

Approved 4.16.2019

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, APRIL 9, 2019, 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

EXCUSED:

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, City Recorder; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Clint Smith, Fire Chief, and Bob Wylie, Finance Director

Dinner

Study Meeting

1.0 Discussion on Compensation

Mr. Dobbins invited Hazel Dunsmore to discuss the City employees and the budget. He remarked that the employees were an investment. Hazel Dunsmore, Human Resource Director, explained they had access to a database where they could evaluate the salaries of other cities. She said they were trying to stay in the average range of the data for employee salaries. Recently the public sector was competitive with the private. Increases accounting for cost of living had not been made in the last few years. However, they did have some raises due to performance approved by the Council.

Ms. Dunsmore reviewed the City's pay range and discussed turnover and how it affected the budget. She noted neighboring cities were currently paying more for similar jobs. Councilmember Summerhays asked if they could create a referendum to increase the salaries. Ms. Dunsmore explained that they were currently trying to bring this information to the Council's attention. They were not in favor of trying to directly compete with the other cities. They needed to fit the salaries into next year's budget. Councilmember Summerhays suggested they make the increases to the salaries. Councilmember Green disagreed, stating that he did not want to increase taxes to raise salaries. He said they could decrease the budget in other areas to improve the salaries.

Ms. Dunsmore said there were several strategies for determining salaries, and they needed to choose something that encouraged retention.

2.0 Council Review of Tentative 2019/2020 Budget

- 2.1 Chief John Eining noted the City had grown significantly in recent years. He discussed crime statistics with the Council and said the number of officers had not changed since 2009. He said it was important to increase the number of officers to match the growth of the City. He noted he had lost officers to other cities because they paid better.

Councilmember Summerhays asked what they could do to retain officers. Chief Eining said the Council had allotted budget increases to help the department find and retain officers. He said the problem they faced was that other cities were also approving increases, and this made it hard to hire experienced officers.

Councilmember Weeks asked if there were enough officers for the population. Chief Eining explained that they were currently under staffed by one. Councilmember Lowery asked how they could compete if each city kept offering more money. Chief Eining stated that the pay would slowly stop rising but they needed to find a solution now. He suggested paying the officers \$33.42 an hour to attract and retain officers. It was noted there would be a lot of requests by the various departments to expand their budget. The Council would have to decide how to allocate and raise money for the budget changes.

*** Mayor Walker joined the meeting at 6:35 p.m. ***

- 2.2 Scott Cooley, Public Works Director, said he had confidence in the department to complete their tasks. He said he wanted to explain how the department was structured. He discussed how they spent the City's money and the various operations they performed. He noted they were not in dire need of a budget increase like the police department.

Mr. Cooley discussed the need to keep qualified employees to avoid growing the department. He said the biggest need was to hire qualified employees. He invited Robert Markle, Deputy Public Works Director to discuss the needs of the department. There was a need for new employees and equipment to function more efficiently. The public works facility was outdated, and they possibly need a larger building.

3.0 Council/Manager Reports

- 3.1 Councilmember Lowery reported that cars were racing at the high school. Chief Eining said this was a common occurrence and they had issued citations. The department needed the help of the residents to notify the police when it occurred.

Councilmember Lowery said she had received a request for community dumpsters at the dog park at SunCrest. It was agreed they should have some available as the snow melted and trash became visible.

Councilmember Lowery said they should remove the M2 zone from the code. She asked they discuss this in the future.

Councilmember Lowery asked to continue the discussion about zoning for the sale of dogs and cats. Councilmembers Weeks, Vawdrey and Summerhays agreed.

Councilmember Lowery said she still felt an Idle Free Resolution was important.

- 3.2 Councilmember Weeks asked about the park bench in the cemetery. It was stated this would be discussed at the next meeting.
- 3.3 Councilmember Green asked when the Chamber would give the Council a report on the Draper Days Foundation. He was informed that they would hear from the Chamber in May.
- 3.4 Councilmember Summerhays reported a traffic problem near the Jordan Credit Union.

Business Meeting

1.0 Call to Order: Mayor Troy K. Walker

2.0 Thought/Prayer and Pledge of Allegiance

- 2.1 Pastor Nate, Corner Canyon Church offered the prayer.
- 2.2 Battalion Chief Bart Vawdrey led the Pledge of Allegiance.

3.0 Recognition: City of Draper Police Accreditation

Chief Giles and Chief Val Shupe, Director of the Utah Chiefs of Police Association, addressed the Council. Chief Giles explained the City's department became accredited by their organization. This was done through a process of evaluation and approval by their board. He presented the department with stickers the officers could put on their cars.

- 3.1 Councilmember Green stated he was impressed by one of the City's K9 officers. He thanked them for their service.

4.0 Recognition: Corner Canyon High School Girls Basketball 5A State Runners-up

- 4.1 Jeramy Acker, Coach, along with the players of the Corner Canyon High School Girls Basketball team were recognized as this year's 5A State Runners-up.

5.0 Presentation: 150th Anniversary of the Transcontinental Railroad

Presenter, Max Chang, shared a PowerPoint presentation of the Transcontinental Railroad. He explained the importance of the railroad being completed across the Country. He also shared a brief history of the railroad in Utah. Mr. Chang said they were planning a celebration for the 150th anniversary, where the golden spike and important documents signed by President Lincoln would be on display. There were various other activities and celebrities involved in the celebrations.

6.0 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.

- 6.1 Dave Mast, developer, shared photos on the Mercer trail head. He said the property owners near the trail wanted to raise their elevation to the trail head. They needed permission from staff to approve the change. He explained the proposal for the trail head with a diagram. This was his update for those who were curious about the trail.
- 6.2 Benjamin Harold Frederick, resident, thanked the Council for investigating recent sexual harassment allegations. He stressed the importance of harassment training.
- 6.3 Renea Wiegand, resident, stated that she wanted Deer Ridge to be kept as open space. She also expressed that she felt it was unfair for everyone to be against Councilmember Weeks. She remarked that the time and effort of the Council spent focused on Councilmember Weeks was unnecessary.
- 6.4 Bonney Thom, resident, agreed with Ms. Wiegand that the Council was unfairly attacking Councilmember Weeks. She said the sexual harassment claims for Councilmember Weeks kissing someone on the cheek was absurd. She said the Council was only attacking Ms. Weeks because they disagreed with her politics.
- 6.5 Jeremy Roberts, resident, said it was important that the Council investigate anything inappropriate. He said they needed to have training so behavior was not repeated.
- 6.6 Shalise Benjamin, Crossing Guard for Draper City, thanked the Police for their assistance keeping her and other crossing guards safe.

7.0 Consent Items

- a. **Approval of the March 19, 2019 City Council Meeting minutes.**
 - b. **Approval to Surplus City Assets**
Request authorization to surplus the Ventrac 3000 Snow Broom
 - c. **Approval of Proclamation: 150th Anniversary Celebration of the Transcontinental Railroad.**
 - d. **Approval of Resolution #19-20**
Requiring Professional Conduct and Harassment Training
- 7.1 Councilmember Green moved to approve the consent items. Councilmember Lowery seconded the motion.**
- 7.2 Councilmember Weeks, because she is the subject of one of the items, will abstain.

7.3 A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, voting in favor. The motion passed 3 to 1.

8.0 **Action Item: Approval of Agreement Amendment with DJIG and Edge Homes DJIG and Edge Homes 7th Amendment to Development Agreement.**

8.1 Russ Fox, Assistant City Manager, stated this item was no longer needed.

9.0 **Public Hearing: Big Willow Creek Phase 6 Land Use Map and Zoning Map Amendment and Development Agreement Request. On the request of Bryon Prince, representing Ivory Development, for a land use map amendment, zone change, and development agreement on 18.01 acres of property located at 527 West, 491 West, 445 West 11400 South for the Big Willow Creek Phase 6**

9.1 Jennifer Jastremsky, Planner, presented the staff report and explained that the applicant was proposing to change the existing land use. She noted that they had discussions with UDOT about the access to the development.

9.2 Councilmember Weeks asked for the report on high density housing. She said they needed to provide the Council with information so they could make informed decisions. Christina Oliver, Community Development Director, said she would have information on the housing by the next meeting.

Councilmember Green asked if this development changed the percentage of high-density housing in the City. Ms. Oliver responded it could, but it would be an insignificant amount.

David Dobbins, City Manager, asked if the current development agreement limited the number of units. Ms. Oliver responded in the negative. Councilmember Weeks stated that it was interesting the density was higher than the last proposal.

Councilmember Summerhays asked about the amount of lots and their sizes. Ms. Jastremsky said she did not know the sizes.

9.3 Councilmember Green asked about the land use plan. Ms. Jastremsky said they planned on one to two units per acre.

9.4 Chris Gamvroulas, applicant, presented the proposed zoning for the development and stated there were 115 units planned. He noted that a portion of the property had been held up in a legal battle for several years. The development would be considered medium density. Portions of the property would be significantly different than others and would provide larger homes. He displayed examples of homes they were planning. He asked the Council to work with UDOT to create a solution for the access points.

9.5 Councilmember Lowery asked how they planned to meet the open space requirements. Mr. Gamvroulas stated that they planned on common areas throughout the development.

Councilmember Green asked if Mr. Gamvroulas would agree to a limit to the number of units per acre. Mr. Gamvroulas said he would agree to nine units per acre. Councilmember Green asked if they planned to subdivide and sell the units. Mr. Gamvroulas said he did not have an answer at this time.

Councilmember Weeks asked if the open space would be a part of the units' front yards. Mr. Gamvroulas explained that this depended on the type of housing. Councilmember Weeks said she was concerned with the traffic due to the access points. Mr. Gamvroulas stated that if they were able to gain access from UDOT it would be safe and efficient.

9.6 Scott Johnson stated that they performed a traffic impact study. They determined it would operate at an acceptable level of service with the planned access points.

9.7 Mr. Gamvroulas said they signed an agreement with the City to not apply for a building permit until they obtained the access point. He noted the purpose of the item tonight was to determine if the land use was appropriate.

Councilmember Green asked if they planned to ask for exceptions. Mr. Gamvroulas responded in the negative. Councilmember Summerhays asked if there was 20 feet of parking in front of all the homes. Mr. Gamvroulas responded in the affirmative.

Councilmember Green asked if they would have a sound barrier along the train tracks. Mr. Gamvroulas said they had not yet made plans in that regard.

Councilmember Weeks asked if they had a land disturbance permit. Mr. Gamvroulas stated that they already obtained a land disturbance permit. He noted they would not have a plan for this development for several years.

Councilmember Green asked when they would have a planned road into the development. Mr. Gamvroulas stated that they were working on an agreement that would be finalized in a few days.

Mike Barker, City Attorney, commented that one of the land owners no longer opposed the development and was working with the applicant.

9.8 Mayor Walker opened the public hearing.

9.9 Suellen Rifkin, resident, asked why they planned on more homes in this area because it was not a good place to live. She noted that there were no trails to the TRAX station in the plans. There were too many homes and parking spots which would increase the traffic. She noted the access was problematic as the road was already too busy.

9.10 Bonney Thom, resident, said she witnessed Ivory Homes workers excavating next to the sewer line. They were pumping the runoff into the creek and she said this was inappropriate. She noted the lead worker agreed to ensure that the runoff didn't damage the creek. She said it should not be a resident's job to monitor compliance.

9.11 Doug Thom, resident, commented that there was a settlement concerning the way Ivory Homes handled ground water. He suggested the Council ensure the development adhere to the City guidelines, noting that they had not done so in the past. He also mentioned the access point was potentially dangerous as it was difficult to enter if there was an emergency.

9.12 Mayor Walker closed the public hearing.

9.13 Councilmember Summerhays said the access was troubling to him. He suggested they figure out the access point before they began any development.

9.14 Councilmember Lowery asked about the trail connection. Mr. Gamvroulas stated that it was their intent to connect the trail. He said they could make the trails a part of the development agreement. He asked Mr. Cooley to respond to the access points.

Councilmember Summerhays asked if the school would be accessible to the subdivision. Mr. Cooley stated that it would be available once the development was built.

9.15 Scott Cooley, Public Works Director, said they had discussed the issue with UDOT and they decided only one access was possible. UDOT had agreed to consider moving the access east. They were also waiting on a settlement with one of the land owners. He disagreed that the level of service would be acceptable. They would have to reevaluate the service once the access was approved.

Councilmember Summerhays asked if UDOT gave any recommendations. Mr. Cooley responded in the negative. He said the elimination of the left turn was his concern with the access point. He noted any proposal was subject to City and State standards.

9.16 Councilmember Green noted the zoning change was the issue. He concluded that the zoning change was appropriate to the surrounding area. He said the development would fit the ten-year plan. He was also concerned about waiting another week. Mr. Gamvroulas stated that he was not opposed to waiting another week.

9.17 There was brief discussion regarding emergency vehicle access.

9.18 Councilmember Green moved to continue the Map and Zoning Map Amendment and Development Agreement to a date certain of April 16, 2019. Councilmember Vawdrey seconded the motion.

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

10.0 Public Hearing: Resolution #19-18, Amending the Fiscal Year 2018-2019 Budget.

10.1 Bob Wylie, Finance Director, presented two budget items: the Draper Elementary Road extension and a Street Sweeper. He reviewed each item and asked for any questions.

- 10.2 Mayor Walker opened the public hearing.**
- 10.3 Mayor Walker closed the public hearing.**
- 10.4 Councilmember Lowery moved to approve Resolution # 19-18, amending the FY18/19 Budget. Councilmember Vawdrey seconded the motion.**
- 10.5 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**
- 11.0 Council/Manager Reports**
Council/Manager reports were discussed during the Study meeting.
- 12.0 Adjournment**
- 12.1 Councilmember Green moved to adjourn the meeting.**
- 12.2 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**
- 12.3 The meeting adjourned at 8:50 p.m.**