

Approved September 30, 2014

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, SEPTEMBER 16, 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; Bryan Roberts, Police Chief; and Garth Smith, Human Resource Director

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**Study Meeting**

**Dinner**

**1.0 Presentation: Ballard House Landscaping – Fort Street and 13200 South**

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1.1 Brad Jensen, Engineer, reviewed the landscape plan for the Ballard home landscaping project. There has been a request to make a memorial for Derek Johnson at this location. Quality Stone in Bluffdale will be donating the bench for this project. The estimated cost for the landscape plan is \$50,000.

Chief Roberts indicated staff worked very closely with Sergeant Johnson’s wife on this design, and she is very happy with the plan. Chief Roberts advised the tree that Sergeant Johnson hit when he passed away is going to be cut down this week. A portion of the stump of the tree will be placed on the property near a stone bench, which will serve as the memorial.

Councilmember Summerhays noted he is interested in having a drinking fountain at this location.

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**2.0 Council/Manager Reports**

5:58:24 PM

2.1 Councilmember Colbert stated he spoke with a resident again about naming the park in SunCrest after the little boy who was killed in San Francisco. Councilmember Colbert said he has concerns about naming parks after people. The City needs to come up with a standard or criteria for this type of thing.

Councilmember Colbert then advised he would like the City to provide space for a community garden for residents. They can have a community group take control and run the program.

Councilmember Colbert indicated the City needs to decide how they will transition the Traverse Ridge Special Service District from the City Council to an Administrative Board.

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2.2 Councilmember Rappleye noted he had attended a class at the Utah League of Cities and Towns (ULCT) Conference last week on Farmer's Markets. He is interested in possibly having the Chamber run this if the Board is okay with that. There is a model already prepared, and there are groups that help get the word out to make them successful. The City could contact the local farmers to help support it.

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2.3 Councilmember Stenquist asked whether the City receives grant money for the Underage Alcohol Sales Program and if they do business compliance checks on a regular basis. Bryan Roberts, Police Chief, replied they do receive grant money, and they do checks quarterly. The officers are usually able to check twenty locations over a weekend.

Councilmember Stenquist then advised he has been getting complaints on trees not being trimmed. He questioned whether the City has any enforcement in place. Staff noted they can put the information in the City newsletter to remind the residents to trim their trees near the streets and sidewalks.

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2.4 Councilmember Summerhays asked whether the City is moving forward with the user fees for the parks and trails. He would like to implement this as soon as possible. Draper has so many trails, and he expressed his opinion that the City should capitalize on that.

Councilmember Rappleye suggested the Council meet with the City Council in Moab to see how they monetized their trails. It would be advantageous to work on strategies to see how to make money from their trails.

Councilmember Stenquist indicated he met with a CEO of a company based in Draper that is interested in doing a sponsorship for the cycle park upgrade that is taking place right now. On Thursday, all of the materials for the flyover are being delivered. This company would like to put their marquee on that. This will be very visible. This company was recently in Boulder and Las Vegas, and they were suggesting things the City could do to make sure they are on the international calendar. Draper is looking at a model similar to what Boulder has. They host international events at their cycle park. Councilmember Stenquist stated if they do this right, they could set up the course to make sure it meets all of the criteria in order to get on the international race calendar. There are huge opportunities there to bring in those types of events.

Councilmember Vawdrey noted she had a couple of gentlemen talk to her at the conference last week. They indicated how much they love the trails in Draper.

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- 2.5 David Dobbins, City Manager, indicated the City has met with the Division of Wildlife Resources in reference to the deer problem in the city. Staff has decided to monitor the situation for the next year because the numbers have already decreased from the previous year. There are pros and cons to trapping the deer and relocating them.

Mr. Dobbins then reminded the City Council that information about current City projects is on the City website.

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- 2.6 Mayor Walker noted he met with thirteen ladies from Draper who belong to an adult tennis team this afternoon. This group is interested in a recreation center with indoor tennis. They would also like the ability to use the high school tennis courts when the school is not using them. They would also like to get the nets fixed on the City courts.

Mayor Walker then said he had a developer meet with him today about the Park School. The developer wanted to tear down the existing building and build a replica of the school. Mayor Walker said he explained that the building would have to be preserved at the \$1.7 million price. The developer said that would not be doable from his perspective.

Bob Wylie, Finance Director, briefed the Council on the status of the asbestos removal in the school.

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- 2.7 Mr. Dobbins commented that staff has been working on a Council assignment tracking log since last year. The list is in Dropbox, and it shows what has been assigned and who is working on the specific items.

Russ Fox, Assistant City Manager, then reviewed the current list with the Council.

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- 2.8 Rhett Ogden, Recreation Director, indicated the Recreation Department is interested in doing an informal citizen survey to see what the residents want in terms of recreation needs.

Councilmember Stenquist noted he would like it to be more scientific. He wants to make sure it cannot be skewed. He recommended the City hire a firm to do the survey.

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- 2.9 Keith Morey, Community Development Director, stated staff is still moving forward on the General Plan update. They met with the consultant and started outlining the potential scope of work.

Mr. Morey then noted in an effort to help provide better information about applications to the Planning Commission and the City Council, staff has put together a one page summary of the application that will be placed in the agenda behind the Council action item form. He distributed an example to the Councilmembers. He asked the City Council to provide feedback as to whether this is helpful or if they would prefer a different format.

## **Business Meeting**

### **1.0 Call to Order**

1.1 Mayor Walker called the meeting to order and welcomed those in attendance.

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

2.1 The prayer was offered by Dallin Ballard.

2.2 The flag ceremony was presented by Scout Troop 1061.

### **3.0 Presentation: Police Explorer Program**

3.1 Chad Carpenter, Police Sergeant, indicated the Police Department has implemented a Police Explorer Program, and they currently have four members as follows:

- Captain Sadee Evans
- Sergeant Taylor Fredrickson
- Explorer Bryan Arbon
- Explorer Erik Stenquist

The Draper Police Law Enforcement Explorer Program has several goals and objectives, which include:

1. To enhance the Explorer's education.
2. To aid in the Explorer's preparation for future roles as citizens, community members, leaders, and future law enforcement officers.
3. To serve as part of the Sandy City Police Department's community relations effort between police and youth and between youth and the community.
4. To build character and self-esteem.
5. To develop leadership skills by providing responsibilities within the Post.

The Explorer Post has come up with ideas about recruiting other youth from high schools within Draper City and will be implementing this recruitment. They will also have information about the Explorer Program on the Police Department website.

### **4.0 Consent Items**

- a. Approval of September 2, 2014, Minutes
- b. Resolution #14-55, Appointment of City Engineer

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

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

5.0 **Action Item: Ordinance #1122, Request to Rezone 5.5 Acres from RA1 to RA2 Located at Approximately 13000 South 1300 East. The Application is Otherwise Known as the *Dun Roamin Rezone*.**

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5.1 Keith Morey, Community Development, advised the City Council heard this application on September 2, 2014. One crucial item in relations to this request is having the existing property officers sign an affidavit expressing their support of this zone change. There are four property owners, and only three have signed the affidavit. As of today, the fourth owner is not interested in signing.

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5.2 Councilmember Colbert questioned for future applications whether they should even let the process start before they get the affidavits. Mr. Morey noted that is something staff has talked about. He would prefer that it not get to this point without having the signed affidavits.

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5.3 Councilmember Summerhays asked Mr. Morey whether he thinks the affidavit will be signed. Mr. Morey responded that as of today the property owner does not intend to sign it. If the Council wants to give the applicant more time to see if he can resolve this, they can do that. Otherwise, they can deny the rezone request.

Councilmember Summerhays expressed the Council should allow this to run its course.

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5.4 **Councilmember Stenquist moved to continue this application to allow time for the fourth affidavit to be signed. Councilmember Rappleye seconded the motion.**

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5.5 Councilmember Colbert asked whether there needs to be a timeframe for the Council to bring this back.

Councilmember Stenquist responded that a sixty-day timeframe is reasonable. Councilmember Rappleye agreed.

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5.6 Councilmember Rappleye commented that some of the issues have to do with the access points. He said he thinks the applicant may be able to succeed in getting this signed.

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5.7 Mayor Walker requested clarification on whether this would be continued to the November 18, 2014, meeting. Councilmember Stenquist stated no. The applicant would just need to bring it back when it is ready, but it can be no longer than sixty days.

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5.8 **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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6.0 **Action Item: Ordinance #1126, Establishing a Temporary Land Use Regulation for all of Draper City Regarding Multifamily Residential Development in Mixed Use Centers and Commercial Zones.**

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6.1 Mr. Morey said there was concern voiced in the last Council meeting about the way the zoning is structured in regards to high-density residential developments in commercial zones. In an effort to be proactive, staff is recommending a moratorium that places that kind of development on hold to allow staff to work with the City Council to make sure it is working like they want it to.

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6.2 Councilmember Colbert advised they may want to look at establishing another zone or two that this would work better in. There are some areas in the community that would be perfect for this type of development, but other areas would not be ideal.

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6.3 Councilmember Summerhays stated it is already allowed in the Transit Oriented Development zone.

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6.4 Mr. Morey indicated the City has had a couple of applications come forward, and if they can put some commercial uses on the ground floor, they can put high-density residential above that. In some cases, that density might be higher than some of the Councilmembers would like. The moratorium would allow the Council to look at the changes they would like and direct staff to make those changes to the ordinance.

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6.5 Councilmember Rappleye noted they had a discussion about this in the City Council meeting, and this is the action the staff has taken to address the Council's concerns. Councilmember Rappleye indicated this is a result of some zoning actions that took place before. He expressed his opinion that the City Council look at the unintended consequences of the current ordinance and make the necessary changes.

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6.6 Councilmember Summerhays asked how long this moratorium would last. Mr. Morey noted it is up to six months, but it does not have to take that long. He recommended the Council and staff talk about this in a study meeting.

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6.7 Councilmember Stenquist stated the City wants to balance making sure they do this right with not putting in artificial delays in the process. He recommended taking sixty to ninety days on this. Mr. Morey stated his recommendation is for the City Council to adopt the ordinance as is, and staff will work with the City Council to resolve this as soon as possible.

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6.8 Councilmember Summerhays asked whether staff can keep the City Council posted while staff is going through this process. Mr. Morey clarified that this is the City Council's deal. In order to move this forward, staff will need direction from the City Council. They should have a study session to discuss the concerns, and staff can bring the change back to the City Council for their review.

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**6.9 Councilmember Rappleye moved to approve Ordinance #1126. Councilmember Colbert seconded the motion.**

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6.10 Councilmember Stenquist suggested they schedule a work session soon in order to get through this process.

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6.11 Councilmember Rappleye agreed. He said the City does not want to delay this decision especially if there are developers wanting to do this type of project.

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**6.12 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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**7.0 Action Item: Ordinance #1125, Amending Draper City Code Chapter 2-1, Governing City Council Meeting Rules and Procedures.**

**Action Item: Resolution #14-54, Adopting the New Rules and Procedures for City Council Meetings.**

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7.1 Mayor Walker said he wrote the new rules and asked whether the City Council had any questions.

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7.2 Councilmember Summerhays stated he would like to have some clarification on some of the language.

Mayor Walker said the main goal of these rules is to make the public aware of what the City Council is doing with the meetings and have a procedure that is clear.

Councilmember Summerhays expressed his opinion that this is a good thing; however, he has not had enough time to read through them.

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7.3 Councilmember Rappleye asked Mr. Dobbins when the City Council could have a study session to discuss this. Mr. Dobbins stated the next meeting is October 7<sup>th</sup>, but they could have a study meeting on September 30<sup>th</sup> if the City Council wanted.

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7.4 Councilmember Summerhays commented that if these are adopted, he wants to make sure it is good for future councils.

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**7.5 Councilmember Rappleye moved to continue Ordinance #1125 and Resolution 14-54 to discuss at the next available study meeting and to consider for approval at a future City Council meeting. Councilmember Vawdrey seconded the motion.**

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

**8.0 Action Item: Resolution #14-54, Adopting the New Rules and Procedures for City Council Meetings.**

8.1 This item was heard in conjunction with item #7.

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**9.0 Presentation: Swearing in of New Youth Council and Advisors**

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9.1 Mayor Walker noted Draper is very lucky to have such a great group of young people who want to be involved in the community and that want to do something like this. This is the largest group of Youth Councilmembers that the City has had. Mayor Walker said he had the opportunity to interview each of them, and he was very impressed. They were all on time, and they handled this like a job interview. He expressed his hope that the City will be able to turn more events over to this Youth Council to run.

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9.2 Rachelle Conner, City Recorder, gave the oath of office to the new youth councilmembers and the new advisors.

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**10.0 Reception: Mayor's Youth Council and Advisors**

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10.1 **Councilmember Summerhays moved to adjourn the meeting for the Youth Council Reception. Councilmember Colbert seconded the motion.**

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

The meeting adjourned at 7:49 p.m.