

Approved 04/29/2014

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, APRIL 15, 2014, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH.**

*“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”*

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

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; and Garth Smith, Human Resource Director

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**Study Meeting**

**1.0 Presentation – Less Lethal Demonstration by the Draper City Police Department**

**2.0 Dinner**

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**3.0 Council/Manager Reports**

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3.1 Glad Robbins, Public Works Director, advised when Metro Water put their line through Akagi farms, they removed some landscaping. They gave money to the City for vouchers to replace the trees. That money was used to develop the landscaping along the trail; however, there is still a need for some landscape in the area of the water line. Some representatives that live in Akagi Farms have asked the City for help with this. Brad Jensen, Engineer, put together some cost estimates for doing this in three phases. Phase 1 would be the entrance, Phase 2 is further down, and Phase 3 is along the street.

David Dobbins, City Manager, indicated there was a settlement agreement between the City and Metro Water ten years ago where the City was given money to help with the landscape replacement. They used the money for a Tree Program so the people could come get trees. They did not do this portion of the property because it is a public street.

Mr. Robbins indicated Phase 1 would cost \$14,568, Phase 2 would be \$22,000, and Phase 3 would be \$48,000. The residents would like the City to at least do Phase 1 right now. It is not budgeted; however, the Council could look at adding that to the budget for this next fiscal year.

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- 3.2 Mr. Robbins then displayed a plan to connect 13400 South prior to starting the construction on 13200 South to help with the traffic. The City already owns the right-of-way. There would be two cherry trees that would have to be removed. The cost estimate is approximately \$100,000.

Mr. Dobbins clarified that this would just be opening the street. It would not be putting in curb, gutter, sidewalks, or anything else.

The general consensus of the Council was to go forward with this project.

Councilmember Summerhays indicated he is not in favor of doing this until there is a plan in place to finish it. Mr. Dobbins stated there is no money to finish it, so there is no plan to do it.

## **Business Meeting**

### **1.0 Call to Order**

[7:00:34 PM](#)

- 1.1 Mayor Walker called the meeting to order and welcomed those in attendance. He told the residents who had come to hear Item 6 that the Council would not be taking public comments on that item tonight; however, the City Council has decided not to construct the Public Works Substation at this time. The City Council will discuss the reallocation of those funds during the budget meetings. The funds will most likely be used for road repair projects. Mayor Walker then reviewed the meeting process for those present.

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### **2.0 Comment/Prayer and Pledge of Allegiance**

[7:04:12 PM](#)

- 2.1 The prayer was given by Pastor Paul Robie from the South Mountain Community Church.

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- 2.2 The pledge was led by Brady Sines.

### **3.0 Citizen Comments**

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- 3.1 Dave Mast, PO Box 1 Draper, indicated he recently came across some GRAMA infractions that he wanted to make the City aware of. When a contracted attorney was being deposed, the attorney said that he had instructed the City not to release documents that Mr. Mast had asked for. Mr. Mast said he wanted to advise the City to do a little investigation into what goes on behind

the scenes. Mr. Mast said he is tired of fighting with the City and would like to get things resolved, and he is encouraged with the new leadership and the direction they are going.

[7:08:39 PM](#)

3.2 Brady Sines, 1954 Longbranch Drive, thanked Mr. Fox for his presentation at the SunCrest Open house in reference to the Public Works Substation. Mr. Sines noted he is relieved that the City Council does not want to construct the building; however, the Mayor had commented that they were not going to build it at this time. Mr. Sines indicated he is representing the Traverse Ridge Special Service Coalition (TRSSC). The overall feeling of the neighbors is that they do not want the substation built. The TRSSC talked with over 600 households, and over 88 percent of the residents were not in favor of having it constructed. He presented a signed petition from those opposed to the substation.

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3.3 Hank Smith, 1451 Meadow Bluff Lane, stated there are seismic trenches by Deer Ridge Drive that have been there over ten years. He questioned whether the contractor for that project was bonded. He would like to see those trenches filled in. He said the SunCrest area needs more of a police presence up there. The call response time is slow, and he would like to see some patrols at night and on the weekends. He thanked the City for the job they are doing.

Councilmember Summerhays indicated he likes to go ride with the patrol officers at night. He did this last month, and they spent a lot of time in the SunCrest area. It was on a weekend night, and it was very uneventful. He just wanted Mr. Smith to be aware that the officers do patrol up there.

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3.4 James Alger, 14109 Senior Band Road, noted he has been holding neighborhood meetings at his home in reference to a proposed development on Towne Center Drive. The developers are willing to enter into a development agreement prior to this going to the City Council, and Mr. Alger is supportive of their plan.

[7:18:16 PM](#)

3.5 Kim Grant, 1942 Vista Ridge Court, noted on the south side of Maple Vista Trail, there is a great deal of rebar that is very dangerous. She said now that they know the substation is not going to be built, she would like to see a dog park built in the SunCrest area. She expressed her opinion that the proposed location for the substation would be a great place for this. A dog park would benefit the entire community.

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3.6 John Flint, 1925 East Eagle Crest drive, stated he is a disaster planner, and he is assuming the substation was proposed because the City saw a need for it. He indicated he would be happy to speak with the City about a different location for the substation and to give the City advice on the project.

[7:21:07 PM](#)

3.7 Brett Lamoreaux, 1953 Fielding Hill Lane, stated he would like to speak about the land the City recently purchased up in SunCrest that is not developed yet. He was under the assumption that the area would be open for multiuse. It has been shutdown to four-wheelers, dirt bikes, and any off road motor vehicle use. It also restricts fires and shooting in that area, which he agrees with due

to the proximity of the homes and the fire danger. He would like the City Council to open that area up to four-wheelers and dirt bikes.

Hank Smith indicated he lived up there for ten years and he remembers when it was open, and it was a problem. There were fire pits in the middle of the roadway, and people dumped appliances and other stuff.

[7:23:24 PM](#)

**4.0 Recognition: Draper Mayor's Youth Council – 2<sup>nd</sup> Place at the USU Leadership Conference**

[7:23:32 PM](#)

**4.1 Councilmember Stenquist advised the Youth Council is not present this evening. He moved to continue this item to another meeting. Councilmember Rappleye seconded the motion.**

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

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**5.0 Consent Items**

- a. Approval of April 1, 2014, Minutes.
- b. **Proclamation** – Arbor Day – April 26, 2014
- c. **Resolution #14-09**, Authorizing the Application for a Trail Grant for the Corner Canyon Creek/East Jordan Canal Trail.
- d. **Resolution #14-29**, Approving a Cooperation Agreement with Metro Water Board of Salt Lake and Sandy for Non-District Lands and interest in Lands for Storm Drain and Access Road Within the Salt Lake Aqueduct.
- e. **Resolution #14-30**, Amending the Personnel Policy Pertaining to Business Travel.
- f. **Resolution #14-31**, Appointing Janet Simonich to the Tree Commission.
- g. **Resolution #14-33**, Adopting the Storm Water Management Plan.

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**5.1 Councilmember Stenquist moved to approve the Consent Items. Councilmember Rappleye seconded the motion.**

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**5.2 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, and Vawdrey voting in favor. Councilmember Summerhays voted no. The motion carried with a majority vote.**

[7:26:03 PM](#)

**6.0 Presentation: Results of the SunCrest Open House Pertaining to the SunCrest Public Works Substation.**

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6.1 Russ Fox, Assistant City Manager, reviewed the process used to let the residents know about the SunCrest open house that was held in reference to the Public Works Substation. He indicated there were over seventy people that attended the meeting. He displayed the results of the comments provided by the residents. The biggest concern was that it was not a good use of money. Mr. Fox noted he did commit to provide all of the comments to the group, which he did. The comments are public record.

[7:29:59 PM](#)

**7.0 Action Item: Consideration of Allowing an Irrigation Service Connection to the Land Owned by Michel Land LLC.**

[7:30:03 PM](#)

7.1 David Dobbins, City Manager, indicated staff is requesting the City Council continue this item to allow the Michel's to come up with different options.

[7:30:14 PM](#)

**7.2 Councilmember Summerhays moved to continue this item to a future meeting. Councilmember Rappleye seconded the motion.**

[7:30:23 PM](#)

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

[7:30:31 PM](#)

**8.0 Action Item: Ordinance #1088, On the Request of Bryon Prince, Representing Ivory Development for Approval of a Development Agreement and a Zoning Map Amendment Changing the Zoning Designation From A5 to RM1 on 9.02 Acres at Approximately 12052 South 300 East. The application is otherwise known as the Smith Property Zone Change II – Zoning Map Amendment Request.**

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8.1 Keith Morey, Community Development Director, noted the City Council heard this application at the last meeting and allowed public comments. The development agreement has been approved by Ivory Homes as well as Draper staff, and it is representative of the project that was presented to the Council.

[7:32:05 PM](#)

8.2 Councilmember Summerhays asked whether staff spoke with someone at Juan Diego in reference to the parking. Mr. Morey noted they have talked about the parking problems in the past. This development will not cause more of a problem for this area.

Mr. Dobbins indicated he has spoken with Dr. Colosimo about the problems, and he is open to suggestions.

[7:33:10 PM](#)

**8.3 Councilmember Colbert moved to approve Ordinance #1088, approving a development agreement and a zoning map amendment by changing the zone designation from A5 to RM1 on property located generally at 12052 South 300 East. Councilmember Rappleye seconded the motion.**

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8.4 Councilmember Colbert commended the applicant and neighbors for working together to come up with a development that will work for this area. This addresses the concerns for the neighbors while still providing a great product.

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8.5 Councilmember Rappleye stated this is a much improved plan than the City Council saw earlier. It has less density with smaller lots and is a better transition for the area.

[7:34:45 PM](#)

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

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**9.0 Action Item: Final Plat Approval for Draper Creekside Townhomes.**

[7:35:10 PM](#)

9.1 Mr. Morey stated this is the final approval for the Draper Creekside subdivisions. He displayed a map of the area and the site plan for the Council.

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**9.2 Councilmember Stenquist moved to approve the final plat for Draper Creekside Townhomes. Councilmember Rappleye seconded the motion.**

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**9.3 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, and Summerhays voting in favor. The motion passed unanimously. Councilmember Vawdrey abstained from the vote because she voted on it as a Planning Commission member.**

[7:36:59 PM](#)

**10.0 Public Hearing: Approving Ordinance #1091 and 1092, for Approval of a Zoning Ordinance Text Amendment on Approximately 29.63 Acres at About 13392 South 200 West for the Purpose of Creating a Commercial Special District for Office and Retail Uses and a Request for Approval of a Zoning Map Amendment to Rezone the Same Property from DC (Destination Commercial) to CSD-DPOP (Draper Pointe Commercial Special District). The application is otherwise known as the *Draper Pointe CSD Zoning Text and Map Amendments Request.***

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10.1 Mr. Morey displayed an aerial map of the property. This group would like to build a Class A office park. He reviewed the standards for the zone and displayed possible elevations for the project. Some of the surrounding neighbors would like to have accessibility through the park. The developer looked at that, and it does not work with their configuration. The two accesses they will create off of Galena Boulevard will allow the residents to have access through the park. There is concern with the future UDOT project; however, that is a separate issue and should not be considered with this request.

[7:43:02 PM](#)

10.2 Councilmember Stenquist asked whether there is a building height limitation in the CSD zone. Mr. Morey indicated the CSD allows whatever height the City Council wants. They are proposing six stories.

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10.3 Mr. Dobbins noted the City Council purchased property from the developer on 13490 to build Vista Station Boulevard. It was very expensive for the City. The City would love to find connections where they can; however, the City does not have the funds to do what the neighbors would like them to do.

Mr. Morey indicated the cost would be approximately \$3-5 million to purchase the property and construct the road.

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

[7:45:42 PM](#)

10.5 James Thelin, 13052 Green Clover Road, noted he lives on Green Clover Road, which is in an agricultural district. This development will cause traffic to go into his residential neighborhood. He would like the entrances placed in areas that will not draw traffic to the residential areas. He said he has children and the additional traffic concerns him. He asked the City Council to be careful with the planning and care about this neighborhood.

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10.6 Landon Christensen, 452 West Amber Glow Lane, noted he lives in the neighborhood north of here. The UDOT changes are not an issue here, but he would like to work with the Gardner Company to come up with a better access. He expressed appreciation to the Gardner Company for the changes they have made to mitigate the impact on the neighborhood. However, there are still solutions they can look at. They can look at changing parking or other things to make a change.

[7:52:01 PM](#)

10.7 BJ Thompson, 432 West Amber Glow Lane, said he heard that this whole land becomes worthless if they put the road there. He does not see why the City would have to purchase

the land. The developer can still use the land even if the employees have to cross the street to park.

[7:53:19 PM](#)

10.8 Shawn Benjamin, 360 West 13165 South, displayed a map showing the current configuration for neighbors leaving their subdivision to get to I-15. It is about one mile. He advised the new interchange UDOT is proposing will be 1.5 miles away. This concept plan gives an intent of what the developer plans to do. This site plan keeps the neighbors from accessing the shorter road. He presented a cost breakdown for the vehicle trips and homes in the area. It costs the neighbors approximately \$900 additional each year. This is an opportunity to mitigate that cost. He proposed having an additional access to the left.

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10.9 Mark Murdock, applicant, stated they are excited about his project. When they looked at buying this parcel, they viewed it as a multiuse project, and this is the perfect spot for a mixed use development. They have signed with one tenant for 75,000 square feet, and they are ready to get going. They are trying to create a nice landscaped area. Mr. Murdock went on to describe their plans for the area. He then explained why putting the road through does not work for them, which included:

- 1800 Contacts said they will not go there if there is a cutoff
- Safety
- Traffic study showed Galena Park is designed to have 10,000 vehicles per day and right now they are only using 10 percent of the road capacity
- They understand that UDOT is doing something that causes a problem for the neighbors, but they cannot do anything about that.

John Bankhead, Gardner Company, stated he was the developer for the Adobe project. About eight months ago they had a pedestrian accident because a Lehi resident was cutting through the parking area. They have had to add stop signs and speed bumps. That is one of the concerns they are hearing from perspective tenants.

Mr. Murdock indicated Draper updated their Transportation Master Plan in 2011, and this road was not included. The total investment they are making to Draper is approximately \$80 million.

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

[8:02:49 PM](#)

10.11 Councilmember Colbert said he admires the work they are doing; however, he would like them to facilitate better bicycle and transit connections due to the close proximity of the FrontRunner station.

Mr. Murdock explained they totally agree with that. They own three locations right next to Trax stations, but the Code requires 6 stalls per 1,000 square feet. In this park, their

long range goal is to have bicycle parking in front of all the buildings and to have a simple buss system to travel to all of the buildings.

Councilmember Colbert indicated he would like to see more buildings here if they change their paradigm and move towards a more transit use.

Mr. Bankhead stated they do have a plan to add an additional building to the center of the site if the requirements change. Running east to west from 200 West to Vista, they have a six-foot wide paved sidewalk. They will have crosswalks from each building to connect to the main sidewalk, and around the perimeter they will have pedestrian bike paths to get to Vista Station and over to the FrontRunner as easily as possible. They will have a walking path that the residents can use. They are encouraging their tenants to use transit. Each of the buildings has a shower facility to encourage bike use as well.

[8:07:12 PM](#)

10.12 Mr. Dobbins stated the Long Range Master Plan for the transportation system contemplates 200 West going through the power corridor to the north and up to 12300 South. That is where they were anticipating getting traffic from north to south. They had active discussions during the Legislative Session to get funds to complete that project.

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**10.13 Councilmember Colbert moved to suspend the rules. Councilmember Rappleye seconded the motion.**

[8:08:08 PM](#)

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

[8:08:19 PM](#)

**10.15 Councilmember Colbert moved to approve Ordinance #1091 and 1092, for approval of a zoning ordinance text amendment on approximately 29.63 acres at about 13392 South 200 West for the purpose of creating a Commercial Special District for Office and Retail Uses and a request for approval of a zoning map amendment to rezone the same property from DC to CSD-DPOP. Councilmember Rappleye seconded the motion.**

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10.16 Councilmember Colbert stated this furthers the vision the City has had for this area, and he wishes they had more of this. He expressed appreciation for their vision and likes the concept of making the area more transit friendly. There is an opportunity for more density in the future as people catch the vision of transit. This will be a benefit to the community and helps Draper in their long-term plans to increase development in the TOD area.

[8:09:32 PM](#)

10.17 Councilmember Rappleye thanked the neighbors for the work they did. He said he knows it is disappointing sometimes. When he moved into his home, his street was a dead end. It is not anymore. Now there is a high school there. It is not as bad as he thought it would be. He expressed appreciation to the Gardner Company for the work they have done on the site. The landscaping buffer is significant. Councilmember Rappleye stated he does not like UDOT's plan for Bangerter, but he cannot change that.

[8:11:14 PM](#)

10.18 Councilmember Stenquist expressed appreciation to those that came out for this item. This action will be replacing a destination commercial zone with this CSD zone. The DC zone brings in large big boxes and movie theaters, which could cause more impact on the neighborhood. This project will not have that much of an impact. This use makes a better neighbor. He agreed that it makes sense to have a road there, but this situation makes it difficult to accomplish that. The advantage is that it will detract people from cutting through the neighborhoods. He thanked the developers for their efforts.

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10.19 Councilmember Vawdrey advised she agrees with the comments of the other Council Members. This is a very nice project. She voiced gratitude for the civil discussion from the neighbors.

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

[8:15:43 PM](#)

**Mayor Walker indicated he is going to change the order of the agenda because the applicant has to get to the airport. He moved Item 12 ahead of Item 11.**

[8:16:18 PM](#)

**12.0 Public Hearing: Resolution #14-26, Declaring Property Located Generally at 15000 South SunCrest Drive as Surplus Property.**

[8:16:18 PM](#)

12.1 Glade Robbins, Public Works Director, showed where this property is located on an overhead map. This resolution will declare 2.74 acres of public property as surplus in exchange for the receipt of 1.47 acres of real property immediately adjacent to existing Draper City open space and approximately 3.75 acres of slope, public utility, and drainage easements to construct and maintain and access road to a regional detention facility and other City open space property within Corner Canyon Regional Park. The properties are considered equal in value based on the size, location, and anticipated uses of the property. Mr. Robbins then gave a brief history of this property and the proposed uses.

[8:18:22 PM](#)

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

[8:18:35 PM](#)

12.3 Denver Snuffer, 10885 South State Street, indicated there is a lot of history that precedes this request. The City believes this property exchange is an equivalent value, and the owner believes it is to the benefit of the City. However, it solves problems that exist for the area up there by providing access and storm coverage.

[8:20:22 PM](#)

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

[8:20:31 PM](#)

**12.5 Councilmember Stenquist moved to suspend the rules. Councilmember Rappleye seconded the motion.**

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

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**12.7 Councilmember Stenquist moved to approve Resolution #14-26, by declaring property located generally at 15000 South SunCrest Drive as Surplus Property. Councilmember Rappleye seconded the motion.**

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12.8 Councilmember Stenquist stated this will help facilitate some exchange of land that will allow both the City and property owner to move forward and hopefully put some litigation behind them.

[8:21:27 PM](#)

12.9 Councilmember Rappleye stated after many hours of study and contemplation, they have come up with something that will solve the many issues they have talked about over the years.

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

[8:22:09 PM](#)

**11.0 Public Hearing: Approving a Plat Amendment for Cove in Corner Canyon Lot 7.**

[8:22:20 PM](#)

11.1 Mr. Morey displayed the aerial map of the property. There is an issue with a non disturbance area and a retention wall that needs to be repaired. The intent is to amend the

plat to remove the non disturbance area designation so they can repair the wall. It has been made clear to the applicant that they cannot touch the wall outside of their property line as it would cause more of a problem.

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11.2 Councilmember Colbert asked why the wall was put on City property. Mr. Morey indicated he does not know the history.

[8:24:51 PM](#)

11.3 Councilmember Stenquist stated it looks like the limited disturbance line extends to the adjacent property as well. He questioned whether they are removing it from the other property too. Mr. Morey replied they are only removing it from lot #7. It is his understanding that the issue does not extend beyond this property.

[8:25:36 PM](#)

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

[8:25:45 PM](#)

11.5 Steven Parker, 14239 Canyon Vine Cove, indicated he lives in this home, and he is the applicant. His home was built around 2005-07. It was foreclosed on in 2010, and he purchased the home in December of 2010. While doing his due diligence, he found that the wall was not built to specifications, and he met with City staff to try to work it out. The wall extends into the non disturbance area, so he needs that designation removed in order to fix the problem.

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

[8:28:41 PM](#)

**11.7 Councilmember Rappleye moved to suspend the rules. Councilmember Stenquist seconded the motion.**

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

[8:29:09 PM](#)

**11.9 Councilmember Rappleye moved to approve the plat amendment for Cove in Corner Canyon Lot 7. Councilmember Vawdrey seconded the motion.**

11.10 Councilmember Summerhays left the meeting at 8:29 p.m.

[8:29:26 PM](#)

11.11 Councilmember Rappleye stated it is unfortunate that this happened. He wants to make sure the applicant knows the City appreciates that he is trying to make things right.

[8:30:29 PM](#)

11.12 Councilmember Stenquist said he is not sure he clearly understood the discussion about the wall that extends beyond City property. He asked whether the City provided a waiver on the encroachment. Mr. Dobbins explained they understood about the encroachment. The problem was that the removal of the wall would do more damage to the City's open space than it would to leave it there.

Councilmember Stenquist stated he would like to have some record for the property owner to show that he has been given a pass for this. With regard to the limited disturbance, the City determined a while back that there is not a good sound basis for those. He said he does not see a problem with removing it. However, he is not sure every single property owner has to come in separately to ask that it be removed. Mr. Dobbins stated staff can look to see how many are remaining to see if it makes sense to contact all of the property owners. In the motion, they could include language that states the City will provide a written notification to the property owner that the encroachment issue has been resolved.

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11.13 Councilmember Colbert asked what the liability is to the City if this wall collapses. Doug Ahlstrom, City Attorney, advised the area is open space and there is no maintenance within the open space. He recommended staff checks on it routinely to make sure it is not sliding down the hill. Ultimately, the City does not have the staff to maintain a wall that was not engineered or appropriately built.

Councilmember Colbert questioned whether the home owner purchased a hazard. Mr. Ahlstrom replied the stones are on City property and not his.

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**11.14 Councilmember Rappleye amended his motion to include the language proposed by Mr. Dobbins. Councilmember Vawdrey seconded the motion.**

[8:35:33 PM](#)

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

[8:35:59 PM](#)

**13.0 Public Hearing: Providing Local Consent for a Full Service Restaurant Alcohol License for Oak Wood Fire Kitchen Located Generally at 715 East 12300 South #A.**

[8:36:18 PM](#)

13.1 Mr. Morey advised this is a request for a full service restaurant alcohol license. A full service license allows the restaurant to serve alcohol with food only, and alcohol sales cannot exceed thirty percent of gross sales. The alcohol preparation cannot be seen by the patrons. The applicant has met all of the requirements, so staff is recommending approval.

[8:38:07 PM](#)

13.2 **Mayor Walker opened the public hearing. No one came forward, so Mayor Walker closed the public hearing.**

[8:38:41 PM](#)

13.3 **Councilmember Rappleye moved to suspend the rules. Councilmember Vawdrey seconded the motion.**

[8:38:51 PM](#)

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

[8:38:58 PM](#)

13.5 **Councilmember Rappleye moved to provide local consent for a Full Service Restaurant Alcohol License for Oak Wood Fire Kitchen. Councilmember Colbert seconded the motion.**

[8:39:27 PM](#)

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

[8:39:38 PM](#)

14.0 **Action Item: Ordinance #1093, Amending Section 3-3-140 of the Draper City Municipal Code Pertaining to the Disposal of Surplus Property.**

[8:39:57 PM](#)

14.1 Kim Beck, City Treasurer, noted the current Code authorizes the City Council to approve the disposal of surplus property. Staff has been bringing every single item they have to the City Council for approval no matter how insignificant they are. In order to expedite the process, they are asking the City Council to amend the Code to allow staff to surplus property with a value less than \$2,500. Disposal will follow the normal process.

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14.2 Councilmember Colbert stated each computer might be worth \$100, he asked if the value is item specific or for a group of items. Ms. Beck replied it is based on each individual item. The City usually receives less than \$100 for the computers. The larger items will still be brought to the Council for approval.

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14.3 Mr. Dobbins indicated staff will still provide a list of the surplus item to the City Council. This will just expedite the process of getting the items to the auction.

[8:42:53 PM](#)

14.4 Councilmember Rappleye stated there is a technical college that rehabs the computers for low-income families. Staff is looking into providing some computers to them. It would be helpful for the Council to know about the surplus items prior to the auction. Mr. Dobbins stated staff will notify the Council prior to the auctions.

[8:43:51 PM](#)

14.5 **Councilmember Vawdrey moved to approve Ordinance #1093, by amending Section 3-3-140 of the Draper City Municipal Code pertaining to the surplus of property. Councilmember Rappleye seconded the motion.**

[8:44:12 PM](#)

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

[8:44:23 PM](#)

15.0 **Action Item: Ordinance #1094, Amending Title 5 of the Draper City Municipal Code Pertaining to the Depositing of Checks.**

[8:44:38 PM](#)

15.1 Ms. Beck indicated the State Code requires that each officer shall deposit all public funds daily whenever possible and not later than three days after receipt. The current Draper Municipal Code has several places where it stipulates seven days. This change will allow the City Code to conform to State law. It affects eight different sections.

[8:45:55 PM](#)

15.2 **Councilmember Vawdrey moved to approve Ordinance #1094, by amending Title 5 of the Draper City Municipal Code pertaining to the depositing of checks. Councilmember Rappleye seconded the motion.**

[8:46:13 PM](#)

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

[8:46:22 PM](#)

16.0 **Action Item: Resolution #14-34, Approving the Betterments Agreement for the I-15 Project.**

[8:46:34 PM](#)

16.1 Mr. Robbins advised UDOT is preparing a bid project to have the freeway widened from 12300 South to Lehi. As part of that, they are asking the City to participate in some betterments, which include:

- Landscape irrigation sleeve under the roadwork at 14600 South for future needs
- Artwork - \$20,000
  - This has not been decided, so it is being withheld at this time
- Widening and realignment of Minuteman
- Putting a sleeve under the freeway for an upgrade to the water line
- The City is having them replace the waterline when they widen Minuteman, which will be part of the upgrades to support the SunCrest development.

Mr. Robbins stated it is staff's recommendation that the Council approve this agreement.

[8:48:41 PM](#)

16.2 Mayor Walker asked what the holdup is with the artwork. Mr. Robbins noted they want the exact description of the artwork they want at this time, but the City does not have that yet. They can still do this at a later date.

Mr. Dobbins stated the contractor may propose something else during the bid process that the City can build upon. Staff will get back with the Council and let them know what that is.

[8:50:37 PM](#)

**16.3 Councilmember Rappleye moved to approve Resolution #14-34, which approves the Betterments Agreement for the I-15 Project. Councilmember Colbert seconded the motion.**

[8:51:21 PM](#)

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

[8:52:46 PM](#)

**17.0 Action Item: Agreement #14-46, Approving the Construction Agreement for the 13200 South Widening Project – Phase 2.**

[8:52:58 PM](#)

17.1 Mr. Robbins noted staff has bid out the project for the 13200 South Widening Project. They received 5 bids, which ranged from \$1.7 million to \$1.315,154. The low bid was by ACME Construction, which did Phase 1 of this project. Because of the impact of closing Fort Street, they have included an incentive for reducing the number of days Fort Street is closed. There is a penalty if it is closed longer than 28 days.

[8:54:47 PM](#)

17.2 Councilmember Stenquist asked for the plan if this is approved. Mr. Robbins responded they have ten days to get all of the paperwork in line. They can start closing the road on June 5<sup>th</sup> after school is out.

[8:55:04 PM](#)

17.3 Councilmember Colbert stated they are looking at doing something with 13400 South, He questioned the timing for that. Mr. Dobbins noted the plan is to have 13400 South done before the road is closed.

[8:55:35 PM](#)

17.4 Councilmember Stenquist asked whether the City has right of occupancy on all of the properties. Mr. Ahlstrom advised they do not. They filed the condemnation actions, and they still have three properties they do not have occupancy on.

[8:56:00 PM](#)

**17.5 Councilmember Colbert moved to approve Agreement #14-46, which approves the Construction Agreement for the 13200 South Widening Project – Phase 2. Councilmember Rappleeye seconded the motion.**

[8:56:13 PM](#)

**17.6 A roll call vote was taken with Councilmembers Colbert, Rappleeye, Stenquist, and Vawdrey voting in favor. The motion passed unanimously.**

[8:56:38 PM](#)

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

[8:56:57 PM](#)

**18.1 A motion to adjourn to a Closed-Door Meeting was made by Councilmember Stenquist and seconded by Councilmember Vawdrey.**

[8:57:13 PM](#)

**18.2 A roll call vote was taken with Councilmembers Colbert, Rappleeye, Stenquist, and Vawdrey voting in favor. The motion passed unanimously.**