

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, JUNE 5, 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; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Clint Smith, Fire Chief, and Bob Wylie, Finance Director

Dinner

Study Meeting

1.0 Presentation: Draper Community Foundation Budget Request

1.1 LaMont Smith, Draper Community Foundation, presented their General Fund Sources and Application of Funds to the City Council. The Foundation is requesting \$155,000 from the City this year that will help pay for Draper Days, the Miss Draper Pageant, and other community programs.

2.0 Presentation: Draper Chamber of Commerce Budget Request

2.1 William Rappleye, Chief Executive Officer, introduced Eric Jack and Rob Longacre as Chamber Board members. The Chamber is asking for \$45,000 from the City this year. They reviewed the Chamber membership numbers, the outreach they are doing for businesses, and how the funds are used.

3.0 Update: Safe School Initiative

3.1 Mckelle Hamson, Communities that Care Coordinator, and Rachel Miller, Victim Advocate Program Coordinator, presented information to the City Council about two new programs the Police Department is establishing. The first program is the Children at Risk Intervention. The goals of this program are as follows:

- Identify children at risk in order to decrease violence and abuse in the lives of children, adolescents, and families
- Slow down and stop repetitive family-related police department calls
- Provide resources to families who are struggling

The second program is the Draper Safe School Initiative. The goals of this program are:

- To prevent an active shooter situation
- To prepare schools for a potential active shooter situation
- To increase training for School Resource Officers and Police Department

4.0 Planning Commission Update

- 4.1 Dan Boles, Head Planner, briefed the City Council on the items from the last Planning Commission meeting.

5.0 Council/Manager Reports

- 5.1 Councilmember Weeks advised there is a crosswalk on Pioneer Road at Relation Street. The trees cover the crosswalk sign, and it is an unsafe area for children to cross. She requested the lines be repainted, a flashing crosswalk sign be installed, and flags for crossing be placed on both sides of the street. Councilmembers Summerhays, Vawdrey, and Lowery were in favor of having staff evaluate the area to see what they would recommend.

Councilmember Weeks then requested the City apply to be a Cycle-Friendly Community. The rest of the City Council was in favor of applying.

- 5.2 Councilmember Summerhays indicated the lines on the east/westbound road that was recently reconstructed are not right. He requested staff go look at the road and fix the striping.

Councilmember Summerhays also advised there are three dead pine trees behind Penny Ann Café. He asked staff to send a letter to the property owner to ask them to replace the dead trees. Subsequent to Council and staff discussion, these issues will be handled on a complaint basis, in which a letter for compliance will be sent for violations.

- 5.3 Councilmember Green asked staff to look at the public land by the hillside homes to see what can be done for fire mitigation. Mr. Dobbins indicated staff will identify key areas of concerns and will do work as time allows.
- 5.4 Councilmember Vawdrey asked what the City has planned for the Manilla Drive speeding issue that Mr. Bowman contacted the City about. Mr. Dobbins indicated staff is looking at options. They are going to Park City to see what they do with speed tables and speed bumps.

**** Adjourn to Closed-Door Meeting to Discuss Personnel Issues**

**** Councilmember Summerhays moved to adjourn to a Closed-Door Meeting for the purpose of discussing the character and professional competence or physical or mental health of an individual pursuant to the provisions of Section 52-4-205(1) of the Open and Public Meetings Law. Councilmember Green 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 Meeting started at 6:55 p.m. and ended at 7:00 p.m.**

Business Meeting

7:02:50 PM

1.0 Call to Order: Mayor Troy K. Walker

7:03:00 PM

2.0 Thought/Prayer and Pledge of Allegiance

7:03:17 PM

2.1 Glade Robbins offered the prayer.

7:04:06 PM

2.2 Chief John Eining led the Pledge of Allegiance.

7:04:29 PM

3.0 Public Comments

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

7:05:40 PM

3.1 Harold Peterson, resident, said Draper needed a new cemetery. He said he was not happy the funds set aside for the cemetery were used for other purposes. He asked the Council to not take away money set aside for the cemetery.

7:07:38 PM

3.2 Reed Gibby, resident, thanked the City and the police department for making the construction areas safer. He noted the police had been diligent issuing tickets to speeders.

7:08:48 PM

3.3 Kevin Fisher, resident, said he had noticed children crossing a road near his home unsafely. He asked the City to consider installing a sidewalk to protect anyone walking on the side of the road.

7:10:42 PM

4.0 Consent Items

- a. **Approval of May 22, 2018, City Council Meeting Minutes**
- b. **Approval of Resolution #18-40, Amending the Personnel Policy**
- c. **Approval of Resolution #18-41, Reappointing the Mayor's Youth Council Advisors**
- d. **Approval of Agreement #18-131, Assessment-in-Lieu Stewart Subdivision**
- e. **Approval of Amendment to the Multi-Jurisdictional Mutual Aid Agreement for Fire Services**

f. **Proclamation: Independents Week 2018 – Buy Local First**

7:11:33 PM

4.1 Councilmember Weeks moved to approve the consent items. Councilmember Vawdrey seconded the motion.

7:11:50 PM

4.2 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.

7:12:15 PM

5.0 **Action Item: Mountain Park Estates (MPC) Zone Change, Zoning Text Amendment, and Development Agreement, Request for Approval of a Zoning Map and Zoning Text Amendment Creating a New Master Planned Community (MPC) Zone and Rezoning Approximately 83 Acres Located Generally at 2100 East Lake Bluff Drive to the New MPC Zone Along with a Development Agreement**

7:12:40 PM

5.1 Dan Boles, Head Planner, noted the Council discussed this item at the last meeting. He said the Council decided to make a decision at a future date. He asked for any questions.

7:13:10 PM

5.2 Councilmember Weeks asked if an HOA was included with the development and whether it would become part of the Traverse Ridge Special Service District (TRSSD). Mr. Boles explained the development would become a part of the TRSSD but did not know if the HOA would be in the TRSSD. Mr. Barker explained an HOA was a legal entity created to provide services to a private development; the HOA would not join the TRSSD.

Councilmember Weeks noted the TRSSD maintained street lights, roads, and parks. She noted it was redundant to include an HOA. She asked if they should incorporate this development into the TRSSD. Mr. Boles explained there was no legal requirement for a new development to join the TRSSD.

Councilmember Weeks then asked the Council to consider a park in lieu of the proposed \$300,000 the Mitchell's planned on giving the City.

7:17:33 PM

5.3 Bruce Baird, attorney for applicant, stated the Mitchells were willing to make a \$300,000 contribution to the community for a park. He said they could give more details in a modified development agreement.

7:18:20 PM

5.4 Councilmember Lowery asked Mr. Boles if a gated community would reduce traffic. Mr. Boles explained they had not done a traffic impact study concerning this issue. He said he thought a gated community would reduce the traffic.

Councilmember Green asked if they could gate a public street. Mr. Boles answered in the negative.

7:19:25 PM

5.5 Scott Cooley, City Engineer, explained the gate would reduce cut-through traffic. Councilmember Lowery asked if they were anticipating this to be an issue. Mr. Cooley answered in the negative.

Councilmember Weeks said this would slow down traffic because vehicles would have to stop.

7:20:46 PM

5.6 Troy Wolverton, Engineer for applicant, presented a concept plan of the park. Councilmember Weeks asked if any amenities were included in the park. Mr. Wolverton explained they did not have the details but there were proposed amenities. Councilmember Weeks asked if they were proposing to install sidewalks. Mr. Wolverton explained their plans for access to the park and the sidewalks.

Mr. Baird explained the park area would be very flat and playable. He noted they would be amenable to making the streets private. Councilmember Weeks asked if they planned on re-planting and adding vegetation to the areas they planned for the park. Mr. Baird answered in the affirmative.

7:23:43 PM

5.7 Mr. Boles said the lot configurations might need to be adjusted. Mr. Baird said they were aware of this issue. He explained they would make adjustments in the development agreement to ensure the correct positioning.

7:24:44 PM

5.8 Councilmember Green asked Mr. Boles to display the land slide areas. Using the aid of a PowerPoint presentation, Mr. Boles showed where the geological hazards were located. He said the applicant had geological studies to ensure the safety of the development. Councilmember Green noted where there was a massive landslide. Mr. Boles said the developer would have to study this area to make it safe.

7:25:49 PM

5.9 Councilmember Weeks asked if the area would be safer if it was developed. Mr. Boles explained the goal of the developer was to ensure the area was safe during and after construction.

7:26:22 PM

5.10 Councilmember Green asked why the hillside was exempt from the development agreement. Mr. Boles explained that it was not exempt. He said there was language in the agreement describing the modifications to the hill. Councilmember Green said he was concerned with the landslides in this area.

Councilmember Weeks agreed with Councilmember Green. Mr. Baird explained they had spent a lot of money on geological surveys on all the developments in Suncrest. He said they would make the areas safer and the City's experts would ultimately give permission to build the development.

Mr. Wolverton noted they needed approval to do the studies pertinent to the development.

7:30:55 PM

5.11 Councilmember Lowery noted an endangered bird had nested in Suncrest. She asked if the development had done any studies on endangered species. Mr. Boles said he was not aware of any studies.

Mr. Dobbins asked if the code required any studies. Mr. Boles said he would have to research the answer.

Mr. Wolverton noted this species would not live in the area. He reiterated they were seeking an approval to move forward with their development.

7:32:55 PM

5.12 Councilmember Weeks asked how many days would be required for the rock crushing. Mr. Boles responded they estimated 100 days over a period of three years. Councilmember Weeks asked if they could limit the rock crushing to 100 days and truck the rest. Mr. Baird answered in the affirmative.

Councilmember Weeks asked if they could limit the amount of land they planned on disturbing on the south side of the development. She noted residents were concerned with the flow of water. Mr. Baird explained State and Federal law prohibited the developers from increasing the runoff of water to the lower lots.

Mr. Wolverton explained there were engineering options to limit and improve the flow of water. Councilmember Weeks asked how they would make adjustments to issues found after they approved the agreement. Mr. Baird responded the changes would be made in the preliminary plat agreement. He said they would commit in the development agreement to not increase the water flows. He reiterated they were bound by State and Federal law to ensure compliance.

7:39:57 PM

5.13 Councilmember Vawdrey asked about a temporary road that needed to be re-vegetated. Mr. Wolverton explained they planned to balance the development to avoid this road. He noted this would not impact the area of disturbance. Councilmember Vawdrey asked if the project could be built without the road. Mr. Wolverton stated the project would need to be revised to avoid the road. Councilmember Vawdrey clarified the applicant would be required to re-vegetate the area.

7:41:40 PM

5.14 Councilmember Green clarified the developer was requesting a zone change, text amendment, and a development agreement. He said the purpose for zoning was to find the most appropriate use of the land. He said there was not a justification for this rezone.

7:42:34 PM

5.15 Mayor Walker asked if there were additional questions before debating the rezone.

7:42:51 PM

5.16 Councilmember Green continued stating he felt the private street would mitigate the concern with the amount of homes. He stated that gates were not wise because of emergencies and snow removal. He said he was not comfortable with the rezone.

7:43:28 PM

5.17 Councilmember Lowery agreed with Councilmember Green. She said she wanted a proposal that did not extensively disturb the land.

7:43:54 PM

5.18 Councilmember Weeks commented this development had been discussed for a long time. She noted she had seen the application for at least two years. She noted the first application had 385 proposed homes. She said there had been a lot of discussion and compromises to make the development work. She said the current 147 proposed homes was too much and suggested cutting back to make the lots larger and adding a park. She was in favor of building homes over building commercial businesses.

Councilmember Lowery said she agreed with Councilmember Weeks that improvements had been made to the proposal, but she was not convinced it was good enough. Councilmember Weeks said the current application was consistent with what the residents wanted.

Councilmember Green said he received a lot of emails that were not in favor of the current plan. He said they should make their decision based on the zoning code. Councilmember Weeks asked Councilmember Green what would be a reasonable proposal for this development. Councilmember Green stated they should follow the ten-year master plan. He noted the plan stated the area was to be residential low density.

7:47:54 PM

5.19 Mayor Walker clarified this application was made this year. He noted the Council did not ignore the development previously. The previous developer went bankrupt and abandoned the project. Councilmember Weeks asked if the previous Council chose the accesses to the development. Mayor Walker explained the property was set aside to be a commercial property. Councilmember Green explained the access was required in these locations due to anti-land locking provisions set by State law. He suggested the development be residential low density and comply with the hillside sensitivity ordinance. There was subsequent discussion about the access points, setbacks, retaining walls, and deviations.

Councilmember Weeks asked if the Planning Commission discussed this item. Mr. Baird stated the Planning Commission did not approve the original application; however, they did approve the current application.

7:54:02 PM

5.20 Councilmember Lowery moved to continue this item for thirty days, at which time the developer will return with a concept plan, zoning text, and development agreement to meet the following:

- **The development is to be accountable to all hillside sensitive zoning standards to include that all thirty percent slopes must be preserved and protected and left undisturbed in their natural state**
- **All cultural service uses are to be completely removed from the MPC and the development agreement**
- **All materials processing must be limited to ninety days, and cease completely after eighteen months and must follow all City noise ordinances or risk being shut down entirely**
- **Proposed contribution of \$350,000 will be used by the developer to build a private facility or amenity for future residents of the MPC, such as a community park and a trail system to create connectivity and to provide a greater sense of community**
- **The MPC will comply with all the residential hillside density requirements, namely 1 unit per acre, and meet all setbacks requirements as stated for the zone. This proposed density meets the residential hillside low-density land use designation of the General Plan**

This proposal is based on the following findings:

- **The zone as currently proposed does not provide equal or greater compatibility with surrounding land use than would occur with conventional zoning**
- **The resident hillside zone provides better compatible zoning and meets the land use designation of the General Plan**
- **The zone does not provide equal or greater protection to sensitive lands than would occur with conventional zoning**
- **The proposed text does not protect the thirty percent slopes and allows for more development than what would be provided under the current Code**

Councilmember Green seconded the motion.

7:55:58 PM

5.21 Mayor Walker clarified that the motion is to continue this item for thirty days. He questioned that if the terms are met, the item will be approved. Councilmember Lowery answered affirmatively.

7:56:48 PM

5.22 Mr. Barker said he was concerned with this motion. Mayor Walker suggested Councilmember Lowery amend her motion to reconsider the motion in 30 days.

[7:58:17 PM](#)

5.23 Councilmember Lowery amended her motion to reconsider this in 30 days for approval. Councilmember Green seconded the motion.

[7:58:51 PM](#)

5.24 Councilmember Weeks asked if they could be accused of delaying the development. Mr. Barker explained State law gave the developer the ability to demand a decision. He said he was comfortable with the Council waiting an additional 30 days.

[7:59:42 PM](#)

5.25 A roll call vote was taken with Councilmembers Green, Lowery, and Vawdrey voting in favor. Councilmembers Summerhays and Weeks voted no. The motion carried with a majority vote of 3 to 2.

[8:00:06 PM](#)

6.0 **Public Hearing: Ordinance #1327, Peterson Zone Change, Request for Approval of a Zoning Map Amendment for a 3.46-Acre Parcel Located on the South Side of Stokes Avenue Between 300 East and 500 East from A5 (Agricultural, 5- Acre Lots) to RA2 (Residential Agricultural, 20,000 Square Foot Lots). The Applicant's Purpose for Seeking the Rezone is to Subdivide the Property into Four Parcels—Three Containing One-Acre and One Containing One Half-Acre**

[8:00:41 PM](#)

6.1 Dennis Workman, Planner, displayed an aerial map of the subject property and identified where the property was located. He noted there were five approval standards required for the rezone. He said staff decided all the standards had been met or were not applicable. He said staff and the Planning Commission were both recommending approval.

[8:02:15 PM](#)

6.2 At Councilmember Summerhays's request, Mr. Workman identified the project location on the aerial map included in the presentation.

[8:02:42 PM](#)

6.3 Councilmember Green asked if the rezone met the ten-year plan. Mr. Workman responded the land use plan would be low density.

[8:02:56 PM](#)

6.4 Councilmember Weeks asked about the size of the surrounding homes. Mr. Workman responded the homes were on half acre lots. Councilmember Weeks asked if the applicant was proposing half acre lots. Mr. Workman explained the applicant was proposing half-acre lots with several one-acre lots.

[8:03:36 PM](#)

6.5 Mr. Dobbins noted the amount of lots was not binding. He explained the applicant could make as many lots as the zoning allowed.

8:03:53 PM

6.6 Councilmember Weeks asked about the size of the homes off of Farm Hollow Lane. Mr. Workman said the development was zoned for half-acre homes.

Mayor Walker noted they were sold as half-acre homes.

8:04:41 PM

6.7 Scott Peterson, applicant, explained this was a long, narrow property. He identified where the access points would be located. He said the average plot would be .45 acre or larger.

8:05:41 PM

6.8 Mayor Walker opened the public hearing.

8:06:14 PM

6.9 Mark Thomas, resident, commented the application was for three, one-acre lots and one half-acre lot. He noted this was not being approved. He said the application was not clear and asked the Council to make this clearer.

8:07:28 PM

6.10 Mayor Walker closed the public hearing.

8:07:40 PM

6.11 Mr. Peterson explained the existing home would remain on one acre. He said the plot behind the home would be a half acre with two more one-acre lots. He said their goal was to have the zoning match the surrounding area. They wanted low density residential to replace the agriculture land.

8:09:27 PM

6.12 Councilmember Summerhays clarified the applicant was asking for 20,000 square foot lots. Mr. Peterson responded they were requesting half acre lots to comply with the zoning. Mayor Walker noted the zoning request was for two 20,000 square foot lots.

8:10:24 PM

6.13 Councilmember Summerhays moved to approve Ordinance #1327. Councilmember Weeks seconded the motion.

8:10:31 PM

6.14 Mayor Walker said he would miss the horse field but the low density homes would fit in the area.

8:11:09 PM

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

8:11:20 PM

7.0 Public Hearing: Fiscal Year 2018-2019 Tentative Budget

8:11:45 PM

7.1 Bob Wylie, Finance Director, explained the budget was available for the public on the City's website. He discussed fund balances and explained the property tax increase was not accounted for in the budget. He said there was no increase to water, storm water, or solid waste in the tentative budget. He noted there were nine new full-time employees added and there was an increase to the City Council's compensation of 3%. He said the Mayor's salary was increased to \$35,000 a year.

8:15:22 PM

7.2 Councilmember Summerhays asked if there was any discussion about insurance. Mr. Dobbins said there had been a lot of discussion about providing health insurance to the Council and the Mayor. Councilmember Summerhays said he wanted to discuss providing health insurance to the elected officials.

Mayor Walker suggested the matter be discussed after the public hearing.

8:16:30 PM

7.3 Councilmember Green asked about the budget for police, fire, and public works. Mr. Wylie detailed the following: police budget was \$6,907,800, public works was \$5,007,210, and fire was \$5.7 million. Councilmember Green asked if the budgets were sufficient for what they needed, and he was informed in the affirmative.

8:19:09 PM

7.4 Mayor Walker opened the public hearing.

8:19:30 PM

7.5 Reed Gibby, resident, suggested the City add an additional traffic officer and said they pay for themselves.

8:20:48 PM

7.6 Scott Standage, resident, asked the City to justify the \$14,000 raise for a part-time Mayor.

8:21:30 PM

7.7 Mayor Walker closed the public hearing.

8:21:46 PM

7.8 Councilmember Green said he supported the pay raise for the Mayor. He noted the City does not have a full-time Mayor, but the City demands a lot of attention from the Mayor. He said the Mayor has received several awards due to his endeavors. He explained how the Mayor was compensated.

8:24:10 PM

7.9 Mayor Walker clarified he did not ask for the raise. He said he spends a lot of time dedicated to the Mayoral job and regardless of whether or not he receives the pay raise it would not affect his attention to the job.

8:25:22 PM

7.10 Councilmember Green clarified he was responsible for recommending a pay raise.

8:25:55 PM

7.11 Councilmember Lowery said she was also in support of a pay raise for the Mayor. She stated he works hard for the City.

8:26:28 PM

7.12 Councilmember Vawdrey concurred with Councilmembers Green and Lowery.

8:26:31 PM

7.13 Councilmember Green asked if they could adopt the Tentative Budget then make a motion on the Mayor's salary.

8:26:43 PM

7.14 Mr. Wylie explained the City Council will consider the adoption of the budget on June 19, 2018.

8:27:12 PM

7.15 Mr. Dobbins said they needed direction from the Council for the budget, not the final vote.

8:27:32 PM

7.16 Councilmember Weeks asked when she would be able to voice her issues with the money for the cemetery. Mr. Dobbins responded they would handle this issue at the next Council meeting. Councilmember Weeks asked if most cities supplement their Chamber of Commerce. Mr. Wylie explained their compensation based on their budget. Councilmember Weeks clarified the City paid for dinners, lunches, and other events. Mr. Dobbins responded this was correct and most cities supplemented their Chamber of Commerce, but he was not aware of specific amounts. Councilmember Summerhays said Draper City's Chamber of Commerce was larger than Sandy's.

8:28:48 PM

7.17 Councilmember Summerhays said he was in favor of a raise for the Mayor but the amount was high. Councilmember Vawdrey clarified they were taking away \$500 a month from allowances so the Mayor would only receive a \$6,000 raise.

8:30:30 PM

7.18 Councilmember Green asked Mr. Dobbins what he thought about a miscellaneous account. Mr. Dobbins said there was one they used for miscellaneous purchases.

8:31:25 PM

7.19 Mr. Dobbins explained the Mayor's raise was included in the tentative budget but Councilmembers' increases were not. Councilmember Green explained the gross compensation for the City Council was low and there had been discussion about health insurance.

8:32:22 PM

7.20 Mr. Dobbins explained they had estimated the amount for health insurances. He said they did not know how many Councilmembers would take the health insurance. He noted their total compensation was below average.

8:33:47 PM

7.21 Councilmember Summerhays asked how they compared to other city councils in terms of compensation. Mr. Dobbins said Draper City was at the bottom of the spectrum.

8:34:26 PM

7.22 Councilmember Green asked when the Council last adjusted the salaries. Councilmember Weeks said the salaries had not been changed for a few years. Mr. Dobbins explained the Council typically did not increase their salaries.

8:35:11 PM

7.23 Councilmember Green said he wanted to set the Council's salary at \$23,400. He said this would give the Councilmembers the discretion to purchase the City's health insurance plan. Mr. Wylie asked if his proposal would eliminate the Council's \$100 a month allowances. Councilmember Green said they could eliminate the allowance.

8:36:17 PM

7.24 Councilmember Weeks said it was a good idea to allow those who wanted the insurance to buy into the City's plan. Councilmember Summerhays commented the Councilmembers already had insurance. Councilmember Weeks said she asked for insurance because several cities had this option. She acknowledged that several members of the Council did not need insurance.

8:38:11 PM

7.25 Mayor Walker asked if Mr. Wylie had the direction to prepare for these proposed salaries. Mr. Wylie answered in the affirmative.

8:38:56 PM

8.0 Public Hearing: Provide Local Consent for a Bar Establishment Alcohol License for Leatherheads Sports Grill

8:39:20 PM

8.1 Russ Fox, Assistant City Manager, noted the City recently modified the alcohol licenses. He explained the applicant was required to change their license type and they chose to apply for a Bar Establishment License. He discussed the requirements for this type of license.

8:40:02 PM

8.2 Councilmember Summerhays recused himself from the discussion and vote. He left the meeting at 8:40 p.m.

8:41:34 PM

8.3 Mayor Walker opened the public hearing.

8:41:50 PM

8.4 James Thelin, resident, said this establishment was close to a pool and a movie theater. He then asked what was considered a “community location.”

8:42:31 PM

8.5 Mayor Walker closed the public hearing.

8:42:39 PM

8.6 Councilmember Weeks asked what type of license the applicant had in the past. Mr. Fox said the applicant had a dining club license. He explained a “community location” constituted a public park, public library, or a public school. Councilmember Weeks said the applicant’s request complied with State law.

8:43:29 PM

8.7 Mayor Walker said he liked that the State removed the dining club license. He noted this license allowed children to enter the establishments.

8:44:15 PM

8.8 Councilmember Weeks moved to provide local consent for a Bar Establishment Alcohol License for Leatherheads Sports Grill. Councilmember Green seconded the motion.

8:44:30 PM

8.9 Councilmember Vawdrey said this applicant and others already had an approval for alcohol.

8:44:49 PM

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

8:45:14 PM

9.0 Public Hearing: Provide Local Consent for a Bar Establishment Alcohol License for Allstar Bowling & Entertainment

8:45:23 PM

9.1 Mr. Fox said this was the same type of request as the previous item. The applicant was applying for a Bar Establishment License. He stated the applicant’s request complied with State law.

8:46:44 PM

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

8:47:02 PM

9.3 Councilmember Green moved to provide local consent for a Bar Establishment Alcohol License for Allstar Bowling and Entertainment. Councilmember Weeks seconded the motion.

8:47:20 PM

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

** Councilmember Summerhays returned to the meeting at 8:48 p.m.

8:47:40 PM

10.0 **Public Hearing: City-Initiated Bar Establishments Text Amendment, Request to Amend the Land Use and Development Regulations in Order to Remove the Uses of Club, Dining, and Club, Social from the Code and Replace it with the Use of Bar Establishment to Better Align with Utah State Code**

8:48:51 PM

10.1 Mr. Fox explained the Council needed to remove the old land uses to comply with the new State law.

8:51:23 PM

10.2 Councilmember Weeks said she was concerned with how the code would affect the downtown section of Draper. She asked Mr. Fox to explain why the CN zone was not permitted to have bar establishments. Mr. Fox explained the goal of the code was to prevent bar establishments close to neighborhoods, and the CN zones were closer to neighborhoods. Councilmember Weeks said some cities had restaurants with liquor licenses in buildings that were previously homes. She asked if this would be permitted under the new code. Mr. Fox said this was permitted under a restaurant license but not bar establishment license.

8:53:43 PM

10.3 Councilmember Vawdrey said they had taken away all the conditional uses. She suggested there be more public scrutiny and was not in favor of eliminating the conditional use permit.

8:54:32 PM

10.4 Councilmember Weeks asked if this was a public hearing. Mr. Fox said this public hearing was concerning a text amendment.

Councilmember Green explained the establishments were not required to have a public hearing and a conditional use permit when they applied for their licenses. Councilmember Vawdrey said she was in favor more public scrutiny.

8:55:18 PM

10.5 Mr. Dobbins said his concern was this was not giving the public any power of granting a permit. He agreed there needed to be more attention to this type of license. He suggested they put more requirements into the code.

8:57:15 PM

10.6 Councilmember Vawdrey said she was in favor of transparency.

8:57:44 PM

10.7 Mayor Walker opened the public hearing.

8:57:59 PM

10.8 Jameel Gaskin, business owner, said he had made an application for a license last year. He requested a positive recommendation because their business depended on this license.

8:58:53 PM

10.9 James Thelin, resident, commented that they do not put too many bars into the City. Councilmember Lowery noted there was a limit. Mr. Thelin was concerned with the amount of establishments that sold liquor.

9:01:28 PM

10.10 Mayor Walker closed the public hearing.

9:01:38 PM

10.11 Mr. Fox noted there was a cap to the amount of bars in the City.

9:02:49 PM

10.12 Councilmember Weeks asked if the City removed the conditional use permits because they wanted to stop voting on items for which they were legally bound to vote yes. Mr. Fox responded in the affirmative. Councilmember Weeks asked if the City was required to hold a public hearing if there were no bar licenses left. Mr. Fox answered in the affirmative.

9:05:15 PM

10.13 Councilmember Weeks moved to approve the City-initiated bar establishment text amendment. Councilmember Green seconded the motion.

9:05:51 PM

10.14 A roll call vote was taken with Councilmembers Green, Lowery, and Weeks voting in favor. Councilmember Vawdrey voted no, and Councilmember Summerhays abstained from the vote. The motion carried with a majority vote of 3 to 2.

9:06:15 PM

11.0 Action Item: Ordinance #1329, Amending Section 7-12 of the Draper City Municipal Code Regarding Fees for False Alarms

9:06:52 PM

11.1 Chief Eining said they needed to make the language in the ordinance consistent. He reviewed the changes staff made to the ordinance.

9:08:35 PM

11.2 Councilmember Weeks moved to approve Ordinance #1329. Councilmember Summerhays seconded the motion.

9:08:50 PM

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

9:09:02 PM

12.0 **Recess to a Municipal Building Authority Meeting**

9:09:07 PM

12.1 Councilmember Summerhays moved to recess to a Municipal Building Authority Meeting. Councilmember Green seconded the motion.

9:09:14 PM

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

9:09:22 PM

13.0 **Adjournment**

9:19:27 PM

13.1 Councilmember Summerhays moved to adjourn the meeting. Councilmember Green seconded the motion.

9:19:33 PM

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

9:19:40 PM

13.3 The meeting adjourned at 9:19 p.m.