

Approved 06/03/2014

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, MAY 27, 2014, 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 Troy Walker, and Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Bryan Roberts, Police Chief; and Garth Smith, Human Resource Director

Study Meeting

1.0 Dinner

[5:44:15 PM](#)

2.0 Presentation: Jordan Valley Water Conservancy District – Richard Bay and Ronald Sperry

2.1 Ronald Sperry indicated he serves as the representative for Draper on the Jordan Valley Water Conservancy District Board. He looks out for the needs of Draper.

2.2 Richard Bay, General Manager, reviewed the water capacity, sources, and delivery systems with the City Council. He indicated it is their goal to reduce water usage by twenty-five percent.

[6:12:44 PM](#)

3.0 Presentation: Utah Risk Management Mutual Association (URMMA)

3.1 Paul Johnson, URRMA Attorney, explained how URRMA is operated for the City Council. He indicated their focus is on prevention. He then gave the Mayor a check for \$16,000 as part of a reimbursement to the City.

[6:30:55 PM](#)

4.0 Presentation: Potential Dog Park Locations

4.1 Brad Jensen, Engineer, reviewed the potential locations for a dog park in the city. Subsequent to Council and staff discussion, the Council felt the Smithfield Park was the best location for the dog park. They asked staff to provide a line-item cost estimate for the Council to review.

5.0 Council/Manager Reports

5.1 The Council/Manager Reports will be heard at the end of the business meeting.

Business Meeting

[7:00:36 PM](#)

1.0 Call to Order

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

[7:01:10 PM](#)

2.0 Comment/Prayer and Pledge of Allegiance

[7:01:25 PM](#)

2.1 The prayer was offered by Jacob Farnsworth.

[7:01:59 PM](#)

2.2 The pledge was led by Orion Riganto.

[7:03:18 PM](#)

3.0 Citizen Comments

[7:06:25 PM](#)

3.1 Mary Beth Brooks Garrett, 12946 Hickory Knolls Court, indicated Susan Madsen was a resident of Draper who was recently killed in a tragic drunk driving accident. Susan was very involved in the community with Boy Scouts, church organizations, and school organizations. The neighborhood came up with an idea to do a plaque on a bridge in lower corner canyon. Her family lives in Steeplechase, and the bridge is close to her home. She asked the City Council for their consideration of this. They have raised \$1,000 for the plaque, and they can raise more if needed.

[7:08:14 PM](#)

3.2 Lindsay Goeckeritz, 727 Old English Road, noted she would like to talk about options for the old Park School. She realizes it has been a problem, and OSHA has stepped in to have the City fence it off. She suggested the City look at creating a community arts center for this building. She proposed that the Historic Preservation Committee be given six months to determine the possibility and feasibility of putting in a cultural arts center. The center would be funded through grants and benefactors. She has been in contact with people who are interested in the project, and would like this to go forward. In order to do that, they need a little more time before the building is demolished.

[7:10:23 PM](#)

3.3 Loriann Gabrielsen, 679 Draper Heights Way, requested the City allow The Quilter's Lodge to have off-site parking like the building currently has, so the Rasmussen's can still sell pumpkins this fall. The proposed parking will be parallel parking, and that will cause a problem.

[7:13:17 PM](#)

3.4 Davis Mast, PO Box 1 Draper, thanked the City staff for working with the developers of Hidden Canyon Estates. He stated the sale of this property to Edge Homes will save the City a lot of money with the ongoing lawsuit.

[7:16:06 PM](#)

4.0 Presentation: Police Department Annual Report

[7:16:21 PM](#)

4.1 Bryan Roberts, Police Chief, reviewed the annual report for the City Council. The report included crime statistics, police programs, and recognition of employees. He expressed appreciation to the community and the police department staff after the tragic death on Sergeant Derek Johnson.

[7:40:14 PM](#)

4.2 Councilmember Colbert asked Chief Roberts about the "Coffee with a Cop" program. Chief Roberts explained they will be doing this periodically, and it is chance for the community members to sit down and talk with the police officers. It is a great outreach opportunity for the Police Department.

[7:41:30 PM](#)

4.3 Councilmember Rappleye indicated it has been a difficult year. He stated he is so proud of the employees, and how they have handled themselves this year.

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4.4 Mayor Walker advised he was able to attend the Law Enforcement Memorial in Washington D.C. this year when Sergeant Derek Johnson's name was added to the wall. The candle light vigil was fantastic. Every name of every fallen officer was read, and it was quite moving. Vice President Biden spoke at the Memorial, and he shook the hand of every surviving family member of the fallen officers. Draper was represented very well. Sergeant Johnson was a fine police officer, and the City misses him. The Police Department raised the money to send the officers back to Washing D.C., and it was a great opportunity.

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5.0 Consent Items

- a. Approval of April 29, 2014, Minutes
- b. Approval of May 6, 2014, Minutes
- c. **Resolution #14-39**, Appointing Glade Robbins as Interim City Engineer

- d. **Agreement #14-86**, Assessment-in-Lieu Sainsbury Simmons Subdivision
- e. **Agreement #14-78**, Assessment-in-Lieu with Brad Miles for Larsen Pastures
- f. **Resolution #14-38**, Approving Credits Due for System Improvements for Sainsbury Simmons Minor Subdivision
- g. **Resolution #14-37**, Approving Credits Due for System Improvements for Larsen Pastures
- h. **Agreement #14-79**, Approving the 2014 Pavement Management Project Construction Agreement

[7:45:03 PM](#)

- 5.1 Councilmember Vawdrey moved to approve the consent items. Councilmember Rappleye seconded the motion.**

[7:45:16 PM](#)

- 5.2 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

[7:45:34 PM](#)

- 6.0 Public Hearing: Ordinance #1107, Approving the Vacation of a Portion of Upper Corner Canyon Road and Approving a New Alignment and Dedication of that Portion of Upper Corner Canyon Road to be Recorded with Utah County.**

[7:45:56 PM](#)

- 6.1 Glade Robbins, Public Works Director, advised the City Council heard this item back in April. At that time, they talked about the surplus of the property for the realignment of upper corner canyon road. When it is noticed, they indicated the property was located in Salt Lake County and referenced the parcels in Utah County. This ordinance clarifies that, and identifies all of the parcels located in both Salt Lake County and Utah County.**

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

[7:47:22 PM](#)

- 6.3 Councilmember Rappleye moved to suspend the rules. Councilmember Summerhays seconded the motion.**

[7:47:30 PM](#)

- 6.4 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

[7:47:42 PM](#)

- 6.5 Councilmember Rappleye moved to approve Ordinance #1107 by approving the vacation of a portion of Upper Corner Canyon Road and approving a new**

alignment and dedication of that portion of Upper Corner Canyon Road to be recorded with Utah County. Councilmember Summerhays seconded the motion.

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6.6 Councilmember Colbert indicated this will help the City move forward. There was a protection strip that was established by the previous developer, and that is now being removed. The new road alignment will support more development in the area, which is good for the community and the property owners.

[7:48:47 PM](#)

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

[7:48:58 PM](#)

7.0 Action Item: Agreement #14-75, For Approval of the SunCrest Regional Detention Basin Construction.

[7:49:09 PM](#)

7.1 Mr. Robbins noted staff presented this item to the City Council three weeks ago. At that time, there was a request for staff to speak with the North Utah County Water Conservancy District to see if they had any concerns with the design of the basin. Staff spoke with that group, and their consultants are reviewing the design now. They will get back with the City if they have any concerns. Their board will meet on June 19th. Staff is confident with the design and do not anticipate any problems. He asked the Council to approve the agreement so the City can proceed with the construction of the detention basin. The low-bid contractor was S&L Inc.

[7:50:29 PM](#)

7.2 Mayor Walker questioned whether the approval is contingent upon the final approval by the Utah County Water Conservancy District. Mr. Robbins clarified that they would like to start the construction at this time, and will verify with the District that it meets their criteria. Staff is confident that they will not have a problem with it. The action will get the ball moving; however, no construction will begin until they have an answer from the District.

[7:51:14 PM](#)

7.3 Councilmember Colbert stated he still has some concerns that they have not received the approval from Utah County and is uncomfortable proceeding without that. He also asked about having the potential developers participate in widening the road for future development. He expressed concern that they will have to undo or redo engineering, which will be costly. He said he would rather do it right to begin with. Mr. Robbins explained the proposed process for future widening is done all of the time, so he does not see a real issue with it. It is just a matter of funding and timing at this point. The City does not have the funding to widen the road as part of this project. If the potential developer wanted to step in and do that, they have that option.

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7.4 Mayor Walker stated it sounds like staff is confident that Utah County will not have a problem with the design; however, they do not know for sure. Mr. Robbins stated staff provided them with all the criteria one year ago, and their consultant at that time agreed with the criteria the City developed. They were not clear on the process about whether the City would need a permit or not.

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7.5 Mayor Walker asked what would happen if they had a concern. Mr. Robbins explained the City could modify the plan. There are other parts the contractor can start on. They have to construct the access road regardless of whether the basin changes size or not. The only question right now is the size of the basin. That can be modified as they get into it. There would be some engineering involved in it, but he does not see it changing a lot.

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7.6 Councilmember Rappleye moved to approve Agreement #14-75 with the understanding that if there are some criteria that comes forward from the Utah County Water Conservancy District that the City will make the requested changes. Councilmember Summerhays seconded the motion.

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7.7 Councilmember Stenquist asked whether the idea is that staff will move forward with the construction, and if Utah Valley Water Conservancy District has some concerns, the City will make the modifications. He said he does not want to delay the construction of this. He also wanted to clarify that they are approving Schedules A, B, And C and not Schedules D and E.

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7.8 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. Councilmember Colbert voted no. The motion passed with a majority vote of 4 to 1.

***The Council took a break at 7:59 p.m.*

***The meeting resumed at 8:09 p.m.*

[8:09:07 PM](#)

8.0 Public Hearing: Agreement #14-93, For Approval of Reimbursement for a Storm D the Salz Cove Minor Subdivision.

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8.1 Keith Morey, Community Development Director, this request is for a minor subdivision approval. The current zone is RA2 and the Land Use Map suggests Low to Medium Density. He displayed the area on an overhead map. This is a five-lot subdivision, and one of the lots is for the existing home on the property. The home would be accessed

from the private lane. One of the major issues that need to be addressed is how to resolve some of the storm drain problems. Mr. Morey displayed a map showing where the twenty-four inch storm drain line would potentially go. There is a private utility easement that runs through that area from east to west. There is existing landscaping in the area, so it was suggested that the line move into the private lane in some areas and into the public utility easement in other areas. It meets the City's standards and has received a positive recommendation.

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8.2 Councilmember Colbert asked who owns the easement. Mr. Morey explained the City has the utility easement.

Mr. Dobbins noted this is the type of easement that is typically put on lots for storm drain, water, etc. Mr. Dobbins then asked Brien Maxfield to explain the storm drain issue for the Council.

[8:12:28 PM](#)

8.3 Brien Maxfield, Engineer, indicated Salz Way drains north. At the time the subdivision was recorded, there was an old irrigation ditch that flowed through the area. At the time, they used that as a discharge point. Since that time, that ditch has been abandoned, so there is the issue of the public water on that land. The Stanford Court subdivision has the fifteen foot public had the fifteen foot public utility and irrigation easement recorded on it. There are currently no easements of the private lane, which is the upper residence.

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8.4 Councilmember Stenquist asked the reason to divert to a private lane as opposed to staying in the existing easement.

Mr. Dobbins explained if there a problem in the storm drain line within a street, it is easier for the City to get to. If it is in someone's back yard or side yard, it is typically fenced. Staff's preference is to put the whole thing in the street; however, the layout is difficult. The City asked the developer to go acquire the easement on the City's behalf so the City would have the easement for the storm drain line. The City would then compensate the private lane owners for that easement. The Salz Way road was constructed in the mid 90s, and the storm water at that time was going onto the property to the north. The City does not allow this anymore. They worked it out with the developer that the City would pay seventy-four percent of the cost. If the developer is not able to obtain the necessary easements, the City will have to run the storm drain line in the backyards of all of the homes rather than just some of them. The City is trying to remove as little landscaping as possible.

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8.5 Councilmember Colbert noted he thought when the City had an easement; no one was supposed to put anything on that easement.

Mr. Dobbins noted public utility easements are on almost every lot in subdivisions now, and most people do not know there is an easement recorded on their property. The proposed line causes the least impact to the area.

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8.6 Councilmember Stenquist noted it comes down to how willing the property owners are in providing that easement. It is great to avoid as much landscaping as possible, but it is two homes they will be impacting if they just stay in that easement. If the property owners do not want to provide the easement to the private lane, the options are to stay in the existing public utility easement or they could try to do condemnation, which might be a tough sale, and he does not really want to go down that road. He suggested the City should be involved with approaching the property owners as well.

Mr. Dobbins stated they were hoping to find a solution that most people would be okay with. Typically the City would be involved with contacting the property owners for the easements; however, it would be on the City's timeframe. The developer is asking for approval now, so they are trying to work on the solution. If they cannot solve this, then he is not sure how they can approve the subdivision.

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8.7 Councilmember Stenquist asked whether the current property owner has any claim against the City for the fact that public water is being discharged on the property. Mr. Dobbins replied not that he is aware of; however, it is an issue the City needs to resolve.

[8:21:16 PM](#)

8.8 Councilmember Stenquist indicated there is already a pipe or ditch in the public easement. Mr. Maxfield replied it is more of a remnant of piping there.

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8.9 Councilmember Colbert asked whether the fifteen foot easement is enough to get the equipment back there. Mr. Maxfield stated it would be tight; however, he believes they could do that.

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8.10 Councilmember Colbert asked whether there is an easement with the existing home on Salz Way that has been impeded. Mr. Maxfield showed the existing easement on the map.

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8.11 Councilmember Summerhays asked how wide the road is right now. Mr. Maxfield explained the private lane is a twenty foot private road. The City would require a fifteen foot easement in that as well.

[8:24:09 PM](#)

8.12 Mr. Dobbins clarified that the new subdivision would come up Salz Way and cul-de-sac.

There would be no access from the private lane to the new subdivision. The private lane would stay the way it is.

Mr. Maxfield explained the private lane is used for the existing home, and that access would continue.

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8.13 Mr. Morey indicated one of the things that is being requested with the application is a deviation because the existing Salz Way right-of-way is a little smaller than the normal required street width. The cul-de-sac is designed to match that width. He displayed a picture of the current Salz Way.

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8.14 Mayor Walker opened the public hearing.

[8:26:12 PM](#)

8.15 Orla Pederson, 12955 South Boulter Street, read a statement asking for the neighbors' support of this application. Mr. Pedersen gave a history of the property and the water runoff issues.

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8.16 Richard Beard, 12939 South 1480 East, stated he owns the property adjacent to the Pedersen home. He has lived there thirty-two years. He wanted to state for the record that he did not think the notice was sufficient. It talks about approval of a subdivision, but it does not talk about reimbursement for a storm drain. In the last Planning Commission he was in, it was stated that the developer would get approval for the easements or come up with other ways. To go to the point of approving reimbursement for a storm drain seems to be very premature. He asked that extra time be given to understand exactly what these easements are that have been referenced today and time to understand the impact to the area. He said he would like to explain that a subdivision is not a right. It is a property use. This area has divergent property needs. They have horses and a barn, and while they are trying to be good neighbors, they also want to preserve what they have. The developer wants to preserve and get gain from developing the property, which he is entitled to do; however, when the two conflict, the City Council has to decide how to sort it out. Mr. Beard read from statute 17-5-010. It stated that a subdivision shall not create lots that make improvement impractical.....due to the location of water courses. This developer knew and understood the water issues, and he understood there was no access onto the private lane. That private lane is essentially Mr. Beard's and his neighbor's driveway. None of the neighbors are in favor of this, and they see it as a violation of their property rights. He expressed his opinion that the City Council would be premature in approving anything before they better understand about the issues the neighbors are talking about. He noted once the City does this, they will open Pandora's box. He questioned what would stop him from asking for an easement across to Winter Glen Lane. It is wrong for the City to throw its weight behind a developer. The City should stay neutral and let the private parties work it out.

[8:33:10 PM](#)

8.17 Ben Shirley, 1541 Stanford Court, stated the map displayed is not very accurate because the mature trees go clear through the backyards. There are fifteen mature fir trees and seventeen very large mature trees along the back, and they will all be impacted if the storm drain is put in there. If there is a job in the line, there will need to be a man access, which will necessitate manhole covers in his backyard as well as the Wheatley's backyard. That will decrease his property value and limits access to his backyard because of equipment. The other thing that has not been brought up is the possibility of putting in a retention pond.

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8.18 David Wheatley, 1561 East Stanford Court, noted he owns the property to the south of the development. He stated he has a pine tree and three flowering pear trees that run along this area, so he is concerned about the trees and the impact that the proposed pipeline might have to his property. He expressed his opinion that none of the Council would want manhole covers in their backyards. He said he is concerned about truck access to his pristine backyard. He has lived there fifteen years and has spent many hours landscaping. The idea of having trucks run through his backyard does not make sense to him. He is also concerned that the proposed pipeline intersects another twenty-foot easement on his property. If this pipeline intersects that, they will have to go above or below it. He does not want a riser in his backyard with manhole covers.

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8.19 Cole Wadsworth, 12935 Boulter Street, said he has about twelve quaking aspens growing in his front yard that would be affected by this. He is also worried about the depth. He has not seen any real drawings. He expressed concern that this private lane will not benefit him or his neighbors because they sit too low. If there is already a public easement, it does not make a lot of sense to pull another one in there, and it does not make a lot of sense to run through people's backyards. He said it appears that more work should be done on this. The neighbor's would like to understand how this will work and whether there is any benefit to them. He would also like to make sure if this does happen that their yards are restored properly.

[8:38:56 PM](#)

8.20 Boyd Bradshaw, 765 E Shading Lane, stated he is the applicant. He noted they have been at this for over one year. Many of these issues have been brought to light because of the work he has been doing. He showed an aerial plat that was provided to him over a year ago by the City Engineer that shows a twenty-four inch red line that is a storm drain line. It is labeled as Draper City redline twenty-four inches. It shows it going all of the way to Wheatley's property. The City Engineer had said that in 2013, the Wheatley's came in and asked whether they could put pipe in what was left of the ditch on their property to then take a culvert into the Pedersen property. He noted he could argue that there was storm drain on this property, which shows there was a place for the water to go. After looking at the pipe, it shows that sections of the line are crushed, and it is unusable. The suggestion was made by the Engineering Department that they go into restoration mode

and replace the pipe that was there in the first place. He has worked with City staff to come up with a solution. The comments from the neighbors make it sound like this is a new process; however, Mr. Bradshaw has tried multiple times to work this out with them. He has made at least twenty-six attempts to meet with Cole Wadsworth to resolve this. Mr. Bradshaw reviewed the map showing how he is trying to mitigate the landscape concerns. He noted he does not feel like it should be his fight to get easements from the neighbors when there is an existing easement.

[8:46:52 PM](#)

8.21 Councilmember Summerhays stated this line will have to go through at some point in time according to the City Engineer. He asked whether these questions were brought up in the Planning Commission meeting so these neighbors understood the issue. Mr. Bradshaw replied there has been extensive other work done to see if there were other retention options. It would take two forty-eight inch culverts side-by-side and a fifteen foot easement on Pedersen's property to retain the water. The cost was not feasible nor was the construction of it. The proposed line is the best solution they could come up with.

[8:52:18 PM](#)

8.22 Mayor Walker closed the public hearing

[8:52:43 PM](#)

8.23 Councilmember Colbert noted he would like to have a map with the existing easements clearly defined. He would also like to see other easements that could impact this.

[8:53:50 PM](#)

8.24 Councilmember Stenquist advised the residents were concerned about manholes. Mr. Maxfield indicated it is the standard to have manholes for maintenance; however, staff can look at different options.

[8:54:40 PM](#)

8.25 Mr. Morey clarified that the reimbursement agreement was part of the packet. If the City were to go forward, that is the information for the cost sharing.

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8.26 Councilmember Colbert stated the Shirley's have a large pine tree. He questioned if there a risk associated with that being over the pipe. Mr. Maxfield indicated the City standard is to use concrete pipes. They usually do not like trees over the pipe because the roots can cause problems.

[8:56:11 PM](#)

8.27 Mayor Walker noted this will be on the next City Council agenda for the Council to consider.

[8:56:54 PM](#)

9.0 Public Hearing: Providing Local Consent for an Off-Premise Alcohol License - Whole Foods Located Generally at 11479 South State Street.

[8:57:07 PM](#)

9.1 Mr. Morey advised the City currently has nineteen of these licenses. This license allows grocery stores and convenience stores to sell beer. Whole Foods has met all of the requirements for this permit, and staff is recommending approval.

[8:58:22 PM](#)

9.2 Mayor Walker opened the public hearing.

[8:58:33 PM](#)

9.3 Ben Rose, applicant, wanted to reassure the City that they are strong stewards of this license. They require all of the employees to go through the “easy alcohol certification” training, and they have strong internal policies and expectations. The grand opening is scheduled for Friday.

[8:59:39 PM](#)

9.4 Mayor Walker closed the public hearing.

[8:59:50 PM](#)

9.5 Councilmember Colbert moved to suspend the rules. Councilmember Summerhays seconded the motion.

[9:00:07 PM](#)

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

[9:00:17 PM](#)

9.7 Councilmember Colbert moved to provide local consent for an off-premise alcohol license for Whole Foods. Councilmember Summerhays seconded the motion.

[9:00:33 PM](#)

9.8 Councilmember Colbert stated his wife will be happy to see the store open. He commented that this is a good thing. There are no location problems, and this will be a welcome addition to the community.

[9:01:04 PM](#)

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

[9:01:23 PM](#)

10.0 Public Hearing: Ordinance #1108, For Approval of a Zoning Map Amendment from RA1 to RSD-1-Fox Gate Farms for Property Located Generally at 575 East Fox Farm Place. This application is otherwise known as the Kellogg Rezone.

[9:01:50 PM](#)

10.1 Mr. Morey advised this request is to rezone the property from RA1 to fit into the RSD-1 Fox Gate Farms development zone. It just cleans up an existing parcel. It has been approved by the Planning Commission.

[9:02:23 PM](#)

10.2 Councilmember Rappleye stated he knows the City no longer has the RSD zone any longer. He requested to know if it is okay to put this in the existing zone. Mr. Morey replied it is fine.

[9:03:01 PM](#)

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

[9:03:18 PM](#)

10.4 Brandon Lundeen, applicant, stated the Kelloggs own both pieces of property and desire them to have the same zone.

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10.5 Councilmember Rappleye moved to suspend the rules. Councilmember Vawdrey seconded the motion.

[9:04:06 PM](#)

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

[9:04:17 PM](#)

10.7 Councilmember Rappleye moved to approve Ordinance #1108. Councilmember Summerhays seconded the motion.

[9:04:36 PM](#)

10.8 Councilmember Rappleye commented that he was on the Planning Commission when this zone originally went through. He remembers looking at it, and this was a problem at that time. He noted this is a great cleanup.

[9:04:56 PM](#)

10.9 Councilmember Vawdrey agreed that this is a good solution.

[9:05:59 PM](#)

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

[9:06:09 PM](#)

11.0 Action Item: For Approval of the Galena Townhomes Preliminary Plat.

[9:06:16 PM](#)

11.1 Mr. Morey noted the Planning Commission has forwarded a favorable recommendation for approval. This project is located at approximately 12300 South between Galena Park Boulevard and the railroad tracks. They plan to construct a seventy-eight unit subdivision, which is eight units per acre. They have done some unique things with trail connectivity.

[9:07:23 PM](#)

11.2 Councilmember Summerhays asked whether staff feels there is adequate parking. Mr. Morey noted they actually reviewed that, and they feel based on the type of product this is, there is sufficient.

[9:07:59 PM](#)

11.3 Councilmember Rappleye asked whether Mr. Morey looked at the length of the driveway pad from the garage door to the sidewalk. Mr. Morey replied they have reviewed it and it looks to be okay. They have constructed this type of product in other places, and it has been successful. This is designed to be a different type of product than what they have seen on a third acre lot.

[9:09:01 PM](#)

11.4 Councilmember Rappleye moved to approve the Galena Townhomes preliminary plat. Councilmember Vawdrey seconded the motion.

[9:09:17 PM](#)

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

[9:09:32 PM](#)

12.0 Public Hearing: Ordinance #1102, Amending Section 3-4-110 of the Draper City Municipal Code Pertaining to Records Denial Appeals.

[9:09:57 PM](#)

12.1 Rachele Conner, City Recorder, advised this item is being brought at the Council's request. It simply changes the records denial appeal board from the City Council to the State Record's Committee.

[9:10:11 PM](#)

12.2 Councilmember Rappleye noted this is a good change.

[9:10:25 PM](#)

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

[9:10:31 PM](#)

12.4 Councilmember Colbert moved to suspend the rules. Councilmember Rappleye seconded the motion.

[9:10:45 PM](#)

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

[9:10:57 PM](#)

12.6 Councilmember Colbert moved to adopt Ordinance #1102. Councilmember Rappleye seconded the motion.

[9:11:06 PM](#)

12.7 Councilmember Colbert noted this is consistent with what most of the other municipalities do. This facilitates the process, and puts it into the hands of those more knowledgeable with the process.

[9:11:28 PM](#)

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

Council/Manager Reports

[9:12:04 PM](#)

Councilmember Rappleye stated someone is doing excavation over in a marshy area near 300 East and Carlquist. He asked staff to get some information on this. He assumed they would have to mitigate that as a wetland. The area is south of Brown's Pond.

[9:14:33 PM](#)

Councilmember Colbert noted there have been some concerns expressed by bicyclists riding down Traverse Ridge Road due to the crack sealing that was done. He would like to see a budget estimate to address those issues with chip seal or something else. The bicyclists call the seals "snakes," and they get slick when it is hot.

Councilmember Stenquist indicated chip sealing is bad because it is done with gravel, and that makes it worse. Slurry seal works pretty well.

Mr. Robbins advised time hardens the seal, and that helps a lot. They are a little slippery when they are new.

[9:16:12 PM](#)

Councilmember Stenquist noted that Kent Player will be retiring as chairman of the Park and Trails Committee. He has been doing this for more than fifteen years. The ordinance currently says the Mayor will appoint a new chair; however, he is not sure if the committee says they have bylaws and will appoint a chair like most committees do. Mr. Player is still planning to participate with the Planning Commission.

Councilmember Stenquist then noted that Mrs. Goeckeritz is still here. She has been waiting patiently for an answer to her suggestion about the Park School. He asked whether the Council wanted to address her request. He advised a lot of people have spent many years trying to find a solution for the building. It would be great to have some solution; however, he feels they have exhausted all of the options due find funding. It is very expensive to make the building safe. Building a new facility there is more cost effective. If someone came forward with the funding, the City would look at it but it has not materialized yet.

Bob Wylie, Finance Director, indicated the City went out for an RFP over one month ago for review of the Park Building. The RFP was award to CRSA. They have ninety days to complete the study.

[9:26:48 PM](#)

Mr. Dobbins advised the City Council received a letter from Steve Maddox indicating that he would like to pursue options for getting the water system fixed up to SunCrest and the neighboring property owners. Staff has a design being done for a new pump station near the freeway that will provide water for several hundred units within the system. For the City, it has always been a funding issue. They have approximately \$1 million in City funds, and they need another \$1.5 to \$2 million to finish the pump station construction. Mr. Maddox noted he is willing to front the money and be reimbursed over time. Mr. Dobbins suggested the City Council allow him to sit down with Mr. Maddox to work out an agreement. The agreement will be brought back to the City Council for review.

Councilmember Colbert noted he wants to make sure the City has the impact fees in place and the proper study showing they can get the reimbursement. Mr. Dobbins noted that would be a part of the agreement with Mr. Maddox.

Councilmember Stenquist stated his position is that no City funds would be expended to provide that infrastructure. If it came from impact fees, that is fine.

The Council directed Mr. Dobbins to meet with Mr. Maddox to work out the agreement.

13.0 Adjourn to a Closed-Door Meeting to Discuss Property Acquisition, Litigation, and the Character and Professional Competence or Physical or Mental Health of an Individual.

[9:29:07 PM](#)

13.1 A motion to adjourn to a Closed Door Meeting was made by Councilmember Summerhays and seconded by Councilmember Stenquist.

[9:29:24 PM](#)

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

13.3 The meeting adjourned at 9:29 p.m.