

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, AUGUST 20, 2013, IN THE DRAPER CITY COUNCIL CHAMBERS 1020 EAST PIONEER ROAD, DRAPER, UTAH.

“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”

PRESENT: Mayor Darrell Smith, Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Troy Walker.

STAFF PRESENT: David Dobbins, Doug Ahlstrom, Angie Olsen, Keith Morey, Glade Robbins, Bob Wylie, Joe Bryant, Garth Smith, Rhett Ogden, Russ Adair, and Jennifer Jastremsky.

STUDY MEETING

1.0 Dinner

2.0 **Adjourn to Closed Meeting** to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an individual.

3.0 **Adjourn to Redevelopment Agency Meeting**

BUSINESS MEETING

[7:01:19 PM](#)

1.0 **Call to Order**

1.1 Mayor Smith called the meeting to order and welcomed those in attendance.

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2.0 **Comment/Prayer and Flag Ceremony**

2.1 Representatives of Boy Scout Troop 931 were in attendance. Jake Woolstene offered a prayer and Aaron Jackson led the audience in the pledge of allegiance.

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3.0 **Citizen Comment**

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3.1 Alan Turnbridge, 781 E. 11900 S., stated he wanted to talk to the Council about a subject that has been discussed previously and that is the subject of the new TRAX line in Draper. He stated the sound levels of TRAX are well above the levels the Utah Transit Authority (UTA) told people they would be. He stated he talked to a spokesman for

UTA tonight and he admitted that they told people that trains would run on a 15 minute schedule, but coming into Draper the trains go in and out so they are actually on a six minute schedule. He stated a resident living near the Sandy station has already recorded sound levels up to 75 decibels generated by the trains. He stated he has ridden TRAX trains a lot and he has never heard trains as loud as they are in Draper and he does not know why that is the case; when testing was done the trains were ran very slow with only two cars and the sound was not too loud or problematic, but closer to the test period the speeds were increased and there were four cars per train and the sound levels are very loud. He stated the noise starts at 4:45 a.m. and goes every six minutes for 18 hours per day; every six minutes there is a 75 decibel noise going by his house and that is almost like living under a landing path at an airport. He stated when the sound walls were placed UTA said that it would be nearly impossible to hear the trains, but the sound wall made of concrete near his house has a gap of about 150 feet near the station and it seems to increase the sound of the train by 50 percent. He stated he saw a spokesman from TRAX on the Channel 13 news last night that reported the project is \$300 million under budget and he wondered why they are so much under budget. He asked if they used low quality steel in the rails or if they bought train cars that did not have shielding on the motors. He stated this project should be follow up on and Draper City should take the lead to make sure TRAX constructs an installation that is better than any other TRAX installation in the State of Utah. He stated that in the modern world it would be sensible for the best systems to be put into the new installations and they would be quieter and better and Draper City needs to follow up to make sure that is accomplished. He stated the noise from the TRAX is not heard in other cities along the line and he thinks there will be many more people commenting about this issue because it is ruining their quality of life in Draper. Mayor Smith stated the City is looking into the issue and he thanked Mr. Turnbridge for his comments.

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3.2 Jeff Crommburger, 323 S. 1850 E., Springville, stated he would like to know what procedure he needs to follow to bring an issue to the Council. He stated there is a car wash he wants to remove from his property and the building he wants to build in its place is consistent with the other buildings in the area, but for some reason it does not meet the City's standards. Mayor Smith referred Mr. Crommburger to David Dobbins to determine the development process he needs to follow. Mr. Dobbins stated that he has talked to Mr. Crommburger and there are some aspects of his proposed development that do not conform to the land use section of the Draper City Municipal Code (DCMC). Mr. Crommburger stated that the project is not too far from meeting the DCMC and the building he planned to construct is very nice, but in order to build it he needs the Council's approval and he would like to show them the details of his project. He stated it is very attractive and would be very beneficial to the City. He stated someone else has been trying to run a carwash at the property, but it has not been profitable and he is now trying to help out by bringing in a new tenant that would generate new revenue dollars. Mayor Smith stated that the concept is great and it would be a great area for development, but Mr. Crommburger needs to work with the Community Development Department of the City to proceed with the process.

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3.3 Jeremy Mitchell, 264 W. 13240 S., stated he lives across from the Allegro Apartments and he has owned a home there for four years. He stated on-street parking is not allowed in that area, but he owns a watercraft that he does not have room for on his property so sometimes he parks it on the street and that results in him receiving a citation. He stated that oftentimes he has visitors to his property that stay until 10:00 or 11:00 p.m. and when they leave they find a citation on their window. He stated it has been so common and it has cost he and his friends and family hundreds of dollars. He stated he understands the City Council has been very kind to respond to complaints about on-street parking related to the apartment complex and no parking signs were installed to appease the neighbors, but he would request that homeowners living on the street be given some sort of pass that would allow them to park on the street without the risk of receiving a citation; visitors and friends could also visit without receiving a citation. He stated that during the winter the no on-street parking rules could be enforced to accommodate snow plows. He stated he feels very restricted and he believes a lot of his neighbors do as well and he thinks this is a fair proposal and he would like the Council to consider it. Mayor Smith asked Mr. Mitchell and Mr. Dobbins to exchange contact information to further discuss the issue. He stated he and the Council will discuss Mr. Mitchell's request further. Mr. Mitchell thanked the Council for their consideration and stated that he recently received another citation; he has appeared before a judge to plead his case, but the judge has no choice but to uphold the law. A short discussion regarding the idea of a parking pass program ensued and Mayor Smith again thanked Mr. Mitchell for his comments.

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4.0 Consent Items

- a. Approval of Minutes of July 30, 2013
- b. Accept the Dedication Plat for Right-of-Way along 700 East from 12830 South to Golden Pheasant Drive and Authorize the Mayor to sign the Owner's Dedication
- c. Approve the Auction of Surplus Property via TNT Auctions Contract #12-99
- d. Approval of **Amendment #1 to Agreement #12-85** with Hartley & Associates for Professional Lobbying Services extending the contract term through 06/30/2014
- e. **Resolution #13-44**, Appointing the City Manager to serve as the Draper City Budget Officer
- f. **Resolution #13-46**, Accepting the FY2014 Utah State Asset Forfeiture Grant Award
- g. Public Lands Day Proclamation

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4.1 A motion to remove item c from the list of Consent Items Councilmember Rappleye and seconded by Councilmember Colbert. All voted in favor.

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4.2 A motion to approve the Consent Items a, b, d, e, f, and g was made by Councilmember Rappleye and seconded by Councilmember Colbert.

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4.3 A roll call vote was taken with Councilmembers Rappleye, Colbert, Stenquist, Walker, and Summerhays voting in favor. The motion carried.

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4.4 Councilmember Rappleye asked for additional details regarding the cost to use TNT Auctions to dispose of surplus property and how much money is generated by the auction of the property. Finance Employee Joe Bryant stated he does not have firm numbers to provide to the Council this evening, but TNT's commission rate is six percent; if the items are sold via public surplus the commission charged is seven percent and the City is responsible to administer the sale of the vehicles including the transfer of the title to the buyer. He stated that TNT will handle all of that paperwork upon sale of any of the surplus vehicles. He added the stated values for the surplus vehicles to be sold are low estimates and in the past the City has earned more on a sale through TNT than was originally estimated.

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4.5 Councilmember Rappleye moved to approve Item c. Councilmember Walker seconded.

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4.6 A roll call vote was taken with Councilmembers Rappleye, Colbert, Stenquist, Walker, and Summerhays voting in favor. The motion carried.

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5.0 Resolution #13-47, Amending the Draper City Consolidated Fee Schedule Regarding the Reservation and Rental of the Equestrian Center Parking Lot. Staff Presentation by Rhett Ogden.

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5.1 Recreation Director, Rhett Ogden explained there have been a number of event organizers request to use the Equestrian Center parking lot for various reasons, of which he named a few, and as a result there have been instances where it was not possible to rent the Equestrian Center itself because the parking lot was already being used for another event. He stated that staff feels the implementation of a separate fee for the rental of the parking lot would be appropriate; the fee would accomplish a couple of things, such as informing the City of who exactly is using the parking lot and helping to recoup any costs associated with cleaning the facilities after an event. He reviewed the area of the parking lot that would be available for rent and stated the proposed fee is \$50 and it would be in addition to any special event permit.

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5.2 Councilmember Stenquist stated this could be a tricky issue; there may be a trail run event in the area and participants may use some spaces in the parking lot, though a lot of space would still be available and other users would not be prevented from parking in the parking lot. He added however that kind of event would take up a lot of space and he can understand the desire to manage the area and avoid double bookings at the Equestrian Center. He stated the Council took a field trip up Corner Canyon on a Tuesday night and there was a mountain bike race taking place and the parking lot was completely full of RVs and tents. He stated he feels \$50 is a reasonable fee and it may not even cover the City's costs to clean the restrooms and facilities after an event, but if the fee is only associated with using the parking lot there may not be a need to do too much cleaning. Mr. Ogden agreed and stated the restrooms are open all the time and there can be somewhat heavy traffic from everyday users, but when there are additional events that bring a lot of people to the parking lot it does become necessary to clean the facilities more frequently. He stated the parking lot fee would be charged for those types of events.

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5.3 Mayor Smith asked if paying the parking lot rental fee would allow an event organizer to set up a canopy or tent in the parking lot. Mr. Ogden answered yes and noted rules and regulations regarding use of the parking lot will be outlined in the event permit.

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5.4 Councilmember Rappleye asked how the fee was determined and he asked if other cities have a similar fee. He stated he is wondering if \$50 is actually enough to cover the City's costs. Mr. Ogden stated he could not find a parking lot rental fee in other cities and he recommended \$50 because he did not want the overall fee for a special event to be too high and deter event organizers from bringing their event to the area. Councilmember Rappleye asked if staff believes \$50 will cover the actual costs associated with renting the parking lot, to which Mr. Ogden answered yes.

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5.5 Councilmember Stenquist clarified that the \$50 parking lot fee will not give the renter exclusive access to the parking lot. Mr. Ogden stated the person paying \$50 will have exclusive access to the parking lot and they will have the ability to set up a tent or structures in the parking lot. A short discussion regarding what those paying the \$50 fee will be allowed to do in the parking lot then commenced and Mr. Dobbins explained the main purpose of the fee is to help cover coordination of the parking lot as well as the facilities associated with the Equestrian Center. He added the fee can be evaluated over the next several months to determine if it is appropriate.

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5.6 **Councilmember Stenquist moved to approve Resolution 13-47. Councilmember Colbert seconded the motion.**

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- 5.7 Councilmember Stenquist stated he thinks the fee seems reasonable and he feels it will help to gauge the use of the parking lot and he is hopeful it will cover the minimal costs incurred by the City.

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- 5.8 Councilmember Colbert stated many people may not know there is a secondary access to the parking lot and he wondered if it would be appropriate to install signage regarding the access. Mr. Ogden stated the secondary access is usually blocked and there is truly only one way in and out of the parking lot. Councilmember Colbert stated that someone renting the parking lot must understand that they need to allow access to the lower part of the parking lot. Mr. Ogden agreed and stated that will be specified in the event permit.

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- 5.6 **A roll call vote was taken with Councilmembers Rapple, Colbert, Stenquist, Walker, and Summerhays voting in favor. The motion carried.**

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- 6.0 Ordinance #1056 and Ordinance #1055 Amending the Official General Plan Map and Official Zoning Map of Draper City for approximately 6.06 acres of property located at approximately 14178 South Bangerter Parkway from the OS Open Space Land Use to the CC Community Commercial Land Use and from the R3 Residential zone to the CG General Commercial zone. This application is otherwise known as the Utah Truffles General Plan and Zoning Map Amendments, Staff Presentation by Jennifer Jastremsky.**

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- 6.1 Jennifer Jastremsky explained Utah Truffle is considering locating their processing plant to Draper City; they plan on having accessory uses including a retail store, reception center, and public tours of the factory; the property they are considering purchasing is located at 14178 South Bangerter Parkway and she oriented the Council to the location of the subject property. She stated the property currently has an open space land use designation and the applicant is requesting a community commercial designation, which is intended for commercial uses that are destination oriented and strategically placed along high traffic corridors. She noted that given the unique concept proposed by the applicant, staff does believe the proposal meets the intent of the community commercial land use designation. She noted the property is zoned R3 Residential and the applicant is proposing to rezone the property to CG General Commercial; that zone is intended for commercial uses which are not located within a shopping center. She stated the CG zone does allow several uses that may pose a conflict with the nearby residential developments, including the manufacturing limited use that the applicant is proposing. She stated manufacturing limited is defined as a manufacturing use which produces no noise, odor, vibration, or other impacts that can be seen from the outside of the building. She noted that staff visited Utah Truffle's current business site and based on that visit the

use meets that definition. She reviewed photos taken during the staff visit and explained the Planning Commission reviewed the proposal on July 18 and found that, while there are concerns about the potential effect on the neighborhood, the site plan and conditional use permit review process would allow for mitigation of the concerns by requiring buffering and other conditions. She stated staff shares that same view and recommends the City Council grant approval for the land use amendment and property rezone.

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6.2 Councilmember Colbert said his questions was more specific for to the site plan for the project, but he asked if there will be a lot of truck traffic on Bangerter Highway and the residential streets in the area. Ms. Jastremsky stated staff and the Planning Commission have not discussed that issue because it is a site plan issue, but she is aware that the Engineering Department did have concerns about truck traffic associated with the development. She added, however, that it is her understanding that Utah Truffle does not use larger diesel trucks at their current facility and they do not plan to use them at this new location either. Councilmember Colbert stated there is a lot of residential frontage in the area of the subject property and he is sure the residents would not appreciate late evening or early morning truck traffic and he would like for staff and the Planning Commission to consider that as the development proceeds. Ms. Jastremsky stated staff, and more notably the Engineering Department, will look into that issue.

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6.3 Owner, Jacob Cavanaugh, 14120 Senior Band Road, provided a brief overview of the business model for Utah Truffle highlighting some of the other brands associated with his business. He added there will seldom be trucks coming to the property for delivery; the product is usually transported for distribution in a smaller truck on one or two pallets.

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6.4 Mayor Smith opened the public hearing.

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6.5 Paul Robie stated he is the Pastor of the South Mountain Church and his church owns the road that would be used for truck access to the subject property. He stated he would really like a business like this to be located across the road from the church instead of residential due to parking issues and sound issues. He noted there have been a few residents in nearby residential areas that have complained about the sound associated with the church and for that reason he would prefer to have something other than a residential development there. He added the shared parking opportunities that are present with another business would be very advantageous to the church and he is a fan of this idea.

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6.6 Mr. Cavanaugh added that the ultimate goal of the project is to be a part of the community; he would love to run daily tours through the factory and have the community involved that way. He stated the idea is to have visitors come and have a hands on

experience with the chocolate and use some of the equipment; that function has been very popular at his current location, but it is by the airport and not many people are willing to travel that far. He stated he would like this facility to be a destination point and the brand is very recognizable.

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6.7 There being no additional persons appearing to be heard, Mayor Smith closed the public hearing.

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6.8 Councilmember Stenquist moved to suspend the rules. Councilmember Rappleye seconded the motion. All voted in favor.

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6.9 Councilmember Stenquist moved to adopt Ordinance 1056 and Ordinance 1055 Amending the Official General Plan Map and Official Zoning Map of Draper City for approximately 6.06 acres of property located at approximately 14178 South Bangerter Parkway from the OS Open Space Land Use to the CC Community Commercial Land Use and from the R3 Residential zone to the CG General Commercial zone. Councilmember Rappleye seconded the motion.

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6.10 Councilmember Stenquist stated this sounds like a great project and he is happy about the plans to locate the facility in Draper and to involve the community in the project. He stated he hopes the project is successful and it sounds like it will be a compatible use with the neighborhood. He added Bangerter Highway is a busy road and this may provide a buffer to the residents between their properties and other commercial uses in the area. He stated he feels it will be a low impact use on the neighborhood.

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6.11 Councilmember Walker stated he would like the applicant to address the concerns related to traffic and he is concerned about the small street between the subject property and the church becoming a high speed thoroughfare. He stated he is supportive of the project, but he would like to see something done to slow traffic in the area. He stated he would be in favor of traffic calming devices used on the road.

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6.12 Councilmember Rappleye stated he is an employee for the Chamber of Commerce and he feels this will be a great asset to the City. He stated uses like this will bring people to the City similar to other businesses in the area. He stated people will want to come to visit the facility and participate in the hands on experience referenced by Mr. Cavanaugh.

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6.13 Councilmember Colbert agreed with the comments of the other Councilmembers and stated this may be similar to the Mars facility in Las Vegas.

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6.14 Mayor Smith inquired as to the number of people employed at the facility. Mr. Cavanaugh stated currently he employs 48 people and that has grown from 12 in January of 2013.

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6.15 A roll call vote was taken with Councilmembers Stenquist, Rappleye, Walker, Summerhays, and Colbert voting in favor. The motion carried.

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7.0 Abutting Homeowners of the Spring Hollow Trail Request for Hardship Permits. Presentation by Jim Mitchell and Ken Murdock.

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7.1 Kevin Murdock, 1198 E. Gavin Circle, stated he appreciates all the Council and Mayor have done for the City and he provided a brief history regarding the area in question focusing on the fact that the portion of property between the residential properties and the Spring Hollow Trail had not been landscaped and the lack of landscaping was causing erosion, which was damaging the trail. He noted homeowners were asked to landscape the property to prevent further damage to the trail and they were instructed not to build any permanent structure on the property; the result is that the trail is the most beautiful corridor in Draper City. He added that to now come back to residents at this time and try to require them to purchase the land is unbelievable. He stated he feels the residents and the City Manager have come up with a legal solution to this problem and he stated Jim Mitchell would review that solution for the Council.

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7.2 Mayor Smith asked Mr. Murdock if the trail is open to equestrian use. Mr. Murdock answered yes and it is regularly used for that purpose.

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7.3 Jim Mitchell, 14033 S. Old Saddle Road, stated he is an original homeowner in that subdivision and he is here tonight representing the 22 homes along the Spring Hollow Trail; they are requesting that the City grant a hardship permit to deal with the encroachment issue. He stated if any of the original homeowners had thought that their actions taken 15 years ago at their expense to help the City solve the erosion problem on the trail would lead to this situation they all would have made a different decision; they would have told the City they would have had to solve the erosion problem some other way. He stated that he has provided a packet of information to the Council regarding this issue and he noted he feels the homeowners meet the criteria in the Draper City Municipal Code (DCMC) to be granted a hardship permit. He noted that if the permit is granted the homeowners agree to file a written disclosure with the City to meet the conditions stated in the DCMC and to identify the City property the homeowners will install permanent corner lot markers at their own expense. He stated that over 15 years

ago the City of Draper and the Trails Committee came to the 22 homeowners along the Spring Hollow Trail and asked for help to solve the erosion problem; wanting to be good neighbors they all stepped up and helped and tonight they are asking the City Council to help solve this problem by granting the hardship permit. He reviewed some photographs of the trail and the abutting properties to conclude his report.

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7.4 Councilmember Colbert asked if there are any permanent structures on any of the properties. Mr. Murdock stated there is one trampoline that he is aware of that could be considered a permanent structure. Mayor Smith asked if the trampoline is set in the ground, to which Mr. Murdock answered yes. He then stated there are many more facets to this issue, but the responsibility ultimately lands on the shoulders of the Trails Committee and the City. He stated the solution that is being recommended tonight is a good solution.

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7.5 Councilmember Colbert stated some of the residents living along the trail own dogs and those dogs may be on City property; he asked if the City would assume liability for any dog bites that occur on City property. City Attorney Ahlstrom stated the dog bite would be dealt with regardless of whose property it occurred on and there is no more liability on the City's part if the bite occurred on City property.

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7.6 Councilmember Stenquist asked Mr. Ahlstrom if he had reviewed the proposal and to provide his opinion. Mr. Ahlstrom stated he met with Mr. Mitchell last March and that is what precipitated the presentation tonight. He stated this does qualify for a hardship permit and the City in 2001 did provide a revocable permit to some of the property owners, but he was not able to find a copy of the permit that was recorded. He stated this matter also arose again in 2006 and the City hired an open space specialist who was tasked with finding all encroachments in the City and addressing the removal of those encroachments. He noted these properties were identified throughout that process and some of the homeowners along the Spring Hollow Trail moved their fences to enclose the City's property as part of their backyard. He noted that when those properties changed hands the new owners were not aware that some of the property belonged to the City and they complained that they had paid a premium for their property not knowing that the entire backyard area did not actually belong to them. He stated the City does appreciate the landscaping and it is necessary in order to prevent the erosion of the sandy soil; City ordinance allows for City property abutting private property to be landscaped by the private property owner, but it does not allow for permanent structures. He stated that in some instances the City has asked people to remove their sprinklers from City property on which they were encroaching. He stated the biggest issue is the properties that have extended their fences in order to encompass the City property as part of their own property; those homeowners have no right to claim the property as their own and as private property to be used for their personal benefit. Councilmember Stenquist stated he is thrilled to hear there is a potential solution to the problem and one thing he has heard is

that the developer actually installed the fence. Mr. Murdock stated that is correct and he noted the developer did that because he was instructed to do so by the City.

Councilmember Stenquist stated that is correct because the City did not want a 50 foot wide right of way for the trail. He stated he does not think it is reasonable for the City to expect the residents to relocate the fence.

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7.7 Councilmember Colbert agreed with Councilmember Stenquist and stated he remembered some of the past discussions regarding this issue. He stated he feels this is a unique case and he likes the concept of the residents marking the actual property corners so that future potential owners will understand that where their property ends and the City's property begins and that the fence is actually owned by the City. Councilmember Colbert stated his feeling is that the trampoline should be removed, but the existing landscaping should remain; however if it is necessary to build a 50 foot road on the right of way in the future, the property does belong to the City and the residents would have no claim to it.

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7.8 Mr. Ahlstrom stated that in 2006 the Council directed him and the open space consultant to offer for sale to the residents the property abutting their property for them to fence at their own; the proposed sale price was \$9 per square foot. He noted that at that time Councilmember Davis indicated she did not want the property line to zigzag through the area. He added that most of the properties were bank-owned and the banks were not interested in purchasing the property from the City.

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7.9 Councilmember Colbert stated he does not want to sell the property at this time and he would prefer that the City enter into an agreement with the residents offering a hardship waiver and requiring property markers. He stated he feels the City should maintain ownership of the right of way. Mayor Smith agreed.

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7.10 Councilmember Rappleye asked Mr. Murdock if there is any way to address this issue on a plat so that future buyers of these properties do not assume that they own the City's property that abuts their property. Mr. Murdock stated that the property markers will be required by the permit and they will be very large and hard to miss. He explained these types of issues are identified on a title report for the property. Councilmember Rappleye stated that was his concern; he wants to make sure future buyers are protected.

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7.11 Mr. Dobbins pointed out that some of the property owners have fenced in the City's property as part of their property. He also added that this is not an action item and if the Council decides to proceed it will be necessary to draft individual agreements with each property owner and present those to the Council for final consideration. Mr. Mitchell stated he has talked with all 22 homeowners and they are willing to enter into the

agreement. He added that when he moved to the area 15 years ago the strip was described as an easement and he planted grass on the easement with the understanding that if the City ever needed to use the property for something else they would not be required to replace any landscaping that they damaged in the process. Mayor Smith asked if the agreements could be on the next Council agenda. Mr. Dobbins answered yes. A discussion about recording the agreements and who would bear the cost of those recordings then ensued. Mayor Smith thanked everyone that has been involved in this issue and those that residents that are present this evening.

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8.0 Council/Manager Reports

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8.1 Councilmember Walker referenced the drainage basin by Smithfield Park and stated that it is a 'weed patch' and he wants to create a plan to better maintain the basin. Mr. Dobbins stated there have been several discussions about how to use the basin, but the direction of the Council was to let the basin exist in a natural state. Councilmember Walker stated he does not remember that discussion and he thought the plan was to have no weeds in the basin. He stated he would like to have another discussion about the basin because it is currently an eyesore. Mr. Dobbins stated he will come back to the Council with some options for them to consider relative to other uses for the basin.

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8.2 Councilmember Stenquist stated he has received some requests from residents; on the corner of Bangerter Highway and Highland where the pavement replacement project is currently underway, there are many people that run in that area and some have told him that the crosswalk in that area is in an awkward place and it is a fair distance away from the pedestrian signal. He suggested that the crosswalk be repainted to correct this problem while the construction project is underway. He then stated that the other day he passed by the gazebo and landscaped area at the top of Suncrest Drive and Traverse Ridge and it looks very nice; the project is not complete, but what has been done to this point looks very nice. He then talked about the layout of roads in the area of 1840 East and stated he has heard residents there complain about a road that has been used as a 'short cut' road and he was asked if the City can install any traffic calming devices on the road. He stated he hates speed bumps and his suggestion would be to stripe the roads to make it appear narrower. He stated that has been done in other areas of the City and it has been effective. Mr. Dobbins stated he will ask the Public Works Department to check into the issue.

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8.3 Councilmember Rappleye advised there is a ribbon cutting for Savers on Thursday morning at 8:40 a.m. He then stated he would like to bring the fence reimbursement agreement to a vote for the fence along 700 East. He reviewed some of the details of the agreement and stated he would like Mr. Dobbins to research the issue and add it to a future agenda for a vote. Mr. Dobbins stated the agreement will require a budget

opening, but the Council can direct staff to proceed with the agreement and account for it in the budget at the next budget opening public hearing. A short discussion about the cost of the fence and the budgeted amount then ensued and the conclusion was that the City's portion of the project would be \$45,000 and the other parties of the agreement would be required to submit proof of the price they have paid to install their fence in order to receive reimbursement.

Councilmember Rappleye then stated that the Council received an email about the safe walking route across Rambling Road at Vestry and he asked that the staff contact the sender of the email to answer his questions.

8:33:57 PM

8.4 Councilmember Colbert stated that he was talking to a resident that raised concerns about some streets in the City; one was regarding 700 East near the Draper Rehab Center and people parking on both sides of the street and it would be difficult to get a fire engine through the area. Mr. Dobbins stated those vehicles likely belong to the construction crews working on the project there and he is hoping that once they are done with the project they will park onsite. Councilmember Colbert stated parking should be maintained onsite and it may be necessary to impose parking restrictions if the on-street parking interferes with public safety. He then stated another area of concern the resident mentioned was on 12100 South; there is new construction in the Day Dairy area and the road is so narrow that access is restricted. He then stated the final item he had to report is relative to some email discussions regarding the football game walk between the new Corner Canyon High School and Juan Diego High School for the game this Friday. He stated he is comfortable assisting with the walk this year, but he would like to find out how much that assistance actually costs for future years. Mr. Dobbins stated the school has estimated that between 300 and 400 kids will participate in the walk and they want to walk down 700 East, cross 12300 South, and then go up to Juan Diego High School. He stated the Police Department has looked at the route and their recommendation is that the kids be taken down 700 East, across 12300 South, and then travel up to 12200 South and head west to 300 East to jog over to Juan Diego High School. He stated they are concerned about trying to contain 300 to 400 kids on busy roads on a Friday evening. He stated one of the roads is a state road and the City does not have the authority to close it. He stated the plan is to send officers to control traffic and provide some basic help to cross students carefully; no roads will be closed. He stated the cost of the officers' overtime will be absorbed in the City's budget. Councilmember Stenquist stated it is good to foster relationships by offering these types of resources. After a short discussion regarding the request from the schools for the City's involvement the Council ultimately decided to participate this year without charging the schools for the service. Officer Russ Adair communicated to the Council that it will likely take four officers to provide coverage for the event.

8:42:51 PM

8.5 Councilmember Rappleye stated that recently he was travelling back to Draper from Salt Lake and there was someone in the middle of the road on 12300 South holding a sign; he

called dispatch about the issue, but he assumed the person was likely gone before an officer was able to respond. He stated the Police Department might want to keep their eye out for that because it is very dangerous.

[8:46:41 PM](#)

8.6 Mr. Dobbins stated he needs to talk to the Council about special events; the Police Department has a limited overtime budget and the Council approved a new fee schedule that covers certain costs, but every elementary school within Draper conducts a fun run every year and when informed they would be charged a fee to cover Police assistance in the run they were not very happy about that. He added that there are not always enough off-duty officers who want to or are willing to work overtime on such a regular basis. He stated that his idea is that the City will only offer Police assistance for two events each month and once that number is exceeded additional events will be refused. He stated the problem with that is that everyone is so accustomed to the City offering service that they are upset when they are refused service. He stated that he simply wanted to inform the Council that the City's practice is changing and they will likely hear complaints from residents or other entities about that. A general discussion regarding Police participation in special events ensued with a focus on the number of special events in the community and the average charge that would be assessed for Police participation in those events.

[8:51:39 PM](#)

8.7 Mr. Dobbins jokingly stated that it has been suggested that after an election candidate's sign has been confiscated for a second time for illegal placement, there should be a public burning of election signs. Mayor Smith stated the City could never legally destroy election signs.

[8:52:16 PM](#)

8.8 Mr. Dobbins stated that with the opening of TRAX there has been a lot of public parking on the south side of Pioneer Road; he does not think that public parking has spilled into the nearby park parking lot or into the Chamber of Commerce parking lot and, therefore, he does not want to install signage yet, but he will monitor the situation. Mayor Smith stated he does not want to address the issue until it is a problem.

[8:54:11 PM](#)

8.9 Mr. Dobbins stated that he hired someone to study the possibility for left turn movements with the current thru-turns per the Council's request and was informed based on the design and layout, it would not work. He stated he feels the only other option is to redesign the intersection or tear it out. A short Council discussion centered on the actual traffic counts at the intersection. Mr. Dobbins stated he will continue to work with UDOT relative to signage and timing of the turn signal because traffic can often back up into the intersection, but he asked if the Council would like him to do anything else. Discussion regarding traffic counts and patterns at the intersection continued. Mayor Smith stated he does not want to do anything else at this point except for instructing Mr. Dobbins to continue to work with UDOT to resolve the issue. He stated it is too late in the construction season to tear out the intersection and start over.

[9:00:10 PM](#)

8.10 Mr. Ogden stated he has scheduled a “thank you” dinner this coming Monday at 7:15 p.m. for volunteers, such as ticket takers, at the amphitheater; the volunteers will get to come watch a show at the amphitheater and eat dinner while they are there. He stated the Council and Mayor are invited to attend. He then stated that the Police Department has vacated their old sub-station on Traverse Mountain and he will use that facility to store some of his recreation equipment that is scattered in many different places throughout the City.

[9:02:37 PM](#)

8.11 Keith Morey advised the Council that Velocity Auto came to the Design Review Committee (DRC) meeting last week; their business is doing very well and they want to talk about expanding. He stated it is located on 12300 South and Galena Park Boulevard. He stated that through the discussion with the business staff realized auto sales are not allowed in the zone in which the business is located, which is Community Commercial. He stated it is an oversight because the use has been there and was likely grandfathered. He noted staff wants them to be able to expand and they would like to pursue a text amendment to the zone to allow that. He stated that would typically be done by an applicant, but because staff feels it is advantageous to the City and this was likely an oversight on the part of the staff, the City will pursue it and staff wanted to make sure they are comfortable with that approach. Mayor Smith stated it is a good idea. Councilmember Colbert stated the only thing he worries about is that if the zone is changed to allow the use, the use will now be allowed in any area of the City that carries that zoning designation. He stated he wondered if it may be a better idea to create a different zone. Mr. Morey stated he will evaluate that.

[9:05:31 PM](#)

8.12 Garth Smith notified the Council the City received an emergency management performance grant for \$11,000 and the money will be used to reimburse costs for salary, benefits, supplies, and travel expenses related to the emergency management function. Councilmember Colbert asked if the money will go back into the City’s general fund before those reimbursements are handled. Mr. Smith stated that is his understanding.

[9:07:14 PM](#)

8.13 Councilmember Stenquist reported the striping on 13800 South and Bangerter has worn off and people think there are two lanes in the area, one of them being a right hand turn lane, but the cars using that lane are actually driving on the shoulder. Mr. Dobbins stated he will make sure the area is restriped. Councilmember Stenquist stated there is a similar problem at the round-about on 1300 East; people think there are two thru lanes and there is a large potential for an accident there. He stated he would like something done in that area as well.

Mayor Smith added that on 13800 South where cars turn right to get on the freeway there is only a single lane through the intersection, but there is plenty of pavement to allow for two lanes and he would like to have that addressed by staff and UDOT. He stated there is

another area near Common Cents where people think there are two left turn lanes, but there is only one. He stated there is room for two and a split signal and he would like staff to look into that as well.

Mr. Dobbins reminded the Council that UDOT will be expanding Interstate 15 from 12300 South to Lehi and that project will begin next year; it includes replacement of the bridge at 14600 South. A general discussion regarding the project focused on how frontage roads will be impacted and whether the frontage roads will be widened to accommodate bicycle traffic.

[9:12:44 PM](#)

9.0 Councilmember Stenquist made a motion to adjourn to Closed Meeting to discuss litigation and the character and professional competence or physical or mental health of an individual. Councilmember Summerhays seconded the motion; all voted in favor.