

Approved 2.17.15

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 3, 2015, 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

---

**Study Meeting**

**Dinner**

[5:49:09 PM](#)

**1.0 Presentation: Traffic Committee**

[5:49:28 PM](#)

1.1 Scott Cooley, City Engineer, briefed the City Council on the Traffic Committee that was formed to address specific traffic complaints from residents. The members of the committee include: Scott Cooley and Todd Hammond from Engineering, Glade Robbins and Brad Watson from Public Works, John Eining from the Police Department, Doug Ahlstrom from Legal, and Russ Fox from the City Manager’s Office. They have held two meetings so far, and it has been great. They have been able to discuss a lot of the common issues, which included:

- Speeding
- Signage and striping requests
- Congestion
- Sight distance

The committee plans to meet monthly or as-needed. The functions will include:

- Log of complaints/issues
  - Decisions and follow-up
- Decision making factors
  - Real data vs. public perception
  - Public safety
  - City liability
  - Practicality concerns
    - Engineering constraints
    - Cost and maintenance issues

- Emergency response times
- Effects of traffic movements and patterns
- Enforcement needs and concerns
- Political warrants

The committee will also look into a Neighborhood Traffic Calming Program. This is being prepared by the Engineering Division under the direction of the Traffic Committee. The proposal will be presented to the City Council within the next few months. The most common request for traffic calming is to install speed bumps; however, staff does not feel that is the best option in most cases.

Mr. Dobbins, City Manager, advised the purpose of forming this committee is to make the public aware that there is a process for responding to their concerns. This group will look at it from all different perspectives so it is not just a Public Safety or Engineering solution. Staff wants to make sure they take input from the City Council as well. Staff will work on the program proposal and bring it back to the City Council.

[5:58:31 PM](#)

## **2.0 Council/Manager Reports**

[5:58:34 PM](#)

2.1 Councilmember Rappleye thanked Police Chief Bryan Roberts for sending an officer to speak with him about the Trax stop on Pioneer Road. There is not a lot they can do about the waiting vehicles, but he appreciates the follow up.

[6:02:00 PM](#)

2.2 Councilmember Colbert stated the City Council has received numerous emails about the potholes up in SunCrest. There is a misunderstanding with the Traverse Ridge Special Service District Administrative Control Board as far as their responsibilities and those of the City. He said he believes there is a strong feeling from the Board that the City is responsible for all road maintenance. He expressed concern that the Board needs to be made aware that they are ultimately responsible for the street repairs, and they need to address that while preparing the next year's budget. He suggested having Glade Robbins attend the next board meeting or have the board members meet with him at City Hall.

Mayor Walker noted the City gave them lane mile money for road repairs. They can patch the holes with that money. If they want to do additional repairs, they will need to tax themselves to cover the costs.

Mr. Dobbins advised he has tried to convey to the Board that this is their District, and they run it, set the budget, and manage the funds. However, they would like the City to continue to do all those things. Mr. Dobbins said he explained to them that if they want the City to do all those things, they need to put together a proposal for the City Council to consider.

Mr. Dobbins indicated he will send the Board a letter reiterating the City's position on this and give them a chance to respond.

[6:09:57 PM](#)

2.3 Mr. Dobbins advised he sent an email to the Councilmembers with a link to the Utah League of Cities and Towns bill tracking list. He asked the Council to let him know if they are concerned about any of the bills. The League will take a position on any bill they feel will affect cities and towns. The Legislative Policy Committee meets every week during the Legislative Session on Mondays at noon.

Mr. Dobbins then noted the City Council will hold their Council Retreat the weekend of February 20<sup>th</sup>. He asked the Council to let him know if they have specific items for discussion.

Mr. Dobbins advised GOED received approximately \$4.5 million a couple of years ago and they wanted to use it to help resolve some traffic issues by Edwards Life Science and American Preparatory Academy (APA) off of Lone Peak Parkway. They could not get all of the parties to agree, so only \$1.2 million was allocated to the City. The rest of the money has been used somewhere else. The City used approximately \$250,000, so there is approximately \$800,000 left. Before the Legislative session is over, the City needs to have a plan for how to spend the \$800,000 or they will most likely give it back. The funds can only be used in that area. Mr. Dobbins stated he and Mayor Walker attended a meeting with GOED, Humanetics, Wasatch Casepak, APA, and Edwards Life Science to discuss the use of the funds. They need to find something that will promote economic development in that area. The City is working with the engineers to look at adding another leg to the intersection of 11950 South on the east side and to straighten the roadway. That will benefit all of the businesses in the area and will use the entire \$800,000.

Mr. Dobbins then stated staff has been working with a company to webhost the Draper City Code. This should be online this week. It is a much better way to view the Code, and it is searchable.

[6:19:37 PM](#)

2.4 Russ Fox, Assistant City Manager, indicated Draper needs to do a boundary adjustment with Bluffdale near the 14600 South interchange. He will be bringing a resolution back to the City Council for their consideration. This is a cleanup of the interstate boundary and involved the betterments for the interchange.

[6:20:35 PM](#)

2.5 Mayor Walker noted Draper was mentioned in the New Yorker magazine. They interviewed him on Saturday and asked why the high-tech businesses come to Draper. Draper has received some good publicity from this.

[6:21:14 PM](#)

2.6 Mr. Dobbins advised that after speaking with the City Council, staff reached out to Soccer City to ask what Mr. Olsen was willing to do to mitigate the concerns of the neighbors. Mr. Olsen responded saying they will put up A-frame signs directing the customers to leave from the west exit.

Keith Morey, Community Development Director, stated he was very specific when he contacted Soccer City and told them they needed to list everything they would be willing to do.

Mr. Dobbins noted the City Council is acting as the Appeals Board. The decision must be made in writing.

[6:23:08 PM](#)

2.7 Mr. Dobbins said he mentioned to the City Council a couple of weeks ago that the City is having employees look elsewhere for employment now that the economy is picking up. Draper is competing with other cities and the private sector. One of the areas that has been a challenge is the Police Department. There are other communities that are actively recruiting seasoned officers. This is a concern. The Chief has some ideas he would like to present to the City Council. Mr. Dobbins stated, from his perspective, these are expensive options, and he is not comfortable implementing them in only one department of the City.

Chief Roberts presented an officer compensation proposal he would like the City Council to consider. The Step Plan would provide an approximate five percent increase in salary and benefits in subsequent years.

[6:41:25 PM](#)

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

[6:41:29 PM](#)

3.1 **Councilmember Summerhays moved to adjourn to a closed-door meeting to discuss property acquisition, litigation, and the character, professional competence, or physical or mental health of an individual. Councilmember Colbert seconded the motion.**

[6:41:48 PM](#)

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

**Business Meeting**

[7:02:29 PM](#)

1.0 **Call to Order**

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

[7:02:52 PM](#)

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

[7:03:09 PM](#)

2.1 The prayer was offered by Jake Ashton, Scout Troop #1002.

[7:03:27 PM](#)

2.2 The flag ceremony was led by Jake Ziebarth, Scout Troop #1002.

[7:04:57 PM](#)

**3.0 Presentation: 2014 Popular Financial Report**

[7:05:13 PM](#)

3.1 Jared Zacharias, Assistant Finance Director, presented the 2014 Popular Financial Report (PAFR) to the City Council. The report highlighted the results of the annual audit. Copies of the PAFR will be available at City Hall, and the report will be posted on the City website. The report shows Draper is in good financial standing.

[7:11:13 PM](#)

3.2 Councilmember Colbert expressed appreciation for the report. He recommended staff make hard copies of this report for the individuals that want one. This is important information.

[7:12:32 PM](#)

3.3 Councilmember Stenquist stated he would like this information disseminated to the residents. Placing it on the website is a good start. He questioned whether there are other ways to get the information out. Mr. Zacharias noted they will reference the report in the City newsletter that is mailed to the residents.

[7:13:02 PM](#)

3.4 Councilmember Rappleye stated he is involved in launching a new magazine in his capacity as Chamber Director, and this information can be included in that magazine. The goal is to get a copy to each home in Draper.

[7:14:07 PM](#)

**4.0 Public Comments**

[7:15:24 PM](#)

4.1 Paul England, 12892 South Pheasant Moor Drive, thanked the Council for the opportunity to address them today. He addressed South Valley baseball and the baseball fees assessed by the City. He reviewed the fees paid per year as follows:

- 2013 - \$2,350 (\$6.00 resident \$8.00 non-resident)
- 2014 - \$3,661 (\$10.00 resident \$13.00 non-resident)

- 2015 - \$4,838 paid to Draper and Sandy (Combining A league and B league, which requires play in both Sandy and Draper)

He asked the City to reassess the way the fees are charged and perhaps change it to charge per team rather than per player. He recommended charging \$4,000 for the league over the next few years. The number of games played will not be increased on City fields. South Valley Baseball's mission is to provide a positive outlet for kids to learn, to play, and to develop with baseball and with life skills.

[7:17:36 PM](#)

4.2 Beau Jensen, 12135 South Aspen Ridge Road in Sandy, stated he is here representing Southeast Valley Baseball as well. He clarified that they would like the \$4,000 fee amount to remain for the next few years so they know what to plan for. He stated there is a need for two additional fields at Galena Park. They have come across some individuals who are willing to do some in-kind work to help facilitate the finishing of the two fields. It will provide a better complex for play and will allow them to hold weekend tournaments, which will bring in players from other communities.

[7:19:08 PM](#)

4.3 Marci Peterson, 12192 South Balboa Park Lane, stated she is on the Southeast Valley Baseball Board. They have partnered with the Bees, and the Bees are going to be bringing a crew in on February 11<sup>th</sup> to help fix the fields. She stated they are bringing in volunteers to help improve the parks.

[7:19:56 PM](#)

4.4 David Pearson, 1788 Crimson Oak Drive, stated he has been a coach for Southeast Valley Baseball. He said he has coached in many different cities, and the fields were much better than they are in Draper. He asked the City to see what can be done to improve the fields. He stated where there is a will there is an opportunity to give the kids a chance to play ball in a safe and fun environment.

[7:21:30 PM](#)

## **5.0 Consent Items**

- Approval of January 20, 2015, Minutes
- Approval of Resolution #15-07, Supporting an all Vote-by-Mail Election
- Approval of Resolution #15-08, Adopting a Parks and Trails Naming Policy

[7:22:20 PM](#)

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

[7:22:36 PM](#)

**5.2 A roll call vote was taken with Councilmembers Rapple, Stenquist, Summerhays, and Vawdrey voting in favor. Councilmember Colbert voted no. The motion passed with a majority vote of 4 to 1.**

[7:23:27 PM](#)

**6.0 Public Hearing: Resolution #15-09, to Declare a Portion of the SunCrest Property as Surplus**

[7:23:37 PM](#)

6.1 David Dobbins, City Manager, stated the City is looking to surplus 20 acres of the 2,500 acres in SunCrest. The area has approximately 80 acres. He pointed out that the Edelweiss project, Hidden Canyon Estates, and the “shoebox” parcels are all slated for development. The 20 acres will turn into a single-family development. He displayed a map of the area. The City purchased property 11 years ago that is set aside under a conservation easement. He advised that everything on the map in green is property that is owned by Draper City, and it is a little over 7,000 acres. The City has talked about putting it in a conservation easement, but that limits what could be done with the property in the future. On the east side of the property within the City boundary is additional private property. It could be developed under the right circumstances, and it is adjacent to Alpine. There is also property adjacent to SunCrest that is owned by Micron and could be developed as well. There is a lot of property in this area that is controlled by the City, some is under a conservation easement, and there is also a lot of private property in this area. Mr. Dobbins then displayed a layout of what the developer had planned for the SunCrest area. The bulk of what the City purchased was previously planned for a mass-graded development, and the City has taken thousands of housing units off the table by purchasing the property. The City is proposing to surplus the 20 acres and allow them to be turned into single-family lots.

[7:30:26 PM](#)

6.2 Councilmember Stenquist noted the City Council just approved the Edelweiss development and part of the approval was that the residents would have to be included in the Traverse Ridge Special Service District (TRSSD). He asked whether any new developments would be included in that. Mr. Dobbins explained the twenty acres the City Council is addressing this evening is already in the TRSSD. The other lots in the Hidden Valley subdivision are not included in the TRSSD.

[7:32:44 PM](#)

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

[7:32:58 PM](#)

6.4 Heike Smith, 15611 Winged Trace Court, asked where the property access would be. She said she has hiked in this area a lot, and she is concerned that a road will be cut into the steep hillside.

[7:34:15 PM](#)

6.5 Maria DeGroot 14793 South Castle End Cove, questioned why the City Council would move ahead with the sale of the property if the residents up there are against it. They would be most affected by it. She expressed her opinion that the City is considering succumbing to the developer due to the lawsuit and the bullying they have been involved with for the past decade. She noted this could affect the already problematic roads, water

supply, increase the fire risk, and displace the elk, moose, deer, and bear. She then questioned whether the City has considered an increase in all public services should this area be developed and how they plan on funding it.

[7:35:46 PM](#)

6.6 Dave Garstin, 1930 Aspen Leaf Place, said he is concerned with the water situation up in SunCrest and whether there is enough water available for an emergency and usage standpoint. If the City allows this to happen, he questioned what would incent the property owner to the east of this development to go ahead with their development that the City Council has previously turned down.

[7:37:10 PM](#)

6.7 Mayor Walker reiterated that this is not an opportunity to have a questions and answer period with the Council or staff. This is an opportunity for the public to make a comment on the issue being discussed.

[7:37:42 PM](#)

6.8 Scott Steadman, 14953 South Winged Bluff Lane, stated he agrees with the previous points. The City Council has said their intent is to maintain the open space in SunCrest. This action is contrary to that intent. He noted the residents do not know what else the City has considered, but this action would just benefit the developer and not the neighbors. There are other areas that make more sense for this other than cutting into the hillside.

[7:39:46 PM](#)

6.9 Tim Yates, 2172 Eagle Chase Drive, said he is not against development as long as it is done responsibly. He would like to see the development take care of the natural landscape, and he does not want the hillside bulldozed. He said he likes as little destruction of the natural landscape as possible. It makes the property more valuable, and it looks better.

[7:42:05 PM](#)

6.10 Lisa Holcomb, 1884 East Vista Ridge Court, noted she realizes that this area was all master planned. She was excited when Draper purchased this land, and she understands that not all of it can remain open space. However, she would like the City Council to act in good faith in determining what areas will remain as open space and do a conservation easement. She said she would hate to see the City Council give in to bullying efforts and expressed she does not want this to be a ripple effect for future lawsuits.

[7:44:00 PM](#)

6.11 Jonathan Tuttle, 15039 South Eagle Crest Drive, said his backyard is adjacent to this property, and this might not be the best place for this development. He said it would be better to have the development of the other side of the hill so they would have an access that goes up the hill and all the residents are on the back side of the hill.

[7:45:00 PM](#)

6.12 Melissa Gerschon, 15513 South Rimtrees Court, said this is going to ruin her view and that sucks.

[7:45:21 PM](#)

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

[7:45:27 PM](#)

6.14 Councilmember Stenquist said it might be useful to give a little background and insight as to how the City became involved in this situation. The intent of this action tonight is to approve a settlement in the lawsuit they have been involved with for many years. He gave a brief history of the lawsuit involving Dave Mast and how they came to this settlement agreement. By agreeing to this settlement, the City is hoping to save the taxpayers up to \$40 million if the City were to lose. The City Council spent a lot of time working though this and going back and forth with Mr. Mast, and this is the result of those negotiations.

[7:50:08 PM](#)

6.15 Councilmember Summerhays noted the City started out 10 years ago with no property up there, and the City has done a marvelous job of acquiring property in the SunCrest area. The Council is trying to do their best to make sure they can provide the services for the new developments up there. They are updating the water system right now to facilitate the new development. If the City had not purchased the land from Zions, there would be approximately 3,500 more homes in this area. In reference to the concern with the slope, he noted they cannot cut into an area with more than a 30 percent slope. He suggested the residents call the City if they feel that the developers are cutting into a slope area.

[7:53:34 PM](#)

6.16 Councilmember Rappleye expressed appreciation for the comments this evening. There seems to be a lot of confusion as to what the City was going to do with all of their land up there. The City has been studying it, and they have an idea of the areas they want for open space. The action tonight is being taken to help settle a lawsuit. He said he does not feel like the City was bullied into this decision. There was give and take on both sides. One of the things that changed it for him is that the Hidden Canyon Estates property is in the process of changing hands at this time, which brings new opportunities with the site. The cutting of the hillside will be addressed during the site plan process. The new developer is sensitive with trying to maximize the land by keeping it natural. That is what the new market wants. There is a potential for the new trailhead in the development, and this area is going to be surrounded by homes anyway.

[7:56:03 PM](#)

6.17 Councilmember Colbert noted he respects his peers and understands their positions. Each person has to do a risk assessment and potential cost avoidance. He said he personally thinks this is an example of a broken legal system. There is a lot of fear with jury trials, and the decisions that are made. However, this litigation has no merit, and the person suing the City never had access to the property in which he was basing his lawsuit. The protection strip was put in place by the developers of SunCrest, and that had nothing to

do with the City. Councilmember Colbert expressed his opinion that the City should fight this. The land and other considerations are worth several million dollars, and it is worth the fight. He said he understands the City could lose in court, but it is a matter of principle to him, and he is not going to support the surplus of this property.

[7:57:59 PM](#)

6.18 Councilmember Summerhays said this is not over with yet. Both parties will have to sign off on this. This is just the first step in the process.

[7:58:24 PM](#)

6.19 Mayor Walker respectfully disagreed with some of the comments. He stated litigation is not a clean or easy thing. The City Council negotiated this settlement in good faith, and they have to decide tonight whether or not to move forward. If the City Council decides not to surplus the property, the settlement negotiations will break down, and they will go to a jury trial. This has been hashed out amongst the Council members numerous times. Mayor Walker said he does not believe the legal system is broken. It may not be perfect, but it is better than any other legal system he knows of. With respect to this property, the City paid very little for it, and the only reason they own it today is due to another expensive lawsuit they were involved with. The circumstances and stars aligned for the City to even be able to purchase the property. The actual amount of tax payers' dollars that went to purchase this property was much less than litigation would have cost. The opportunity to move forward is the Council's prerogative. He wanted the record to be clear that he does not think the majority of the Council feels that they have been extorted. He personally feels that both parties negotiated in good faith.

[8:02:37 PM](#)

6.20 Mr. Dobbins responded to a few of the questions that were brought up in the public hearing. He noted a new pump station is being built that will address the water issues. The City fronted the money but will be reimbursed by impact fees from the new developments. He explained the area closer to the Hidden Canyon Estates development is in a conservation easement and cannot be developed. The City tried to pursue that area, but it did not work out. This is the first step in the negotiation process. The City is hiring a consultant to work with the City on a Master Trails Plan for the SunCrest area, and part of the process will be to determine which areas in SunCrest will not be developed.

[8:04:31 PM](#)

**6.21 Councilmember Rappleye moved to approve Resolution #15-09. Councilmember Summerhays seconded the motion.**

[8:05:05 PM](#)

**6.22 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. Councilmember Colbert voted no. The motion passed with a majority vote of 4 to 1.**

[8:05:28 PM](#)

**7.0 Public Hearing: Deer Run Preserve Preliminary Plat, On the Request of Ryan Button, Draper Highland, LLC, for Approval of a Preliminary Plat for 79 Single-Family Homes in the RM1 Zone**

[8:05:43 PM](#)

7.1 Keith Morey, Community Development Director, said the City Council has discussed this development many times. He reviewed the terms of the development agreement. The building heights were set within the development agreement, and the developer does not plan to change those. Mr. Morey then displayed the site plan for review.

[8:09:01 PM](#)

7.2 Councilmember Stenquist noted the road alignment has been changed. Mr. Morey stated the plat has been amended to reflect the straightening of the road. The intent is to allow a ninety degree angle at approach to maintain visibility.

\*\* *Mayor Walker left the meeting at 8:11 p.m.*

[8:13:17 PM](#)

7.3 Councilmember Rappleye stated he was under the impression that the road realignment was based on safety issues. Mr. Morey said that is exactly right. The City's Engineers had a concern that the previous alignment created a hazard. They asked the developer to work with a traffic consultant to evaluate whether the previous design presented traffic problems instead of mitigating them. They all determined that the alignment created visibility problems that could cause conflicts where traffic would not be able to see oncoming traffic. That is the reason the alignment was changed.

[8:14:55 PM](#)

7.4 Tim Soffe and Ryan Button, applicants, introduced themselves. Mr. Button explained they plan to dedicate a portion of the property to the City for the park, but that will be done in stages, and the plat does not show all of it in Phase 1. He is working with staff to possibly do a road dedication with the scrap pieces on one plat rather than with one phase at a time. The applicants are not asking the City to vacate the existing right-of-way, so they just plan to landscape it.

Mr. Soffe indicated they talked about improvements to the road when they originally met with the residents, and the residents were very clear that they liked the intersection the way it was. However, the City's Engineers wanted an independent traffic consultant to look at the area for safety purposes. Ryan Hales looked at the area, performed a study, and made the recommendation to change the intersection. Mr. Soffe clarified that the way the intersection has functioned up until this point has been fine. There is no accident history, but the City felt that bringing it in at a more standard angle would be better for the long haul.

[8:19:12 PM](#)

7.5 Councilmember Stenquist stated the City expects a dramatic increase in traffic on this road with the new development.

[8:19:23 PM](#)

7.6 Councilmember Rappleye said the concern that there will be a park there. The straightening of the road could increase the speeds, and a valid concern is the pedestrian traffic crossing the street. He said there might be some other things they can do to that intersection to make it safe. They are still in the preliminary stages of the process, so they can continue to look at things.

Mr. Morey noted there will be stop signs at the intersections, so there will not be a lot of opportunity for speed between the stop signs.

[8:20:37 PM](#)

7.7 Mr. Soffe advised they started out trying to honor the requests of the residents. However, as they proceeded through the process, it became a condition that they change it. Mr. Soffe then displayed the site plan and explained the concept they have used to preserve the views of the neighbors.

[8:22:06 PM](#)

7.8 Mr. Buttons stated they have designed the homes to fit into the hillside to stabilize the slope area. The buildings themselves will act as the retaining wall. They are working with staff on the design of the park. He displayed a concept plan for the area. They will use the property left over from the realignment to put in a few parallel parking stalls.

Mr. Soffe indicated generally when they have a park like this it is for the exclusive use of the residents. In this case, it will be installed and maintained by the developer; however, the park will be open to the public. They have made it accessible from up above, and it will be maintained with the homeowners association fees.

[8:27:12 PM](#)

7.9 Councilmember Stenquist said it is amazing to him that this space can accommodate that many homes. It will be very packed in, and he will be interested to see what the lot layout will look like. He and his neighbors have lived with the unmaintained land for years, and they are looking forward to the property being developed into something that will look better. He has appreciated the efforts of the developer to work with the neighbors to address the concerns.

Mr. Soffe advised in order to achieve these results, they had to blend the land plan with a type of architecture that suits this purpose.

[8:30:47 PM](#)

**7.10 Mayor Pro Tem Vawdrey opened the public hearing.**

[8:31:06 PM](#)

7.11 James Alger, 14109 Senior Band Road, said the City Council has not been told the truth about what was in the Hales Engineering study. The developers assured the neighbors that the road would not be changed. When roads are straightened, it increases the traffic flow and the traffic goes faster. That will cause a safety issue for the area. He asked the City Council to remove the road change from the site plan.

\*\* *Mayor Walker returned to the meeting at 8:32 p.m.*

[8:34:17 PM](#)

7.12 Harold Sullivan, 859 Molasses Mill Drive, commented that the current landscape plan has three water retention ponds, and in the prior development there were two left in there. In the previous discussion, they were assured that there would be sufficient channel for the water. There is significant water flow during rain storms. He asked the City Council to make sure that is taken care of. He then stated he likes the proposed road plan with it straightened out. The top side already has some curves, and with people parking on the road it is difficult to drive fast. He said he looks forward to the change in the roadway. It will be less confusing.

[8:36:32 PM](#)

7.13 Gus Garzarelli, 13994 New Saddle, stated he likes this development. When he originally saw it, the water was going to be channeled to the water retention pond behind his home. The developers worked closely with the neighbors to address the concerns.

[8:37:43 PM](#)

7.14 Mike Zackrison, 14051 Peppy Band Road, noted he is speaking on behalf of Todd Jensen who owns one of the townhomes on Peppy Band. Mr. Jensen had to leave the meeting, but he wanted to express his concern with the alley way between the existing townhomes and the new development. Mr. Jensen does not want it to become a darkened and blighted area. Mr. Zackrison then indicated he lives on the east side of the townhomes, and there is not access to the trail system from there. There appears to be access from the west. He asked the developer to consider accessibility to the trail system from the east.

[8:39:22 PM](#)

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

[8:39:33 PM](#)

7.16 Councilmember Summerhays asked whether the proposed retention plan will be sufficient for the development. Mr. Morey responded the engineers felt it was sufficient to have the runoff go into the existing facilities so the City would not have to maintain two additional ponds.

[8:40:44 PM](#)

7.17 Mr. Morey clarified that the action tonight is just for approval of the preliminary site plan.

[8:41:02 PM](#)

7.18 Councilmember Stenquist questioned whether there has been thought given to an access point to the trails from the east side. He asked whether there are strong feelings one way or another as to what lots that would go between. Mr. Soffe advised they have looked at it. The elevation of the cul-de-sac makes that area too steep. There should be a way to come from the neighborhood to get to the trail.

Mr. Button indicated there is somewhat of a trail system already that has been created just by travel. They have spoken with the Parks Department about using some of the park impact fees and making some improvements to that trail.

[8:42:45 PM](#)

7.19 Councilmember Rappleye said he is still concerned about the intersection, but Mr. Morey made a great point that this is just the preliminary approval. He encouraged the City Engineer to take all of the comments into consideration when determining the location of the stop signs and the final design of the intersection.

[8:44:35 PM](#)

7.20 Councilmember Stenquist stated he knows the alleyway by the existing townhomes is not a problem this developer needs to solve; however, he asked what the interface would be between the lots and the alley way. Mr. Button noted the majority of the lots will have a 40 to 50 rear yard range; however, that does not mean they would be able to use all of that space due to the slope. He has not given much thought to how they would light up alley. He is not sure how to address the lighting issues, but he does not anticipate this development making it any darker.

Mr. Soffe stated this development is not at the same level of the existing townhomes and it is further away, so he does not see the development casting shadows that would worsen the problem.

Mr. Dobbins said it was not just a concern with the lighting. There was a concern with the maintenance as well. Mr. Button replied the triangle piece they are referring to belongs to the existing development, so those property owners will have to take care of it. The alleyway is owned by the individual townhome owners. He said he is willing to work with the homeowners to see what can be done.

[8:49:33 PM](#)

7.21 Councilmember Stenquist commented that at one point, there was a discussion about having a straight road by this development, and that was definitely a concern. The biggest safety issue in this area is going up over Molasses Hill and having vehicles parked on both sides of the road. Keeping some curve to the road certainly helps, and having a little straightening at the intersection should not make much of a difference.

[8:50:41 PM](#)

**7.22 Councilmember Rappleye moved to approve the Deer Run Preserve Preliminary Plat with the addition of requiring the intersection to have a three-way stop. Councilmember Summerhays seconded the motion.**

[8:52:11 PM](#)

7.23 Mr. Dobbins clarified that stop signs are not a part of the preliminary plat approval, so they do not have to make that part of the approval. Staff typically handles stop signs based on the warrant study.

Councilmember Rappleye noted that is fine too.

Councilmember Colbert commented that he is worried about making that as a condition for approval.

[8:52:47 PM](#)

**7.24 Councilmember Rappleye amended his motion to approve the preliminary plat for the Deer Run Preserve. Councilmember Summerhays seconded the amend motion.**

[8:52:56 PM](#)

7.25 Councilmember Stenquist noted that Highland Drive has a curve in that area to accommodate a future Trax Station. The City supports transit-oriented development, and this kind of density close to a future Trax Station would be beneficial.

Councilmember Rappleye stated if that comes about, there is a good chance for more pedestrian traffic.

[8:51:52 PM](#)

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

[8:53:57 PM](#)

**8.0 Action Item: Approval of the Draper Spectrum Development Agreement**

[8:54:04 PM](#)

8.1 Mr. Dobbins explained he has been working with the property owner of the old VF Mall for some time now. They have a couple of tenants lined up for their existing building and a couple of potential pads out front. One of the things the tenants are looking for is to modify the existing sign in front. This agreement would allow the sign to be changed upon the completion of a couple of items. The existing sign is 62 feet wide by 27 feet and is almost 99 feet tall. The square footage is just under 1,900 square feet. They are proposing to replace it with a smaller sign that is 92 feet high. The total square footage would be a little over 1,600 square feet. They would have to complete the façade renovation of the existing building, which would include them painting the existing green roof. They would need to have the new tenant in place and start the process for the new restaurant pad out front.

[8:58:36 PM](#)

**8.2 Councilmember Vawdrey moved to approve the Draper Spectrum Development Agreement. Councilmember Summerhays seconded the motion.**

[8:59:33 PM](#)

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

[8:59:43 PM](#)

**9.0 Action Item: Resolution #15-01, for Approval of an Interlocal Agreement Between Draper City and Sandy City to Exchange the Draper Canal Property for Trail Construction**

[9:00:03 PM](#)

9.1 Russ Fox, Assistant City Manager, noted a few months ago the City Council declared this property as surplus. Sandy City has approved their portion of the Interlocal Agreement. This action will allow Sandy City to construct a trail system along the Draper Canal that will go through Draper and Sandy. The trail improvements will cost approximately \$119,000. He will be sending a letter to the Draper residents regarding the trail construction.

[9:02:17 PM](#)

**9.2 Councilmember Stenquist moved to approve Resolution #15-01. Councilmember Rappleye seconded the motion.**

[9:02:33 PM](#)

9.3 Councilmember Stenquist stated he looks forward to having more trails in the city.

[9:02:36 PM](#)

9.4 Councilmember Rappleye noted this will be a great urban trail connection between the two cities.

[9:02:52 PM](#)

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

[9:03:01 PM](#)

**10.0 Action Item: Resolution #15-11, Staff is Recommending the City Council Amend Draper City's Consolidated Fee Schedule**

[9:03:12 PM](#)

10.1 Bob Wylie, Finance Director, advised there are five items being presented for change this evening. The proposed changes included:

- Business License
  - Change Public Recreation License to Single/Special Event License
    - No fee change

- Park Reservations
  - Special Event Application Review and Permit Fee
    - \$50.00
- Site Plan Review
  - PUE Encroachment License and Permit Fee
    - \$50.00
  - Permitted Use Review Fee
    - \$50.00
- Temporary Use Permit Fee
  - Remove language – non-profit organizations located in Draper City, and not for profit functions

[9:04:42 PM](#)

10.2 Councilmember Summerhays asked whether the review fees are new. Mr. Wylie noted those are new fees. Staff currently does not charge for the review; however, they would like to.

[9:05:16 PM](#)

10.3 Councilmember Vawdrey asked whether the \$25 fee is just for special events and not for someone reserving the park. Rhett Ogden, Recreation Director, indicated it is just for the special events permit application fee. It is referred to in the Draper Municipal Code several times, and staff currently charges the fee; however, it is not listed in the fee schedule.

[9:05:54 PM](#)

10.4 Mr. Dobbins said he did receive calls from people concerned with the removal of the fee waiver for non-profits with the temporary use permits. He suggested the City Council continue this item to the next meeting to work through issues. There is a question about whether the school district or a senator that wanted to do an event would have to pay the fee.

Councilmember Colbert expressed his opinion that this is not an excessive fee, and he does not feel it is a burden. He does not want to make exceptions because it might cause more problems.

Mr. Dobbins agreed and said he just wants a couple of weeks to work through issues before the City Council votes on this.

[9:07:51 PM](#)

10.5 Councilmember Colbert asked whether there are additional fees if someone wants to serve alcohol at an event. Mr. Dobbins said he does not think the City requires any additional permit for alcohol.

[9:08:51 PM](#)

**10.6 Councilmember Colbert moved to continue this item to the next business meeting. Councilmember Rappleve seconded the motion.**

[9:09:04 PM](#)

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

[9:09:17 PM](#)

**11.0** **Public Hearing: Resolution #15-10, Presentation and Public Hearing on Reopening and Amending the Current Fiscal Year 2015 Budget**

[9:09:30 PM](#)

**11.1** Mr. Wylie reviewed the budget amendments as follows:

- Back up Standby Power for Pump Stations
  - The Utah Division of Drinking Water, through State Code R309-540-5(6)(f), is requesting that all three of the City's pump stations be equipped with a back-up generator. The approval of the Freeway Pump Station Improvement Project that is currently being constructed is what has triggered the requirement. The back-up generators were indentified in the 2008 Drinking Water Master Plan. They will be gas powered and installed at all three pump stations.
  - Amount of requested budget amendment is \$874,000.
- Pressure Reducing Valves
  - The distribution system deficiency was identified in the 2008 Drinking Water Master Plan. Two new pressure reducing valves will be installed to provide fire flow redundancy from Zone 4 to Zone 3 and will improve fire flow at hydrants.
  - Amount of requested budget amendment is \$270,000.
- Traverse Ridge Road Widening
  - The Traverse Ridge Road Widening Project will include widening the road, installing a storm drain, and a water line. This project is between Steep Mountain Drive to Vintage View.
  - Amount of requested budget amendment is \$900,000.
- Police SHSP Grant
  - Draper City Police Department has been awarded a Homeland Security Grant. This grant is for both SHSP and LETP.
  - Amount of requested budget amendment is \$4,845.
- Police – Knights of Columbus
  - Draper City Police Department was presented with a donation from Mother Teresa of Calcutta Council - Knights of Columbus to be used for domestic violence emergencies,
  - Amount of requested budget amendment is \$1,200.
- Draper Pointe
  - Draper City is reimbursing both Transportation and Storm Water Impact Fees to the developer for the cost incurred installing both road and storm water improvements as provided in the approved reimbursement agreement.
  - Amount of requested budget amendment is \$815,529.
- Freeway Pump Station

- Additional budget is required on the Freeway Pump Station Improvement Project due to additional pipeline construction required by UDOT, unexpected rock excavation onsite, and additional utility coordination.
- Amount of requested budget amendment is \$65,000.
- Jeffrey White Drainage Easement
  - The City Council approved the purchase of the Jeffrey White drainage easement.
  - Amount of requested budget amendment is \$10,148.25.

[9:12:57 PM](#)

11.2 Councilmember Summerhays asked whether the amount for the generators was for all three generators or just one. Mr. Robbins responded it is for all three.

Councilmember Summerhays indicated that cost seems rather high. Mr. Robbins noted that is the estimate they have. Staff will bid it out and will take the lowest bid.

[9:14:18 PM](#)

11.3 Councilmember Stenquist asked the timeframe to do some of these projects and if staff plans to do them this year. Mr. Robbins replied they plan to do them this year.

[9:14:31 PM](#)

11.4 Mayor Walker advised it is worth noting that the City has \$900,000 left over from the 13200 South Project that can be used on other projects.

[9:14:44 PM](#)

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

[9:15:01 PM](#)

**11.6 Councilmember Rappleye moved to approve Resolution #15-10. Councilmember Vawdrey seconded the motion.**

[9:15:46 PM](#)

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

[9:16:06 PM](#)

**12.0 Adjourn to a Redevelopment Agency Meeting**

[9:16:07 PM](#)

**12.1 Councilmember Vawdrey moved to adjourn to a Redevelopment Agency Meeting. Councilmember Stenquist seconded the motion.**

[9:16:14 PM](#)

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

12.3 The meeting adjourned at 9:16 p.m.