

Approved February 7, 2017

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, JANUARY 17, 2017, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy Walker, and Councilmembers Bill Rapple, Jeff Stenquist, Alan Summerhays, and Michele Weeks

EXCUSED: Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Rachelle Conner, City Recorder; Hazel Dunsmore, Human Resource Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Bob Wylie, Finance Director

Dinner

Study Meeting

[5:55:45 PM](#)

** Clint Smith, Fire Chief, introduced Bart Vawdrey as a new Battalion Chief. Mr. Vawdrey recently retired from Unified Fire Authority. Chief Smith also updated the City Council on the status of the fire apparatus.

[6:03:14 PM](#)

1.0 Report: Semi Annual Report on City Deposits & Investments

1.1 Bob Wylie, Finance Director, introduced Lourdes Ramos as the acting City Treasurer. He indicated she put together the investment report for the Council. He then reviewed the current deposit and investment information for those present. The total account balance is \$80,793,059.12.

[6:07:28 PM](#)

2.0 Update: Animal Control Policies Regarding Feral Cats

2.1 Chad Carpenter, Draper Police Sergeant, and Dennis Wilson, Animal Control Officer, briefed the Council on the current process the City uses for feral cats.

Mr. Dobbins asked the Council whether they were in favor of adopting a formal policy prohibiting large feral cat colonies in Draper. The Council was in favor of that.

[6:25:08 PM](#)

3.0 Update: Parks, Trails, and Recreation CIP Projects

3.1 Rhett Ogden, Parks and Recreation Director, reviewed the Capitol Improvement Project list pertaining to Parks, Trails, and Recreation. He noted the Steep Mountain Park is a very

busy park due to it being the only park in that area of the city. He gave suggestions for improving the park, which included:

- Expanding the play area
- Fix the thatch and drainage problems
- Grub old turf and re-sod
- Redo lower drainage basin
- Irrigation upgrades and baseline decoder
 - Additional cost \$150,000

He asked whether the Council was in favor of looking at options for funding those improvements. The Council agreed to look at options.

Business Meeting

[7:02:11 PM](#)

1.0 Call to Order: Mayor Troy K. Walker

[7:02:30 PM](#)

2.0 Thought/Prayer and Pledge of Allegiance

[7:02:41 PM](#)

2.1 Wade Roper, Scout Troop #1334, offered the prayer.

[7:03:01 PM](#)

2.2 Caleb Warren, Scout Troop #1334, led the Pledge of Allegiance.

[7:04:01 PM](#)

3.0 Recognition: Corner Canyon Mountain Bike Team - State Champions

3.1 Mayor Walker recognized the Corner Canyon High School Mountain Bike Team for taking the State Championship.

[7:10:50 PM](#)

4.0 Recognition: Corner Canyon Girls Volleyball Team - 2nd in State

4.1 Mayor Walker recognized the Corner Canyon High School Girls Volleyball Team for taking second in State.

[7:14:44 PM](#)

5.0 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.

5.1 No one came forward to speak.

[7:16:39 PM](#)

6.0 Consent Items

- a. **Approval of January 3, 2017, City Council Meeting Minutes**
- b. **Approval of Resolution #17-05, Adopting the Draper Fire Pay Plan & Policy.**
Staff: Clint Smith
- c. **Approval of Resolution #17-06, Amending Section 8040 "Holidays" of Personnel Policy.** Update the approved holiday list in Section 8040 of the Personnel Policy to exchange Columbus Day for Christmas Eve Day.
- d. **Approval of Resolution #17-08, Appointing Laura Bakker to the Tree Commission**

[7:17:13 PM](#)

6.1 Councilmember Weeks moved to approve the consent items. Councilmember Summerhays seconded the motion.

[7:17:40 PM](#)

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

** Mayor Walker excused Councilmember Vawdrey from the meeting this evening due to illness.

[7:18:10 PM](#)

7.0 Public Hearing: Jenson Farms Land Use Amendment and Zone Change, on the Request of Randy Bowler of Bowler Properties for Approval of a Land Use Map Amendment from Low/Medium to Residential Medium Density and a Zoning Map Amendment from the A5 (Agricultural-5 Acre Minimum Lot Size) and RA1 (Residential Agricultural-40,000/Sf Minimum Lot Size) Zones to the R4 (Residential-10,000/Sf Minimum Lot Size) Zone on Roughly 48.61 Acres at Approximately 11875 South 700 West

[7:18:43 PM](#)

7.1 Maryann Pickering, Planner, showed a map displaying the subject property. The subject property has split zoning and this request would rezone the 48 acres to R4, requiring 10,000 square feet minimum lot size. The request is also to change the land designation from medium-to-low density residential to medium density. Ms. Pickering reported on the Planning Commission's public hearing on this item, who forwarded a positive recommendation on the land use change to the City Council. The second action of the Planning Commission was a negative recommendation regarding a rezone to R4. The Planning Commission ruled that R3 would be more appropriate, because land to the south and to the east of the subject property is also designated R3. The Planning Commission's negative recommendation was unanimous.

[7:20:24 PM](#)

7.2 Councilmember Summerhays asked Ms. Pickering about topography, and if there were any 30 percent slopes on the subject property. Ms. Pickering responded that the southern edge of the property is very steep, but she has not seen a topographical map identifying any 30 percent slopes.

[7:20:57 PM](#)

7.3 Councilmember Weeks asked if there had been a traffic study done to see if 700 West could handle 160 more units. Ms. Pickering said this application did not require a traffic study because it is just a zone change. When the applicant submits a subdivision plat for approval, a traffic study will then be required. She also reported that Brian Maxfield had previously mentioned in a Planning Commission meeting that the City has initiated a traffic study for 700 West because of the development occurring in the area. The results of the traffic study are expected to be available by mid-February. Councilmember Weeks expressed concerns with whether or not the road could handle the surplus traffic which would occur as a result of additional development.

[7:21:58 PM](#)

7.4 Mayor Walker invited the applicant to speak.

[7:22:22 PM](#)

7.5 Randy Bowler, applicant, further explained his rezone request by presenting aerial images of the subject property and surrounding areas. His general concept is to develop a continuation of what is seen in the Sunset and Draper Ridge developments to the south. He did not anticipate that the R4 zoning would physically allow all lots to be developed into quarter acre lots. There are some development design constraints on the property, namely in regards to existing sewer lines that need to be relocated in order for development to occur. In some cases, topography is also challenging. He said the R4 zoning would give him flexibility in lot sizes in some areas, thus allowing him to develop the property in a more efficient way. Furthermore, another design issue they face is to provide adequate access to the north as future development takes place.

[7:30:27 PM](#)

7.6 Councilmember Summerhays asked how many homes would be developed on the subject property. Mr. Bowler said there would be 125 lots, including a seven acre park, with no lot smaller than a quarter acre. Mr. Summerhays asked if the existing sewer lines would have to be moved. Mr. Bowler replied in the affirmative.

[7:31:40 PM](#)

7.7 Councilmember Weeks asked if she could ask questions after hearing the public comments. Mayor Walker answered in the affirmative.

[7:31:51 PM](#)

7.8 Councilmember Rappleye asked why the applicant applied for an R4 zone as opposed to submitting a development agreement. Mr. Rappleye expressed his advocacy for a development agreement as opposed to an R4 rezone, as it may be more beneficial to both

the City and the applicant. Mr. Bowler said they proposed an R4 solely for the flexibility of lot sizes that it offered.

[7:34:55 PM](#)

7.9 Mayor Walker opened the public hearing.

[7:35:07 PM](#)

7.10 Craig Jenson, representing the property owner, was asked to come and speak in favor of application. Mr. Jenson is a family member of local residents who have cared for the property in question for 70 years. Speaking for his family, he said he was in support of the application.

[7:38:13 PM](#)

7.11 Mick Breitling, resident, stated he does not have an objection to the application that was presented. He expressed concerns about the safety of traffic on 700 West with the new development. He opined that the speed limit on 700 West should be reduced to 25 miles per hour with speed bumps to enforce the residential speed limit.

[7:41:39 PM](#)

7.12 Bryan Jewkes, resident, said he is a proponent of the application. He agrees with Mr. Breitling about reducing the speed limit on 700 West and expressed similar concerns about safety on that street.

[7:43:36 PM](#)

7.13 Marlin Jenson, resident, spoke in favor of the application, and supported quarter acre lots throughout the area in question. He believes that there are a lot of people who would like to see this land developed.

[7:45:15 PM](#)

7.14 Robert Elder, project engineer, spoke about the legacy of the subject property. He spoke about the developer's pride in completing a good project.

[7:48:13 PM](#)

7.15 Wayne Webber, Riverton resident, spoke in favor of the application and development of the subject property. He opined that Mr. Bowler has a good vision in mind for his proposal.

[7:50:37 PM](#)

7.16 Blaine Goff, resident, is also a developer of the Sunset Ridge properties which border the subject property. Mr. Goff said Mr. Bowler planned the proposed development well. He expressed concerns regarding irrigation.

[7:54:15 PM](#)

7.17 Bonnie Thom, resident, asked the Council to reconsider the development proposal. She was concerned with the potential pollution, crime, and traffic increases that would result from adding these additional homes.

[7:56:51 PM](#)

7.18 Theron Jenson, resident, said there are considerably less than 125 lots on the subject property. He was concerned with the water supply into the development. He said conserving water should be prioritized.

[7:58:49 PM](#)

7.19 David Dustin, resident, counted 110 lots on the subject property, not 125. He commented on the fair market value of the property. He opined that the development would change the neighborhood too much, and wanted the subject property to remain in its current state.

[8:00:09 PM](#)

7.20 Mike Tynan, resident, said 700 West cannot sustain such an expansion. He was opposed to the development proposal.

[8:01:41 PM](#)

7.21 Kelly McAdams, resident, agreed with Mr. Tynan, and said any lot smaller than a half acre is unacceptable. He opposed the development proposal, and was in favor of maintaining a lower density property.

[8:02:32 PM](#)

7.22 Shawn Benjamin, resident, explained while the current lot count was less than 125, there was no contractual obligation that would prevent the developer from building more. He referenced the Galena Hills development, stating that area now has unlimited density and height. He suggested the Council consider the development proposal on the merits of the application, not on any proposed development that cannot be guaranteed.

[8:04:23 PM](#)

7.23 Lynette Tynan, resident, expressed concern about traffic on 700 West and the safety of the street. She asked the application be considered only after a traffic study is completed on 700 West.

[8:05:55 PM](#)

7.24 Michael Visser, resident, noted he lives south of the subject property. He said he has enjoyed living behind the farmland in the area, and is saddened the property is being developed. As a real estate agent and broker, he stated the lots should not be smaller than a third acre in order to maintain the beauty of the property. He agreed with previous remarks regarding traffic strain and water conservation. He asked how many quarter acre, third acre and half acre lots are proposed for the development, as per the concept plan.

[8:08:41 PM](#)

7.25 Bryon Prince, Ivory Development, stated he agreed to build a road from the north end of subject property all the way to the Jensen Farms property, with the intent of providing road connectivity sooner rather than later in the first phase of construction. He said this road would be a benefit to the homeowners in the proposed subdivision because it would allow connectivity to Sunset Ridge on the south end. He recommended the Council make the

same recommendation to the Bowlers to provide a road to alleviate traffic which may occur in the future.

[8:10:10 PM](#)

7.26 Mayor Walker closed the public hearing.

[8:10:25 PM](#)

7.27 Mr. Bowler responded to questions regarding the number of lots. He said the concept plat hasn't been approved, and will be subject to change out of necessity based on several factors. However, currently the plat doesn't show any 10,000 square foot lots; rather, there are 33 lots between 11,000 and 13,000 square feet. He said the proposed development will be a benefit to the community, and indicated that time was of the essence due to the purchase agreement. He wants to begin working by the summer so they have improved lots upon which to build by fall.

[8:13:15 PM](#)

7.28 Councilmember Weeks asked Mr. Bowler if he was entertaining a development agreement, to ensure the density that has been promised. She agreed with many of the public comments previously made, and was also concerned about traffic on 700 West. She stated there could be potentially 160 units if the area were rezoned to quarter acre lots. If the development falls through after a rezoning has been approved, another developer could come in and develop all 160 quarter acre, thus creating a traffic problem.

Mr. Bowler said a development agreement would be a good idea and he would consider it for two reasons; (1) an agreement would protect the City, and (2) it would protect him as a bilateral agreement to which both entities would agree.

[8:14:31 PM](#)

7.29 Councilmember Summerhays said he counted 105 lots on the map Mr. Bowler presented. Councilmember Summerhays commented on the size of 700 West, and agreed with the idea of establishing a development agreement. Mr. Bowler asked how to expedite the process of a development agreement.

[8:16:59 PM](#)

7.30 Councilmember Summerhays said a development agreement should include a road to help alleviate traffic. Mr. Bowler said the number of lots would be defined in the development agreement; however, he noted there would be roughly 2.5 units to the acre. This density would be between a half acre and third acre zoning, which he said was still a fairly low density.

[8:18:21 PM](#)

7.31 Councilmember Rappleye inquired as to the current classification of 700 West. Glade Robbins, Public Works Director, responded that 700 West has been classified as a residential minor collector. Councilmember Rappleye asked about the classification of 300 East. Mr. Robbins responded it is also a residential minor collector. Councilmember Rappleye said 300 East has traffic problems similar to 700 West. Access onto 700 West is

also problematic. He opined that while placing responsibility for a road on a developer may not be fair, development affects the road and must be taken into consideration.

[8:20:44 PM](#)

7.32 Councilmember Weeks asked when the traffic report is expected to be finished. Ms. Pickering said mid-February.

[8:21:10 PM](#)

7.33 Councilmember Rappleye moved to continue this item to a date uncertain to allow the developer time to draft a development agreement. Councilmember Weeks seconded the motion.

[8:21:55 PM](#)

7.34 Mr. Dobbins asked for clarification as to whether or not the developer would propose a development agreement. He also asked if there would be a public hearing on a development agreement for the subject property, should one be submitted.

[8:22:17 PM](#)

7.35 Councilmember Rappleye modified his motion to reopen the public hearing for this item if the developer brings back a development agreement for consideration. Councilmember Weeks seconded the amended motion.

[8:24:14 PM](#)

7.36 Councilmember Weeks asked whether Councilmember Rappleye was continuing both items. Councilmember Rappleye answered affirmatively.

[8:25:01 PM](#)

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

[8:25:16 PM](#)

** The City Council took a break at 8:25 p.m.

[8:37:26 PM](#)

** The meeting resumed at 8:37 p.m.

[8:37:32 PM](#)

8.0 Action Item: Frampton Property Rezone and Land Use Amendment and Big Willow Creek Development Agreement, on the request of Bryon Prince representing Ivory Development for approval of a Zoning Map Amendment from the A5 (Agricultural, 5-acre lot minimum) to R4 (Single-family Residential, 10,000 square foot lot minimum) zone, a Land Use Map Amendment from Residential Low/Medium Density (0-2 dwelling units per acre) to Residential Medium Density (2-4 dwelling units per acre) and a Development Agreement all on roughly 44.01 acres at approximately 425 West 11400 South

[8:38:34 PM](#)

8.1 Dan Boles, Planner, presented the staff report, as well as aerial images of the subject property. He noted the applicant provided an updated density map.

[8:43:01 PM](#)

8.2 Councilmember Stenquist asked about a trail cross-section and the minimum distance between the trail and the creek itself. Mr. Boles responded the distance will vary between the creek's location and where the lots will start; ergo there is not a specific distance. Mr. Stenquist said there should be adequate distance between the trail and the creek so the embankments are stable.

[8:44:17 PM](#)

8.3 Councilmember Weeks asked about the trees along the river, and wanted to know if they will be kept and whether there will be trees along the trail. Mr. Boles responded that the applicant has not proposed plans for the trees. Councilmember Weeks said she would like trees to accompany the trail.

[8:44:54 PM](#)

8.4 Councilmember Summerhays asked if there would be a fence at the back of the homes to separate them from the trail. Mr. Boles responded that a fence has not been proposed as part of the development agreement. Councilmember Summerhays expressed concern about the homes encroaching on the trail over time, and said a fence may be necessary. Councilmember Summerhays asked about the density of the subject development. Mr. Boles replied that the agreement spells out 2.3 units per acre; 115 single family lots on 49.75 acres.

[8:48:09 PM](#)

8.5 Councilmember Weeks asked about access onto 11400 South, and expressed concerns regarding the safety of children crossing the railroad tracks to get to school. Mr. Boles said the applicant would answer these questions.

Councilmember Summerhays asked if UDOT had granted approval for an additional turn lane on 11400 South. Mr. Boles said no; approval still needs to be obtained.

[8:50:14 PM](#)

8.6 Councilmember Weeks asked if there had been any further discussion regarding access across the railroad crossing. Councilmember Summerhays said he doubted there had been approval for a trail. The only way to obtain access would be over or under the crossing. Councilmember Weeks said she just wanted to know if the issue was addressed, and if so what resulted from any discussions which may have taken place.

[8:51:16 PM](#)

8.7 Bryon Prince, applicant, said they contacted Union Pacific but have not been able to get any conclusive answer. It is a unique request which they are open to discussing. Regarding native landscape, Mr. Prince said the Parks department had concerns about them planting species of trees that would be hard to maintain and survive long term, given the nature of

the area. They strongly requested the developer instead focus on preserving and re-vegetating native landscape that would survive long term. Mr. Prince stated the proposed density was R3; however, the density shown on the concept plan was much lower. Furthermore, he noted there are several options for access onto 11400 South.

Councilmember Summerhays suggested the motion on this item include the south connections to the Jensen property, in case the application is incomplete. Mr. Prince said they included that road in the first phase of construction, and that access will be provided.

[8:57:32 PM](#)

8.8 Councilmember Weeks said she liked some of the changes made to the application, namely the access to the trails. It appeared the applicant had thoughtfully considered access onto 11400 South. She was previously concerned with open space and parks, and felt those concerns had been resolved. However, her concerns regarding the safety of children traveling to school across the railroad tracks still have not been resolved. She was worried if the Council approved the application, efforts to work with UTA on providing a safer access would be diminished. Mayor Walker said a \$3 million bridge over the tracks could be built, but he and other Councilmembers doubted UTA would allow the construction of a tunnel. There was further deliberation on the matter.

[9:01:22 PM](#)

8.9 Councilmember Summerhays asked if there are any trees that like watery ground that can be placed along the trail. Mr. Prince said they had proposed more landscaping. However, the consensus of staff was the environment next to the creek would make it difficult to keep those trees alive. Staff and the developer agreed to work together to come up with a species list of vegetation that will be sustainable in the long term. The space would be dedicated to the City.

8.10 Mayor Walker opened the public hearing. No public comments were made, so he closed the public hearing.

[9:03:11 PM](#)

8.11 Councilmember Stenquist moved to approve the Frampton Property Rezone and Land Use Amendment and Big Willow Creek Development Agreement, on the request of Bryon Prince representing Ivory Development for approval of a Zoning Map Amendment from the A5 (Agricultural, 5-acre lot minimum) to R4 (Single-family Residential, 10,000 square foot lot minimum) zone, a Land Use Map Amendment from Residential Low/Medium Density (0-2 dwelling units per acre) to Residential Medium Density (2-4 dwelling units per acre) and a Development Agreement all on roughly 44.01 acres at approximately 425 West 11400 South. Councilmember Rappleye seconded the motion.

[9:03:36 PM](#)

8.12 Councilmember Stenquist spoke to the motion, expressing appreciation for the changes made to the development agreement from the time it was last reviewed and discussed. He

liked that the development agreement provided more clarity on the configuration of lots, as well as the varying lot sizes.

[9:04:27 PM](#)

8.13 Councilmember Summerhays commented the Framptons have held out for a long time in developing this property. He said it was sad to see the subject property develop because the adjacent neighbors have benefitted from the vacant land for a number of years.

[9:05:59 PM](#)

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

[9:06:14 PM](#)

9.0 Action Item: Amending the Deer Run Development Agreement to Allow for Subdivision Signage

[9:06:37 PM](#)

9.1 Dan Boles, Planner, explained this property was rezoned with the development agreement in July of 2014. Plats were approved approximately one year later as a plat amendment, and construction has begun on the site. The applicant is now proposing to open the development agreement again for some signage that was not previously contemplated. The applicant is proposing to amend the development agreement to allow some signs. They also proposed to make improvements on the trees and to the irrigation system which is old and outdated.

[9:12:19 PM](#)

9.2 Councilmember Stenquist said he was upset about the height of the townhomes. He expressed there was an understanding by both the Council and the neighbors that the townhomes in question would not be as tall as they are. He opined that the height of the town homes was irresponsible and which he found upsetting. He received many complaints from residents.

[9:13:34 PM](#)

9.3 Rod Staten, developer, said he was not the party that obtained the approvals. He said he did not think he was outside the bounds of the development agreement. Councilmember Stenquist said there was a clear disconnect between the prior discussions which took place, and the verbal comments and language written in the development agreement. A building height limit was included in the development agreement, and the verbal promises made were not reflected in the building height.

Councilmember Summerhays said he believed the ground level was changed. He said the townhomes are 10 to 15 feet taller than what he thought they would be.

Councilmember Rappleye said the Council's mistake was they didn't have a starting elevation. In the future, having a starting elevation would be beneficial.

[9:17:20 PM](#)

9.4 Councilmember Rappleye likes the sign; however, he inquired as to its energy efficiency, noting the City is trying to be as green as possible. The City has changed out all of their lights to LED lighting. Councilmember Rappleye also questioned whether or not the lettering would sufficiently stand out against the block wall. Mr. Staten indicated the sign is backlit and will also have uplighting.

[9:20:04 PM](#)

9.5 Councilmember Weeks moved to approve the amendment to the Deer Run development agreement. Councilmember Rappleye seconded the motion.

[9:20:24 PM](#)

9.6 A roll call vote was taken with Councilmembers Rappleye, Summerhays, and Weeks voting in favor. Councilmember Stenquist abstained from the vote. The motion passed with a vote of 3 to 0.

[9:20:46 PM](#)

10.0 Action Item: Council Assignments 2017

[9:20:54 PM](#)

10.1 Councilmember Summerhays expressed that he would like to keep the assignments he currently has. Councilmember Weeks also said she would like to keep her current assignments.

[9:21:27 PM](#)

10.2 Councilmember Summerhays moved to keep the Council assignments the same as last year. Councilmember Weeks seconded the motion.

[9:21:39 PM](#)

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

[9:21:54 PM](#)

11.0 Council/Manager Reports

[9:22:05 PM](#)

11.1 Councilmember Rappleye said staff has done an excellent job with snow plowing this year. He asked if they had been salting the streets beforehand, to which staff responded in the affirmative. He also asked the police department about the motor officers and speed trailer routes.

[9:24:10 PM](#)

11.2 Councilmember Weeks had been looking at conditional use permits since the last Council meeting and she felt like some of them were not appropriate. She asked if the other Councilmembers would like to read some of the City's conditional use permits, especially regarding animals, and see where the City stands on those and whether they can be changed.

Councilmember Rappleye said it may not be necessary, because situations regarding animal units are rare. Subsequent to Council and staff discussion, Councilmember Stenquist and Councilmember Rappleye were in favor of looking at the conditional use list pertaining to animals.

Mr. Dobbins indicated staff can go through the list pretty fast. They can start with the animal uses and then move through the rest of the list.

Councilmember Weeks said she is aware of issues with corner lots where people may have had a half acre or quarter acre lot and wanted to build a garage. She wanted to know if the Council would be willing to look at the ordinances on corner lots so people can use their property for this use which currently isn't allowed.

Councilmember Summerhays agreed and said he would be in favor of reevaluating corner lot ordinances. Mr. Boles said the ordinance requires the garage to be behind the home, which makes a garage on a corner lot difficult.

[9:40:51 PM](#)

11.3 Mayor Walker said he spoke with the Artistic Director of what has been panned the Draper Philharmonic and Choral Society (DPACS). They are trying to start a philharmonic business. The Artistic Director asked for initial funding of \$24,035.80 to purchase instruments, and \$5,750 for the rental of the venue for the concert. He asked the Council for their feedback on the matter.

Mr. Dobbins said under State law the City would be required to perform a study to show whether or not there is a benefit for taxpayer dollars to be used for this purpose.

Councilmember Rappleye and Councilmember Summerhays agreed to do the study. Councilmember Stenquist stated no, this is an inappropriate use of taxpayer funds. Councilmember Weeks agreed to do the study.

Mayor Walker then stated that there are large cracks in the parking lot of the amphitheater.

[9:48:25 PM](#)

11.4 Mr. Barker drafted a decision reflecting the Council's action on the appeal. One of the items requested during the last City Council meeting was a definition for a juvenile animal unit. A juvenile or an adult of any species is determined by the weight that is accepted as standard within the breed, and whether or not the animal is capable of reproduction. He drafted that a juvenile animal unit shall be one that has not reached the weight of an adult animal of the species based on an accepted standard in the pedigree, or is not capable of reproduction.

[9:51:24 PM](#)

12.0 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

[9:51:28 PM](#)

12.1 Councilmember Summerhays moved to adjourn to a closed-door meeting to discuss personnel and litigation. Councilmember Weeks seconded the motion.

[9:51:38 PM](#)

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

12.3 The meeting adjourned at 9:51 p.m.