

Approved 5.3.2016

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, APRIL 19, 2016, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy Walker, and Councilmembers Bill Rappleye, Jeff Stenquist, Alan Summerhays, Marsha Vawdrey, and Michele Weeks

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

Dinner

Study Meeting

1.0 Emergency Training Course

[6:00:39 PM](#)

1.1 Russ Fox, Assistant City Manager, introduced Scott Chatwin as the Draper City Emergency Manager. He then introduced Tommy Miller from Salt Lake County as the presenter for the ICS training.

[6:01:35 PM](#)

1.2 Tommy Miller, Salt Lake County Emergency Management, presented the ICS Overview for Executive and Senior Officials (ICS-402) training for the City Council and Administrative staff.

[6:33:28 PM](#)

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

[6:33:28 PM](#)

**** Councilmember Stenquist moved to adjourn to a closed-door meeting to discuss Property Acquisition, Litigation, and the Character, Professional Competence, or Physical or Mental Health of an Individual. Councilmember Vawdrey seconded the motion.**

[6:33:39 PM](#)

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

2.0 Council / Manager Reports

2.1 These will be taken care of at the end of the business meeting.

Business Meeting

[3:49:14 PM](#)

1.0 Call to Order: Mayor Troy K. Walker

[7:05:41 PM](#)

2.0 Thought/Prayer and Pledge of Allegiance

[7:05:52 PM](#)

2.1 Clark Naylor offered the prayer.

[7:06:37 PM](#)

2.2 John Reynolds led the Pledge of Allegiance.

[7:07:09 PM](#)

3.0 Public Comments

To be considerate of everyone attending the meeting, public comments will be restricted to items not listed on this or a future agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.

3.1 No one came forward to speak.

[7:08:27 PM](#)

4.0 Consent Items

- a. **Approval of Fair Housing Month Proclamation - April**
- b. **Approval of Arbor Day Proclamation - April 29, 2016**
- c. **Approval of Agreement #16-57** with Quicksilver Concrete, Inc. for the 2016 ADA Ramp Reconstruction Project. Staff: Glade Robbins
- d. **Approval of Agreement #16-58**, with Acme Construction, Inc. for the 300 East Reconstruction Project. Staff: Glade Robbins
- e. **Approval Agreement #16-81**, with Les Schwab Tire Center. Staff: Glade Robbins

[7:09:11 PM](#)

4.1 Mr. Dobbins asked the Council to remove Item D from the list for discussion.

[7:09:18 PM](#)

4.2 **Councilmember Rappleye moved to pull Item D from the Consent Items for discussion. Councilmember Vawdrey seconded the motion.**

[7:09:43 PM](#)

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

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4.4 Councilmember Vawdrey moved to approve Consent Items A, B, C, and E. Councilmember Rappleye seconded the motion.

[7:10:18 PM](#)

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

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4.6 Glade Robbins, Public Works Director, indicated when the City put this out to bid, they broke it into four different schedules—roadway widening, Willowcreek culvert modification, pavement reconstruction and landscaping, and finish items. When the bids came in, they totaled \$2,485,000. When they got approval from the Council, they had approved \$2,450,000 for the project. Staff is proposing the City Council award schedules A&C tonight for the amount of \$2,275,659.50, and they will hold off on schedules B&D and award them after they do a budget amendment on May 3, 2016. Staff will be requesting a budget amendment of \$400,000 that would bring the total up to \$2,850,000 which will give them enough to do the project plus have some money in the budget for testing, survey work, and other similar items.

[7:12:13 PM](#)

4.7 Councilmember Stenquist moved to approve agreement #16-58 with ACME Construction for the 300 East Reconstruction Project schedules A&C. Councilmember Rappleye seconded the motion.

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

[7:13:03 PM](#)

5.0 Public Hearing: Ordinance #1194, for Approval of the Open Space Master Plan

[7:13:20 PM](#)

5.1 Brad Jensen, Engineer, indicated this has been a year long process to get to this point. He gave a brief history of the process they used. The City purchased the Corner Canyon open space in 2005, and they adopted the Corner Canyon Master Plan in 2006. In 2009 Little Valley was purchased, and the SunCrest area was purchased in 2012. The total acreage is 4,600 in City-owned open space in the Traverse Range. The proposed Open Space Master Plan includes the Traverse Range from the Hang-gliding Park through SunCrest and Corner Canyon. It does not include any open space in the valley or along the Jordan River Parkway. It only includes the open space owned by the City. It was very important to the City to get public input on this plan and to be transparent. In March of

2015, the City hired Logan Simpson Design as a consultant on this project. They formed a steering committee with members of the City Council, Planning Commission, Parks and Trails, and some residents. They held a couple of different open houses to allow for residents to get involved. They also did online surveys. The proposed Open Space Master Plan was taken to the Parks, Trails, and Recreation Committee and the Planning Commission, and they are all recommending approval. He thanked the City Council for their support of this plan. He reviewed the Open Space Master Plan for those present. The plan had eight guiding initiatives, which included:

- Keep it Safe
 - Protecting the resources up there
 - Wild fire prevention and mitigation
- Keep it Wild
 - Managing access points and special events
- Trails & Facilities
 - Identified existing trails and trailheads and what needs to be upgraded
 - Coyote Hollow Trailhead
 - Eagle Ridge Trailhead
 - Maple Hollow Trailhead
 - Peak View Trailhead
 - Red Rock Trailhead
- Reduce User Conflict
 - Have more single-use trails
 - Equestrian/Hiking only trails
 - Biking only trails
 - Exclude downhill biking on some multi-use trails
- Dog Friendly Fun
 - Dog restrictions have been placed in Corner Canyon
 - Have at least one off leash area for dogs in Eagle Ridge area
- Learn to Love
 - Education
- Opening New Opportunities
 - Paved trails
 - Feasibility study
 - Alpine slide
 - Zip line
 - Visitors center
- 2,000 Volunteers

Mr. Jensen then reviewed the various areas included in the plan. There are some areas that involve the elk migration corridor. There might be certain times each year the trails will be off limit to accommodate the elk. There are areas bordering Lehi, Alpine, and Highland, that would benefit by the City working with these other Cities to develop trail systems. The hang-gliding group has requested access be provided to the top of the mountain. Mr. Jensen thanked the City Council, the steering committee, City staff, and Logan Simpson for their work and support of this project.

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5.2 Councilmember Summerhays thanked Mr. Jensen and all of the volunteers for their efforts. They all do a great job. He clarified that the Hang-Gliding Association wants to have a diagonal trail cut across there so they can get back up to the flight park when they land. Mr. Jensen stated that is correct. This will just be a hiking trail and not for vehicles.

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5.3 Mr. Dobbins pointed out that the open space property acquisition has cost the residents \$20 million in upfront costs. This has been amortized over twenty years, so they still have a long time to pay it off. The City is paying hundreds of thousands of dollars each year in debt payments, so it has been a costly endeavor to this point. Sometimes it is easy to look forward and ask what else they want to do; however, they are still paying off the purchase price. It is an incredible investment, and it shows the level of commitment the residents and Council have to put that kind of money into preserving open space.

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5.4 Councilmember Rappleye thanked Logan Simpson Design for their help with this project. The public process was successful. He also thanked staff for their efforts. This is something to be proud of, and it was well studied.

[7:34:02 PM](#)

5.5 Councilmember Weeks thanked Mr. Jensen for including the community in this project. She expressed that sometimes the most efficient way is not to include the community, but the community has put a lot of tax dollars into this. Since they have been included, it really feels like it is their open space, their area of Draper, and their place to recreate with their family. She said she thoroughly enjoyed the open house. She indicated she is all about dogs and off leash dog parks.

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5.6 Councilmember Stenquist expressed appreciation to everyone that was involved in this process. The Council is very familiar with this document because they have seen this process and watched how it has evolved. This has been a great effort. They cannot say that everything is in there that everyone would want. A lot of it reflects a balance between competing interests and uses. He stated this is just a guiding document, and how it is implemented will continue to be important.

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5.7 Councilmember Vawdrey thanked everyone who was involved in this project. She especially thanked those who had the original vision for preserving open space and building trails.

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5.8 Mayor Walker opened the public hearing.

[7:37:10 PM](#)

5.9 Kent Player, resident, thanked the City Council for their support. He said his first involvement with this project was twenty years ago. There are very few left in this room that were a part of that original group. No one at that time had a vision for what has just been presented. He added that none of this would have happened without the consistent and concurrent support from the City Council. He thanked them for their support. He has worked with other groups and cities where they do not have the Council's support, and very little happens. Draper has made it work.

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5.10 Jamie Pogue, resident, thanked the City Council for allowing him to be a part of this process. They are all volunteering, and it is an amazing opportunity. He also thanked those who came before this group for their vision. They met with leaders from Lehi, and they can see the benefits of what Draper is doing. They will also speak with Alpine and Highland to get them involved. He expressed appreciation to Logan Simpson Design for their work on this project. This plan does not include everything that everyone wanted. People had to give some things, but everyone got some of what they wanted.

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5.11 John Reynolds, resident, stated that since he moved to Draper, it has been really fun. He remembered when the City Hall was in the old Draper Park School building. He loves that Draper is a City that allows participation. He thanked everyone involved in this process.

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5.12 Marcus Keller, resident and Zions Public Finance, stated this is a beautiful project, and he is happy to see so much open space in Draper. He is grateful the City plans to keep it that way.

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5.13 Mayor Walker closed the public hearing.

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5.14 Councilmember Summerhays reiterated that the City has met with Alpine, and Draper will also meet with Highland and Lehi to see if they can work together for the open space.

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5.15 Councilmember Stenquist expressed appreciation for the comments that were shared tonight. There has been so much public input in this process, and they do not necessarily need more public comments. He said he appreciated the comments by the representatives from Zions Bank. That was a big accomplishment and a great opportunity the City had to work with Zions Bank in purchasing the additional 2,225 acres in 2012. He said that will probably be the most significant thing that he was able to be a part of during his time on the Council. That land along with the rest of the open space will be available for generations to come.

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5.16 Councilmember Stenquist moved to approve Ordinance #1194, which adopts the Open Space Master Plan. Councilmember Summerhays seconded the motion.

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5.17 Mayor Walker thanked the Parks, Trails, and Recreation Committee for their work. This is a tenacious group of people. He has seen those meetings, and they are passionate about what they do. They are a great group of residents who really care about this, and they do the work. He thanked Ann Parr for her pioneering efforts. She has left a legacy, and Clark Naylor has as well. He thanked the residents for paying the bond for this property. The Council took a leap of faith in buying the rest of the property. He stated his brother lives in Texas, and he is an avid biker and hiker. There is no open space in Texas, and he pays \$30 every time he goes mountain bike riding on a private ranch. The ability for the residents to do everything they do in the canyons and have it public is outstanding and unique. There are so many people who have put their heart and soul into this community to make it good. The committees are outstanding.

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

[7:46:54 PM](#)

6.0 Public Hearing: Park Fee Facilities Plan

[7:47:13 PM](#)

6.1 David Dobbins noted the City currently charges a Park Impact Fee for all new development, and it is only charged for residential, which is consistent with State law. State law also requires the City to have a study that backs the park impact fee. The City has hired Bruce Parker to work with the City to update that fee. They have to put together an analysis that determines the level of service for the parks and trails the City currently has. The impact fee can only generate the level of service the City currently has. They cannot charge the fee for staff time, salaries, maintenance, equipment, etc. It has to go to build the parks and trails that would equal the current level of service the City has today. The study that Mr. Parker helped the City with details what the level of service is, and it gets down to the number of benches and trees they have in the parks and how many miles of trails they have. The intent is to take the current level of service for the active parks and trails and replicate that for the new development. The Council will hold the public hearing tonight and they will have the opportunity to adopt it on May 3, 2016. The fee will increase a little from what it currently is.

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6.2 Bruce Parker, consultant, recognized Brad Jensen for his work on this plan. Mr. Parker then reviewed the Park Fee Facilities Plan for those present. He stated this document has been available for several weeks for the public to review. They did an extensive inventory of the parks, trails, equipment, etc. and came up with a cost per resident, which is \$1,309.

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6.3 Mr. Dobbins noted they have had previous discussions about a park fee that would be used to maintain the parks. He wanted to be clear that this is the park impact fee, which is a completely separate issue. They need to update the fee, and this is the analysis to determine what the fee should be.

Councilmember Weeks stated this is quite an extensive analysis, and it is very impressive.

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6.4 Mr. Parker noted he regularly does the updates for the impact fees, and this is the most extensive and detailed study he has ever provided to a community. It took a lot of work on behalf of Brad Jensen and himself to get this level of detail.

Councilmember Weeks noted this is fun to read. It was fun to read how much each park is worth.

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

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6.6 Councilmember Rappleye concurred that this is a well done document, and it is fun to read. It is exciting to see the value. It shows that the investment was worthwhile, and it is money well spent.

This item will be considered at the May 3, 2016, City Council meeting.

[7:59:02 PM](#)

7.0 Public Hearing: Park Impact Fee Analysis

[7:59:22 PM](#)

7.1 Mr. Dobbins noted this item is the fee analysis. The current fee is \$3,990 per unit for single-family homes, and a multifamily development pays \$2,463 per unit.

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7.2 Bruce Parker explained in order to get the correct number, they took the average number of persons per dwelling unit in Draper, and multiplied the \$1,309 number by the average number of people in the dwelling units. Over the next 15 years, they expect a population increase of 9,324 residents. If the level of service going forward is to be maintained, the City will be required to find \$12,200,000 to maintain the existing level of service.

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7.3 Mr. Dobbins noted they are trying to maintain the current level of service when new people move in. This will necessitate building more parks and trails. The Council can always charge less than the analysis recommends, but they cannot charge more.

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7.4 Councilmember Weeks asked why the multi-family residences had a decrease. Mr. Parker noted the number of persons in the dwelling units has gradually started to decline.

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7.5 Mr. Dobbins stated there is a funding component with this. The City has been collecting and will continue to collect the park impact fee, which allows the City to build parks and trails. However, this does not provide a mechanism to maintain those parks and trails. The property tax the City receives on a new single-family home does not even pay for the police and fire service they provide. This means they have to find an alternate source of revenue to pay for maintaining all of the new parks. The \$12 million Mr. Parker reviewed in the previous item is to build the facility, but the City does not have the money for maintenance. That is another discussion, but it is something the Council has to keep in mind.

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

This item will be considered at the May 3, 2016, City Council meeting.

[8:07:10 PM](#)

8.0 Public Hearing: Uses in Historic Buildings Text Amendment

[8:07:36 PM](#)

8.1 Dennis Workman, Planner, stated staff is proposing to amend the City Code to allow medical uses in historic buildings with a conditional use permit. He read the list of uses that are currently allowed. There are about eighteen historic homes in the city that this change could potentially impact.

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8.2 Councilmember Rappleye noted with a conditional use permit, it means it is allowed with conditions. Mr. Workman replied that is correct.

Councilmember Rappleye indicated one of the conditions could be the size of the parking lot in order to limit the use. Mr. Workman responded that is right. They could also limit the hours.

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8.3 Councilmember Summerhays advised it looks like there are a lot of historic homes that he is not familiar with.

Mr. Workman noted there are a lot of buildings that would not be a candidate for this use, such as the Draper Park School.

Mr. Dobbins indicated the Historic Preservation Commission is the entity that determines what goes on the historic list, and the property owner has to agree that they go on the list. There is certain criterion the property has to meet in order to be on the list.

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8.4 Councilmember Weeks asked what people can do with the historic buildings right now other than be lived in. She sees one home in the middle of a subdivision, so there could be a dentist office in the middle of a subdivision if this is passed.

Mr. Workman stated if it fits in with the medical definition it would be allowed.

[8:16:51 PM](#)

8.5 Mr. Dobbins clarified that this ordinance is already in place, and there are already uses allowed in these homes. All they are doing tonight is adding medical services to the current list.

Councilmember Stenquist said as he looks at the changes, they appear very minor.

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8.6 Mayor Walker asked whether there was anything specific that spurred this change.

Mr. Morey said they had one resident come forward that has had a hard time finding a use for a historic home. Over the years, they have considered different uses such as a reception center, but the impact could be big and there is not enough room for parking. As they evaluated it, one of the options they came up with is the medical use. This is a small modification, but it would allow someone to put a massage therapy business in this home.

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8.7 Mayor Walker opened the public hearing.

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8.8 Vincent Simmons, resident, stated he is here asking for support in the change of zoning. He bought this Victorian in 1979. Most of the Victorian homes on Fort Street were a big eyesore in Draper. They were one of the first ones to restore this home. After many years, thousands of hours of work, and hundreds of thousands of dollars spent, this is a jewel in the community. In 2008, the house caught fire. His late wife got carbon monoxide poisoning of the brain, and she passed away in 2009. He said he was alone for a number of years but remarried in 2011. This house was his late wife's home for so many years, and his current wife feels that she is still there, and he does too. He stated they would like to move, and they have had the house for sale for three years. They have had many people look at it, but it takes a very special type of person to own a home like this. It is a beautiful home, but it does not have three bathrooms or a sunken tub. It is a Victorian, and it is all original. He stated it just feels like her presence is there, and opening this zoning will help bring in more people. They have had a lot of requests for a

professional/medical use in the last few months. He asked for the Council's support, so he can sell and move to Florida. It would not change a lot if they were to approve this.

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8.9 Heidi Jex, resident, noted she is here to make this gentleman an offer on his home. She has a wellness business, and she thinks this ordinance should be approved so she could bring her wellness business into a home atmosphere. She states she knows they currently have an offer on their home, but she hopes the Council approves it.

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8.10 Mayor Walker closed the public hearing.

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8.11 Councilmember Summerhays moved to approve Ordinance #1191, the uses in historic homes text amendment. Councilmember Vawdrey seconded the motion.

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8.12 Councilmember Summerhays noted Mr. Simmons has been before the City Council before. The staff has done a very good job in adding this small text to the City Code. He said he still does not think there are that many historic homes in Draper. He said he would like to remove the number of nineteen from the top of the page. Mr. Morey clarified that the number nineteen is not a part of the ordinance.

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8.13 Councilmember Weeks stated she has a couple of questions before she votes. She said she understands the historic homes. She said she is new to this and questioned whether the owners of the historic homes could have businesses in them right now. She was told they could.

Councilmember Stenquist stated almost any home could have a home business in it.

Councilmember Weeks said the staff is requesting they add medical, so they will have more people come.

Mr. Morey noted right now they could put an attorney's office in a historic home. That is the purpose of this type of ordinance. They want to find a way to preserve the historic structures. Sometimes an individual homeowner cannot afford what it would take to go in and rehab one of the older facilities. By putting a professional office in there, they still maintain the look and quality that is in the neighborhood. It just changes the use, and these types of uses are very low impact so they should not cause a significant impact to the neighborhoods.

Councilmember Weeks requested clarification that they could already have an attorney's office in a historic home. Mr. Morey stated they could.

Mr. Dobbins displayed on the overhead the uses that are currently allowed. He stated he is not aware of any historic homes that have any of these uses at this time.

Councilmember Stenquist noted lots of people have home occupation businesses such as hair cutting, workshops in garages, etc., but they cannot have the proposed uses in a regular house. This ordinance allows a commercial use in a residential area.

Mr. Dobbins noted that is correct, and they have to comply with the conditional use requirements, they have to meet the City Code requirements, and they have to be compatible with the existing facilities architecture, landscaping, site design, and parking. They cannot go in and completely change the site. They have to figure out how they will fit in with the neighborhood.

Councilmember Summerhays noted they cannot touch the outside of the home. It has to be all historic.

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8.14 Councilmember Vawdrey stated she thinks medical service is a good use in historic buildings, and she thinks the conditional use will help control parking and other issues that might come up.

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

[8:28:44 PM](#)

9.0 Action Item: Hidden Canyon Estates Preliminary Subdivision Plat

[8:29:12 PM](#)

9.1 Mr. Morey stated the City Council held a public hearing at the last Council meeting. There was not a motion that evening, so the item has moved forward to this evening. There was some discussion about road widths, so staff has put together a presentation.

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9.2 Jennifer Jastremsky, Planner, displayed photos of various cross sections of roads in Draper that are similar to what is being proposed for this subdivision. The road width being proposed in Hidden Canyon Estates is the same width that is required in the valley. The only difference is the proposed park strip is five feet, and the park strip in the valley is ten feet.

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9.3 Mr. Dobbins clarified that the main road going through the subdivision is proposed to be fifty-six feet wide, and all of the other roads in the subdivision are fifty feet wide. Ms. Jastremsky noted they are all fifty feet except for the small stub street going into the Edelweiss subdivision, which will be forty-six.

Mr. Dobbins advised the developer has said the main road from SunCrest Drive to the north would be fifty-six feet. Ms. Jastremsky noted she could be wrong about the width.

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9.4 Councilmember Stenquist noted he was told the reason to have the ten-foot parkstrips as the standard was to accommodate certain types of trees being used. He asked whether that applies to this development and the tree types are similar to what is being used in the valley. He said it is a different climate up there, and he is not sure what kind of trees they are planning to have up there.

Ms. Jastremsky stated they have a street tree plan that provides a list of approved trees. It breaks it out based on whether they are in the valley or in the mountains, and it is also based on the width of the park strip. The Tree Commission has reviewed the Street Tree Plan, so it is actually broken up by location and the width of the park strip.

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9.5 Steve Maddox, applicant, indicated the description of the through road in the subdivision is currently drawn at fifty-six feet wide. He stated his objective for developing in Draper is to be a partner and to contribute to the overall success of open space trails and everything that has been talked about tonight. He said he is not sure why there was a need for a campaign with social facts that are misleading to the general public. This has been in the works for about two years, and they have discussed with the staff at length the nature of these roads and the nature of this being a dead-end landlocked piece of property, while trying to remain true to the mountain as well as transportation. He said he has not concocted this in an effort to save money. They have not done this in an effort to anything other than try to be harmonious with the city as a whole. The original development did not allow the Parks and Trails Committee to come through the subdivision. They have made a provision to allow connectivity to and through the subdivision and to have corridors in there that are significantly wider. He said he hopes that the general public understands that their objective is not in money savings but to have a fluid development with the city, the neighborhood, and the environment.

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9.6 Councilmember Stenquist moved to approve the Hidden Canyon Estates preliminary subdivision plat. Councilmember Summerhays seconded the motion.

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9.7 Mr. Barker asked whether that included the modification of the street width. Councilmember Stenquist stated it does.

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9.8 Councilmember Stenquist restated his motion to approve the Hidden Canyon Estates preliminary subdivision plat including the street modifications. Councilmember Summerhays seconded the motion.

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9.9 Councilmember Stenquist said he has given some thought to the modified park strips. That is really all they are talking about. He said it brought up a lot of different discussions with staff about the standard and why it is in place and whether ten feet is the right width. He advised he knows they have different parkstrip widths and the asphalt widths vary by the type of road they are talking about. He said he hopes that this does provide enough snow storage and it provides what they need as far as trees go. Earlier this evening they approved the Open Space Master Plan and talked about all of this great open space and now they are talking about a subdivision in the middle of all of the open space. It all ties together. The City has had enough experience with development on the hillside that they have learned some important lessons. Edge Homes has been a really good partner to work with. In some ways people would like to see the area remain undeveloped, but the reality is that there are some areas up there that are slated for development.

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9.10 Councilmember Rappleye said he understands the discussion about the street widths but he feels comfortable with the proposal, especially since the Public Works guys felt like there was plenty of storage space for snow. He said he has done some research on Edge Homes, and everything he has checked out showed that their end product is even better than the pictures they show. He expressed appreciation to Mr. Maddox for his willingness to work with the City on the trail access. Trail access is critical to the area and brings value to the subdivision.

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9.11 Councilmember Summerhays agreed with Councilmember Rappleye about Edge Homes. On April 13, 2015, the City signed a development agreement with Mr. Maddox, and he feels the City has to follow that agreement.

[8:46:22 PM](#)

9.12 Councilmember Weeks said her big concern was the roads, the width of roads, and where they are putting the snow. She stated she has walked a lot of streets in Draper, and some of the road widths are not wide enough to sustain the amount of traffic and to sustain the cars. She said she knows it says in the Code that they can have a variance, but she really feels that the fifty-six feet is a good width especially up there in SunCrest. She has had a lot of SunCrest residents on Facebook say that the roads are not wide enough to accommodate the snow, the parking, and the traffic. That is why she has been adamantly against the road width. She does not believe it will accommodate the snow and the parking. Some of these homes are less than one-quarter of an acre, and she is concerned with where they will park. She said she is sure they produce a beautiful home, and these people will want to live in the homes, but she also knows that they will want people to come and visit. With the proposed road width, she is afraid that they will not be able to park alongside or visit their mother or father. She has a lot of issues with that. Councilmember Weeks then noted there are some issues with the wetlands in Phase 9, and she knows he is resolving that. She thanked him for doing that.

[8:47:57 PM](#)

9.13 Councilmember Vawdrey advised she drove up to SunCrest and looked at the roads and the park strips. She believes the cross section that is proposed in this subdivision is a cut above what is up there already. She feels pretty comfortable with what they are proposing.

[8:48:18 PM](#)

9.14 Mayor Walker clarified that there are no designated wetlands on this mountain by the US Army Corp of Engineers. That is a key element to wetlands. There may be wet land in SunCrest; however, in order for it to be wetlands, it has to be designated by the Corp. There are no designated wetlands on that mountain under the definition of the Army Corp. That is not an issue with this play. Mayor Walker then said with respect to road widths, when the economy crashed, the Tallwoods subdivision was a neighborhood of foundations and unfinished foundations. He went up there today, and every single foundation has a new house on it, and every empty lot has new houses being built. Those roads are not anywhere near the width or capacity that Edge Homes is proposing. There are a lot of roads in SunCrest that are narrower than they should have been, but the City cannot do anything about that now. They were developed under a development agreement way before any of the current Councilmembers were on the Council. None of the Councilmembers sitting here today would have allowed that to happen. These are not those kinds of road. These are roads that four vehicles can sit on and two vehicles can pass with vehicles parked. That being said, people are buying homes up there still, and they like living there even though there are different road widths. Tallwoods only has sidewalk on one side.

[8:49:54 PM](#)

9.15 **A roll call vote was taken with Councilmembers Rapple, Stenquist, Summerhays, and Vawdrey voting in favor and Weeks voting no. The motion carried with a majority vote of 4 to 1.**

[8:50:09 PM](#)

10.0 Action Item: Resolution #16-20, Approving a Franchise Agreement with Veracity Networks, LLC.

[8:50:36 PM](#)

10.1 Mr. Barker advised the City has an ordinance that governs franchises. Veracity Networks is a local company that provides services to commercial customers. They have been quite successful in doing so. They have applied for a franchise in Draper, and they have been provided a standard franchise agreement. This agreement will be for a seven year initial term with an option to renew for an additional five years. State law governs the amount of the franchise fee, which is set at 3.5 percent. The franchise grants Veracity the nonexclusive right to construct and maintain their telecommunications network within the City's rights-of-way.

[8:52:06 PM](#)

10.2 Councilmember Rappleye stated he is excited to make a motion for this because he remembers working for the cable business when there was only one franchise for these kinds of things. This is an exciting time to see multiple franchises coming in. It improves the industry for everyone.

[8:52:32 PM](#)

10.3 Councilmember Rappleye moved to approve Resolution #16-20, approving a franchise agreement with Veracity Networks. Councilmember Summerhays seconded the motion.

[8:52:51 PM](#)

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

[8:53:10 PM](#)

11.0 Action Item: Resolution #16-23, Granting an Exception to Draper City Municipal Code Section 8-2-010 to Centennial Financial

[8:53:29 PM](#)

11.1 Mike Barker, City Attorney, stated the City has an ordinance that requires all utility lines to be placed undergrounds; however, it gives the City Council the authority to approve an exception to that ordinance. He noted on the east side of the prison there are above ground poles all along the street, and the utility lines have all been placed above ground. This applicant is asking for an exception to the ordinance. They have about 332 feet of frontage. From a legal perspective, Mr. Barker said he feels the purposes of this particular code are met, and he recommends the Council grant this exception.

[8:56:46 PM](#)

11.2 Craig Hall, representing the applicant, stated his clients have already constructed the building. Their request is really practical because there are overhead power lines on both sides of the property. If they bury their lines, there would be the same number of poles but each side of the property would have a guide wire. It would mess up the transportation plan for vehicle movement within the development, and it makes no sense.

[8:59:39 PM](#)

11.3 Councilmember Summerhays stated none of the buildings that have been built along that corridor have been asked to bury their lines. He asked why that is the case. Mr. Barker explained that he spoke with Brien Maxfield in engineering, and he said this has never been an ordinance that has been consistently enforced over the years. Scott Cooley, the current City Engineer, is enforcing this now.

[9:00:51 PM](#)

11.4 Councilmember Weeks asked how much property they are talking about. Mr. Hall responded it is 332 linear feet along the street frontage. The total development is less than 2 acres.

[9:02:41 PM](#)

11.5 Councilmember Vawdrey moved to approve Resolution #16-23, granting an exception to the Draper City Municipal Code Section 8-2-010. Councilmember Summerhays seconded the motion.

[9:04:02 PM](#)

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

[9:04:24 PM](#)

12.0 Council/Manager Reports

[9:04:31 PM](#)

12.1 Councilmember Weeks said there is a large park strip in her neighborhood. Some new people moved in, build a fence, and are now ignoring their large park strip. She asked who the neighbors would talk to about this. Mr. Morey asked her to provide the address. It is a Code Enforcement issue, and he will have the Code Enforcement Officer address the property owner.

[9:05:17 PM](#)

12.2 Councilmember Rappleye invited everyone to attend the open house for the Great Shake Out on Thursday. He also asked them to do some planning at home with their families. He indicated texting works better than phone calls in an emergency.

[9:06:10 PM](#)

12.3 Councilmember Vawdrey stated she had a resident contact her about being involved in a community garden. The County wanted to know if the City Council was interested in having them come to speak to them about the community gardens. The Council was interested in having them come to a meeting.

[9:06:54 PM](#)

12.4 Councilmember Summerhays stated he walked up 300 East and got beat up a little bit. He asked when the liaison would come on line. Mr. Robbins indicated Bill Knowles will start going door-to-door Thursday and Friday of this week to speak with the residents. He will let them know the City will possibly start work the middle of next week.

[9:08:02 PM](#)

12.5 Councilmember Vawdrey stated the Councilmembers received an email from Helen Cozzens on 1300 East. The Mayor answered the email and was going to run it by Mr. Dobbins. Mr. Robbins explained the contractor started last Friday. They will be there all this week to address the issues.

[9:08:39 PM](#)

12.5 Mr. Ogden reminded the City Council of the grand opening of the dog park on Saturday at 10:30 a.m. to 12:30 p.m.

[9:09:55 PM](#)

13.0 Adjournment

[9:09:55 PM](#)

13.1 Councilmember Rappleye moved to adjourn the meeting. Councilmember Weeks seconded the motion.

[9:10:09 PM](#)

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

13.3 The meeting adjourned at 9:09 p.m.