing the proposed changes.

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8.2 Councilmember Stenquist said they are talking about a boundary adjustment and a land swap. He said he was having a hard time understanding the context of where this is. Mr. Dobbins showed the area on the map. Hidden Canyon Estates comes off of SunCrest Drive. This will shift the road from the red area to the blue area on the map.

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8.3 Councilmember Rappleye moved to approve Resolution #16-22. Councilmember Vawdrey seconded the motion.

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8.4 Councilmember Summerhays stated the reason he will vote for this is to help the developers get out from the slide area. It makes sense as long as it is land-for-land.

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8.5 Mr. Dobbins pointed out that it is .71 acres to .73 acres. The total area is less than three-quarters of an acre.

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8.6 Councilmember Rappleye said this is really minor, and there is a benefit to get it out of the slide area. This makes a better alignment for the road.

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

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9.0 Public Hearing: Hidden Canyon Estates Preliminary Subdivision Plat

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9.1 Mr. Morey explained this is the same property the Council just discussed in Item 8. He displayed an aerial map showing the boundary of the preliminary subdivision. The Land Use Map outlines what the future zoning was intending to be. He then displayed the current zoning map. Mr. Morey noted the City Council has received some comments and concerns from the community about more development on the mountain. He stated from his perspective, and possibly the Councils, there is a strong commitment from the elected officials and from the City to try to preserve as much of that area as they can. That is evidenced by what the City has purchased and preserved in the Open Space Master Plan that has just been completed. Mr. Morey then displayed the original SunCrest plan that had approximately 3,800 proposed residential units. In an effort to preserve open space, the City has lowered the residential component to approximately 1,400 units. Mr. Morey displayed the proposed plat. Phase 1 and 2 are the first ones to be built. The development agreement allows them to build 50 units in the first 2 phases. There are some areas that need to be graded. He displayed a topographical map with a legend that showed the current slopes. He then showed what it would look like after the grading. There would still be some areas within the 30 percent slope; however, they are much reduced from what they were. The development agreement addressed this and allows them to build within the 30 percent slope in some areas. There are very few homes that will be built here. The proposed cross section for the road is 50 feet. There are a lot of mountain communities that do not want huge asphalt highways in their pristine mountain environments. This cross section has been part of the proposed concept for several decades.

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9.2 Councilmember Stenquist indicated experience has shown that the City has created big problems for themselves because smaller park strips have caused a problem for snow removal. The narrow roads have caused huge problems for the residents up there. Mr. Morey noted this has already been approved as part of the development agreement. The roads where this has been a problem is on roads that have widths much narrower than this. This cross section actually gives them the room they need for snow loads.

Councilmember Stenquist advised he is glad to hear that because he does not want to repeat some of the mistakes they have made in the past. He asked whether this

development would be included in the Traverse Ridge Special Service District. Mr. Morey stated that is correct.

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9.3 Councilmember Summerhays asked what the road width would be. Mr. Morey displayed a proposed cross section for the road. The road will have 12.5 feet per lane for each side, 2.5 feet of curb and gutter, a 5-foot sidewalk, and a 5-foot parkstrip, which is a 50-foot cross section. The Edelweiss cross section was approved at 31 feet of asphalt; however, there is only parkstrip and sidewalk on one side of the road. This subdivision has it on both sides of the road. Edelweiss was approved over one year ago.

Mr. Morey then displayed a standard cross section for the mountain area.

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9.4 Councilmember Weeks stated right now it is proposed to have a 40-foot cross section. Mr. Morey clarified that it is 50 feet.

Councilmember Weeks stated in development it shows a single section being approved with a 46-foot wide right-of-way.

Ms. Jastremsky advised there is a single road in the development that is the stub road into Edelweiss. They took that road down to the 46-foot road because it matches what Edelweiss has.

Councilmember Weeks asked whether the roads go back to 50 feet throughout the rest of the development. Ms. Jastremsky stated that is correct.

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9.5 Mr. Morey displayed the parks and trails map for the project. Normally they would have the developer place parks within the development. The approved development agreement allocated \$500,000 to the City, so they can put trailheads and park amenities where the City wants them. The section of the trail that runs through the subdivision will not be a typical trail; it will be more like a large sidewalk. The Planning Commission voted 4 to 1 in support of this plat. Staff is also recommending approval. They feel it meets all of the conditions, ordinances, and expectations of what was proposed in the development agreement. Mr. Morey then displayed site photos of the property.

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9.6 Councilmember Summerhays asked whether there are any equestrian trails up there. Mr. Morey noted he is not sure. The intent of the \$500,000 was for the City to put in whatever trails they wanted.

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9.7 Councilmember Rappleye said this property goes back to the Estes agreement in approximately 1986 and has always been privately held.

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9.8 Councilmember Weeks noted the City standard is 56-foot wide roads and they are going with 50-foot roads in this project. They are losing a sidewalk on one side. Mr. Morey clarified that they are losing asphalt and potentially some parkstrip. This project has the 5-foot sidewalk and 5-foot parkstrip on both sides of the road. They have 12.5 feet of asphalt lanes on either side.

Councilmember Weeks expressed concern with losing the 6 feet because there are a lot of homes under one-quarter of an acre that are lining that street. She questioned where the parking would be. The residents would not have any parking if they take the 6 feet away. She stated she likes a 56-foot roadway in order to allow for parking. The smaller homes with smaller driveways will not have room for the cars. Mr. Morey noted that would be a good question for Public Works.

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9.9 Councilmember Stenquist stated this cross section was already approved in the development agreement. In order to change that, they would have to go back and amend the development agreement.

Ms. Jastremsky clarified that the road width is not in the development agreement; however, it has been in the history of this project that goes back to the 1980s. The actual width of the asphalt and curb meets the City standard valley street width. They will still have plenty of room for parking similar to what they see in the valley. The difference with the cross section is in the mountain cross section they have reduced the amount of parkstrip to five feet from ten feet. In place of that, they increased the shoulder width of the asphalt for snow storage. When engineering reviewed this, they indicated the problems they have had with snow storage up there are with the smaller twenty-foot private roads and not the full size roads.

Councilmember Weeks said she has a problem because when she looks at the plan, there is no place for snow. The City is taking some of the snow places away from the road by making it a fifty-foot road instead of a fifty-six-foot road. She is not sure where they will be pushing the snow to, because there are not any open lots available. They will have to truck that snow out, and there is a lot of snow up there.

Ms. Jastremsky noted engineering may be better able to address that because they are the ones that did that evaluation.

Glade Robbins, Public Works Director, indicated with snow removal they push the snow to the curb and then go through with the big yellow snow blower and blow it into the park strip when it gets to the depth they cannot push it anymore.

Councilmember Stenquist indicated they have proposed to reduce the parkstrip from ten feet to five feet. Mr. Robbins indicated he does not believe the rest of SunCrest has a ten-foot parkstrip.

Councilmember Stenquist stated in the valley they have ten-foot parkstrips. He is trying to compare what they have here with what they have in the valley.

Councilmember Weeks noted they learned with some of the mistakes that were made in SunCrest that they need that extra parkstrip in order to put the snow there.

Councilmember Stenquist said the snow storage is one thing, but the on-street parking in the wintertime is also an issue. If they are eliminating a shoulder, they are losing the on street parking.

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9.10 Mayor Walker opened the public hearing.

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9.11 John Reynolds, resident, stated he is an analytical chemist, a Utah Master Naturalist, and he is also on the Parks, Trails, and Recreation Committee. He puts up the trail signs. He is interested in the educational and wildlife part of this. He displayed a model of the area in question and pointed out an area that he called the “bowl”. He indicated the City owns part of the bowl and Edge Homes owns the other part. There are a lot of elk and moose that feed in there as well as other animals. Dr. Eric Thacker from Utah State University looked at all the open space in SunCrest and gave an evaluation about the quality of the range for the wildlife. He looked at that meadow and had a lot of things to say about it. Dr. Thacker feels like the City should restore that meadow, and he told Mr. Reynolds how to do it and who to contact. Mr. Reynolds stated he was going to do that this summer, and he was kind of blindsided by the suddenness of this application. He stated his issues are only with Phase 9. He expressed concern with where the City’s meadow drains into the canyon. If a road is put across there with the homes, all of the drainage channels will come in the middle of everyone’s backyard. He voiced his opinion that the channels should be left alone. He said he would like to see Edge Homes come up with a different idea.

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9.12 Scott Steadman, resident, thanked Councilmember Weeks and Councilmember Stenquist for bringing up the street size. He agreed that they have learned from mistakes in the past. He lives up there, and snow is an issue. He does not agree with the argument that because other streets currently fall into that, they should have that be the precedence. He thanked Councilmember Summerhays for bringing up the open space. Currently there is no open space unless they are counting the retention pond. However, he does not feel it will be very usable, and it does not fit what SunCrest is. This is a 300-lot proposal. The plat as presented does not seem to fit what SunCrest is. He would like to see a traffic study done specifically for the impact off of SunCrest drive. This is a 40-mile per hour road right now, and the proposed road is on a bend and the visibility can present an issue with snow and fog storms especially if there is no left or right hand turn lane. He would like to see that addressed or at least discussed. He would like the sidewalks addressed along the east side of SunCrest Drive going up to Stoneleigh Heights subdivision so they do not have children crossing a 4-lane road. He said he is aware that all of the homes will be placed in

the TRSSD, but he would like to see an agreement for the wear and tear that the additional trucks will cause going to and from the development. If it is not addressed, the burden will fall on the residents. He said the Council does not agree with the TRSSD on a lot of items. He asked the City to look into the determination of wetlands before they move forward with this.

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9.13 Mayor Walker closed the public hearing.

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9.14 Steve Maddox, property owner, said this property has been privately held, and Edge Homes purchased it from Dave Mast. This property was always intended for development. He said he read through the Master Development Agreement the Council approved, and he also reminisced about the field trip they took to the property. He indicated the developers have spent an exhaustive amount of time with studies and professionals above and beyond their expertise to address grading, water flow, and any potential for high water table versus wetlands. He said he is the end user. They are the home builder and not the developer. He stated if there is a wet basement, he will receive the phone call and not the City. This will be a three to seven year project for his company, and he has every intention to build this correctly. They will mitigate all of the items that were mentioned tonight through expertise and not through guesswork. He also wanted to make crystal clear that all of the work that has been done on the property is not from Edge Homes. They have not moved any equipment, and they are not moving anything until they have all of their approvals finalized. He mentioned the 7,500 acres of open space and the aggressive nature in which the City has purchased that property. One of the ways they intend to protect the asset that John Reynolds brought up is to put a perimeter fence around all of the property so that trampolines do not end up encroaching on the open space.

Mr. Maddox referenced the equestrian trail Councilmember Summerhays brought up earlier. He noted he had met with Brad Jensen and the Parks Department in reference to the needs of the City. He indicated he knows Councilmember Summerhays and Mayor Walker are cyclists, and he did not want to be presumptuous in determining what would be best. It is in the hands of the committee to determine how the \$500,000 will be used. Edge Homes will be providing a check prior to the second phase. If there is any additional input on trailheads, improvements, where the trail will go around the dam or where it will connect to open space, they are open to it. He said he does not have an understanding of what \$500,000 will buy them with trails, and he is not sure the Parks and Trails Department knows either. He has offered the services of his excavation company and their ability to purchase, and he would like to participate in that at whatever level they are allowed to. Mr. Maddox explained they have been dealing with two other peculiar issues with this development, which are the sensitive lands overlay zone and the SunCrest Wildfire Protection. They have also been working with the Fire Department. They will be sprinkling all of their homes, and it should lend itself to safety long term and interface with wildlife.

Mr. Maddox then indicated he would like to address the roads. In the CC&Rs, they will not allow on-street parking from the middle of October to probably March 15th. He expressed that they need to address traffic because it is a major issue. He lives in a city with a wide corridor. They thought it would be safer as a community. They went in later and spent almost \$1 million to put an island down the middle of it with trees to help slow down traffic. It was the right thing to do, but the major corridor they had going right through the heart of Highland was narrowed down in an effort to slow traffic. The forty mile per hour road became the sixty mile per hour road. He said he is a believer in prudent sized roads, which means that during proper months parking is appropriate. In the Edelweiss community they are only doing sidewalk on one side of the road. Mr. Maddox stated he has too many children, and his sanctuary for many years has been walking and not crossing streets. He stated he has looked at this cross section as a way to handle the snow load and to make it a very livable and walkable community. He said he lives in a community that does not allow on-street parking, and it eliminates about ninety percent of the snow removal issues. Mr. Maddox stated he has spoken with Mr. Dobbins about some issues with the development agreement, and Mr. Dobbins clearly said if they do that, they will have to reopen the development agreement. Mr. Maddox indicated he feels like they have conformed with exactness to what they are presenting this evening. It is what they agreed on with the master development agreement. They have worked with their engineers to produce the data that will allow them to build a subdivision that works long-term for the livability of the community.

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9.15 Councilmember Summerhays asked how wide the road is that Mr. Maddox lives on. Mr. Maddox indicated he is not on a private road, and the proposed Hidden Canyon cross section is wider than his road. The parkstrip where he lives is 2.5 to 3 feet wide. It is just enough to fit the utility box in it. Typically the sidewalks are used less in the winter months, but it is the homeowners responsibility to clear the snow.

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9.16 Councilmember Weeks noted when they take the park strip down from ten to five, and they make the streets narrower, they are just pushing more snow to the sidewalks. She said she knows the people in SunCrest are responsible for clearing snow from their sidewalks. Mr. Maddox indicated the face of curb and actual lip is 2.5 feet wide. They are talking about the oil cross section, and they have an additional five feet of concrete that will be in the cross section that is drivable surface. They have the lip of curb and the actual concrete that is drivable, parkable, and livable. It will also be storage for the high volumes of water that potentially could run here so they do not have overflow issues.

Councilmember Weeks asked where they lose the six feet. Mr. Maddox explained it is in the oil itself.

Councilmember Weeks said it is great that Mr. Maddox does not want on-street parking. Mr. Maddox clarified that he wants slow traffic. That is the goal.

Councilmember Weeks stated she lives on a sixty-foot road, and she loves her road. She does not have a problem with traffic, she does not have a problem with speeding, and she does not have a problem with anything. When she walks on the streets in Draper and she has knocked on doors, what she does have a problem with is people buying nice homes, and they cannot park outside their house. When their mother, father, boyfriend, or whomever comes to visit, they do not have a place to park, and they get a ticket because they are parking outside of their home. She said she has not seen how big the proposed driveways are, she has not seen where the sixteen year old is parking, but not being able to park outside of the home on summer months causes big problems. She said she understands the no parking in the winter months.

Mr. Maddox stated the width of a truck is 6.5 to 7 feet wide. He pointed out on the cross section that there is fifteen feet of oil that is drivable in each direction, so they have the ability to get a fire truck and a car through there. The roads that are up there now are almost ten feet narrower than this. This is a slight modification, and most individuals driving through there would not notice the difference. It is a slight difference. Hidden Canyons has had to narrow their road down to go into the Edelweiss subdivision, and there will be a significant difference driving from his community to Edelweiss, particularly because they do not have sidewalk on one side of the road.

Councilmember Weeks indicated that was a concern of hers as well as not having sidewalks on both sides of the road. She reiterated that she is very happy with the width of her road. It works well for her. Her concern is with the snow and the on-street parking. She said Manila Drive is a narrower road that goes up South Mountain. She said it is tragedy to get around, park, and have a fire truck go up there. She said she is not sure if this is a similar width or not.

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9.17 Councilmember Rappleye stated one of the things that may help this is to understand the typical setback and how long a typical driveway might be. He assumed with the types of houses in this development that they would have three-car garages. He asked how long the average driveway would be. Mr. Maddox replied they would be twenty feet back from the sidewalk at a minimum.

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9.18 Councilmember Weeks noted there are 9 phases with 872 houses planned. Ms. Jastremsky clarified that there are a maximum of 300 lots. What Councilmember Weeks is seeing is the lot numbers. They are numbered according to the phase. For example, Phase 8 homes start at lot number 800.

Councilmember Weeks asked out of the 300 homes whether there are any playgrounds or open space where a resident could take a toddler and other children to a park. Ms. Jastremsky indicated there are no parks planned. They do have a few areas that will be dedicated to the City as open space, and the builder is also providing \$500,000 towards improvements. There is nothing in the Code that actually requires single-family developments to provide parks in open space.

Councilmember Weeks questioned whether there is any green space requirement for single-family homes. Ms. Jastremsky replied there is not.

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9.19 Councilmember Stenquist asked whether the builder is paying park impact fees. Mr. Dobbins responded they are.

[8:33:35 PM](#)

9.20 Councilmember Weeks wondered whether they are paying water impact fees and if the City is looking into the water usage of these 300 homes. Mr. Dobbins indicated the water has been planned for this development, and they are paying a set amount for the water.

Councilmember Weeks then asked if there are any impact fees for roads to help the SunCrest people with all of the traffic. Mr. Dobbins explained they will be paying all of their impact fees.

[8:34:09 PM](#)

9.21 Mayor Walker asked for a motion.

[8:34:18 PM](#)

9.22 Councilmember Weeks asked who maintains the roads. Mr. Dobbins replied public roads are maintained by the City. These are public roads but they are part of the TRSSD.

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9.23 Due to the lack of a motion, this item will be placed as an Action Item on the April 19, 2016, City Council agenda.

[8:34:59 PM](#)

10.0 Council/Manager Reports

[8:35:09 PM](#)

10.1 Councilmember Summerhays indicated in reference to Mr. Hollinghead's public comment, the pet resort causes a lot of traffic on the road. It is like a freeway down there in the morning, afternoon, and evening. He expressed his opinion that putting one speed bump on that road would not hurt. It will stop the traffic, and slow it down from going into the Pet Resort. He would like to get a speed bump installed to help take care of the problem. Mr. Hollingshead will just keep calling, and this is needed for safety reasons.

Councilmember Summerhays then noted there is a lot at Pioneer and 1300 East that is approximately five acres, and the owners wanted to use it as a pay lot for Draper Days parking but they were turned down by the City because it did not fit the ordinance. However, LaVar Christensen has given the property owner money and asked them to open it up for parking, and it has been allowed. The City needs to decide whether it can be used or not. This has been a problem for several years. He wants this taken care of prior to Draper Days.

Councilmember Stenquist requested clarification that the City has told the property owner that they are not allowed to sell parking on that lot, but LaVar is telling people they can park there. Councilmember Summerhays stated that is correct, and he has done it for several years. They would like to put a Christmas tree lot there, but they have been told they cannot do that. Mr. Christensen goes in there and circumvents the process.

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10.2 Councilmember Stenquist addressed the speed bump issue that was brought up earlier. He stated his position is pretty consistent on speed bumps. He believes that every speed bump in the city should be removed and no others allowed in. In general, as a policy standpoint, it might make sense to have it in City policy that the Council does not allow speed bumps. That way, the City does not have to address it every time a request comes in, and staff has clear direction on what the policy is. Mr. Fox stated right now there is not a policy that states the speed bumps are not allowed. It goes back to discussion on 1700 East and whether or not the City would put them back in or not. They ended up putting them back in. There is not a clear decision of what staff can do. Mr. Fox noted he had a discussion with Mr. Hollingshead but he wanted to come speak with the Council.

Councilmember Stenquist advised he remembers what happened on 1700 East. There was a child that had been hit by a car. He thinks they were okay, but the child had been hit by a teenage driver that lived down the street. It became a heated situation between the neighbors because the victim and a young driver were involved. It was a very emotional and passionate situation, and people were very upset about it. It was really hard in that moment for the Council to make a decision about the speed bumps. As they look at it from individual circumstances and they put a policy in place, it becomes an easier discussion.

Councilmember Summerhays explained that Mr. Hollingshead is a man who has lived on basically a private lane. Councilmember Vawdrey indicated if it is a private lane, they can put in their own speed bump.

Councilmember Summerhays stated it was at one time, but the City made it a public road because of the Trax project. They changed the entrance to the pet resort. When that happened, it put the traffic from 700 East onto this two home lane. The traffic is from the people dropping off and picking up their pets morning, noon, and night. He said he is just trying to help the situation for those two residents.

Councilmember Stenquist stated he understands that the traffic may have quadrupled from what it used to be, but he cannot imagine that the traffic volume on that road is anywhere near what is seen on other City roads. Building a project like that and spending that kind of money to benefit two homeowners does not come close to being justified. He would also hate to create more precedent by putting in more speed bumps. In the larger context, it would be good to have a standard policy across the board so City staff has clear direction when someone comes in to ask for something like that.

Councilmember Summerhays stated that is just because Councilmember Stenquist hates the speed bumps. Councilmember Stenquist clarified that he believes they are ineffective.

Councilmember Vawdrey agreed with Councilmember Stenquist. She does not think that the person who shouts the loudest should be the one that gets the attention. She lived on a dead end dirt road for a long time, and now she has traffic. Sometimes things change, especially if it is a City road.

Councilmember Stenquist then stated he had a chance to discuss the Salt Lake County Parks and Recreation Master Plan today. It was informative and interesting to hear some perspectives on what the County is doing for parks. Draper has benefitted from some large parks they have put in, such as the Wheadon Preserve. He also got an update about the ZAP project proposals. It was an interesting discussion, and he believes Draper is doing their presentation on Friday. He said he had a concern that the Draper proposal did not have enough matching funds, and that might hurt them. However, he spoke with Mayor Walker and the Mayor gave him some perspective on that. He expressed his hope that Draper is not hurting themselves by not having enough matching funds to accompany that request.

Mr. Fox reminded the Council that the City has committed \$1.2 million plus operational costs of \$6,000 per year. They are waiving the building permit and impact fees, which totals approximately \$153,000. The total match is \$1,356,000 plus the \$6,000 yearly maintenance. The Canyons School District is also contributing \$1.3 million and \$6,000 for yearly maintenance. He is not sure what the other cities are planning to match, but that is what Draper is presenting on Friday.

Councilmember Stenquist noted one of the things that encouraged him was that their master plan does identify the need for a recreation facility in Draper. They have a policy that they will no longer be doing outdoor swimming pools, and they are planning to cover their existing outdoor pools. This proposal rehabilitates the outdoor pool and adds a recreation facility at the same time. He expressed his hope that they have a good strong proposal.

Mayor Walker noted it is an interesting process. There is a diverse group of people on the board, and there is \$50 million available for funding. There are over \$100 million worth of proposals. There are a lot of worthy projects on the list.

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- 10.3 Glade Robbins, Public Works Director, indicated the Council received a letter several weeks ago from Mr. Verbecky pertaining to concerns with how the City assesses storm drain fees for private roads in homeowner associations (HOAs). Staff feels it would be best to not assess them for the private roads. The City does not do any maintenance on the private roads as far as cleaning them for storm draining purposes. They did a survey of a number of surrounding cities, and other cities do not charge for private roads in those types of developments. He asked the Council if they were okay with staff bringing back a revised ordinance to make that change.

Councilmember Stenquist stated it is his understanding that because there is a certain area of impervious surface that is collecting storm water and that water drains into the system, so there was a charge to connect to the public system.

Mr. Robbins clarified that the City does charge them for the impervious surface of their homes, but they do not charge for the actual roadway anywhere else in the City in that calculation. It is calculated if it is a multi-family unit, but staff did not think it was fair to charge an HOA that just has single-family homes or duplexes.

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10.4 Mr. Ogden reminded the Council of the South Fork Park grand opening tomorrow night at 5:00 p.m.

[8:54:04 PM](#)

10.5 Councilmember Rappleye advised there is a ribbon cutting tomorrow for Hand and Stone at 4:00 p.m.

[8:54:18 PM](#)

10.6 Mayor Walker said in respect to the speed bump issue, what direction they would like to give staff. This is an issue the residents want to know about. He asked whether the Council wants staff to come up with a policy one way or another. Councilmember Weeks said she supports Councilmember Stenquist and thinks there ought to be a policy in place for no speed bumps. She stated they should come up with other solutions. Councilmember Vawdrey, Councilmember Stenquist, Councilmember Rappleye, and Councilmember Weeks all agreed to have staff come back with a policy. Councilmember Summerhays did not agree.

[8:55:11 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**

[8:55:31 PM](#)

11.1 **Councilmember Summerhays moved to adjourn to a closed-door meeting to discuss litigation and property acquisition. Councilmember Weeks seconded the motion.**

[8:55:41 PM](#)

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

11.3 The meeting adjourned at 8:55 p.m.