

Approved 8.27.2019

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, AUGUST 6, 2019, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH**

PRESENT: Councilmembers Mike Green, Tasha Lowery, Alan Summerhays, Marsha Vawdrey, and Michele Weeks

EXCUSED: Mayor Troy K. Walker

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, City Recorder; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Rhett Ogden, Recreation Director; Christina Oliver, Director of Community Development, Bart Vawdrey, Battalion Chief, and Bob Wylie, Finance Director

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**Dinner**

**Study Meeting**

**\*The order of the items in the Study Meeting were changed.**

**1.0 Report: Semi Annual City Deposits & Investments**

1.1 Bob Wylie, Finance Director, presented the City's Semi-Annual Deposits and Investments to the Council.

**2.0 Council/Manager Reports**

2.1 Councilmember Green expressed concern about the separation between administrative and legislative powers. The agenda items needed to categorize which were legislative or administrative. He suggested the Planning Commission do the same. Mr. Barker agreed that this would be helpful.

2.2 Councilmember Weeks stated that the land use maps were incorrect. It was explained these land uses were the original proposals. Councilmember Weeks said this was confusing and they needed to improve the land use map. Staff indicated that they would address this confusion. Councilmember Weeks then asked the City to make memorial benches available throughout the City. Councilmember Summerhays said this could be a problem because the wealthier residents would purchase more. Councilmember Weeks said the money could be raised by anyone to build the benches.

**3.0 Update: Capital Improvement Programs Staff**

- 3.1 Rhett Ogden, Parks and Recreation Director, updated the Council and staff on various projects happening throughout the City. The Council inquired upon the location of a future dog park, and Mr. Ogden subsequently oriented everyone with the current options.

Mr. Ogden said there were some delays to the Coyote Hollow trail head; however, they planned on beginning this fall. Councilmember Weeks asked if they could expand parking at the Corner Canyon trail head. Mr. Ogden displayed a map of the area and discussed their options. He noted this could cost the City a significant amount of money.

Mr. Ogden continued by discussing the finished projects. He said they were pleased with the results and noted he had enjoyed riding the new trails.

#### **4.0 Discussion: General Plan Discussion and Survey Results Staff**

- 4.1 Kyrene Gibb, from Y2 Analytics, was invited to discuss the survey results. She explained they used a scientific method to gather their results. This was done through voter statistics and other data. They surveyed over 8,000 residents and 1,300 completed the survey, which was more than what they needed. Using the aid of PowerPoint presentation, she showed that the survey covered a substantial sample of the City. The survey discovered Draper residents had a higher satisfaction with their City than the neighboring cities. She explained the biggest concern was traffic, which also indicated residents were concerned with new development. Most of the residents wanted more communication from the Council and staff. Nine out of ten residents would recommend Draper as a good place to live. Outdoor amenities were the most positive aspects of the City.

Ms. Gibb continued explaining that residents were most concerned about traffic, development, and growth. She said they gave the surveyed hypothetical \$100 to allocate throughout the budget. Roads and traffic services received the most amount of money. Most of the residents commuted to work and traffic was their biggest concern.

Councilmember Weeks noted there were several TRAX stations in Draper, which should solve some of the traffic and road concerns.

Ms. Gibb continued explaining that the residents wanted developments in locations away from the existing residential areas. Further, the residents wanted to have more emails from the City for information. She explained people wanted to participate and the City should have more available resources to distribute information. The emails would be able to provide real time information. She noted emails were a more trusted resource of information than social media.

When asked what questions would be asked in a follow up survey, Ms. Gibb responded they would approach the people they already surveyed. She said this would be cost effective because they knew they would participate.

Councilmember Weeks said they should find out which roads the residents wanted to repair or build.

\*\* *Councilmember Green joined the meeting at 6:27 p.m.*

## **Business Meeting**

### **1.0 Call to Order: Mayor Pro Tem, Tasha Lowery**

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

2.1 Jake Sorensen offered the prayer.

2.2 Bart Vawdrey, Battalion Chief, led the Pledge of Allegiance.

### **3.0 Recognition: Elliott Detjen, Mayor's Youth Council member, National AP Scholar, and Bill of Rights Institute's Constitutional Academy summer program attendee.**

### **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.

4.1 **Mayor Pro Tem Lowery opened the floor for public comment. No one stepped forward so Mayor Pro Tem Lowery closed the public comment period.**

### **5.0 Consent Items**

- a. **Approval of July 16, 2019 City Council Meeting Minutes**
- b. **Approval to Surplus City Vehicles Staff: Bob Wylie**
- c. **Approval of Interlocal Cooperation Agreement with Canyons School District To provide School Resource Officers for schools within the Canyons School District.**
- d. **Approval of Resolution #19-47, Amending the Draper City Investment Policy Amending Draper City Investment Policy to reflect changes adopted by the Utah Money Management Council. Staff: Bob Wylie.**
- e. **Approval of Resolution #19-48, Adopting Section 6031 - Social Media Policy**
- f. **Approval of Resolution #19-49, Text amendment to Personnel Policy Section 6115 - Vehicle Usage and Accident Reporting. Amending the policy to designate Chair and Members of the Accident Review Committee. Staff: Hazel Dunsmore**
- g. **Approval of Resolution #19-51, Amendment No. 1 of the Interlocal Cooperation Agreement between Salt Lake County and Draper City, amending the Agreement to allow reallocation of County Transportation Funds from one project to another project under the same contract. Staff: Scott Cooley.**

- 5.1 Councilmember Vawdrey moved to approve the consent items. Councilmember Summerhays seconded the motion.
- 5.2 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.
- 6.0 **Action Item: Approval of Resolution #19-46, Voter Participation Areas Map, a resolution adopting a voter participation area map to comply with HB 119 codified as Utah Code Ann. § 20A-7-401.3.**
- 6.2 Councilmember Green moved to table item 6 to a later time in the meeting. Councilmember Lowery seconded the motion.
- 6.3 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.
- 6.4 Mr. DuShane explained the City was required to create four voter participation areas for referendums. He explained the requirements for the areas and displayed the boundaries they had chosen. He then discussed the methodology they used for making these choices.
- Councilmember Summerhays said he did not think it looked equal. Mr. DuShane said it was equal, and further added they would have the opportunity to redraw the areas in three years.
- 6.5 Councilmember Weeks moved to approve Resolution # 19-46, Voter Participation Areas Map. Councilmember Vawdrey seconded the motion.
- 6.6 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.
- 7.0 **Public Hearing: Ordinance #1398, Money Zoning Map Amendment. This item was continued from the July 16, 2019 City Council meeting.**
- 7.1 Dan Boles, Planner, presented the staff report and explained that this was a request to rezone the area. The change would only allow one more single-family home on the lot. Some residents spoke at the Planning Commission meeting during its public comment period on this item, and the Commission recommended denial.
- 7.3 Councilmember Weeks asked how this would fit, to which Mr. Boles responded they would have to make the property a flag lot. Referencing an aerial map of the subject property, he then demonstrated how the lot could be subdivided.
- 7.5 Ryan Money, applicant, explained he had met with members of the community and revised their application to request a R2 zone. He noted this was a difficult situation as they were in between commercial zoning.

- 7.6 Councilmember Lowery asked if the existing home would stay, to which Mr. Money responded in the affirmative.
- 7.8 Councilmember Green asked if the expansion of 700 West would prevent the subdivision. Mr. Money said this was possible.
- 7.9 Mayor Pro Tem Lowery opened the public hearing.**
- 7.10 Barbara Wilson, neighbor to the applicant, said she did not understand why this item was postponed. She said no one knew this was the new meeting date to discuss this item. She said she was concerned that if this was allowed all the homes would want to have flag lots.
- 7.11 Judy Player, neighbor to the applicant, suggested the applicant remove the old home because it was run-down. She explained this neighborhood was meant to be one-acre zoning and it should remain as such.
- 7.12 Mayor Pro Tem Lowery closed the public hearing.**
- 7.13 Mr. Money stated he was not technically a part of the neighborhood.
- 7.15 Councilmember Green asked if the meeting was properly noticed. Mr. Boles responded it was on an earlier agenda which stated that it would be continued to this date. The public sign did not have the correct date. Mike Barker, City Attorney stated they continue this item to a date certain and change the date on the sign, or the Council could continue hearing the item and there is a thirty day window for someone to challenge the decision made. Councilmember Green replied the item had been noticed twice on the Public Notice Website and felt that was sufficient.
- 7.16 Councilmember Green moved to approve Ordinance #1398, Money Zoning Map Amendment. Councilmember Summerhays seconded the motion.**
- 7.17 Councilmember Weeks stated a flag lot would interrupt the flow of the neighborhood. She said they should preserve all the one acre lots in Draper.
- 7.18 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, and Vawdrey, voting in favor. The motion passed 4 to 1.**
- 8.0 Public Hearing: Approval of Ordinance #1399 and #1400, Marion Vista Zoning Map and Text Amendment Requests for approximately 6.5 acres located at approximately 14875 S. Minuteman Drive. The applicant is requesting to rezone the property to a newly created mixed use zoning district called Major Freeway Arterial Frontage Road (MARF).**
- 8.1 Maryann Pickering, Planner, presented the staff report as well as an aerial map of the subject property. She then discussed the proposed text amendments, and continued by

discussing the height restrictions, parking, and landscaping. The Planning Commission forwarded a positive recommendation.

- 8.2 Councilmember Summerhays asked if they would review future site plans if this was approved. Ms. Pickering said they would not see future site plans in the development.
- 8.3 Councilmember Weeks asked about the height restriction. Ms. Pickering explained that the buildings would not go over seven stories high. There was only one other building in the City that was 100 feet high. Councilmember Weeks asked how they would meet the open space requirement. Ms. Pickering responded the roof top would be considered open space. Councilmember Weeks asked about the parking. Councilmember Weeks said she was concerned about the 10-foot setbacks and the sidewalk requirements. She asked if there had been a traffic study done. Ms. Pickering responded the developer would be responsible for the study and for any improvements.
- 8.4 Bruce Baird, representative of the applicant, introduced himself and his staff, and gave a brief history of the property. He explained their setback requirements were equal to other developments they had made. He said the 100 feet height limit was about seven stories. This was done as a convenience, but he did not think they would have buildings 100 feet high.
- Mr. Baird continued to explain they were challenged to make the landscape requirements because of the awkward site shape. He noted they were willing to make changes to the sidewalk requirements. He said it was not fair to make their development bear the burden of all the road improvements; there were other lots that should bear the cost.
- 8.5 Councilmember Lowery stated she had received emails from residents concerned about the buildings affecting hang-gliders. Mr. Baird responded they had not done any studies concerning this issue. He said they would be willing to consider any concerns.
- 8.6 Councilmember Weeks commented they had received over 70 negative complaints on social media on this item.
- 8.7 Mayor Pro Tem Lowery opened the public hearing. No one came forward, so Mayor Pro Tem Lowery closed the public hearing.**
- 8.8 Councilmember Weeks moved to continue until a traffic study is done. The motion failed due to lack of a second.**
- 8.9 Councilmember Summerhays stated this was a perfect location for this type of development. Councilmember Vawdrey agreed, stating that she wanted this location to have a mixed use.
- 8.10 Councilmember Green moved to approve Ordinance #1399 and #1400, Marion Vista Zoning Map and Text Amendment with the following amendments, to include a 60/40**

split, Tree Strips, and the UDOT Standards apply and the applicant pay their fair share of any road improvements. Councilmember Summerhays seconded the motion.

**8.11 Councilmember Vawdrey amended the motion that residential space would not occupy more than 60% of the property, shared parking be allowed, building foot print landscaping amenities open space setbacks and parking, a map showing the delineation of the residential use acreage and shared parking shall be provided with the first site plan submitted in the marked zone and any submitted subdivision applications shall reflect the use and share parking delineation, a traffic impact study be required for any residential and nonresidential uses, hotel parking be increased by one per room. Councilmember Green seconded the amended motion.**

8.12 Councilmember Weeks stated she wanted a traffic study before making a vote.

**8.13 A roll call vote was taken on the amended motion with Councilmembers Green, Summerhays, and Vawdrey, voting in favor. The motion passed 3 to 2.**

#### **9.0 Council/Manager Reports**

#### **10.0 Adjournment**

**10.1 Councilmember Green moved to adjourn the meeting. Councilmember Summerhays seconded the motion.**

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

10.3 The meeting adjourned at 8:20 pm.