

Approved November 19, 2019

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, OCTOBER 8, 2019, 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 (by phone)

EXCUSED:

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; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Christina Oliver, Director of Community Development, Clint Smith, Fire Chief, and Bob Wylie, Finance Director

Dinner

Study Meeting

1.0 Council/Manager Reports

David Dobbins, City Manager, discussed the Ballard Arena Programming. He explained they were organizing the Motocross challenge and other activities. He asked the Council if they wanted to have restrictions to the arena. Councilmember Summerhays stated that it was problematic because some activities affected the arena more than others. He said it was not practical to use City staff to maintain the facilities.

Rhett Ogden, Parks and Recreation Director, said their staff was already stretched thin. They would not be able to handle additional responsibilities with the arena. Councilmember Weeks asked how much the Motocross challenge cost the cities. Mr. Ogden responded that he did not know.

Mr. Dobbins explained the cost of the activities needed to account for the damage to the arena. He asked if they should restrict noise or other possible issues. Councilmember Weeks said she wanted to have sponsors to offset the events.

Mr. Dobbins continued by discussing code enforcement. He explained the City enforced code only when there were complaints. Councilmember Lowery said this process was a problem because there was a neighborhood that was using this enforcement to harass each other. Mr. Dobbins said this was a problem because they were making these complaints anonymously. He asked the Council if they should continue to allow anonymous complaints. The Council agreed to keep the complaints anonymous.

Russell Fox, Assistant City Manager, explained the State now allowed for cannabis facilities. He said they needed to discuss how the City would handle the new law. The State only allowed

for one agricultural zone and one industrial zone. The City would be allowed to grow cannabis in the agricultural zone.

The parameters to allow the cannabis facilities were like facilities that sold alcohol. Mr. Fox explained the few differences. He also discussed the procedure necessary for these businesses to operate within the City. He noted the Council could add additional restrictions if they were inclined.

Councilmember Green noted that cannabis was still illegal on the federal level. He was concerned with the implications of federal charges that were possible.

Councilmember Summerhays reported that the County's cities needed to discuss secondary water. He explained there were things the City needed to do to save water. He continued by commenting they needed to begin the process to build the cemetery. Councilmember Weeks said she was concerned about bonding for the cemetery. It was agreed they should pursue the construction of the cemetery.

Business Meeting

1.0 Call to Order: Mayor Troy K. Walker

2.0 Thought/Prayer and Pledge of Allegiance

2.1 Rhett Ogden, Parks and Recreation Director, offered the prayer.

2.2 Jake Sorensen led the Pledge of Allegiance.

3.0 Recognition: 2019 Canyons District Teachers of the Year

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 No one came forward, so Mayor Walker closed public comment

5.0 Consent Items

- a. **Approval of September 10, 2019 and September 24, 2019 City Council Meeting Minutes.**
- b. **Approval of Resolution #19-55, nominating Ronald E. Sperry and Reed Gibby to the Jordan Valley Water Conservancy District.**
- c. **Approval of an amendment to Interlocal Agreement #17-266 with Salt Lake**

County, for re-allocation of funds.

- d. **Approval of Resolution #19-56, a resolution of the Draper City Council authorizing the execution by the Mayor of a franchise agreement between Draper City and Teleport Communications America, LLC, for the installation of fiber optic lines to connect small cell sites.**

5.1 **Councilmember Green 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 **Public Hearing: Approving Ordinance #1406, amending the official Zoning Map of Draper City for approximately 1.40 acres of property from RA1 (Residential Agricultural, 40,000 Square Foot Lot Minimum) to RA2 (Residential Agricultural, 20,000 Square Foot Lot Minimum) Located at 570 East Stokes Avenue within Draper City, otherwise known as the Shipp Investments Zoning Map Amendment. (Legislative Action) On the request of Nate Shipp for approval of a zoning map amendment in order to change the zoning from RA1 (Residential Agricultural, 40,000 Square foot lot minimum) to RA2 (Residential Agricultural, 20,000 square foot lot minimum). The property is located at 570 East Stokes Avenue and is approximately 1.40 acres.**

6.1 Dan Boles, City Planner, presented the staff report as well as an aerial map of the subject property. He showed how the zoning would match with the surrounding properties.

6.2 Councilmember Weeks asked if a road would be built around the back of the home. Mr. Boles responded that this was not currently in the plans.

Councilmember Summerhays asked about the home size. Mr. Boles responded the applicant would meet the size requirements, but it would be a tight fit. The space would accommodate two homes.

6.3 Nate Shipp, applicant, explained they wanted to have more room for their horses. They were able to create more space by purchasing their neighbors' home. He explained they had no plans to demolish any of the existing homes.

6.4 **Mayor Walker opened the meeting for public comment, no one came forward so Mayor Walker closed the meeting for public comment.**

6.5 **Councilmember Lowery moved to approve Ordinance #1406, amending the official Zoning Map of Draper City. Councilmember Green 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: Provide Local Consent for a Limited-Service Alcohol License for BRMC Draper DBA Spitz. (Administrative Action)

7.1 Russ Fox, Assistant City Manager, explained this restaurant met all the requirements for an alcohol license set by the State.

7.2 Mayor Walker opened the public hearing.

7.3 Marcia Day, resident, commented she was concerned about the limited parking. She explained the alcohol would entice more people and create traffic problems. She said she was also concerned that there were a lot of high schoolers in this area.

7.4 Mayor Walker closed the public hearing.

7.5 Councilmember Green asked if a traffic study was required, and the answer was no. Councilmember Green then commented the school distance requirement was met and this should not be a problem.

7.6 Councilmember Green moved to approve the Local Consent for a Limited-Service Alcohol License for BRMC Draper DBA Spitz. Councilmember Summerhays seconded the motion.

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

8.0 Public Hearing: Approving Ordinance #1405, amending the text of the Land Use and Development Code of the Draper City Municipal Code relating to commercial building height in the CSD-DP (Draper Peaks Commercial Special District) Zone. (Legislative Action) On the request of Alan Melchior for a text amendment to the CSD-DP (Draper Peaks Commercial Special District) zone, Draper City Municipal Code Section 9-18A-040 regarding commercial building height.

** *Councilmember Summerhays recused himself from Item 8.*

8.1 Jennifer Jastremsky, City Planner, presented the staff report as well as an aerial map of the subject property. She noted that the Planning Commission unanimously voted in favor of the item.

8.2 Councilmember Weeks asked for a copy of the presentation by email.

8.3 Alan Melchior, applicant, introduced himself and noted that he built several hotels in Draper and throughout Utah. He said the hotel needed to be a certain size to be profitable. He asked they approve the four-floor design so he could be successful.

8.4 Mayor Walker opened the public hearing.

- 8.5 Daniel Griffey, Sandy resident, stated his office had been in Draper for many years. He said he thought this was a good idea for Draper as it would bring in some tourists.
- 8.6 **Mayor Walker closed the public hearing.**
- 8.7 **Councilmember Green moved to approve Ordinance #1405, amending the text of the Land Use and Development Code of the Draper City Municipal Code. Councilmember Vawdrey seconded the motion.**
- 8.8 **A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**
- 10.0 **Adjournment**
- 10.1 **Councilmember Green moved to adjourn the meeting.**
- 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 7:32 p.m.