

Approved 4.10.2018

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, MARCH 27, 2018, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Alan Summerhays, Marsha Vawdrey, and Michele Weeks

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Rachelle Conner, City Recorder; Rhett Ogden, Recreation Director; Christina Oliver, Community Development Director; Clint Smith, Fire Chief, Glade Robbins, Public Works Director; Bob Wylie, Finance Director; and Chad Carpenter, Police Lieutenant

Dinner

Study Meeting

1.0 Discussion: Fiscal Year 2018-19 Budget

1.1 Bob Wylie, Finance Director, reviewed the various budget funds for the City Council and explained the budget process for the upcoming meetings.

2.0 Discussion: Town Center Zone Amendments

2.1 Christina Oliver, Community Development Director, presented a handout for the City Council pertaining to the Town Center Zone. There is a moratorium on applications in the Town Center Zone that will be in effect for approximately five more months. During that time the City Council will have to make any changes they would like for that area. The Council discussed options and gave staff suggestions for changes. Any proposed changes will be brought to the City Council for review and will then be taken to the community through open houses to receive input.

3.0 Discussion: Parks & Trails 2-Year Master Plan Priorities

3.1 Rhett Ogden, Parks and Recreation Director, reviewed the Parks & Trails 2-Year Plan for the City Council. The Council discussed priorities, which included finishing the foot paths. This discussion was continued to the end of the business meeting.

4.0 Update: Public Works CIP Quarterly Report

4.1 This report will be given in a future meeting.

Business Meeting

[7:04:53 PM](#)

1.0 Call to Order: Mayor Troy K. Walker

[7:05:00 PM](#)

2.0 Thought/Prayer and Pledge of Allegiance

[7:05:35 PM](#)

2.1 Hawkin Vawdrey, Scout Troop #164, offered the prayer.

[7:06:09 PM](#)

2.2 AJ Leggett, Scout Troop #164, led the Pledge of Allegiance.

[7:06:45PM](#)

3.0 Recognition: Corner Canyon High School Varsity (Silver) Competition Cheerleading Team for Taking 1st Place at Nationals

[7:06:56 PM](#)

3.1 Mayor Walker recognized the Corner Canyon High School Varsity Silver Competition team for taking first at Nationals. They competed against 66 other teams to take the title in Small Varsity Division I. The team also won the Utah State Championships in 5A All-Girl Division in January. The Chargers are coached by Whitney Lunt and McKenzie Young.

[7:11:10 PM](#)

4.0 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.

[7:12:32 PM](#)

4.1 Dave Mast, developer, made several comments pertaining to staff recommendations concerning his request for a slope variance and the Fire Marshall's concerns with providing Emergency Services to his new development if the slope variance is approved.

[7:15:24 PM](#)

4.2 Mary Squire, resident, asked the Council to consider preventing parking on the street near the dog park. She noted there was congestion because of where people were parking, and the area is unsafe for pedestrians.

[7:17:45 PM](#)

5.0 Consent Items

a. Approval of March 6, 2018, City Council Meeting Minutes

b. Approval of March 15, 2018, City Council Appeal Meeting Minutes

c. Approval of Ordinance #1316, Amending the Draper City Municipal Code Sections 15-1-050 and 15-1-090 pertaining to the penalties associated with an off-leash violation.

- d. Approval of Resolution #18-15**, Amending the Draper City Street Tree Guide to update the tree species and plantings to be used throughout the city.
- e. Approval of Resolution #18-22** Reorganizing the Equestrian Advisory Board
- f. Approval of Resolution #18-23**, Appointing William Rappleye as the Chair of the Emergency Preparedness Committee.
- g. Approval of Resolution #18-24**, Appointing the ten district representatives for emergency communication.
- h. Approval of Resolution #18-26**, Appointing Dean Goodrich to the Equestrian Center Board
- i. Approval of Resolution #18-27**, Amending the Planning Commission Bylaws Regarding Regular Meetings and Study Sessions

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

[7:19:30 PM](#)

- 5.2 Councilmember Weeks thanked Mayor Walker for his suggestion on Item C. Mayor Walker clarified that State Code considers off-leash violations as severe of a crime as a DUI. He felt this was excessive.**

[7:20:23 PM](#)

- 5.3 A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. Councilmember Summerhays voted no. The motion carried with a majority vote of 4 to 1.**

[7:20:37 PM](#)

- 6.0 Public Hearing: Moda Town Center Draperville Plat Amendment**

[7:20:40 PM](#)

- 6.1 Mayor Walker advised this item will be continued to April 10, 2018.**

[7:20:58 PM](#)

- 7.0 Public Hearing: Moda Lone Peak Draperville Plat Amendment**

[7:21:04 PM](#)

- 7.1 Mayor Walker advised this item will be continued to April 10, 2018.**

[7:21:09 PM](#)

- 8.0 Action Item: Amendment to Master Development Agreement for Hidden Canyon Estates, Mercer Mountain Estates and Lakeview Heights Properties, Dave Mast Requests the City Council Approve an Amendment to the Master Development Agreement to Allow for Changes to City Development Standards**

[7:21:31 PM](#)

8.1 David Dobbins, City Manager, said the developer was asking the City to allow components that do not comply with the current code. He noted the changes they were asking for were mainly for road requirements. Their goal was to balance protecting the hillside and keeping the roads safe.

[7:23:10 PM](#)

8.2 Greg Wilding, Wilding Engineering, noted they had analyzed roads in Draper that exceeded 12 percent. Their goal was to impact the hillside as little as possible. He explained their intended design and how it would be an appropriate variant to the current code.

[7:28:35 PM](#)

8.3 Councilmember Summerhays said he liked the idea they would not be cutting into the mountain and creating scarring. He asked if they would be willing to install retaining walls to mitigate potential sliding. Mr. Wilding explained they would design the roads to not create sliding, thereby avoiding the issue.

[7:29:44 PM](#)

8.4 Mr. Dobbins said they would design the roads to prevent any landslides. Councilmember Summerhays asked if the 6 percent intersection would be an issue. Mr. Dobbins explained the requirements were mainly for the ADA but they would be able to comply. It was noted there were seven items they would need to address.

[7:32:32 PM](#)

8.5 Scott Cooley, City Engineer, explained the current code requirements concerning the proposed roads. He said their concern was with the speed on the road that had a 20 percent grade, and he explained it was difficult to have people slow down. He said they were also concerned with the 14 percent grade with respects to driveways. He said engineering staff was not as apprehensive about the other items.

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8.6 Councilmember Lowery asked how they could mitigate his concerns. Mr. Cooley explained they could add in speed bumps to mitigate the speed. He said the main issue was the speed of the vehicles and that would solve all of the issues. The roads would also require additional snow removal because smaller vehicles would not be able to traverse 14 percent grades.

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8.7 Councilmember Weeks asked if the road would be safer with the current code. Mr. Cooley responded it would generally be safer.

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8.8 Councilmember Summerhays explained if they adhered to the code the cuts would be extremely wider.

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8.9 Councilmember Green asked if the cuts would affect the stability of the hill. Mr. Cooley said staff had not seen a geotechnical report on the hill's stability.

[7:38:03 PM](#)

8.10 Councilmember Summerhays noted that developers in the past had scarred the mountain. He said he liked this plan because this would mitigate the damage to the land. He asked the Fire Chief if this would be an issue to the department. Chief Clint Smith said they would service the area but there would be issues with accessibility in a worst case scenario.

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8.11 Councilmember Lowery asked Chief Smith to clarify if he was comfortable getting emergency services up and down the grade in a worst case scenario. Chief Smith responded it would be difficult based on the proposed design.

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8.12 Councilmember Green asked Mike Barker, City Attorney, what type of liability the City would incur, if any. Mr. Barker explained when the code is adhered to, the liability is minimal. Councilmember Green said he would like more information on how they planned on mitigating the liability.

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8.13 Dave Mast, developer, explained there were other areas in Draper with 14 percent grades that the City serviced. He noted that this would be a private community with private snow removal. He said they would create a solution for the road safety.

[7:45:15 PM](#)

8.14 Councilmember Lowery asked why the sidewalks were eliminated from the plan. Mr. Wildling explained this would increase the width of the road without building more. He said there would still be a sidewalk on one side of the road.

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8.15 Councilmember Weeks moved to deny the request to amend the Master Development Agreement for Hidden Canyon Estates, Mercer Mountain Estates, and Lakeview Heights Properties. Councilmember Vawdrey seconded the motion.

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8.16 Councilmember Green said he lives on a 14 percent grade road. He explained this has caused multiple issues to his neighborhood.

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8.17 A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. Councilmember Summerhays voted no. The motion carried with a majority vote of 4 to 1.

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9.0 Public Hearing: Highline Subdivision Plat Amendment, on the Request of Mark Murdock for a Plat Amendment and Subdivision in Order to Divide the Property Into Five Building Lots. The Property is Approximately 65.02 Acres, is Located in the Highline Commercial Special District Zone and is Located at Approximately 65 East Highland Drive. Approval of the Subdivision Will Eventually Result in the Construction of Office, Multi-Family and Retail Buildings

[7:49:00 PM](#)

9.1 Dan Boles, Planner, presented the staff report as well as an aerial map of the subject property. The property is only partially encumbered by the Triton Terrace subdivision; the rest of the property is unplatted land. But as a result of the property being partially encumbered by a plat, this application is for a plat amendment. The applicant is proposing to split the property into five different lots. These lots range in size from one acre up to 38 acres. The lots are proposed to be accessed by a 74 foot wide, major collector road. Although the collector road was not identified on the transportation master plan, the applicant felt it would better serve the number of buildings, both commercial and residential that will need to access the property and staff agrees. They are proposing a modified cross section for a number of reasons. First, the road will meet up with the Porter Rockwell trail for a portion of the roadway. As such, they will provide an asphalt trail instead of a standard concrete sidewalk. Second, the applicant is requesting to place the sidewalk contiguous to the curb adjacent to Lot 4. This request is to alleviate conflicts with the applicants' future site plan for Lot 4. If approved, sidewalk shall be a minimum of six feet in width. The Planning Commission forwarded a recommendation of approval.

[7:51:41 PM](#)

9.2 Councilmember Weeks asked if the amendment was created to build a road to benefit the development. Mr. Boles answered in the affirmative. Councilmember Weeks said she was in favor of creating a better infrastructure for this plat.

[7:53:13 PM](#)

9.3 Mr. Boles continued explaining the above staff report.

[7:54:07 PM](#)

9.4 Councilmember Summerhays asked if they had a topographical map of the development. Mr. Boles described the area's topography.

[7:55:20 PM](#)

9.5 John Vancett, applicant, explained this amendment would allow them to build a road. He explained this would be beneficial to the development.

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

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9.7 Councilmember Green moved to approve the Highline Subdivision plat amendment. Councilmember Lowery seconded the motion.

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9.8 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

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10.0 **Action Item: Ordinance #1308 and #1309, Rockwell Park Land Use Amendment, Zone Change and Development Agreement, a Request by Ryan Simmons of the Boyer Company to Change the Land Use Plan from Community/Neighborhood Commercial to Residential High Density and to Change the Zoning from CC (Community Commercial) to RM2 (Residential High Density) and Approval of a Development Agreement on Approximately 5.8 Acres Located Generally at 258 East 13800 South**

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10.1 Maryann Pickering, Planner, presented the staff report and an aerial map of the subject property. She explained this is a request to change the land use plan from Community/Neighborhood Commercial to Residential High Density and to change the zoning from CC (Community Commercial) to RM2 (Residential High Density). The subject property is a portion of larger property. The northern part of the property contains the existing Rockwell Square development. The Rockwell Square development has 32 condominium units along with retail on the ground floor. The proposed project would develop the remainder of the property with a small lot single family development and no commercial development.

The City Council held and closed a public hearing on this item and decided and continued it to a future date so that a development agreement could be reviewed. The development agreement was submitted and reviewed by the Planning Commission at their meeting last week. There were residents in attendance who did not want the vehicular access to the north and that has been eliminated at this time. The Planning Commission expressed concerns about having the one access point; however, they forwarded a recommendation of approval of the development agreement to the City Council. The main component of the development agreement is to allow more than 20 single family dwellings on a private street, or up to 30 lots on what would be classified as a dead-end street. There is an emergency gated access that is provided as an extension of the street. Should there be an additional access to this project, the need for the dead-end street would be eliminated.

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10.2 Councilmember Summerhays asked how many homes would be in the development with only one access. Ms. Pickering said there were 46 proposed homes, which was approved by the Fire Marshal. Councilmember Summerhays asked how many units they were exceeding on a private street. Ms. Pickering stated they were exceeding the amount by 26.

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10.3 Councilmember Lowery asked what the developer had done to find other points of access. Ms. Pickering explained there was access to the north initially but it was eliminated. She said staff was satisfied with the emergency access they provided. Councilmember Lowery asked if there was another access possible by the gas station. Ms. Pickering said the area in question was too small. Ms. Pickering said the one access was not ideal but staff was satisfied with the developer's plans.

[8:02:22 PM](#)

10.4 Ryan Simmons, applicant, thanked the Council and said he was available to answer any questions.

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10.5 Councilmember Lowery said she was concerned about the access and asked what their justification was for having one. Mr. Simmons explained the main issue was the geography. He said they gained an emergency access in addition to satisfy the code. He explained the owners of the gas station did not respond to their requests.

[8:05:04 PM](#)

10.6 Councilmember Weeks asked if there was parking on the street. Mr. Simmons responded there was parking on both sides of the street.

[8:06:27 PM](#)

10.7 Councilmember Vawdrey moved to approve Ordinance #1308 and #1309, approving the Rockwell Park land use amendment, zone change, and development agreement. The motion failed for lack of a second

[8:06:55 PM](#)

10.8 Councilmember Weeks moved to deny Ordinance #1308 and #1309. The motion failed for lack of a second.

[8:07:23 PM](#)

10.9 Councilmember Lowery moved to approve Ordinance #1308 and #1309 with the requirement that a second access be provided. Councilmember Summerhays seconded the motion.

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10.10 Councilmember Weeks asked if they counted the emergency access as their second access. Ms. Pickering responded in the negative. Mayor Walker said they did not need specific approval to add more units per access.

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10.11 Councilmember Vawdrey noted the developer had done their due diligence in trying to find another access. She would not to push the traffic to the north.

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10.12 Mr. Barker noted this item required three different actions. It was an amendment to the land use plan, to the zone, and approval of the development agreement. He explained the motion did not address all three of these actions. He asked if they should go over these one at a time.

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10.13 Mayor Walker asked whether Councilmember Lowery's motion was to approve all three actions with a second access. Councilmember Lowery's answered in the affirmative.

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10.14 Councilmember Lowery agreed to include the development agreement in her motion. Councilmember Summerhays withdrew his second. The motion failed for lack of a second.

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10.15 Councilmember Green asked about the number of units per acre. Mr. Simmons stated it allows eight units per acre.

[8:10:04 PM](#)

10.16 Mr. Barker asked about the timeline the Council was giving the developer on this item.

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10.17 Mr. Dobbins explained the development agreement is where the Council could require a second full access.

[8:11:10 PM](#)

10.18 Councilmember Weeks asked how many homes one access would support. Mr. Dobbins explained the Code required no more than 20 for a private lane. Councilmember Weeks asked if they could require no more than 20 units in the development agreement. Mr. Dobbins said they could include this in the agreement. There was subsequent discussion on the access.

[8:12:56 PM](#)

10.19 Mr. Simmons explained they would withdraw the application if the Council limited their units to 20. He said the zoning would remain commercial. He noted there was a greater need for this area to be residential than remaining commercial, and they had done their best to address the issues.

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10.20 Councilmember Summerhays noted they had reduced the amount of units from the original request. He said that he would be amenable to the request of 46 units.

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10.21 Councilmember Weeks asked why there were sidewalks on only one side of the street. Spencer Moffitt, co-applicant, explained this was done to give the homes more land.

Councilmember Weeks asked if the lots with the sidewalks were larger. Mr. Moffitt answered affirmatively.

[8:19:05 PM](#)

10.22 Councilmember Summerhays moved to approve Ordinances#1308, #1309, and the development agreement. Councilmember Vawdrey seconded the motion.

[8:19:26 PM](#)

10.23 Councilmember Weeks commented that generally she did not like changing commercial to residential. However, this case was different because the developer had support from the neighbors.

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10.24 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

[8:20:27 PM](#)

**** Councilmember Vawdrey moved to take a 5-minute break. Councilmember Summerhays seconded the motion.**

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**** Those voting aye: Councilmembers Green, Summerhays, Vawdrey, and Weeks. Those voting no: Councilmember Lowery. The motion carried with a majority vote of 4 to 1.**

**** *The City Council took a break at 8:20 p.m.***

**** *The meeting resumed at 8:30 p.m.***

[8:30:00 PM](#)

11.0 Public Hearing: Draper Hampton Inn/Tru Hotel Plat Amendment, a Request by Dan VanZeben of VanZeben Architecture for a Plat Amendment to Create Four Lots Out of One for the Construction of the Hotels and Future Development. The Property is Located at Approximately 13691 South 200 West and is Approximately 4.03 Acres in Size. It is located in the CSD-136C (136 Center Commercial Special District)

[8:30:48 PM](#)

11.1 Ms. Pickering presented the staff report and explained this application is a request for approval of a Plat Amendment on approximately 4.03 acres. This plat amendment would create four new lots from one existing lot. There are no planned plat changes to the remaining portion of the plat. Each hotel will be built on a newly created parcel and the most northern and southern parcel will be reserved for future development. Staff and the Planning Commission forwarded recommendations of approval.

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11.2 Dan VanZeben, applicant, thanked the Council and said he was available to answer any questions.

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

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11.4 Councilmember Vawdrey moved to approve the Draper Hampton Inn/Tru Hotel Plat Amendment. Councilmember Summerhays seconded the motion.

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11.5 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

[8:33:24 PM](#)

12.0 **Public Comment: Ordinance #1317, Repealing and Reenacting Chapter 6-4 "Alcoholic Beverages Licensing" of the Draper City Municipal Code to Incorporate Recent Changes to the Utah Alcoholic Beverage Control Act and to Restructure the Chapter to Make it Easier to Understand and Administer**

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12.1 Councilmember Summerhays recused himself from the discussion and vote. Mayor Walker noted for the record there would be four voting members on this item.

*** *Councilmember Summerhays left the meeting at 8:34 p.m.*

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12.2 Mike Barker, City Attorney, reviewed the City's authority to regulate alcohol as it is written in State Law. He noted that the City can only make regulations if granted by the State. He explained the different types of licenses and the number they had issued. He noted that dining club and social club licenses were being eliminated and merged into a bar establishment license. He asked the Council to repeal and reenact the current ordinance because of the changes to State law. This would also make the code easier to navigate. He explained some of the changes the State had made to the code.

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12.3 Councilmember Weeks asked if an establishment could have a restaurant and a bar license. Mr. Barker said an establishment could have two licenses but he was not certain. Mr. Dobbins explained they would have to be separated; the bar would have to be separated from the restaurant.

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12.4 Mr. Barker continued explaining the license types. He noted the current Code allows the City four dining club licenses, two social club licenses one of which must be in a full

service hotel and the other in Draper Peaks CSD, and one equity or fraternal club license. The social club will have to convert to a bar establishment and the four dining club licenses and equity club will have the choice to convert to a bar establishment or a full service restaurant license. He explained the proposal would eliminate the club license earmarked for a full service hotel. It would allocate bar establishment licenses at a one per 7000 ratio of the population. He said the current club licenses would have to reapply with the City to ensure compliance with the new State law.

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12.5 Councilmember Weeks asked if a current licensed location was closer to a public space would they lose their license. Mr. Barker said they would have to comply with the current proximity rules. Mr. Dobbins clarified there was the potential of a business losing their license. It would only apply to a business that was converting.

[8:48:41 PM](#)

12.6 Mr. Barker continued explaining the substantive changes.

[8:50:45 PM](#)

12.7 Councilmember Weeks asked if they could change the ratio of bar licenses to population. Mr. Barker explained they could change the ratio or requirement. Councilmember Weeks said the current ratio would not allow for more licenses. Mr. Dobbins explained this depended on how the dining clubs choose to convert their license. Councilmember Weeks asked how they would increase the number of establishment license. Mr. Barker explained they could change the ratio or have a fixed number. He said the ratio was a better choice because the population was growing. Councilmember Weeks asked if there was a license limit to full service restaurants. Mr. Barker responded they were unlimited.

[8:53:57 PM](#)

12.8 Mr. Dobbins explained these establishments will have an issue with timing because they will have to get their applications to DABC after a public hearing.

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12.9 Mayor Walker clarified the different licenses.

[8:56:16 PM](#)

12.10 Mayor Walker opened the meeting for public comment.

[8:56:28 PM](#)

12.11 Mayor Walker read a statement from Delane Hutchen, which stated he is against more bars in Draper; He is also against the MODA Town Center due to traffic.

[8:57:15 PM](#)

12.12 Lincoln Shurtz, SLC Restaurant Association, noted that time was an issue for their licenses. He said they had to act soon to allow the businesses to apply for these licenses. He explained the State would reduce the proximity rule and he did not believe any current business would be negatively affected by this rule.

[9:00:12 PM](#)

12.13 Mary Squire, resident, said she thought the ratio of bars to people took away discretion from the Council. She noted that more bars would be allowed if the population grew and this would cause a safety concern. She explained there were a large amount of DUIs currently.

[9:02:15 PM](#)

12.14 Boyd Ware, resident, explained he learned that Draper had a higher amount of establishments that sold alcohol than its neighboring cities. He said he felt the City already had enough currently. He shared a story about a crime committed by someone that was under the influence of alcohol.

[9:05:09 PM](#)

12.15 Max Sheng, business owner, said he was disappointed the dining club license was removed from State law. He noted he and other retailers were very concerned about the new State law. He said bars were not seedy establishments and there were a lot of misconceptions. He asked the Council to protect those who invest in Draper.

[9:07:48 PM](#)

12.16 Jodi Bloechel, resident, said there were not enough places in Draper to socialize. She noted that all the bars were downtown.

[9:09:16 PM](#)

12.17 Phillip Goold, resident, explained he was a runner and a cyclist. He noted that sometimes vehicles would make cycling or running dangerous. He asked the Council to consider the risks associated with allowing additional establishments that sell alcohol.

[9:10:12 PM](#)

12.18 Jameel Gaskins, business owner, asked they expedite the process so they did not lose their license.

[9:11:23 PM](#)

12.19 Mayor Walker closed the meeting to public comment.

[9:11:38 PM](#)

12.20 Councilmember Weeks asked Mr. Barker if he had information on how often there were fights at bars. She also asked if he could speak about safety with concern to pedestrians and bikers. She said the residents with whom she has spoken were concerned they were limited to the current establishments. She asked if there was a different solution to the amount of licenses the City would issue.

[9:14:26 PM](#)

12.21 Councilmember Vawdrey stated the City should not take a license from the hotel. She said she did not want to increase the amount of licenses.

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12.22 Councilmember Weeks said she wanted two or three more licenses because there were interested businesses. She thought they were stifling the economy by not allowing these businesses into Draper. Councilmember Vawdrey noted the City had 19 full and limited service restaurants. Mayor Walker asked Mr. Barker to present a list of restaurants, which was previously displayed as part of staff's presentation. Mayor Walker explained there was no limit on full service restaurant licenses.

[9:17:25 PM](#)

12.23 Councilmember Green sought clarification on the differences between licenses. Mr. Barker explained they did not serve anything other than beer or wine and full service can serve any type of liquor. Councilmember Green said he was supportive of eliminating the hotel requirement. He did not want the license to be based on a ratio because the Council would lose control. He said they should include at least one more social club because of the size of Draper. He asked if they could make a geographic restriction, and he was informed this was illegal.

[9:18:58 PM](#)

12.24 Councilmember Lowery asked how often the ordinance could be updated. Mr. Barker said it could be updated often as the Council desired.

[9:19:12 PM](#)

12.25 Councilmember Weeks said Draper City had lost business in the past because of their ordinance.

[9:19:55 PM](#)

12.26 Mr. Dobbins clarified if they reduced the club licenses they would be in the position to choose which establishment would get the bar licenses. He recommended they grant enough for all those converting.

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12.27 Mayor Walker noted he defended DUI drivers for a living for many years. He said he was in favor of keeping the same number of licenses to allow all dining clubs to convert to a different type of establishment, if they sought the opportunity. He said he could be persuaded to have more licenses if the City chooses not to allow driving under the influence of any measurable amount of alcohol. This would be an infraction and not a DUI, and he was of the opinion that this would be an honest standard to curb drinking and driving.

[9:24:03 PM](#)

12.28 Councilmember Weeks said she supports the idea if they would allow more licenses. There was subsequent discussion on Mayor Walker's proposal.

[9:25:26 PM](#)

12.29 Councilmember Vawdrey noted a hotel was a better place for a bar because patrons would not necessarily be traveling after drinking.

[9:25:45 PM](#)

12.30 Councilmember Weeks said they should add more for hotels and one for a new business.

[9:26:09 PM](#)

12.31 Councilmember Green explained that the views on alcohol were divisive and they needed to find a balance. He said some people in their community do not think alcohol is morally reprehensible. He proposed they remove the restriction on the hotel and allow one more social club in the City.

[9:28:09 PM](#)

12.32 Mr. Barker explained the hotel license was not restricted to Draper Peaks. Councilmember Green clarified the current code does not require it to be in a hotel.

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12.33 Councilmember Weeks asked that if she supported Councilmember Green's and Mayor Walker's proposals, could they readdress the issue and add more licenses to the ordinance. Mayor Walker said she would need to convince her fellow Councilmembers on the matter.

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12.34 Councilmember Lowery asked whether either of the hotels expressed interest in a license. Mr. Barker said they have not expressed interest to staff.

[9:30:25 PM](#)

12.35 Mayor Walker clarified the two social club licenses would become bar establishment licenses. One of them was for a full service hotel. The other would be for Draper Peak CSD. The Code does not limit the license to one specific area.

[9:31:10 PM](#)

12.36 Councilmember Weeks moved to approve Ordinance #1317 with the change to allow 8 bar licenses and 2 bar licenses specifically for hotels for a total of 10 bar licenses. The motion failed for lack of a second.

[9:35:05 PM](#)

12.37 Councilmember Green moved to approve Ordinance #1317 with the change to remove the license earmarked for a Draper hotel, eliminate the proximity requirements and variances, and allow one additional license for a bar and one license for a hotel for a total of 8 licenses. Councilmember Weeks seconded the motion.

[9:37:25 PM](#)

12.38 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, and Weeks voting in favor. Councilmember Vawdrey voted no. The motion carried with a majority vote of 3 to 1.

[9:38:14 PM](#)

13.0 Action Item: Resolution #18-21, Entering into an Interlocal Agreement with Salt Lake County for a Field House Addition to the Draper Recreation Center Where the City

will Contribute \$1,000,000 for the Design and Construction of the Field House, and Salt Lake County will Provide Priority Programming for Draper City Recreation as well as Waive Rental Fees for the Field House for 10 Years

** *Councilmember Summerhays returned to the meeting at 9:39 p.m.*

[9:38:45 PM](#)

13.1 Mr. Ogden reviewed the details of the proposed resolution.

[9:41:10 PM](#)

13.2 Councilmember Summerhays asked what percentage the City would receive. Mr. Ogden said they would receive 10%. Councilmember Summerhays said the percentage was unfair because of the money the City would be funding. There was further deliberation on the matter.

[9:44:01 PM](#)

13.3 Councilmember Green moved to approve Resolution #18-21. Councilmember Lowery seconded the motion.

[9:44:11 PM](#)

13.4 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

[9:44:24 PM](#)

14.0 Recess to a Redevelopment Agency Meeting

[9:44:38 PM](#)

14.1 Councilmember Green moved to recess to a Redevelopment Agency Meeting. Councilmember Summerhays seconded the motion.

[9:44:45 PM](#)

14.2 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

14.3 The City Council meeting recessed at 9:44 p.m.

14.4 The City Council meeting resumed at 9:47 p.m.

[9:47:30 PM](#)

15.0 Council/Manager Reports

[9:47:49 PM](#)

15.1 Councilmember Summerhays noted an issue with the dark park, and explained there was a parking problem and it was causing congestion. He asked staff to involve the police or paint the curb to prevent the issue. Councilmember Summerhays also said he wanted the City to be able to advertise on the existing billboards located on 12300 South. He explained

that the Parks and Recreation Department did not have a way to advertise its programs. Mr. Dobbins clarified the signage in question is electronic, and he briefly reviewed the City's ordinance on the matter. Councilmember Summerhays said if staff could get some businesses to donate space on their signs to advertise the City's programs, overall, the programs would be able to run more smoothly.

Councilmember Lowery said the City did not currently have an issue with getting people involved. She felt the current resources for advertising were adequate.

[9:52:52 PM](#)

15.2 Councilmember Lowery asked if there were rules against sheds by their garage. Mr. Dobbins responded they were required to be behind the home. Councilmember Lowery said she received a complaint about litter surrounding the high school. She asked what they could do to resolve the issue.

[9:54:22 PM](#)

15.3 Councilmember Green asked when the City would remove the white building on south Mountain Road.

[9:54:57 PM](#)

15.4 Councilmember Weeks said she agreed with Councilmember Summerhays about the dog park. She asked if they could include a sign that noted where additional parking was located. She requested an ordinance to account for money given to the Draper Foundation. The Council agreed to look into this issue. She asked why the little valley would be eliminated from the TRSSD. After subsequent discussion, the consensus of the Council was that they did not need to further investigate this issue. Councilmember Weeks noted the Golden Spoke cycling event is scheduled for June 2nd. She also asked the Council to consider hiring a grant writer, and said there are a lot of grants available that would benefit the City. The Council agreed to find a grant writer if the writer agrees to receive a percentage of funds acquired as compensation. Lastly, Councilmember Weeks requested more documents and records before she voted on MODA. She was informed that staff could not find the records; however, these documents will be provided once they are available.

[10:04:45 PM](#)

15.5 Mayor Walker said he received an email from a man that rides his bike to work and the construction project would prevent him from riding. He asked if there was a way they could accommodate him. Mr. Dobbins said they had the same issue last summer and it would be dangerous to allow bicycles.

[10:06:26 PM](#)

**** Councilmember Weeks moved to continue this meeting past 10:00 p.m. Councilmember Vawdrey seconded the motion.**

[10:06:45 PM](#)

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

[10:07:07 PM](#)

** **Recess to a Closed-Door Meeting – Property Acquisition**

** Councilmember Weeks moved to adjourn to a Closed Session to discuss property acquisition. Councilmember Vawdrey seconded the motion.

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

** The Closed-Door Meeting began at 10:07 p.m.

** The Closed-Door Meeting opened at 10:15 p.m.

Discussion: Parks & Trails 2-Year Master Plan Priorities – continued

** Mr. Ogden provided an updated handout with the trails listed that are currently unfunded. The Council agreed to approve all of the privately funded projects. Subsequent to Council/staff discussion, the City Council decided to take \$500,000 of the funds earmarked for the Peak View Trailhead, and use that to fund all of the projects on the updated list.

16.0 Adjournment

16.1 Councilmember Weeks moved to adjourn the meeting. Councilmember Green seconded the motion.

16.2 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

16.3 The meeting adjourned at 10:35 p.m.