

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, SEPTEMBER 20, 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; Bryan Roberts, Police Chief; and Bob Wylie, Finance Director

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**Dinner**

\*\* **Interviews: Traverse Ridge Special Service District Administrative Control Board Applicants**

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\*\* The City Council interviewed Paul Tonks for the Traverse Ridge Special Service District Administrative Control Board and asked him questions about how he would serve as a Board member.

**Study Meeting**

[5:50:01 PM](#)

**1.0 Presentation: SAFE Program Awareness & Implementation**

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1.1 Scott Chatwin, Emergency Manager, reviewed the Schools Aid Families in Emergencies (S.A.F.E. Neighborhoods) program for those present. The schools will serve as a short-term emergency shelter in case of emergencies. The program works in conjunction with the local church and Community Emergency Response Team (CERT) plans.

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**2.0 Discussion: Horse Trail, 13200 South Street Connector Project**

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2.1 Mayor Walker indicated he spoke with Steve Meyer, Utah Transit Authority (UTA), earlier that day, and their big concern about keeping Boulter Street open until the TRAX line extends over the point of the mountain is because they have had problems before by allowing it. There is a possibility the City could enter into a contractual agreement that would require the closure, and they can put up signs indicating this is a temporary crossing. UTA seemed amicable about coming up with a contract solution that would protect the City's interests.

Councilmember Weeks indicated when she spoke with UTA, they thought the rail would not be extended for approximately seventeen years. Mayor Walker indicated UTA does not have any funds to extend the line at this time. There would have to be a different funding mechanism that has not been identified, and it will probably be some time before the line is extended.

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2.1 Scott Cooley, City Engineer, reviewed the cross section and proposed horse trail for the 13200 South Street Connector Project. There was discussion about the location of the horse trail. The proposed location is next to the neighboring yards and would have the trail and sidewalk in between the residential yards and the park strip.

Subsequent to Council and Staff discussion, it was determined the trail should be moved to the other side of the sidewalk, and the City should maintain the trail and the park strip rather than having the homeowners maintain them. Staff plans to hold public meetings so the residents know what is being proposed in the area.

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

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\*\* **Councilmember Vawdrey moved to adjourn to a closed-door meeting to discuss litigation and property acquisition. Councilmember Stenquist seconded the motion.**

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

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\*\* The City Council then interviewed Craig Steiner for the Traverse Ridge Special Service District Administrative Control Board. They asked him questions concerning how he would serve as a Board member.

## **Business Meeting**

[3:57:36 PM](#)

1.0 **Call to Order: Mayor Troy K. Walker**

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2.0 **Thought/Prayer and Pledge of Allegiance**

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2.1 Isabella Salazar offered the prayer.

[7:02:20 PM](#)

2.2 Sophie Williams led the Pledge of Allegiance.

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### **3.0 Oath of Office: Mayor's Youth Council and Introduction of New Officers**

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3.1 Joaquim Sagae, Youth Council Advisor, introduced the new officers for the Youth Council this year and expressed that it was a privilege for them to be there. This year's Youth City Council has 66 members, with 44 new members and 22 returning members. The following Youth City Council Advisors and Youth Officers were introduced: Melinda Van De Graaf (Advisor), Mike Carlson (Advisor), Wendy Jensen (Advisor), T.K. Polevoy (Youth Mayor), Kaitlyn Wampler (Youth Mayor Pro Tem), Mackenzie Mariluch (Youth City Councilmember), Amber Rasmussen (Youth City Councilmember) and Spencer Van De Graaf (Youth City Councilmember).

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3.2 Rachelle Conner, City Recorder, gave the Oath of Office to the Youth Councilmembers.

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### **4.0 Update: Animal Control Euthanasia by Injection**

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4.1 John Eining, Deputy Police Chief, reported that after settlements and preparations, the City has finally met all the conditions and requirements set forth by the DEA to perform euthanasia by injection. The requirements included an onsite inspection, written policies and procedures, and training animal control officers to administer the drugs that are needed to perform euthanasia by injection. Moving forward, injection will be the primary method by which euthanasia will take place.

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4.2 Councilmember Stenquist asked whether other methods will still be utilized.

Deputy Chief Eining stated the gas chamber method will still be utilized for feral cats and wild animals. The primary purpose for using the gas chamber in these circumstances is for the safety of the animal services officers. Trying to restrain those types of animals in order to do an intravenous type of injection is very dangerous to animal services officers; therefore, Animal Control recommends the gas chamber method in those situations. With regards to wild animals, they primarily euthanize raccoons, and skunks are rarely euthanized. According to State law, raccoons have to be put down if they are captured. They cannot be relocated or released.

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4.3 Councilmember Weeks reported she met with Police Chief Bryan Roberts back in February. They spoke about how many animals were euthanized in the gas chamber versus how many animals were injected, and tried to assess whether or not the numbers

were decreasing. With this new procedure, Councilmember Weeks wondered if the numbers would drop drastically in terms of how many animals would be euthanized in the gas chamber versus the number of animals that would be euthanized by injection.

Deputy Chief Eining explained that right now the primary reason they euthanize is to mitigate wild animals. Therefore, the numbers relating to wild animals will not decrease as they transition into euthanasia by injection. However, the number of gas chamber euthanasia cases for domesticated animals will likely decrease, because those cases will now be handled by way of injection.

Councilmember Weeks asked if she would see a dramatic difference if she were to compare numbers from last February and this February. Deputy Chief Eining explained they are not going to have any comparables to review as of right now because they have not performed euthanasia by injection as of yet. The drugs have been ordered but have not been received. However, they will most likely begin the transition to euthanasia by injection in the coming weeks. He explained if they were to review the numbers a year from now, there would be a base line for reviewing statistics moving forward. Councilmember Weeks remarked they are headed in the right direction.

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4.4 Councilmember Summerhays remarked that 90 percent of the cats and dogs at the shelter are adopted anyway. Deputy Chief Eining added they have a very robust adoption policy, and the animals which aren't adopted through the shelter are adopted out of other organizations. Very few animals are put down.

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4.5 Councilmember Rappleye stated Draper has one of the best Animal Control Services in the valley. He interacts with the staff often and has found they really care about the animals; injecting animals and holding them while they pass away, especially if they are pets, is difficult. Deputy Chief Eining agreed. Councilmember Rappleye explained that it is a sacrifice for Animal Control Services to implement this policy change. He has personally had to put down pets and expressed that it must be difficult psychologically on Animal Control Officers to do so every day.

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## **5.0 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.

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5.1 Robert MacFarlane, resident, explained he has lived in the area for nearly 18 years, and commented on the Geneva Rock operations taking place at the point of the mountain. In

the 1940s a sand and gravel operation began on the valley floor near the point of the mountain. Over the past 70 years many things have changed. It has been discovered that the silica dust produced at the point of the mountain is a carcinogen and is recognized as such by OSHA and public health authorities. Crystalline silica causes the destruction of lung tissue and function, and can lead to lung cancer and increased vulnerability to tuberculosis. Studies in California have shown that silica dust can travel 75 miles from the valley floor. Since 1990, the population of the cities near the point of the mountain – Draper, Bluffdale, Riverton, Alpine, Highland and Lehi – have grown by more than 400 percent.

A once remote pit operating at valley level has expanded to an elevation of over 600 feet above the point of the mountain floor, and the dust is continuous for those who live nearby. Studies have shown that 80 percent of the time, the wind is strong enough to blow dust from the point of the mountain into greater Salt Lake and Utah County, depending on the direction the wind is blowing. Therefore, this means 1.9 million people who live on the Wasatch Front are exposed to this particular area. A constant wind is created between the two valleys, and the fact that it is at a higher elevation makes it more dangerous than the 19 other Geneva Rock pits which are at lower elevations and in less windy locations.

In October 2015, a cessation order was issued to Geneva Rock for operating outside of their permitted area. Mr. Macfarlane requested the Council act on the matter. He explained that it's been nearly a year since Geneva Rock has gone outside of that area. They've moved into the AG5 zone without any penalty or definitive action being taken against them. While the City may be in the process of taking action, Mr. Macfarlane explained that he wants the City to send the right signal to Geneva Rock and their operation, which heavily pollutes the area. He wants the City to enforce their laws, boundaries and zoning. He again implored the Council to act on this matter, even if it means spending legal resources and taking an aggressive stand. He thanked the Mayor and Council for their consideration.

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5.2 Heather Burton, resident, introduced herself as a leader of several young ladies in the audience who were there to learn about civic engagement. Ms. Burton expressed her appreciation for Draper's emphasis on health, wellness and volunteerism. She then invited each young woman from her group to share their thoughts with the Mayor and Council.

Tess Benton, resident, noted she likes the view of the mountains and how beautiful and colorful they are.

Sophie Williams, resident, expressed her love for Draper's hiking trails.

Mia Judd, resident, also expressed her love for Draper's hiking trails.

Abigail Burton, resident, advised she likes the pickleball courts.

Isabella Salazar, resident, stated she likes the flowers blooming in summer and the colors changing in the fall.

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**6.0 Consent Items**

- a. **Approval of the September 6, 2016, City Council Meeting Minutes**
- b. **Approval of Resolution #16-52, Reappointing Darrell Smith to the Historic Preservation Commission**
- c. **Approval of Agreement #16-193, with ACME Construction for the Highland Drive Trail Undercrossing Culvert Improvements**
- d. **Approval of the Relation Subdivision Assessment-in-Lieu Agreement for property located generally at 1620 East Pioneer Road**

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**6.1 Councilmember Summerhays moved to approve the Consent Items. Councilmember Vawdrey seconded the motion.**

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

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**7.0 Action Item: Resolution #16-51, Appointing Clint Smith as the Draper City Fire Chief of the New Draper City Fire Department**

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7.1 Mayor Walker invited Mr. Smith to come forward in order to be recognized by those who were in attendance. Mayor Walker expressed the significance in making this appointment. As he researched who would be the right person to lead and set up this new department, Mr. Smith's name came up every single time by several trusted professionals in the field. Mayor Walker stated Mr. Smith has unique experience. He is a very qualified and longtime firefighter and has worked for the Unified Fire Authority. In addition to his experience as a firefighter, he's also had some political experience. Mr. Smith had an opportunity to serve as the Mayor of Herriman on an interim basis for a few months, and therefore he knows how local government budgets operate.

Mayor Walker outlined three reasons why he chose Mr. Smith for this position. (1) Mr. Smith has political experience. (2) Mr. Smith came highly recommended by his peers and colleagues. (3) He's a "Smith", which means that he knows how to work. Mayor Walker explained that he knows Mr. Smith's parents, and they are as hard working people as he has ever met. He continued that when Mr. Smith served as the Mayor of Herriman, he worked many long hours. In addition to his qualifications, Draper is Mr. Smith's hometown, and this gave Mayor Walker confidence that he would put forth great care and effort in organizing a quality Fire Department.

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7.2 Clint Smith thanked Mayor Walker for his kind words. He expressed the honor which he felt standing before the Mayor and Council in this capacity. He continued that it is not lost on him the trust and responsibility which has been entrusted to him as they take this important step forward together. He stated he is a firefighter. He began his career in Draper City in 1993 as a volunteer on the ambulance and in the Fire Department. He learned from the toughest teacher that he could have as a volunteer on the ambulance, and that person was his mother, who worked as a volunteer on the ambulance for 13 years. The experience of working on the ambulance is what piqued his interest, and once he became an EMT and began to work in this capacity, it became his passion; it has been his full-time passion for the last 21 years while working with his current organization. His current organization has taught and prepared him for this opportunity.

Mr. Smith expressed he is excited to take this step together with the City and with the community and to build something special. Draper is his hometown, and his roots run very deep here. He has an intense love for this community and is extremely humbled to have been chosen to lead the new Draper City Fire Department. He expressed his commitment and desire to take this journey and build something of which everyone can be proud. He is grateful for his parents and acknowledged his father's presence in the audience. He also gave credit to his wife and children, who were also present in the audience.

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7.3 Councilmember Summerhays explained when Mayor Walker called and asked him about the appointment of Mr. Smith, there wasn't any doubt in his mind that this was the right choice. He agreed with remarks made about the work ethic of the Smith family. When he was growing up, Draper was a small town and everyone knew each other, including personnel working in the Fire Department. Councilmember Summerhays continued that this isn't the case anymore, and he is glad the City has brought back one of their own to run the new department. He has not heard one person make any kind of derogatory remark with regards to Mr. Smith's appointment. Councilmember Summerhays was extremely supportive of the appointment.

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7.4 Councilmember Vawdrey stated she was also thrilled with Mayor Walker's recommendation. Mr. Smith has great credentials, and she personally has great confidence in him as well. She thanked Mr. Smith for being willing to go on this journey with the City and community.

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7.5 Councilmember Rappleye commented that he has a great love for UFA, so this has been a hard process for him. However, it became obvious to him that it was time for Draper to take the next step and to "leave the nest", just as a child "leaves the nest" to venture into the world. Once this determination was made, it became a matter of identifying someone who would be a qualified leader in moving forward. Councilmember Rappleye spoke about the value of Mr. Smith's foundation with UFA and is confident the City will be

able to maintain a working relationship with UFA, Metro Fire and other organizations, because no fire department stands alone. Mr. Smith also fully understands wild land fires, which is particularly important for Draper residents. Councilmember Rappleye was pleased with Mr. Smith's willingness to consider this appointment, and opined that there isn't a better candidate for the position.

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7.6 Councilmember Stenquist stated the number one responsibility they have as a City and as a local government is to provide emergency safety services to residents. There's nothing more important to the residents than having quality emergency services arrive in a timely, professional manner during a time of crisis of any sort. Councilmember Stenquist shared that he was riding his bike over the weekend when he came upon the scene of an accident. He and a couple of other people were the first ones on the scene where a bicyclist had been hit by a car, and the experience of watching Sandy EMS personnel assist the gentleman served as a significant reminder to him of the importance of quality public safety services.

Councilmember Stenquist explained that he had a chance to meet with Mr. Smith personally. In learning more about Mr. Smith's background, he has gained confidence that he is the right man for the job. Mr. Smith has all the qualifications they could want in a new Chief. While it will be an exciting opportunity, it will also be a big task. The City needs to be ready to hit the ground running when their contract ends with UFA, so that on Day 1 when the first call comes in they are ready to show up and take care of the citizens. The City also has a responsibility to the taxpayers, so making sure they move forward in a fiscally responsible way is also very important. Councilmember Stenquist explained the more he has reviewed the numbers, the more reassured he has become that this is the right direction for the City to take at this time. He's doubly confident knowing they will have a competent leader at the helm in forming and leading the new department.

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7.7 Councilmember Weeks stated she was the most reserved about the City starting its own Fire Department, and had a lot of questions, especially with regards to the wildlands. The most important element of her job is to make sure her citizens are protected. She emphasized that they have a lot of work to do in order to organize a fully functional Fire Department in 10 months. Councilmember Weeks stated that because the City has decided to go this direction, Mr. Smith will have her full support, and she will do everything she can to make sure they have a great Fire Department by next summer. Protection of Draper's citizens is the most important job they have as a Council and as a Fire Department, she hopes they can rise to the occasion and produce a great Fire Department. Mr. Smith agreed with her remarks.

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**7.8 Councilmember Vawdrey moved to approve Resolution #16-51, appointing Clint Smith as the Draper City Fire Chief of the new Draper City Fire Department. Councilmember Summerhays seconded the motion.**

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

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7.10 Councilmember Weeks asked Mr. Smith if he would be available in the hallway to answer any questions from members of the public. Mr. Smith answered affirmatively.

Mayor Walker welcomed Mr. Smith aboard, and Mr. Smith expressed appreciation for the Mayor and Council's confidence.

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**8.0 Action Item: Resolution #16-50, Appointing a Member to Fill a Midterm Vacancy for the Traverse Ridge Special Service District Administrative Control Board**

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8.1 Russ Fox, Assistant City Manager, explained the City Council formed the Traverse Ridge Special Service District Control Board (TRSSD) in September 2014. It's a five member board, and recently Mr. Edan Jorgensen vacated his position on the Board. The Council now needs to fill this midterm vacancy. As part of that process they also had two interviews with Craig Steiner and Paul Tonks. Mr. Fox encouraged the Mayor and Council to discuss their decision.

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8.2 Mayor Walker stated for the public's benefit, that the TRSSD was created prior to his Mayoral election, as well as the election of any of the current City Councilmembers. The TRSSD is a Special Service District, or a taxing authority, which administers specific taxes to residents who live within the service defined by the statute. For many years, the Council sat as the TRSSD Control Board, in addition to their position as City Councilmembers. A couple of years ago, the Council decided to appoint members of the community who live in the Special Service District to serve on the Board, in lieu of Councilmembers. The Board sets the budget and decides how they want to spend their resources. They interact and work with the City Council to that end. Mayor Walker explained the Council had an opportunity to interview the applicants, and encouraged Council discussion on the matter.

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8.3 Councilmember Stenquist explained that while the Council had a chance to briefly talk with each of the applicants, as a Council they have not had ample time to discuss each candidate. He suggested continuing the vote.

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**8.4 Councilmember Stenquist moved to continue this item to the next City Council meeting. Councilmember Rapple seconded the motion.**

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8.5 Councilmember Summerhays asked Amy Baird, TRSSD Board Chair, if they will be able to continue to operate as a Board if this item is passed to the next Council meeting. Mr. Fox answered that Mr. Jorgenson submitted his resignation about a month ago. The TRSSD Board still has four members and can therefore fully operate as a quorum.

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

[7:43:00 PM](#)

9.0 **Public Hearing: Ordinance #1229, Hansen-Ramirez Zone Change, Request for a Zoning Map Amendment from RA1 (Residential Agricultural, 40,000 Square Foot Lot Minimum) to RA2 (Residential Agricultural, 20,000 Square Foot Lot Minimum) on 0.57 Acres Located at Approximately 13451 South 1300 East**

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\*\* *The Council took a break at 7:45 p.m.*

\*\* *The meeting resumed at 7:55 p.m.*

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9.1 Keith Morey, Community Development Director, presented the staff report as well as aerial maps and images of the subject property. The subject property is just off of 1300 East and south of 13430 South. The Land Use Map suggests a future land use of low to medium density, and the current zoning on the property is RA1. Although the property is currently zoned RA1, it requires a minimum lot size of 40,000 square feet. The lot in question is 24,829 square feet, and is therefore considered a legal, non-conforming lot. The property owner wants to be able to build an accessory building in the back, so as to bring the property into compliance with the current zoning. They are requesting a zone change to the RA2 which sets the lot size to a limitation of 20,000 square feet; they already exceed this requirement. There is some R3 areas around the property. The applicant's only interest in requesting the rezone is to bring their lot into compliance with the zone and thereby have the ability to construct an accessory building. In total, their property sits on approximately .57 acres. Both the Planning Commission and staff have recommended approval. Images of the subject property were then presented.

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9.2 Tari Hansen, applicant, stated that her family just purchased this property a few months ago. Right after purchasing the property they realized that the roof on the three-car carport was leaking. As such, the structure cannot be used for storage, thereby making it 12,000 square feet of useless property. When assessing different ideas about what they could rebuild in that spot, they discovered that the lot was out of compliance. They are zoned for RA1, which requires a minimum lot size of one acre, but the lot itself is closer to a half acre in size. The applicant will not be adding to, extending or changing the use of the lot. They simply need to bring the lot into compliance in order to qualify for any

kind of a building permit, which is required for building any structure exceeding 200 square feet.

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**9.3 Mayor Walker opened the public hearing.**

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9.4 Summer Pugh, resident, expressed that she, along with other neighbors, have sought to preserve this area as large lots, with low density and more relaxed living. They were initially confused as to why the Hansen's would need to change the zoning if they just wanted to improve their garage or build a mother-in-law apartment; however, she acknowledged that she now understands their predicament. Ms. Pugh stated they don't want to end up with a divided lot with two homes on the property instead of the one.

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**9.5 Mayor Walker closed the public hearing.**

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9.6 Mr. Morey clarified that the lot may remain in its current non-conforming condition if no changes are made to the structure or property. However, if there are any changes made to the structure or to the property, then it must come into compliance with the existing ordinance. This would then eliminate Ms. Hansen's opportunity for making improvements to the detached garage; therefore, Ms. Hansen is seeking to bring her lot into compliance with the existing City ordinance in order to qualify for a building permit.

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9.7 Ms. Hansen clarified that she doesn't have any intentions of subdividing the property, as this would entail another rezone for a smaller lot. She reiterated Mr. Morey's comments regarding the need to bring her lot into compliance with existing City ordinances in order to qualify for a building permit. Without the building permit, Ms. Hansen cannot rebuild her garage. She said she is not changing the use of her property, and has no intention of subdividing.

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9.8 Councilmember Weeks asked Ms. Hansen how large her garage is currently. Ms. Hansen answered that it is about 1200 square feet. The structure has a three-car carport, a chicken coop and cold storage with a freezer door. Councilmember Weeks asked whether the garage was almost the same size as Ms. Hansen's home. Ms. Hansen noted her home is 1400 square feet. She continued, while the garage is the same size as her house, it is completely useless in its current state. Everything is rotted, and she cannot obtain any kind of a building permit for it unless the rezone request is approved by the Council. Ms. Hansen stated that she intends to come back and ask for a building permit and possibly construct an accessory dwelling unit; however, she will only be able to build a 720-square foot structure, which is half of the size that currently exists.

[8:04:03 PM](#)

9.9 Councilmember Summerhays inquired as to whether or not there was an imaginary line which represented the widening of 1300 East.

Mr. Morey answered that Ms. Hansen's property extends out into the right-of-way. Ms. Hansen clarified the property in question is owned by the County. Mr. Morey stated he was not sure whether or not the Engineering Department has assessed where the curb, gutter and sidewalk for 1300 East will be located.

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9.10 Councilmember Rappleye asked whether making this change will give the property owners any advantage if they sell the property in the future.

Mr. Morey answered in the negative, because the minimum lot size is 20,000 square feet, and the Hansens have almost 25,000 square feet on their property. There isn't a sufficient amount of property in order for a subdivision into two separate lots to take place. If they had a desire to further subdivide, as Ms. Hansen mentioned, they would have to apply for another rezone. The proposed rezone change will simply take a non-conforming lot and bring it into compliance with City ordinances. At some point somebody could tear down the existing garage and build something newer and bigger, but it would still have to meet all of the setback requirements and Code requirements that are within the R2 zone.

Councilmember Rappleye clarified that approval of the rezone will not enable any undesirable changes to occur in the area, to which Mr. Morey agreed.

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**9.11 Councilmember Stenquist moved to approve Ordinance #1229. Councilmember Rappleye seconded the motion.**

[8:05:51 PM](#)

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

[8:06:18 PM](#)

**10.0 Public Comment: Resolution #16-39, Authorizing the Use of Eminent Domain, if Necessary, on 13800 South for the Road Construction Project**

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10.1 Glade Robbins, Public Works Director, explained this item has been previously presented to the Mayor and Council. The aforementioned resolution is for the 13800 South Bangerter project which has been planned for next spring, and will entail construction to widen and make improvements to the traffic signal at the intersection in question. There is still some property acquisition which is needed on four properties. Staff is requesting the Council approve this Resolution #16-39 so they can pursue eminent domain if required.

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**10.2 Mayor Walker opened the meeting for public comment.**

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10.3 Mike Barker clarified that under the statute public comment on this particular item is limited to the property owners actually affected by this decision. Therefore, this is a hybrid public hearing; it is not a full public hearing.

Mayor Walker made the aforementioned correction for the record, and invited any property owners who wished to speak on the matter to come forward.

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10.4 Tom Lloyd, resident, noted he is on this list, but he signed the document.

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**10.5 Mayor Walker closed the meeting for public comment.**

[8:08:43 PM](#)

**10.6 Councilmember Stenquist moved to approve Resolution #16-39. Councilmember Vawdrey seconded the motion.**

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10.7 Councilmember Stenquist stated the City doesn't like to use eminent domain if it can be avoided. However, it's a necessary tool which sometimes needs to be used. He is looking forward to this project because the traffic is becoming more heavily congested in the area, especially during rush hour. In his opinion, this project can't come soon enough, as traffic is only going to worsen as the area continues to grow.

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10.8 Councilmember Summerhays noted a lot of the money for this project is coming from a Federal Grant.

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

[8:10:16 PM](#)

**11.0 Action Item: Ordinance #1225 and 1226, Creekside Estates Zone Change and Land Use Amendment, Request for Approval of a Zone Change from RA1 (Residential Agricultural, 40,000 Square Foot Lot Minimum) to R3 (Single-Family Residential, 13,000 Square Foot Lot Minimum) and a Land Use Amendment from Residential Low/Medium Density to Residential Medium Density for Property Located Generally at 571 West 11400 South**

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11.1 Mr. Morey explained the Council will be doing two things: (1) zone change and (2) land use amendment. These two actions pair well together when changing the General Plan Map and/or the Land Use Map. Mr. Morey identified where the subject property is located, and explained there is a retention basin which is used by both UDOT and the City.

The current Land Use Map shows this area with the future use of low to medium density. The Land Use Map also shows what the Parks and Trails Master Plan suggest for that area as well. There is quite a bit of planning that's been done and connectivity that's been planned for all throughout this area. The Zoning Map currently shows the subject property zoned as RA1. Along with the zone change, a lot of times the City asks the developer to provide a general idea of what they're proposing, although the Council will not be discussing site plans at this point.

One of the concerns that's been expressed by several individuals is why the zone change to RA2 is necessary, and whether or not there is any way to avoid it. As staff considered the proposal, they evaluated the fact that there are several constraints within this site due to the retention pond, and the road that will have to be built as a result of steep grading on the property. In assessing what could actually be done with the property, staff realized that several of these parcels probably won't meet the lot size requirement, and therefore a couple of the lots may drop off from the site plan. By staff's evaluation, even though the zoning will be R3, the site plan will resemble more of what would occur within R2 zoning. R3 zoning was requested because it better accommodated the developer's design plan.

Mr. Morey pointed out the loop trail connectivity which will be incorporated into the project. The Planning Commission recommended denial on a vote of 4-to-1, because they got hung up on the difference between the R3 zoning versus what could actually be built on the subject property. On the other hand, staff has recommended approval based on their evaluation of the application. Mr. Morey identified a private road which runs down the eastern portion of the property, as well as another road that will go into the development. Staff anticipates that because UDOT controls 11400 South, they will make the indication that two connections onto 11400 South can't both coexist. UDOT will likely require those two connections to be conjoined, thereby creating a single access onto 11400 South. This will be one more limitation which the developer will have to address. Additional images of the subject property were then presented.

[8:14:54 PM](#)

11.2 Councilmember Stenquist clarified the applicant is requesting a rezone to R3. Hypothetically, if the subject property was rezoned to R2, some of these lots wouldn't be buildable because they wouldn't meet the minimum standard. He posed the question of how many lots would be viable within an R3 versus an R2 zone.

Mr. Morey did not have a conclusive answer; however, based on staff calculations they believe the developer will likely fit around 10 or 11 lots on the subject property. While

the R3 zone would give them smaller lot sizes, the limitations of the property will only allow for a certain amount of lots.

Councilmember Stenquist asked whether the difference between the R2 and R3 zone was a matter of one to two lots on this particular piece of property. Mr. Morey answered affirmatively. Councilmember Stenquist countered that on the flip side of this argument, rezoning to R3 may set a precedent for other properties in the future.

Jennifer Jastremsky, Planner, mentioned that the developer thinks he can fit 12 lots on the subject property with the R3 zone, and that's what is reflected in his concept plan. Ultimately when a subdivision comes in, staff will make sure each lot meets the minimum requirement. If 12 buildable lots are created, the breakdown will be 2.09 units per acre.

[8:18:03 PM](#)

11.3 Councilmember Weeks requested further clarification on Ms. Jastremsky's previous statement.

Ms. Jastremsky replied she has not done the math and doesn't know the exact amount of lots the developer could get with an RA2 zone; however, the lot sizes will be a difference of 20,000 square foot lots versus 13,000 square foot lots. As such, the developer will seek to create as many buildable lots as possible.

Councilmember Weeks asked if the trail system would become Draper City property, an easement, or if it would be calculated in with the third-acre lot sizes. Ms. Jastremsky stated staff would recommend the trail system be dedicated to the City, which is typically how trails are handled. While the City does have trail easements, typically in subdivisions trails are dedicated and are therefore not factored in as part of the minimum lot size. Ms. Jastremsky also noted that the trailway would become a City trail which eventually would run all the way down Willow Creek and connect to the existing trailway along Galena. Councilmember Weeks clarified that the trail system would not be calculated as part of the minimum lot size requirement, and Ms. Jastremsky answered affirmatively.

Mr. Morey noted the trail in question is part of the Trails Master Plan.

[8:19:43 PM](#)

11.4 Councilmember Rappleye explained that according to the report, there is additional third acre zoning in the area. He asked where this similar zoning is located.

Mr. Morey replied additional third-acre zoning is located across 700 West along the river, the approval of which was granted last year. Furthermore, there is some third-acre zoning across the railroad tracks. He identified other areas with third-acre zoning, all of which he noted is separated by a rail line.

[8:20:30 PM](#)

11.5 Councilmember Weeks expressed two concerns. (1) In the last meeting, Councilmember Vawdrey had remarked that if the City approves RA3 on the subject property, animal rights would be removed and horses would not be allowed in the area. She noted she has driven through the area and it's a beautiful location. (2) Councilmember Weeks questioned whether or not the City would be setting precedence for future subdivisions. There are about a hundred acres that will be coming in front of the Council in the next couple of years for various development projects, and so this is a matter worth considering.

Mr. Morey stated this issue of whether or not a precedent would be set is a decision the Council needs to make. However, he pointed out that even if a future developer comes forward and makes this argument on another project, the City Council will not be required to follow through on any particular proposal. In general, the City tries to transition from one zone to the next. When considering main roadways, sometimes the best planning strategy is to zone somewhat higher densities closer to a main road, because those areas do not lend themselves to five-acre estates. However, ultimately it will be the Council's decision. Mr. Morey explained in speaking with many potential developers, every single one of them has indicated that the subject property deserves something different than a standard cookie cutter subdivision. Staff will support the Council's decision either way.

[8:22:42 PM](#)

11.6 Mr. Barker clarified when the Council is exercising their legislative functions, they are not creating any precedence; they review each rezone request independently. While they may establish some kind of policy trends, they are able to exercise their legislative discretion with each rezone request. There is no legally bound precedent that is being set by this decision.

Councilmember Weeks thanked Mr. Barker for the clarification. She stated due to the slope, the developer will likely only get two houses per acre with the trail system they are dedicating to the City.

[8:23:32 PM](#)

11.7 Councilmember Summerhays asked whether the trail system will be calculated with the density. Mr. Morey answered in the negative; this will not be the case.

[8:23:48 PM](#)

11.8 Mr. Dobbins didn't believe staff had previous discussions with the developer about dedicating the trail to the City. The trail is in the Master Plan; however, this doesn't mean the City can legally require them to dedicate the trail. This discussion will occur later. At this point, the City can negotiate with the developer to make sure the trail gets installed, but it's not a requirement.

[8:24:45 PM](#)

11.9 Councilmember Vawdrey expressed this is a difficult decision for her. She is comfortable with the final density. However, while some Councilmembers don't have a problem with the animal rights, she does. She also expressed concerns about possibly setting precedence for future developments.

[8:25:36 PM](#)

11.10 Councilmember Stenquist remarked that a third of an acre is still a good sized lot. They are not talking about high density apartments when discussing third-acre lots. He expressed that he personally would not want to tend to as much property as a third-acre lot. He expects they will probably get a mix of property sizes where they will be larger lots closer to the creek and smaller lots closer to the railroad line. He doesn't believe that other developers will come in and request R3 zoning, because other neighboring properties have different dynamics. He opined that the City will end up with very nice homes and a nice subdivision whether it's zoned R3 or R2.

[8:27:47 PM](#)

11.11 Councilmember Summerhays noted he had to leave early from the previous meeting during which this item was discussed. He agreed with several previously stated remarks. Mayor Walker opined this decision would not set precedence for future developments.

[8:28:43 PM](#)

**11.12 Councilmember Vawdrey moved to approve Ordinance #1225 and #1226. Councilmember Summerhays seconded the motion.**

Councilmember Vawdrey stated everyone's opinions have been articulated. She was comfortable moving forward based on the density.

Councilmember Summerhays stated he was comfortable with the trail and the retention basin. However, he was concerned with how ingress and egress onto 11400 South would be achieved.

Mr. Morey identified where the dirt road and private lane were located on the map. Councilmember Summerhays inquired as to how many feet separate the two roads. Mr. Morey hadn't measured the exact distance, but indicated that the photo should provide some sense of the distance. He predicted that UDOT will want these two roads formalized a little more and will want one exit out onto 11400 South. Mr. Morey stated all similar questions will be reviewed during the final site plan approval process.

[8:31:15 PM](#)

11.13 Councilmember Rappleye said it's a difficult area because the tracks are over on the other side, where there is still some agricultural zoning. He agreed with Councilmember Stenquist's previous comments about density differences near the creek versus near the railroad tracks. He also agreed that 11400 South is very busy. He opined that ultimately they will end up with a lower lot count, thereby ending up with the same number of lots regardless of the zone.

[8:32:34 PM](#)

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

[8:32:54 PM](#)

**12.0 Action Item: Hidden Canyon Estates Phase 1 Final Plat, Request for Approval of a Final Subdivision Plat for 50 Single-Family Lots on 16.8 Acres in the RM (Multiple-Family Residential) and C-3 (Regional Commercial) Zoning Districts Located at Approximately 15000 South Suncrest Drive**

[8:33:20 PM](#)

12.1 Mr. Morey presented the staff report and an aerial map of the subject property. He also presented the current Land Use Map and Zoning Map. The City has an agreement on the subject piece of property which defines how the development will proceed. The proposed plat shows 50 units with a single point of access. The City Council approved the preliminary plat for all nine phases and the street design modifications for this project in April of this year, and the Planning Commission recommended approval of the proposal the month prior. The Planning Commission also approved the construction in areas with a slope greater than 30% in March 2016. One additional condition that needs to be made for approval is that all the property owner errors in the County Map shall be resolved prior to recordation of the plat.

[8:34:51 PM](#)

12.2 Councilmember Stenquist asked if homes are going to front onto the street which runs through the property.

Ms. Jastremsky answered affirmatively, noting homes will front onto Canyon Point Drive. Councilmember Stenquist stated his assumption that there would be a large road going through the subdivision, and the back of lots would front onto the road. However, it appears to be more of a collector road. Ms. Jastremsky explained the road is a little larger and will act as a collector road because of its entrance onto Suncrest, but it is also considered a local road.

[8:35:47 PM](#)

12.3 Councilmember Weeks asked if bus stops have been planned for the development.

Mr. Morey explained the Utah Transit Authority (UTA) usually coordinates its own bus stops. If decide they want to place one, typically they either coordinate with the land owner or purchase the property for their stop. He wasn't familiar with developers who've planned bus stops in their proposals.

Councilmember Weeks explained Suncrest residents are always asking about bus stops. Councilmember Stenquist asked if she was talking about school bus stops, to which Councilmember Weeks answered affirmatively. Councilmember Stenquist explained the School District figures out bus stops. Mr. Morey stated no bus stops are planned for this development.

[8:36:43 PM](#)

**12.4 Councilmember Rappleye moved to approve the Hidden Canyon Estates Phase 1 final plat. Councilmember Stenquist seconded the motion.**

[8:37:17 PM](#)

12.5 Councilmember Weeks noted she has not been in favor of this development all the way through because of the road width. However, she understands their hands as a City are tied because of prior agreements. She stated she still doesn't like the road widths.

[8:37:45 PM](#)

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

[8:38:03 PM](#)

**13.0 Action Item: Resolution #16-53, Agreement with Patriot Construction LLC, for the Construction of the Police/Parks and Recreation Storage Building at Galena Park**

[8:38:18 PM](#)

13.1 Mr. Robbins asked the City Council to continue the item to the next Council meeting, as staff did not have all of the paperwork prepared for this meeting.

[8:38:25 PM](#)

**13.2 Councilmember Summerhays moved to continue this item to the next meeting. Councilmember Rappleye seconded the motion.**

[8:38:31 PM](#)

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

[8:38:45 PM](#)

**14.0 Council/Manager Reports**

[8:39:04 PM](#)

14.1 Councilmember Weeks explained there are two crossings with which she is very concerned: (1) Deer Hollow Crossing, which was at one point open and now serves as a pathway for kids to walk to school and (2) the crossing at 13200 South. According to Councilmember Weeks, UTA indicated the City could make a formal request to open up these two crossings. Several residents have voiced similar concerns because these crossings are being used by kids in getting to school. She explained the City needs to keep these crossings open for as long as possible, especially for pedestrian traffic. She requested support from the Council in sending a formal request to UTA to keep these two crossings open.

Mayor Walker replied they can certainly talk to UTA. However, typically the Federal Transit Administration prefers to close down one or two crossings any time a new crossing is opened. However, he would be happy to take this matter to UTA to see what

options may be available. Councilmember Weeks stated she was told there was a formal procedure for requesting pedestrian crossings over railroad tracks. She is hoping to garner support in order to put together the paperwork for such request.

Councilmember Stenquist clarified that two separate issues are being discussed. An agreement was made with UTA that the City would close Boulter Street when 13200 South was opened. He was supportive of Mayor Walker approaching UTA to see if an accommodation can be made for the short term. However, with regards to the crossing at Deer Hollow Park, that area isn't really a connection; it's a hole in the fence. It's supposed to be a fence, but it's been cut open and people go through that area in order to access the trail. Therefore, in his mind it is something completely different. Nobody should have cut into the fence in question, and it's not the only place on the Porter Rockwell Trail where similar instances have occurred. While they can request that UTA make the crossing at Deer Hollow Park a legitimate access point, he is skeptical on whether or not they would approve the request.

Mr. Dobbins stated staff would have to actually design the access as part of their proposal to UTA.

Councilmember Stenquist said the crossing would also need to be ADA compatible. Mr. Dobbins explained in order for the City to get UTA to review the proposal, the plan would need to be reviewed by an engineer. Therefore, they'd have to spend some time and money in order to present a finished product for UTA to approve or deny. He asked the Council if they would like to direct staff to spend time and money in drafting a proposal.

Councilmember Stenquist stated once the train comes in, the access would likely go away. Mr. Dobbins added UTA has previously communicated they would only approve this type of request with the caveat of the City agreeing to install signage indicating the crossing was temporary; however, there's a chance the request would be denied altogether. Either way, UTA can't do anything until the City submits a fully engineered drawing and plan. Councilmember Stenquist concluded the City would have to spend the money to draft the engineering drawings to get approval through UTA; then, if their request is approved the City would have to pay to actually construct the crossing.

Councilmember Summerhays suggested sending Mayor Walker to negotiate some sort of temporary arrangement, because he has built a good rapport with UTA.

Mayor Walker agreed to approach UTA regarding Boulter Street; however, the City would have to build pedestrian crossings. UTA will not provide a way to cross a railroad line with a pedestrian-way unless it's an open crossing. As is the case with all UTA crossings, pedestrians cross at the roadway point.

Councilmember Weeks explained that in researching the matter, she discovered that Deer Hollow was open at one point. It wasn't just a cut in the fence; it has some gravel down. She recalled Mr. Fox had told her that it was used for something specific at one time.

Councilmember Stenquist stated it is an illegal crossing. Councilmember Weeks countered that it was recently closed. She doesn't know if it was illegal or not; however, it was open for 19 years. Councilmember Stenquist replied that while this may have been the case, it was not open legally.

Councilmember Weeks stated the kids in that neighborhood have crossed through Deer Hollow Park for a long time to get to the middle school, elementary school and to the Summit Academy, as is evidenced by the paths which lead right up to the Deer Hollow fence. The kids walk down there to get to school, and a lot of parents allow their kids to walk to school through the park and the backstreets instead of the busy roads. She stated that several individuals have given her information about how they have used that access because it is pertinent for getting their kids to school. Since there was an avenue of making a formal request for a pedestrian crossing at that area, she was hoping that instead of the City Council making a determination of what UTA was or was not going to allow, they go through the proper procedures and allow UTA a chance to accept or deny their offer. From her point of view, as a Council they are making a decision right now by saying that UTA will not approve this request, when they haven't even submitted any paperwork on the matter. She asked the Council why they were making a decision prior to spending a little money in order to submit a formal request.

Councilmember Stenquist asked if in the past the City has repaired the fence so people can't get through. Mr. Dobbins answered affirmatively. When the City obtained UTA's approval to put the Porter Rockwell trail in their corridor, one of the requirements from UTA was the City needed to put in a fence right along the trail. Councilmember Stenquist asked when this took place. Community Development Director, Keith Morey, answered that this took place in 1996. Mr. Dobbins explained that in the City's written agreement with UTA, there's a drawing of what needed to be done and it included the fence. He didn't know when the fence was initially installed, or how long it's been open; however, UTA found out it had been cut open and asked the City to fix it. Per the agreement the City repaired the fence, which has caused questioning from residents in the area. The fence must remain as part of the City's agreement with UTA. If they want to open the fence, then they can submit an application with drawings which UTA will review.

Councilmember Stenquist inquired as to the costs associated with drafting the engineering drawings and submitting the application. Mr. Dobbins guesstimated an expense of \$2,000. At this point, staff would most likely have Brad Jensen assist in the process, because he has previous experience in drafting similar proposals.

Councilmember Summerhays asked Councilmember Weeks to clarify where she would like a crossing to be located.

Councilmember Weeks replied that she'd be happy to review whatever options staff can provide. The neighbors need access to those paths in order to walk to school, and this is

her primary concern. She would like the City to take the opportunity to look at this crossing and see what they can come up with.

Mayor Walker explained that a pedestrian crossing will be a structure arching over the tracks, and will have to be ADA compliant. Alternatively, the structure would be a tunnel underneath the tracks.

Councilmember Stenquist explained a bridge or tunnel would be a permanent structure that could exist after the train comes in. He wasn't sure this was what the Council had in mind, as it would require a significant budget. Rather, he was of the impression the Council was looking at more of an at-grade temporary pedestrian crossing. When the train comes to Draper, the temporary crossing would then be closed. Councilmember Weeks agreed with this assessment. Councilmember Stenquist said even if UTA approves a pedestrian crossing, if the City isn't willing to pay \$10,000 to \$15,000 to construct it, then why should they spend \$2,000 to design it in the first place.

Councilmember Weeks explained this is a top priority for her residents, and they would be willing to pay \$5,000 in order to have a temporary crossing in Deer Hollow Park.

Councilmember Stenquist explained the School District and parent teacher board identify safe routes for kids to use in order to get to school. He argued the illegal crossing through Deer Hollow Park is not a legitimate route to school. Councilmember Weeks said paths have been created which kids use to get to school. Councilmember Stenquist replied that just because people have been cutting through the park, doesn't mean that it is a recommended, viable route.

Mayor Walker interjected that all elected officials represent everybody in this city. Everyone is responsible to every resident; their obligation is the same. However, the crossing at Deer Hollow Park is illegal, because it's an access point that people made themselves. He stated it's not a legal access point and it never will be a legal access point. An entity cannot obtain a prescriptive easement in the State of Utah without paying taxes. If the Council wants to ask UTA to make it a legal cross point, then it is up to the discretion of the Council. However, as a City they are not cutting off trail access to residents, because they never had access at this particular area in the first place. Mayor Walker opined the only type of pedestrian crossing to which UTA will agree will be a bridge structure over the railroad tracks. Even then, UTA has been pretty judicious in approving those types of structures.

Councilmember Summerhays said they are dealing with a railroad crossing easement, which is something that's been around since the 1800s. If they want to go out and purchase an easement for a couple million dollars, they can do so, thereby granting access wherever they want along the UTA line running through Draper.

Mayor Walker asked the Council if they want to spend the resources in making a crossing point at Deer Hollow Park. Councilmember Summerhays, Councilmember Weeks, and Councilmember Stenquist agreed to look into the issue and send something in to UTA.

Councilmember Weeks reported that she was approached today by PurpleAir regarding a grant that they could get if Draper City partnered with their organization in the Smart City Air Challenge. In partnering with Draper City, PurpleAir would obtain a \$40,000 grant and in return Draper would provide accesses for PurpleAir to install air monitors throughout the City. The program is backed by the EPA, which administers the grant. Air monitors would be placed in the schools and provide a learning opportunity for children. PurpleAir isn't asking the City for any money; they're just asking the City for locations and partnership support. Councilmember Stenquist asked if PurpleAir is a private company, and Councilmember Weeks answered affirmatively.

Councilmember Summerhays expressed his support for the idea. Councilmember Weeks added that PurpleAir would also share their data with the City. Councilmember Stenquist stated that he would like to see more information before pursuing the program. Councilmember Weeks stated that the deadline for the grant application is October 28<sup>th</sup>. Since the Council is not meeting until October 4<sup>th</sup>, this puts PurpleAir in a time crunch. She agreed to send more information to everyone for their review.

Mayor Walker suggested taking a vote once everyone's questions are answered. Councilmember Weeks noted this is not a matching grant; PurpleAir just has to partner with the City. Since their company formed in Draper, they approached Draper City first. Right now they have 102 monitors throughout the State. Through the grant program they have 250 monitors around this area, and they are looking for locations so as to ensure that air quality is up to par. The program would give the City more information about local air quality, and what's causing bad air and how to improve it.

Councilmember Weeks advised when they did construction on New River this year, the landscape company left a pile of dirt on the street. Mr. Robbins indicated staff will take care of it.

[8:59:02 PM](#)

14.2 Councilmember Stenquist stated he's been shocked these last couple of weeks regarding the issues of traffic congestion within the City. Since the schools came back in session, the backups have stretched for miles in both directions. Traffic bottlenecks at 1300 East and Highland Drive. He hopes the 13200 South and 13800 South projects will help alleviate these issues. Councilmember Summerhays suggested having an officer direct traffic. Councilmember Stenquist explained a lot of traffic congestion occurs when people are taking their kids to school, and when teenagers are driving to school. He suggested talking with the school districts about staggering start times a little better. Councilmember Summerhays agreed with his remarks. Mayor Walker said the project on 13200 South will fix a lot of those traffic issues.

[9:01:30 PM](#)

14.3 Councilmember Rappleye reported in speaking with some folks who live in the apartments on 150 East, he's learned they don't have any way to recycle. He has spoken to those residents about the realities of the recycling bins getting abused if they are put in

a park. However, he suggested the City put a recycling bin up at Public Works next to the glass bin, at least on a trial basis. They could then advertise this location to residents living in apartments, noting accessibility to the bins during Public Works business hours. Several residents have tried to get recycling bins in their apartment communities but it's too difficult. He was not aware of what the cost would be, but he wanted to research the issue further.

Councilmember Stenquist was supportive of Councilmember Rappleye's suggestion. Mr. Robbins noted the Public Works building also has recycling bins for glass and cardboard which are available to the public.

Councilmember Stenquist reported complaints from several residents regarding the hours during which the bins are accessible. He asked if there was a way to make them accessible outside of Public Works office hours. Mr. Dobbins suggested putting the bins up at the equestrian center in the corner or some area of the parking lot that's open. Councilmember Summerhays expressed concerns with the bins being in a non-lit location and the possibility of the bins being broken into and vandalized by youth. He stated the bins need to be placed in a well-lit location.

Councilmember Rappleye reported that he drove down 300 East the other day, and some of the trees being moved around looked bad. He wasn't sure if they were watered when they were over at the storage site. Mr. Robbins reported that the trees are warranted, so if they are dead then they would need to be replaced.

#### 9:06:10 PM

14.4 Councilmember Summerhays spoke about the bump in the road around 13800 South and 500 East, for which the South Valley Sewer has taken responsibility. They will fix the road once they receive a go-ahead from staff.

Mr. Robbins explained South Valley Sewer was planning on fixing the road this summer and fall but they weren't able to get a good bid for the project. Therefore, the plan is to complete the project during the next construction season.

Mr. Dobbins clarified they have actually asked to delay the project for at least five years or until the City rebuilds 13800 South. Councilmember Summerhays asked if it can be patched. Mr. Dobbins answered they patched it once and it's a horrible patch. As such, the City receives complaints from citizens. He said the project needs to be completed sooner rather than later. Councilmember Summerhays argued that South Valley Sewer should pay for the construction, not the City. He also felt the City would get a better bid on the project if they waited until spring.

#### 9:10:11 PM

14.5 Mayor Walker reported he met with Reptile Rescue Service, as the owner has been seeking donations from cities. If Draper Police go on a warrant and finds a specific drug dealer that likes to keep poisonous snakes like cobras or alligators, they contact this service so they don't have to handle a hazardous reptile. Mayor Walker made mention of

several cases throughout the State in which extremely poisonous reptiles were seized by this service. They are a non-profit organization, and are asking for \$500 to \$1000 a year. In the last four years, Reptile Rescue Service has seized 590 alligators in Utah. The Council voiced their support in providing a monetary donation to this service.

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**15.0 Adjournment**

[9:12:27 PM](#)

**15.1 Councilmember Summerhays moved to adjourn the meeting. Councilmember Weeks seconded the motion.**

[9:12:31 PM](#)

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

15.3 The meeting adjourned at 9:12 p.m.