

Approved June 5, 2018

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, MAY 22, 2018, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, 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; John Eining, Police Chief; Rhett Ogden, Recreation Director; Clint Smith, Fire Chief; Glade Robbins, Public Works Director; and Bob Wylie, Finance Director

Dinner/Study Meeting

1.0 Discussion: Budget Review

1.1 David Dobbins, City Manager, reviewed the proposed costs and funding options for the 700 West Road Project and the Galena Park ballfields. There is a \$1,568,000 funding gap for the two projects. Subsequent to Council/staff discussion, Councilmembers Green, Lowery, Summerhays, and Vawdrey requested the additional funding to come from the money set aside to purchase property for a cemetery. Councilmember Weeks was not in favor of that option.

2.0 Discussion: Salt Lake County Transportation Tax

2.1 Andrew Gruber, Wasatch Front Regional Council, and Max Burdick, Salt Lake County, provided a brief overview of SB136: Transportation Governance Amendments 0.25% Local Option Sales Tax for Transportation. Salt Lake County will impose the tax if 67 percent of the county's population passes a resolution supporting the imposition. The tax would generate approximately \$1.2 million per year for Draper to use for transportation needs. The City Council will consider the resolution at the future meeting.

3.0 Planning Commission Update

3.1 Christina Oliver, Community Development Director, reviewed the previous Planning Commission meeting for the City Council.

4.0 Council/Manager Reports

4.1 These were taken care of at the end of the Business Meeting.

Business Meeting

7:01:41 PM

1.0 Call to Order: Mayor Troy K. Walker

[7:01:50 PM](#)

2.0 Thought/Prayer and Pledge of Allegiance

[7:02:22 PM](#)

2.1 Caden Werts, Scout Troop #1614, offered the prayer.

[7:03:02 PM](#)

2.2 Darren Randall, Scout Troop #1614, led the Pledge of Allegiance.

[7:03:34 PM](#)

3.0 Recognition: Sterling Scholars Recipients

[7:04:10 PM](#)

3.1 Mayor Walker recognized the Sterling Scholar recipients:

- Kara Komarnitsky – Hillcrest High School, Dance category
- Natalie Tonks – Lone Peak High School, Social Science category
- Keerthana Ramalingham – American Preparatory Academy, runner up Computer & Technology category

[7:08:45 PM](#)

4.0 Recognition: Draper Teachers/Support Staff of the Year

[7:09:20 PM](#)

4.1 Mayor Walker then recognized the Draper Teachers of the Year. The recipients were as follows:

- Marcy Hadean – Altara Elementary
- Casey Draper – Crescent Elementary
- Amy Brand – Draper Elementary
- Michele Mickelsen – Lone Peak Elementary
- Joani Bell – Oak Hollow Elementary
- Terri Avery – Sprucewood Elementary
- Melody Watson – Willow Springs Elementary
- Krista Dodds – Draper Park Middle School
- Samantha Serrine – Indian Hills Middle School
- Awbree Summers – Alta High School
- Amber Rogers – Corner Canyon High School
- Kim Elliott – Channing Hall
- Jenny McIntosh – Channing Hall
- Pam Hammond – American Preparatory Academy
- Shem Greenwood – American Preparatory Academy

[7:13:06 PM](#)

5.0 Public Comment: Jordan Valley Water Conservancy District (JVWCD) Report on Proposed Property Tax Increase

7:13:24 PM

5.1 Alan Packard, Jordan Valley Water Conservancy District, reviewed the need for a property tax increase to pay for infrastructure to increase water capacity.

7:17:05 PM

5.2 **Mayor Walker opened the meeting for public comment. No one came forward to speak, so Mayor Walker closed the meeting for public comment.**

7:17:39 PM

5.3 Councilmember Weeks inquired as to the reason for the tax increase. Mr. Packard explained it was for the infrastructure related to increasing water capacities. Councilmember Weeks said her residents were interested in creating more reservoirs, and Mr. Packard answered there that there were no immediate plans for creating more reservoirs in the Salt Lake Valley.

7:19:12 PM

6.0 Report: New Water Conservancy Opportunities

7:19:26 PM

6.1 Mr. Packard discussed programs to promote water conservation, and said the projected demands of water would be higher than they could provide. He said it was imperative to conserve water and there were grants available to incentivize conservation. He said some of the programs to conserve water had cash incentives. He spoke about the landscaping options to be more conservative with water use.

7:26:00 PM

6.2 Councilmember Weeks said she visited their website and was pleased with the amount of options available. She asked for a link to provide the residents with the website.

7:27:02 PM

7.0 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.

7:28:03 PM

7.1 Dave Mast, resident, thanked the Council and staff for their work on a trail. He asked Councilmember Weeks to recuse herself from voting on his application.

7:30:18 PM

7.2 Reed Gibby, resident, commented that he was pleased with the City employees who had fixed a water problem.

7:30:56 PM

- 7.3 Paul Harrison, resident, discussed safety concerns with the Coyote Hollow trailhead and stated he was not in favor of the committee guidelines the City Council will consider with the consent items.

7:34:39 PM

- 7.4 Judy Guymon, owner of Millennial Falls Reception Center, expressed frustration over the height of the building being constructed next to her reception center. The contractor raised the grade of the property, and the building now blocks the view of the reception center. It has caused clients to cancel their events.

7:38:16 PM

8.0 Consent Items

- a. **Approval of May 1, 2018, City Council Meeting Minutes**
- b. **Approval of Big Willow Creek Preliminary Plat Extension**, Bryon Prince, representing Ivory Development, is requesting a twelve-month extension on their Big Willow Creek Preliminary Plat approval per Draper City Municipal Code (DCMC) Section 17-3-060(C).
- c. **Approval of Resolution # 18-37**, Adopting the Coyote Hollow Trail Head Task Force Rules and Guidelines for use in finding a solution to parking issues near the Coyote Hollow Trail Head.

7:38:58 PM

- 8.1 **Councilmember Weeks moved to remove Item C for further discussion. The motion failed for lack of a second.**

7:39:23 PM

- 8.2 **Councilmember Weeks moved to remove Item B for further discussion. The motion failed for lack of a second.**

7:39:35 PM

- 8.3 **Councilmember Green moved to approve the consent items. Councilmember Lowery seconded the motion.**

7:39:46 PM

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

7:40:10 PM

- 8.5 Councilmember Weeks commented she had issues with the Item C. She noted the residents were never involved in the decision making for the Coyote Hollow trailhead. The guidelines did not give a lot of room for public decision making, and she said the residents were not given ample time to provide their input on this issue.

7:42:00 PM

8.6 Councilmember Green said he helped write the guidelines, and he would be happy to speak with anyone that had issues with the Coyote Hollow trailhead.

7:42:15 PM

8.7 Councilmember Lowery clarified that the task force for the Coyote Hollow Trail Head would report back to the Council.

7:42:26 PM

9.0 Action Item: Reconsideration for Approval of a Real Estate Purchase Contract, Review the conditions and terms of the real estate purchase contract between DJ Investment Group and Draper City for surplus property located generally at 14600 South Upper Corner Canyon Road

7:42:47 PM

9.1 David Dobbins, City Manager, identified the location of the subject property. He presented how the property would look if the applicant purchased the portion from the City. He stated the property would cost \$212,913 to purchase it from the City. Mr. Mast would build a road when the subdivision was constructed. He noted that curb and gutter was not necessary for the road and it was not reasonable to build the road wider than planned. The Peak View trailhead would be built for \$1.1 million coming from the City and the developer. He said this would include parking, restrooms, and a pavilion. He noted if they did not come to an agreement with the applicant the City would have to cover costs.

7:48:38 PM

9.2 Dave Mast, applicant, explained their plan was to begin construction this year. He discussed the plans to build the subdivision and the proposed price for the City's land.

7:51:26 PM

9.3 Councilmember Green apologized to Mr. Mast for the mistakes made because they did not have the full manuscript of past conversations. He said he was disappointed by Mr. Mast's behavior during the last meeting.

7:52:05 PM

9.4 Councilmember Green moved to approve the conditions and terms of the real estate purchase contract with DJ Investment Group. Councilmember Summerhays seconded the motion.

7:52:22 PM

9.5 Councilmember Weeks commented she was asked by Mr. Mast to recuse herself from voting on his developments. She said she denied his request. She noted she has voted against many developers and would vote against this development.

[7:52:58 PM](#)

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

[7:53:08 PM](#)

10.0 **Action Item: Resolution #18-39, Request for approval of the Fifth Amendment to Hidden Canyon Estates, Lakeview Heights, and Mercer Mountain Estates Development Agreement to adjust the property boundary to move the gated entry feature east and allow for a permit to place earthen fill for a future trail head**

[7:53:30 PM](#)

10.1 Mr. Dobbins explained they discussed where the developer would put the excess fill dirt. He said they planned on a trailhead by the new development because it was a good location for storing the excess fill dirt. He explained the fill dirt would save some money and identified where the proposed trailhead would be located.

[7:56:48 PM](#)

10.2 Councilmember Summerhays asked if the soil would be usable immediately. Mr. Dobbins explained the soil would have to be compacted. Councilmember Summerhays asked if the City was willing to pay the costs of compacting the soil. Mr. Dobbins said the developer was willing to pay those costs.

[7:57:36 PM](#)

10.3 Steve Maddox, developer, stated he had no professional or personal agenda but only wanted to build homes. He explained they wanted to take advantage of this area's fill dirt. He stated they wanted to avoid moving trucks in and out of the area. This area would be more utilized in the future because they would move the fill dirt.

[7:59:20 PM](#)

10.4 Councilmember Vawdrey moved to Resolution #18-39. Councilmember Summerhays seconded the motion.

[7:59:35 PM](#)

10.5 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

[7:59:46 PM](#)

11.0 **Public Hearing: Stewart Subdivision Plat Amendment, Request by Gaylen and Michelle Stewart for a Plat Amendment to Amend Lot 1 of the DeVearl Decker Subdivision. The Property is Located Generally at 814 East 12500 South in the RA2 (Residential Agricultural) Zoning District**

[8:00:17 PM](#)

11.1 Maryann Pickering, Planner, presented the staff report as well as an aerial map of the subject property. She noted the current property was developed with a single-family home.

She said the property was designated residential medium density in the general plan with RA2 zoning. The applicant was requesting a plat amendment to subdivide their current plot and the new lot would meet the minimum RA2 zoning requirements. She stated there had been no comments from the public regarding this subdivision.

8:01:33 PM

11.2 Michelle Stewart, applicant, explained she and her husband wanted to downsize their property.

8:02:10 PM

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

8:02:25 PM

11.4 **Councilmember Weeks moved to approve the Stewart Subdivision Plat Amendment. Councilmember Vawdrey seconded the motion.**

8:02:43 PM

11.5 **A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

8:02:53 PM

12.0 **Public Hearing: Whisperwood Cove Phase 3 Plat Amendment, Request for Approval to Amend the Whisperwood Cove Phase 3 Subdivision Plat Located Generally at 12771 South Whisper Bend Drive. The Subject Property is Zoned R3 and Consists of 0.64 Acre**

8:03:15 PM

12.1 Dennis Workman, Planner, explained the applicant wanted to subdivide this property. He noted Lot 1 would contain 13,000 square feet and Lot 2 would contain over 15,000 square feet. He said there already was a home on Lot 1 and both of the lots would meet the zoning requirements. He explained that staff asked the applicant to provide trees on certain areas of the property. They also requested an easement for a sidewalk to be dedicated to the City. Staff was recommending approval of the plat amendment.

8:06:00 PM

12.2 Councilmember Weeks asked from what road this property would be accessed. Mr. Workman explained the access would come from Willow Springs Lane.

8:06:24 PM

12.3 Councilmember Lowery asked if this would cause any traffic issues on Willow Springs Lane. Mr. Workman stated they had determined the traffic volumes were not high enough to create a concern. Councilmember Lowery asked if guests could park along the street. Mr. Workman explained this would not be allowed. Councilmember Lowery asked if they needed to include this into the agreement and Mr. Workman agreed this would be a good idea.

8:06:57 PM

12.4 Councilmember Vawdrey asked if there was a requirement to arrange the driveway to avoid vehicles from backing up onto Willow Springs Lane, to which Mr. Workman responded in the negative. Councilmember Vawdrey expressed concerns with this information.

8:07:52 PM

12.5 Councilmember Weeks asked if there was any concern raised from the neighbors and Mr. Workman said no.

8:08:30 PM

12.6 James Tippet, applicant, said he had suggested a circular driveway to mitigate the risks of backing up on to the main road.

8:09:32 PM

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

8:10:05 PM

12.8 Scott Cooley, City Engineer, stated the street was too narrow for vehicles to park on the side. He said they would have to install a sign to prevent street parking. He explained that staff had already included into the agreement language regarding the relationship between the road and the driveways.

8:10:54 PM

12.9 Councilmember Weeks asked if they needed to add in the motion language about the driveways. Mr. Cooley said they had already included language regarding these issues.

8:11:43 PM

12.10 Councilmember Green moved to approve the Whisperwood Cove Phase 3 Plat Amendment. Councilmember Lowery seconded the motion.

8:12:05 PM

12.11 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

8:12:17 PM

13.0 Public Hearing: Palomino Point Phase 4 Plat Amendment Request, Request by Ryan Button, Representing Property Ventures Draper, LLC, for Approval of a Plat Amendment for a Ten-Lot Single-Family Residential Development on 3.51 Acres Located at Approximately 251 East Carlquist Drive

8:12:39 PM

13.1 Jennifer Jastremsky, Planner, explained this property was recently rezoned to residential medium density land use. She explained the development would be on a private roadway. She noted the Planning Commission approved a deviation regarding the sidewalks. She

said the Army Corps of Engineers determined the property was not located on wetlands and this would allow the property to be developed. Staff was recommending approval.

8:15:50 PM

13.2 Ryan Button, applicant, explained he met with Councilmember Summerhays to tour the property. He asked for any questions from the Council.

8:16:36 PM

13.3 Mayor Walker opened the public hearing.

8:16:49 PM

13.4 Kyle Widdison, resident, stated he represented 17 landowners near the subject property. He explained he was surprised this property was determined not to be wetlands, because historically it had been deemed as such. He stated he was not opposed to the building of these lots; however, the current homeowners in this area had issues with flooding.

8:20:12 PM

13.5 Mayor Walker closed the public hearing.

8:20:18 PM

13.6 Councilmember Weeks asked Mr. Button to discuss the comment made by Mr. Widdison. Mr. Button explained he was not aware of any flooding. He stated they could avoid any issues with ground water by the way they engineered the homes. Councilmember Weeks asked if there would be any legal recourse if the pond flooded, and Mr. Button said he did not have an answer. Councilmember Weeks asked what direction the water would flow if the pond flooded. Mr. Button explained the spillway was on the other side of the pond away from the homes.

8:23:25 PM

13.7 Councilmember Summerhays asked what type of piping they would use for potential flooding. Mr. Button stated each home was required to have a foundation drain. He said in addition they would place pipe in the ground that could be fitted with a sump pump. He said the yards would also have drains. Council Member Summerhays asked if they would use corrugated pipe. Mr. Button explained they would use sewer pipe.

8:25:45 PM

13.8 Councilmember Green moved to approve the Palomino Point Phase 4 Plat Amendment. Councilmember Lowery seconded the motion.

8:26:03 PM

13.9 Councilmember Vawdrey said the City should recognize that the pond was a part of the City before any of the new developments. She said she hoped this would be respected.

8:26:30 PM

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

8:26:44 PM

14.0 **Public Hearing: Windsor Mill Office Land Use and Zone Change, Request to Change the Land Use Designation from Residential High Density to Neighborhood Commercial, and to Change the Zoning Designation from RM1 (Residential Multi-family up to 8 Units Per Acre) To CN (Neighborhood Commercial). The Property Consists of 1.02 Acres and is Located Generally at 11450 South 700 West**

8:27:14 PM

14.1 Mr. Workman presented the staff report and aerial zoning map. He explained the proposed office building would not be out of place for the area in question.

8:29:56 PM

14.2 Councilmember Summerhays asked if there was a connection to a trail through the property, to which Mr. Workman responded in the affirmative. Mayor Walker identified where the connection was located on the map.

8:31:05 PM

14.3 Councilmember Lowery noted this neighborhood had been impacted by Soccer City traffic. She asked if there was any plan to accommodate the increase in traffic and parking. Mr. Workman stated the applicant would speak to this issue; however, in general the parking requirements were met.

8:32:10 PM

14.4 Jim Polonic, applicant with Think Architecture, discussed why they were interested in the CN zone. He explained this type of zone would allow for ample parking. He noted how this was needed in the area to alleviate the parking issues. He subsequently discussed the wetland portion of the property.

8:35:45 PM

14.5 Councilmember Green asked how they would utilize the northern parcel. Mr. Polonic explained how this portion would be used, and there was further discussion regarding the steepness of the area.

8:37:30 PM

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

8:38:00 PM

14.7 Councilmember Green moved to approve the Windsor Mill Office Land Use and Zone Change. Councilmember Vawdrey seconded the motion.

8:38:17 PM

14.8 Councilmember Summerhays asked what the parking requirements were for offices. Mr. Workman stated they required four stalls per 1,000 units.

8:38:40 PM

14.9 Councilmember Vawdrey stated that this was a solution to an issue with which the City had struggled for a long time. Councilmember Lowery concurred.

8:38:55 PM

14.10 **A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

** *The City Council took a break at 8:37 p.m.*

** *The meeting resumed at 8:49 p.m.*

8:49:23 PM

15.0 **Public Hearing: Mountain Park Estates MPC Zone Change, Zoning Text Amendment, and Development Agreement, Request by Ollie Michel, representing Michel Land, LLC, for approval of a Zoning Map and Zoning Text Amendment creating a new Master Planned Community (MPC) zone and rezoning approximately 83 acres located generally at 2100 East Lake Bluff Drive to the new MPC zone along with a development agreement**

8:50:01 PM

15.1 Dan Boles, Planner, explained this was a text amendment and a development agreement. He then presented the staff report as well as an aerial map of the area. He gave a brief history of the property and discussed the different access areas. He presented the proposed concept plan and reviewed the proposal for monument park. He noted they did not have a lot of information on the design of the park. He said the developer was proposing a \$350,000 contribution to benefit the Suncrest area. He explained the concept plan limited the number of allowed units; he then discussed lot density and water rights. The City was working on plans to increase water capacity, as well as addressing park strip and retaining walls.

9:03:21 PM

15.2 Councilmember Weeks asked if onsite crushing was a practice for other work sites in Draper. Mr. Cooley deferred the question to the applicant. Councilmember Weeks asked if this type of onsite processing was normal, to which Mr. Cooley stated this was not a standard operation. It was explained this type of processing was not as loud as other types of processing; however, he could not give her specifics on the noise levels, timeframe, or dust levels. He again stated the applicant would have to respond to this question.

9:05:38 PM

15.3 Mr. Boles said the applicant was planning for three years of construction. Councilmember Weeks asked if there was another project they could reference to determine these specifics.

9:06:15 PM

15.4 Councilmember Green asked what they meant by material screening. He then asked if a certain access point was wide enough to accommodate the development, to which Mr. Boles answered in the affirmative. Councilmember Green asked if it was previously planned to have this access point when Eagle Crest Final Plat #1 was approved. Mr. Boles answered in the affirmative. Councilmember Green asked if the access points could accommodate the increased traffic. Mr. Boles stated this would not be an issue. He said they would not have sufficient information on traffic until the plat was approved.

9:09:16 PM

15.5 Councilmember Weeks asked if a gate would mitigate some of the increased traffic. Mr. Boles explained the ordinance did not allow for a gate to be placed on a public street. Councilmember Weeks asked if they could make these streets private, and Mr. Boles responded they could work this into the agreement.

9:10:25 PM

15.6 Councilmember Green asked if the developer was proposing to re-zone all but six acres of the property. Mr. Boles responded the developer was proposing to re-zone the entire property. He noted the six acres would be for Lot A, to be set aside for a future park.

9:10:58 PM

15.7 Councilmember Lowery asked to see the map of the entire project and inquired about a section that was not connected to the rest of the property. Mr. Boles explained there were proposals to connect this section. Councilmember Green asked if there was an engineering reason to not connect this section. Councilmember Weeks stated that engineers found the area unfit for a road. Mr. Cooley said the City had not looked into this road. He said they needed more information. Councilmember Weeks said she wanted to know the City's opinion on the matter.

9:14:00 PM

15.8 Councilmember Green asked if there was a variance required for only one access. Mr. Boles said no and explained there were less than 30 lots.

9:14:21 PM

15.9 Councilmember Vawdrey asked if there was a reason why the open space had to be destroyed. Mr. Boles deferred the question to the applicant.

Councilmember Vawdrey asked if the material processing was different than any other land disturbance permit would allow. Mr. Cooley responded in the affirmative. He noted this was a special operation they were considering due to the amount of rock on the property.

9:16:20 PM

15.10 Councilmember Weeks asked if there was any way to process the material away from the existing homes. Mr. Cooley responded the developer was interested in keeping the noise

level and dust to a minimum. He explained they were bound by State law and they would constantly be monitored.

9:18:21 PM

15.11 Bruce Baird, attorney for the applicant, said he would address everyone's concerns. He acknowledged there had been a lot of changes made to the plan to accommodate the concerns raised by the public. He noted they could not develop this property without creating some disturbances. He said they had made financial sacrifices to accommodate everything.

He said he would begin with discussing Lot A and the proposed park. He noted there were a lot of different concerns with this park and stated they would not ask for approval on Lot A tonight. Councilmember Green said this was a negotiation strategy to approve one item at a time. Mr. Baird said this was not a strategy and they were sincere. He noted the development agreement stated they were not seeking any approval on Lot A. He explained this would give the developer an option for subdividing the lot in the future.

Mr. Baird explained they had taken great care with the material processing. He said they had anticipated many of the questions asked by the Council tonight concerning material processing and they were required to comply with State law. He explained they would be able to do the crushing within 120 days over two years. He suggested they make this an amendment to the development agreement and said this was an entire year improvement. They estimated the material processing on site would take 1,800 trucks off the road. He stated the applicant would go into great detail.

Mr. Baird stated it was not possible to connect the separated lots. He explained Talons Cove was never intended to be only for emergency access. The City had an ordinance to prevent developers from denying access to neighboring properties. He said they would be happy to make these private gated roads.

Mr. Baird explained there were examples of isolated projects in Suncrest. Councilmember Lowery agreed with Mr. Baird and responded these projects were a part of an HOA. Mr. Baird explained this development also planned on a HOA and there was subsequent deliberation on the matter.

Mr. Baird stated they were complying with the open space policy. He explained the density of the proposal was similar to the surrounding areas. He noted other properties that were denser in the Suncrest area.

9:39:33 PM

15.12 Councilmember Weeks said she was concerned with the private revegetated open space. She explained there was concern expressed with these areas regarding flooding. Mr. Baird explained there was a federal law that prohibited upstream properties from flooding properties downstream. He said they would be obligated to comply with this law.

9:42:52 PM

15.13 Troy Wolverton, Engineer for applicant, explained the density of the surrounding properties were similar to their proposal. He discussed the history of the access through Talons Cove. He noted it was never intended to be an emergency access. He discussed the proposed lighting, the right-of-way width, and access through Talons Reach Court.

He presented where they planned on grading the property and how it would affect the landscape. He explained how the grading would affect their ability to plan and place the roads. He discussed their goal to maintain the open space with retaining walls and the appropriate foliage. He noted they took steps to protect the surrounding properties from the water drainage.

Mr. Wolverton explained there was a necessity to crush rocks onsite. He said their goal was not to create a road base from this process. He then discussed the dimensions of the rock crusher and noted they measured the noise levels of the rock crusher with a sensitive instrument. He explained the rock crusher was less than 60 decibels and discussed the extent they went through to test the noises. He explained the methods they would use to diminish and mitigate the noise.

Councilmember Summerhays asked when Mr. Wolverton worked on this project for the first time. Mr. Wolverton explained he first saw this project in 2007.

10:02:12 PM

15.14 Councilmember Weeks asked if the proposed curtain would reduce the sound. Mr. Wolverton answered in the affirmative. He said the sound would be heard but they would be compliant with the law.

Councilmember Summerhays asked if they would mitigate the sound of the rocks being poured into a truck. Mr. Wolverton responded there is a method they use to reduce noise.

10:04:48 PM

15.15 Councilmember Weeks moved to extend the meeting past 10:00 p.m. Councilmember Summerhays seconded the motion.

10:04:58 PM

15.16 A roll call vote was taken with Summerhays, Vawdrey, and Weeks voting in favor. Councilmember Lowery and Councilmember Green voted no. The motion passed.

10:05:23 PM

15.17 Councilmember Weeks asked Mr. Wolverton to discuss the flooding. Mr. Wolverton explained the rain fall would be redirected.

10:06:01 PM

15.18 Mayor Walker opened the public hearing.

10:06:24 PM

15.19 Greg Gold, resident, explained he lived close to the proposed rock crusher. He thanked the owners for listening to the residents. He said he was concerned with the temporary road, dust, and the noise. He said they were basically permitting a quarry. He said he understood this property was meant to be commercial. He concluded by commenting on the material processing.

10:09:46 PM

15.20 Linda Noack, resident, explained she sent an email with a video demonstrating the sound of a rock crusher. She asked the Council to consider if the noise was appropriate for a neighborhood. She said she understood this property to be commercial. She noted planting trees and other vegetation was difficult. She asked the Council to consider the best use of this property regardless of the concessions the developer made.

10:12:01 PM

15.21 Reed Gibby, resident, explained they could build a road to the separated properties by eliminating one of the lots. He noted he had experience with engineering. He said that a road could not be built through Talons Reach Court because it was built as a cul-de-sac. He discussed the dust and the sound.

10:15:15 PM

15.22 Christine McClory, resident, commented the developer would cut through open space to put in a temporary road. She noted this was for the construction vehicles and would have to be back filled. She said she was concerned the mass grading could turn into a problem if it took longer than anticipated to develop. She discussed the various engineering issues with the development.

10:18:44 PM

15.23 Greg Waddoups, resident, said their main concern was the safety of children throughout the area. He noted a compromise to avoid building an access through Talons Reach Court would be to build through their proposed lots. He discussed the alternatives to the Talons Reach Court access.

10:21:48 PM

15.24 Frank Pisani, resident, presented a petition that was signed by 170 residents with concerns about the current proposal. He noted there were other petitions with concerns about the water and access. He suggested the developer build similar to some of the other Suncrest developments. He commented that Eagle Mountain put a moratorium on crushing in December. He stated this current proposal still fell short in some areas.

10:24:14 PM

15.25 Monica Waddoups, resident, explained they bought their home on the court so their children had a place to play. She noted their back yard was not safe for their children. She suggested speedbumps and stop signs to keep the court safe.

10:25:35 PM

15.26 Nate Kingdon, resident, said he was concerned with the road going through Talons Reach Court. He explained the road would pass through very close to his property. He suggested they make deviations to give the current residents more space. He said the rock crushing would be noisier than the applicant was advertising. Mr. Kingdon was concerned with the dust.

10:27:34 PM

15.27 Jeff Jones, resident, discussed the 30% slopes and the potential dangers. He explained the terrain was dangerous and said the property was compact and prevented things like snow removal. He said 80% of the vegetation would be stripped away and asked the Council to consider if this was sensible.

10:31:02 PM

15.28 Scott Steadman, resident, said he agreed with the points made tonight. He requested that the Council vote against this request.

10:31:48 PM

15.29 Nate Crowther, resident, read a comment from another resident. The resident said he was in favor of the new property. Mr. Crowther said he was also in favor of the property.

10:33:19 PM

15.30 Jeff Goodwin, resident, said he thought the developer was giving the residents two poor choices: constant trucks or a rock quarry. He asked why they could not repurpose the rocks without crushing.

10:34:42 PM

15.31 Brett Shields, resident, commented the curtain would not be available everywhere to protect against the sound. He noted the backup beepers would be too loud and they could not use a curtain over the trucks. He said he did not like the idea of the developer using the park as leverage for approval. He suggested the park property be turned over to the City or the HOA.

10:36:37 PM

15.32 Mayor Walker closed the public hearing.

10:36:41 PM

15.33 Ollie Michel, applicant, said it was always their intent to include an HOA for the development. He noted they had originally included a pool in the clubhouse; however, it was later removed due to public concerns regarding density. He discussed the access through Talons Reach Court. He said they would do everything to mitigate any dangers. He commented that they had conceded a lot for this proposal and did not think they could continue conceding more. He stated they had done a suitable job discussing the public's concerns.

10:41:56 PM

15.34 Mr. Baird explained the crushing was not shut down at Eagle Mountain. He said there was a temporary six-month ordinance to investigate crushing operations. He stated the road construction was subject to regulations and they were constrained by these regulations. He discussed the placement of the roads and commented they were forced to make decisions that would be inconvenient to some residents.

10:46:22 PM

15.35 Councilmember Weeks moved to continue this item until June 5, 2018. Councilmember Summerhays seconded the motion.

10:47:18 PM

15.36 A roll call vote was taken with Councilmembers Summerhays, Vawdrey, and Weeks voting in favor. Councilmember Lowery and Councilmember Green voted no. The motion carried with a majority vote of 3 to 2.

10:48:00 PM

16.0 Council/Manager Reports

10:48:36 PM

16.1 Councilmember Summerhays reported he has a problem with the building next to Millennial Falls and explained that what was built did not match the proposal. He suggested the City require the developer to make a new plot plan because it was unclear as to what was being built. Mr. Dobbins said they needed to change the Code to say the height is measured from the existing grade. Councilmember Weeks said she agreed the building was not uniform with the rest of the neighborhood.

10:51:45 PM

16.2 Councilmember Lowery stated the Council received an email from Chris Bowman about his property, and she asked what they could do to help Mr. Bowman. Mr. Dobbins said he would follow up with Mr. Bowman. Councilmember Lowery noted the water tower in Suncrest has lost half its panels and explained that something needed to be done to fix the issue. Mr. Dobbins said he would follow up with this item.

10:52:48 PM

16.3 Councilmember Green asked for an update with the safe school initiative. Chief Eining said he had a meeting and explained the progress they had made with the project. Councilmember Weeks asked Chief Eining to present at the next study session.

10:53:56 PM

16.4 Councilmember Weeks said she complained about the Draper Community Foundation not getting back to her about a booth last week. She explained she had asked two months ago for a booth and she had sent several emails. She noted that Lori Bird had slandered her on social media concerning this issue. She applied for a booth under another name and got it within two days; she said that this felt discriminatory. She said she had spoken to several people without any results. Councilmember Lowery said she had spoken to a volunteer

with the foundation and they had not had any other issues. Councilmember Weeks said she did get a booth but it was not under her name. She suggested taking away the authority to grant these booths if there was discrimination.

10:56:38 PM

16.5 Mr. Dobbins asked if he should put the Transportation Tax on the next agenda. Councilmember Green answered in the affirmative. Councilmember Weeks agreed and asked they add a public comment period for the item as well.

10:57:02 PM

16.6 Mayor Walker said he was being blamed for the road construction on Traverse Ridge Drive. He said he understood what it was like to be discriminated against on social media. Councilmember Weeks said her issue was that she was being denied something, in addition to the insults.

10:58:38 PM

17.0 Adjournment

10:58:42 PM

17.1 Councilmember Green moved to adjourn the meeting.

17.2 The meeting adjourned at 10:58 p.m.