

Approved June 2, 2020

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, MAY 5, 2020, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Fred Lowry, Cal Roberts, and Marsha Vawdrey

EXCUSED:

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, City Recorder; Scott Cooley, City Engineer; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Christina Oliver, Director of Community Development; and Bob Wylie, Finance Director

This meeting was held electronically.

This meeting was held as an electronic meeting pursuant to Draper City Resolution #14-54. As restrictions take place across the State for limiting public gatherings, we want to make sure everyone interested in participating in City Council meetings can do so in a manner that they feel most comfortable. Individuals could participate by:

1. Listening through the Draper City Website: <https://www.draper.ut.us/95/Agendas-Minutes>
2. Emailing comments to public.comment@draper.ut.us by 5 p.m. on the day of the meeting. These will become part of the public record.
3. Requesting the Zoom Meeting ID from public.comment@draper.ut.us by noon, May 4, 2020, to be able to speak during the Public Hearing portions of the meeting.

Study Meeting

1.0 Presentation: Secondary Water to Galena Park – Rhett Ogden

1.1 Rhett Ogden, Parks and Recreation Director, reminded the Council that a couple of months back Dave Gardner, Water Pro Representative, addressed the Council about secondary water options. As a result of that conversation, the Council was interested in more information about getting secondary water at Galena Park. To get a better understand Mr. Ogden sought to answer the following questions:

- (a) What is Draper City currently spending to water Galena Park?
- (b) Is it possible to get secondary water to Galena Park?
- (c) If it is possible to get secondary water to Galena Park what would it cost?
- (d) If there were future savings by providing secondary water to Galena Park, would they justify the initial cost?
- (e) How would providing secondary water to Galena Park impact the residential area surrounding the park?

To help the Council understand the current infrastructure, Mr. Ogden explained a map from the water study noting that the purple lines represent existing pressurized water systems in Draper City. He also noted the green line that runs down 12300 South that represented a water line that is in place but had never been used. He explained that the blue line on the bottom left corner of the map would need to run from the inactive green line on 12300 South to the connections at Galena Park. To be able to do this the City would have to tear up the intersection at 12300 South and 300 East to connect to the existing system. Also, they would have to tear up the intersection at 12300 South and 550 West to add a couple of valves. Although the pipe along 12300 South is already installed, its condition would need to be verified to ensure it did not have leaks or damage.

The cost estimate for the project from Water Pro and Bowen & Collins amounted to \$502,000. Also, the staff feels that a few more upgrades would be beneficial when executing the project at an estimated expense of \$58,078. Therefore, the total estimated project cost amounted to \$560,078.

In the proposal, Water Pro wanted to demolish the culinary lines, but staff felt it would still be necessary as secondary water isn't available until mid-April and the park often requires late season watering in October when secondary water isn't available. The culinary water would also be needed for the restrooms and drinking fountains.

Regarding the water usage at Galena Park, Mr. Ogden provided the 2018 and 2019 totals for both east and west Galena Park. He said that they are using more than 30 million gallons of culinary water at the park for the six summer months. The current Draper City rate for culinary water is \$2.40 per 1,000 gallons. The future Water Pro rate for secondary water will be \$0.65 per 1,000 gallons. Based on the 2019 Galena Park usage of 30,307 gallons, the cost of water at the \$2.40 Draper City culinary water rate was \$72,737. At the Water Pro secondary water rate of \$0.65 per 1,000 gallons, the City would have paid \$19,699, a savings of \$53,037 per year. This would mean the project would pay itself back in ten and a half years. However, if the City accounted for a 14% increase for the two new fields and the proposed dog park, the annual savings would be \$64,000 reducing the payback period to 9.3 years.

He said that the biggest question in his mind is the rate at which Draper City is purchasing the culinary water from Jordan Valley.

- 1.2 Councilmember Fred Lowry asked if the line that goes down 12300 South was older and if it had been tested. When Mr. Ogden said that it was an old line and it had not been tested, he asked what risks there were.

Mr. Ogden said that as part of the agreement with Water Pro, and at an additional expense, they could camera the line to see if there were any leaks, breaks, or root damage. He said that sometimes you can see them in advance, although in other instances you are unable to identify the problem until there's water in the line.

Councilmember Lowry stated that could potentially be a can of worms.

Mr. Ogden agreed. He added, however, that if they were successful in getting water to Galena Park the neighborhoods surrounding the park have the same system that is idle and has never been used. This project could potentially give them access. He said that it was his opinion they should have a discussion with Water Pro about a potential rebate because the City paid the initial cost to give them access to an existing system like is done with the power company. This could help the City recover some costs as it is in Water Pro's interest to get those additional households and customers.

Councilmember Lowry asked if Mr. Ogden knew the number of homes in the area. Mr. Ogden estimated 50 or 60 homes but noted they were on acre lots.

1.4 Mayor Walker stated that a ten-year payback was not that bad, especially in comparison to the cost of the project when the City consider creating their system.

1.5 Councilmember Mike Green asked if this was a project the City would want to do a revenue bond for so that it was not an out-of-pocket cost all at once.

David Dobbins, City Manager, said that was something they could investigate. He said that rates were low, and the project cost was a small amount. He said that if it was a project the Council wanted staff to look at, they could come back to the Council with some financing options.

1.6 Councilmember Fred Lowry said that if Water Pro could help confirm the condition of the line that would be valuable information before fully committing to the project.

Mr. Ogden said that he was sure that the City could contract with Water Pro or reach out to Draper City Public Works to see what capacity they had to utilize the City's cameras to investigate the state of the line.

Mayor Walker said that once you pay the project off, the savings of \$60,000 a year would take care of a lot of park maintenance.

Councilmember Marsha Vawdrey also pointed out that they knew that culinary water was going to become more and more precious.

Mr. Ogden said that was one thing to consider. In addition to the financial situation to consider, it was also worth considering the resource availability and political implications of using several million gallons of culinary water to water a park.

Councilmember Fred Lowry said that transitioning over to secondary water seems like the more morally responsible thing to do in the long term.

After Mayor Walker asked for additional comments, Councilmember Tasha Lowery said that she felt the bonding idea was interesting.

Mayor Walker asked if the Council wanted to table it until next year when the City was out of the pandemic. He stated, however, that it seemed reasonable to him.

- 1.7 Councilmember Mike Green commented, but his microphone was not on making it unable to record.

David Dobbins, City Manager, said that the City does not have any upcoming water needs for the Draper City system, but they have talked about running the secondary water system to the north on 700 West to those new homes. He said that if residents were willing to pay for it, they could cover the expense through a bond that the City paid off over time. He said that he and Bob Wylie, the Finance Director, could run some numbers to see what it would look like to do a bond to bring secondary water to the west side to be able to tell the Council the cost per lot.

2.0 Discussion: Tentative Budget – Bob Wylie

- 2.1 David Dobbins, City Manager, explained that Mr. Wylie had been working extremely hard to put together a tentative budget. He stated that they plan on having the budget put together to be presented at the next City Council Meeting. He explained that the staff had put together a balanced budget to present to the Council and the COVID-19 hit. As a result, the staff has looked at the predicted changes in revenue over the next year, the worst-case scenario showing a 30% reduction in sales tax revenue for Draper City, and created a new balanced budget based on an 18% reduction. He said that they believed they could come up with a reduction in funding from sales tax revenues through the City's fund balance. There was roughly \$1.8 million from the fiscal year 2019 and an estimated \$1 million in fund balance at the end of the Fiscal Year 2020, total \$2.8 million in fund balance which roughly equals the 18% revenue reduction. He also noted that the budget initially included merit and cost-of-living increases for employees. Staff has decided to put that on hold, in addition to reducing everyone's travel budget. This would allow them to provide the Council with a balanced budget at the next meeting.

Mr. Dobbins also said that they have kept the budget very simple. It included very few capital improvement plan (CIP) projects, or General Fund money to be used for other capital projects. Staff anticipates continuing to receive B&C Road money, and revenue from the transportation and enterprise funds.

- 2.2 Mr. Dobbins said that the Council could look at some capital projects that were previously approved like 700 West that already has \$4 million of General Fund money allocated. Money from a project like this could be used instead of using the fund balance. Mr. Dobbins, further explained that part of the reason why the fund balance was available was that they needed to spend some of the fund balance to get the City under the 25% cap, but the state legislature recently eliminated the cap because of the pandemic.
- 2.3 Councilmember Tasha Lowery asked if staff were anticipating going ahead with the 700 West project this year.

Mr. Dobbins said that 700 West was completely budgeted and then was paused because there were neighbors in that area that did not want the project. Despite the project being on hold, the staff has continued to investigate doing storm drain and pedestrian connection improvements. Following this, staff will need to get residents' feedback as to if they want the rest of the project to continue. The worst-case scenario would be to defund the 700 West project and find new funding later, delaying the project. Mr. Dobbins restated that this balanced budget assumes no staff reductions, but also no pay increases.

- 2.4 Councilmember Cal Roberts asked if the City could cover the dip in revenues without drawing on the fund balance just by taking the funds allocated to the 700 West project.

Mr. Dobbins said that yes, the \$2.8 million could come out of the 700 West project and there would still be over a million dollars allocated toward that project and maintain the fund balance.

Councilmember Fred Lowry if asked the remaining money for 700 West would be enough to still fund the storm drain improvements.

Mr. Dobbins believed it would because 700 West had several funding components. The \$4.0 million was just from the General Fund. Even if they pulled this money, they could keep allocations from the Storm Water Fund toward the project.

- 2.5 Councilmember Mike Green expressed concern. Given that his microphone was off, it was difficult to hear the specifics of what he said.

Mr. Dobbins clarified that the \$2.8 million from the fund balance was on top of the 25% cap. He explained that the City could spend the \$2.8 million and still have 25%. He said that the state legislature eliminated the cap for the next two years because of the pandemic. Mr. Dobbins said that it is the unknown that should be considered. Staff believes that spending the \$2.8 million fund balance will get the City through the next year. However, if there is a second wave and the 18% goes on another year then the Council would have to look at taking funds from the 700 West project or dipping into the 25% reserve.

Councilmember Mike Green said that he did not want to stop projects that would keep people from working because he felt that if the City was spending money on projects, they were also keeping people employed.

Councilmember Cal Roberts clarified that the \$2.8 million can go on the balance sheet. The benefit was to create further security in case there is more economic impact moving forward.

- 2.6 Mr. Wylie said that the \$1.8 million fund balance from the Fiscal Year 2019 and the \$1.0 million estimated fund balance from Fiscal Year 2020 in addition to some benefit reductions seemed like the simplest way to balance the budget.

Councilmember Cal Roberts said that he hates carrying too much of a fund balance because the City is then essentially just sitting on taxpayers' dollars. However, given some of the uncertainty, he felt like it was helpful to build the fund balance. He also wanted to recognize that the City of Draper has a large staff. Although he understood the argument that 700 West could create some jobs, he wanted to consider the City jobs they need to keep employed. Because the state allowed cities to build the fund balance, he felt that was an option worth considering given the uncertainty of the economic situation over the next 12 months.

Councilmember Mike Green responded but his microphone did not pick up the comment.

Mr. Dobbins said that using the fund balance was the way that staff intended to present the budget at the next Council Meeting. Because of this, he said that between now and the next meeting in two weeks the Council could reach out to himself and Mr. Wylie with any questions the councilmembers might have. He summarized that the two options they could consider were to take the decrease in sales revenues from the fund balance or to retain the fund balance and go about the 25% reserves and take the funds out of the 700 West project that currently had the most General Fund money. He also noted that they could take it out of the fund balance knowing that the money for 700 West would still be there as they are a year out on starting the project. Mr. Dobbins predicted that at the end of the calendar year 2020 they would have a much better fiscal picture to make decisions for the next budget cycle.

Councilmember Fred Lowry asked if six months from now they still would not have to spend the General Fund money allocated to 700 West. Mr. Dobbins said that was correct.

Councilmember Marsha Vawdrey said that she was comfortable with what staff proposed and voiced her appreciation for the thought that was put into the budget.

Councilmember Tasha Lowery said that she was uncertain if they ever came up with a perfect plan for 700 West anyway. She said she was uncertain that they ever came up with a clear vision of what that project would look like anyway.

Mr. Dobbins said that the staff did intend to reach out to the neighbors. The staff has not been able to do so yet because of the pandemic's restrictions. He noted that he had been contacted by residents in the last two weeks who wanted to know what was going on with the project and voiced that they still did not want the street developed further.

Councilmember Tasha Lowery said that she remembered that the last time they spoke about the 700 West project the Council and staff had decided to move the Pioneer project above the 700 West project in priority. She said that perhaps the Council and staff needed to discuss the prioritization of road projects.

Mr. Dobbins said that at the next City Council Meeting staff could go over all the CIP projects. The Council could look at all the funded projects. He said the Council had the

flexibility to review the projects that have not gone out to bid and redirect the funds to different priorities.

Councilmember Fred Lowry clarified that the Council still has access and can control the \$4 million from the General Fund currently allocated to the 700 West project. Mr. Dobbins confirmed that was true. Cash that was set aside for specific projects, if it were not under contract, could be moved to different priorities.

3.0 Closed Session: By Motion, the Draper City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, or the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.

3.1 Councilmember Marsha Vawdrey moved to recess from the City Council Meeting and to convene in a closed session. Councilmember Tasha Lowery seconded the motion.

3.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

3.3 The City Council Meeting resumed at 7:09 p.m.

4.0 Council/Manager Reports

4.1 These were heard during the Business Meeting

Business Meeting

1.0 Call to Order: Mayor Troy K. Walker

2.0 Action Item: Resolution #20-22, filling a mid-term vacancy and appointing a member to the Traverse Ridge Special Service District Administrative Control Board (Administrative), Candidates will be given 5 minutes each to present their qualifications to the City Council.

2.1 Russell Fox, Assistant City Manager, explained that staff issued noticing up in SunCrest following the state statute to follow up on the Traverse Ridge Special Service District Administrative Control Board (TRSSDACB). They published information in the newspaper, Utah Public notice website, and the City's website. Staff received one application from Christine McClory for the vacancy. The staff did, however, receive a request from Little Valley, who recently became aware of the vacancy, to extend the noticing and signage. The City would have to wait until the June 2, 2020 meeting if they extended the noticing. However, if the Council would like to proceed, the applicant was on the line and available to be interviewed.

2.2 **Councilmember Mike Green moved to reinstate the application process to be presented at the June 2, 2020, City Council meeting. Councilmember Fred Lowry seconded the motion.**

2.3 Mayor Walker clarified that the motion would cause the application process to start from scratch.

Russell Fox, Assistant City Manager, said that staff would post new signs with new dates for the June 2, 2020 meeting, the timeframe for when applicants should submit their materials and the vacancy would be reposted to the advertising channels.

Councilmember Mike Green asked that Mr. Fox make sure that the individuals who complained they did not get the opportunity to apply were personally notified.

Councilmember Fred Lowry wanted to thank the one applicant who was available at the meeting and hoped that they had not inconvenienced her too much.

2.4 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**

3.0 **Public Hearing: Ordinance #1431, Grading and Slope Text Amendment (Legislative Action), a request by the City of Draper for approval of a Text Amendment to various sections of Title 9 of the Draper City Municipal Code to modify the regulations pertaining to grading, slopes, and retaining walls on properties. These changes would apply citywide.**

3.1 Pete Kane, Planner, explained that staff has proposed some text amendments to chapters 9-3 and 9-27 as they relate to grading, slopes and retaining walls. The text amendment would address recent concerns raised about the appearance of building heights on several projects currently under construction. After the Council asked staff to review potential solutions, staff realized that the common factor between the projects of concern was that the sites were raised that cause the building to sit higher than the abutting street. This caused the building height that was within regulation to appear higher. Mr. Kane provided images of the two examples they are looking at Harmony Hills and Liberty Point. In both instances, there were two terraced retaining walls right against the sidewalk.

Mr. Kane emphasized that these text amendments, should the Council approve them, would not affect construction projects currently underway or that had received its entitlements and approvals. The text amendment would only apply to future projects.

The staff has grouped the recommendations into two categories: (1) update the regulations for retaining walls (amend DCMC 9-27-085) and (b) adjust driveway slope limits and front setback maximum rise (amend DCMC 9-03-40).

For the first action item regarding the amendment for retaining walls, the staff has outlined five changes within the retaining wall code (DCMC 9-27-085). These would include:

- (1) Added clarification for the instances when a retaining wall may have a varying height to account for differences in grade. This code addition would state that the largest value would be considered the wall's height.
- (2) Clarification of the definition of a front setback area. The front setback area would be defined as the area on the property within the front yard setback requirement and would state in the code that a corner lot has two front setback areas. Because the front yard setback requirement is different for each zoning district, the setback would be modified based on the location of the property.
- (3) An added exception that within the front setback, single retaining walls could not exceed four feet (4') in height. This is needed because at present developers can install retaining walls that are nine feet (9') high, but they are not restricted when they are in the front of the property. This seems contrary to the restriction already in place on the height of fences whose height is limited to four feet. The exception would allow the terracing of retaining walls, but each wall could not exceed four feet when within the front setback. The restriction would not apply to the Hillside Lands Overlay Zone due to the natural topography that would make it difficult to implement the restriction.
- (4) Clarification of the language within the restriction about twice the height versus half the height which defines terraced walls. The change would maintain the mathematical element of "2H" and "H/2" which defined the distance needed between terraced walls but would add some layman's terms for understanding. While the language explaining the restriction would be modified, the restriction itself would not change.
- (5) Modification of the phrase "viewable from a public right of way" to be replaced with "within 30 feet of a street" for better clarity providing a better definition. This would also impact the planting requirement that there be landscaping between terraced retaining walls. This changes the requirement such that planting needed to occur in front of every retaining wall regardless of if they are terraced or not. Lastly, the change would exclude plain, exposed, poured concrete walls, requiring that all retaining walls visible within 30 feet of a street be decorative.

For the second action item regarding driveways and the maximum rise modifications staff have outlined changes to the definitions within the retaining wall code (DCMC 9-03-040). These changes would:

- (1) Create a definition for the existing grade, stating that the grade prior to the most recent proposed development or construction activity is the existing grade. This would help clarify the difference between existing grade and proposed grade.

Also, to address driveways and maximum rise, staff propose amendments to the slope limits (DCMC 9-27-160). These modifications would:

- (1) Add a second point for the front setback by establishing a maximum rise of two feet within the front setback except for areas used for parking lot screening.

- (2) Change the driveway slope maximum from a 12% maximum to a 10% maximum grade. Again, this would exclude the Hillside Sensitive Overlay District which has a driveway slope maximum of 12%.

Mr. Kane then reviewed the problematic projects that are currently under construction and what could have been modified had the proposed regulations been in place. In the case of the Harmony Hills driveway that is currently at a 12% slope, the top of its driveway would have dropped 3.5 feet if graded at 10%. The building height would have been lowered to match. From the street side of Harmony Hills, where retaining walls are currently allowed to abut the right of way and have a steep slope above the retaining wall, the new regulations would have pushed the retaining wall back seven feet and the rise from this retaining wall would have been reduced to not exceed two feet. Ultimately this would have led to lower perceived building height. In terms of the Liberty Height project where there is again retaining walls abutting the right of way are quite tall (5-6' in height and terraced), the new regulations would have required them to be setback from the sidewalk by seven feet, the retaining wall height would have had a four-foot maximum, lowering their overall height, ultimately reducing the height of the building site.

The text amendment was brought forth to the Planning Commission who held a public hearing on April 9, 2020. At that time, the Planning Commission recommended approval on a vote of 5-0.

- 3.2 Councilmember Fred Lowry asked about the driveway slope adjustment from 12% to 10%. He wanted to make sure that he was correct in remembering that one of the reasons why they needed to adjust the slope was so that the Fire Department would have access to the properties.

Mr. Kane said that the restriction did have something to do with fire access and the ease of getting to the property.

Christina Oliver, Community Development Director, said fire access was one of the reasons as a lot of the driveways at 12% create difficulty for fire respondents. She said that one of the properties that Mr. Kane used as an example did have fire access issues that the staff is working with to address.

Recognizing the importance of this access, Councilmember Fred Lowry asked why the City still allows for the Hillside District to build 12% driveways when there would still be an access issue.

Christina Oliver, Community Development Director, responded that 12% was not unreasonable; the fire department could still reach the constituent. However, because of the additional challenges of the slope of the driveway, in flatter areas of the City that are not geographically constrained the Fire Department would prefer to have the driveway slope at the lower percentage. In properties in the Hillside Overlay, there are so many geographical barriers to construction, that staff felt that it is beneficial to create a little bit more flexibility for development.

Clint Smith, Fire Chief, echoed what Ms. Oliver stated about the slope of the driveways. While 12% was not optimal for fire respondents, it was still accessible. He also noted that access becomes more problematic in instances of slopes above 10% on short access driveways because they cannot turn around. He explained that the text amendment changes would also lead to longer driveways.

3.3 Mayor Walker opened the public hearing. No one came forward so Mayor Walker closed the public hearing.

3.4 Councilmember Fred Lowry moved to approve Ordinance #1431, Grading and Slope Text Amendment. Councilmember Mike Green seconded the motion.

3.5 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

4.0 Action Item: Ordinance #1436, Big Willow Creek 2nd Amendment Development Agreement Request (Legislative Action), on the request of Bryon Prince, representing Ivory Development, LLC, for a development agreement on 20.9 acres of property located approximately at 491 West 11400 South. The amendment will authorize various deviations to the Draper City Municipal Code Title 9, Land Use and Development Standards, regarding density allocation and minimum lot size.

4.1 Jennifer Jastremsky, Planner, explained that the Council heard about the item under discussion at the last City Council Meeting and held a public hearing. She reminded that the applicant proposed to bring all their property into the development agreement for Big Willow Creek, to re-allocate that already approved densities on the property, and the timeline for beginning phase two of the agreement. It was this final point, the timing of phase two, and the ability to start improvements on the property that was the primary focus of the discussion at the previous meeting.

Since then, the staff has been working with the applicant on the proposed language. She explained that the current development agreement would allow the applicant to start improvement developments before the existence of secondary access being constructed by Jensen Farms. Since the last meeting, staff and the applicant have agreed-upon language in the development agreement that (a) allows the applicant to start improvements before secondary access being constructed at their own financial risk, (b) recognizes that the City does not have any control over if and when Jensen Farms constructs the secondary access, and (c) includes an acknowledgment by the City that Jensen Farms was responsible for the construction of the access and, should Ivory Construction build the access it would benefit the development of Jensen Farms. Because of this, the development agreement states:

In the event the Developer constructs the Jensen access, the City shall upon the joint written request of the Developer and the Jensen Developer or its beneficiary make a good faith effort to facilitate a reimbursement agreement between the Developer or its beneficiary on terms mutually agreeable to the Developer and the Jensen Developer or its beneficiary.

Ms. Jastremsky explained that this puts the City in a mediator position at the request of both the applicant and the Jenson Farms developer. Also, the development agreement outlined at what point the Big Willow phase two plat could be recorded. Ms. Jastremsky noted that Ivory Development would need to have final drawings approved and bond paid for the second access, or have the construction of the secondary access completed before the recording of phase two. The agreement also states that the City would not accept public improvement bonds for phase two without also receiving public improvement bonds for the secondary access or accept the public improvements that are constructed as a part of phase two or issue building permits until the secondary access is completed. She said that she, staff, and the applicant are available to answer questions regarding the proposed language.

4.2 Bryon Prince, Ivory Development, explained that the plan was to work with Gough Homes, who was close to having approvals for the culvert over the creek. He said that he already has plans to work with the Engineering Department on the timing of that construction, which would likely occur after the irrigation water is turned off, making a fall and winter construction process for the secondary access. Because of this, Ivory would wait to start their construction of this phase two until that time. Therefore, Mr. Prince estimated that Ivory Development would try and time their phase two development with the culvert and secondary access construction with the hope to deliver the plat next spring. He said that the amendment to the development agreement would allow Ivory to work concurrently with the other two projects so that once the access is available, they can move forward with development.

4.3 **Councilmember Mike Green moved to approve Ordinance #1436, Big Willow Creek 2nd Amendment Development Agreement. Councilmember Marsha Vawdrey seconded the motion.**

4.4 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**

5.0 **Council/Manager Reports continued from Study Meeting**

5.1 Councilmember Tasha Lowery said that she had a request from the residents of South Mountain to see if the City could close the gate at the Flight Park at 10:00 p.m. as they are seeing a rise in petty crime.

Mr. Dobbins said the City could reach out to the county to try and coordinate that with them.

Councilmember Lowery stated that she thought the City had a key to the gate and had closed it in years past.

Mr. Dobbins said that the City should be careful about creating the expectations that there will be an officer there at 10:00 p.m. every night. He said, however, it could be added to the patrol route.

Councilmember Tasha Lowery also noted a couple of complaints she had received about excessive parking along Highland Drive for the Orson Smith Trailhead. She explained that cars were lining both sides of the street causing traffic to be pushed into the middle lane.

Mr. Dobbins said that the traffic committee was looking at the issue and will come back with a response.

- 5.2 Councilmember Cal Roberts said that he had a resident ask about the median on 300 East and 11800 South. He wanted to know if the City maintained those medians as the resident claimed it was overgrown and there was a safety issue with people tripping over roots.

Mr. Dobbins said he was sure the City did not maintain the parking strips in that area. He said he would follow up.

- 5.3 Mayor Walker provided an update on the City's testing program. He explained that Draper, Riverton, Bluffdale, Lehi, Herriman, Vineyard, American Fork, and a few other Utah County cities were interested in putting in a rapid order for tests. Each city received 1,000 tests which should arrive as early as next week for the company to be able to start making the testing available. He explained that it was the City's goal to charge the full price of each test, approximately \$50 per test.

He explained that the rapid blood test will be given and then 5% of everyone who takes those will also be given a saliva test which will be analyzed randomly at a 5% sample. Anyone who tests positive for antibodies will need to verify whether they have COVID-19.

Mayor Walker stated that each city was creating its own system for testing. Because of this, he planned to reach out to the Council for their thoughts on the best strategy for Draper City. He explained that between all the cities participating in testing they would be able to cover South Salt Lake County and North Utah County. He said that a lot of businesses have reached out wanting to be able to test employees. He liked being able to utilize a local company to do the testing.

Councilmember Cal Roberts asked if there was a sense of the demand for testing from residents outside of small businesses. Mayor Walker said that the City had not broached this yet, but that he assumes the demand for testing was high. He said the test was reasonably priced compared to other tests.

- 5.4 Councilmember Mike Green said that he had the understanding that a bunch of relief money went to counties from the Federal budget which was supposed to be dispersed to the different cities. He asked if there was an update on if Draper City would be receiving any of those funds.

Mr. Dobbins said that the staff has been participating in those discussions, but they have not heard on how the money will be dispersed to cities. He said that Utah County did receive a large deposit and that Draper and other cities felt that money needed to be shared to cover testing costs.

Mayor Walker said that his plan for testing was to charge the full price for the test so that the City would recover the full cost. He said that some cities intended to just use the tests for employees or to hold a certain number for employees, which would not recover the cost. He said that the saliva tests could be purchased in any quantity you want. However, once a business has the tests, they must administer them with a medical professional who sends them to the lab.

Councilmember Fred Lowry said that it was worth noting that there was some criticism from others who felt that the City was overstepping their bounds using government funding to purchase the test. He said that all the City was doing was facilitating an opportunity for citizens to have availability to one of the tests in a cost-effective way. He emphasized that the funds would come back.

Councilmember Marsha Vawdrey asked if there were plans to purchase more saliva tests to test staff. Mayor Walker responded, yes; the City could get the tests at any time and in any quantity they want. He said they could also utilize a paramedic to administer the test.

Councilmember Cal Roberts asked if the City had not purchased in bulk what the price point was for the test. Mayor Walker said that the price point would have been lower if the different cities had collectively purchased 10,000 tests. He thought it was around \$44 per test. He said the price came up purchasing the 5,000 tests, but it also increased because of the saliva tests as the lab processing fee was expensive.

Councilmember Fred Lowry emphasized that purchasing the tests in bulk reduced the cost to citizens and employers.

Councilmember Tasha Lowery asked Mr. Dobbins what the plan was moving forward with testing for city staff as they continue to open City Hall. Mr. Dobbins said they had not talked about testing for city staff, in part because they did not know the timing of opening. He said that he could figure out how much it would cost to have a supply of tests for staff and first responders.

Councilmember Fred Lowry said he assumes that thermometers were available to test employees' temperatures. Mr. Dobbins said that staff is self-monitoring at this time. Any employee who had symptoms were supposed to work at home or quarantine. The staff member is then sent to get a test.

Councilmember Cal Roberts asked, assuming there was a demand if the Mayor was intending to earmark a certain number of tests for City staff, Draper small businesses, residents, etc. Mayor Walker said the Council could decide how to best allocate the tests.

Councilmember Tasha Lowery said that the City should advertise the availability of tests and then see what kind of response they get from residents so that they feel as though they can sign up for testing. Mayor Walker said he predicted there would be a lot of demand from the public to take a test.

Mr. Dobbins stated that it was important to point out that there was not just the cost of the test, but also paying for someone to administer the test and the analysis and lab work. He emphasized that what they have purchased is a company that can provide the test and the process of administering and analyzing for the low cost.

Councilmember Fred Lowry repeated what an important thing the City is facilitating. The Mayor acknowledged how exciting it was to be able to work collaboratively with Draper's sister communities.

Councilmember Tasha Lowery said that the outcome should be that Draper is safer for everybody to open and get back to work and be out-and-about.

Councilmember Mike Green said that the City must do something that creates confidence. Otherwise, people are just going to stay in their houses and that does not get the economy moving.

- 5.5 Councilmember Fred Lowry asked about the trail system which has had a ton of usage. He said he wondered about the impact on the extra usage of the trail system. Mayor Walker said that there was a Google service that could tell subscribers at any given moment the GPS coordinates and number of people in a location. He said that he was out two weeks ago and that he had never seen so many people on the trail in all his years living in Draper. He said that residents are not only recognizing the amazing trail system in Draper, but also the value of open spaces.

Councilmember Tasha Lowery said hopefully the trails are bringing some business to Draper. She said she felt that the bike stores were busy.

- 5.6 Councilmember Mike Green said that it was important to him that the Police Department, Fire Department, and folks who are interacting directly with the community can be provided hazard pay for their interactions to help them feel supported.

Councilmember Fred Lowry said it would be nice if the City could hold a special appreciation day for those individuals.

Clint Smith, Fire Chief, thanked the Council for their concern for police and fire being on the front lines. He said they were doing a great job being on the frontlines of some challenging circumstances. He said that the efforts of the Mayor and City administration to provide access to testing has been one of the best things that could have been done for first responders to help address the uncertainty regarding their health. He said this has communicated that the City does care about them and their wellbeing, as well as providing

a sense of peace of mind to know that, at least for the time being, they can return home to their families without fear of passing this illness onto them. He also added that both fire and police were taking their vitals and baseline temperatures to make sure that as they report for duty, they are healthy, and checking these partway through the day to ensure they are staying healthy.

Regarding the comment about the parks and trails, he confirmed that they were being heavily used. He said the Police Department has been working to address parking issues related to trail usage in conjunction with Parks and Trails to maintain traffic flow and emergency access.

6.0 Adjournment

6.1 Councilmember Mike Green moved to adjourn the meeting.

5.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

5.3 The meeting adjourned at 8:07 p.m.