

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, APRIL 1, 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; Garth Smith, Human Resource Director; and Bob Wylie, Finance Director

Study Meeting

1.0 Field Trip – Granger Medical @ 5:00 p.m.

2.0 Dinner

[6:08:46 PM](#)

3.0 Budget Work Session

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3.1 Bob Wylie, Finance Director, presented the proposed budget as follows:

General Fund - Sources and Uses			
	Actual FY 2013	Budget FY 2014	Requested FY 2015
Property Tax	\$ 7,057,889	\$ 6,615,448	\$ 6,796,629
Sales Tax	\$ 8,009,456	\$ 8,000,000	\$ 8,450,000
Franchise and Other Taxes	\$ 4,665,021	\$ 4,660,000	\$ 4,715,500
Licenses & Permits	\$ 2,767,767	\$ 1,409,500	\$ 1,736,500
Charges for Services	\$ 2,281,193	\$ 2,311,076	\$ 2,063,630
Fines & Forfeitures	\$ 615,704	\$ 587,265	\$ 652,200
Grants	\$ 62,504	\$ -	\$ 139,115
Intergovernmental	\$ 45,426	\$ 46,000	\$ 47,000
Miscellaneous	\$ 241,677	\$ 111,770	\$ 1,123,500
Transfers In	\$ 998,783	\$ 1,421,227	\$ 1,422,140
Totals	\$ 26,745,420	\$ 25,162,286	\$ 27,146,214
General Fund Uses			
	Actual FY 2013	Budget FY 2014	Requested FY 2015
Salaries and Benefits	\$ 10,097,633	\$ 11,703,754	\$ 11,970,397
Operations	\$ 12,003,835	\$ 9,729,404	\$ 10,372,646
Capital Outlay	\$ 851,338	\$ 831,026	\$ 792,500
Debt	\$ 2,995,861	\$ 2,839,772	\$ 3,311,246

Transfers Out	<u>\$ 9,153,581</u>	<u>\$ 2,124,294</u>	<u>\$ 500,000</u>
Totals	\$ 35,102,248	\$ 27,228,250	\$ 26,946,789

Mr. Wiley explained this is a draft of a portion of the tentative budget. The City Council will need to adopt the tentative budget by the first Council Meeting in May. The budget is currently balanced, and staff is still working with the various departments to fine tune the numbers.

David Dobbins, City Manager, indicated they have not talked about new funding sources. Staff has developed this budget with the understanding that there will not be a tax increase this year. They are working on a possible fee increase, but that is still in progress.

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4.0 Council/Manager Reports

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4.1 Councilmember Colbert questioned how the Traverse Ridge Special Service District (TRSSD) could bond for the salt dome and Deer Ridge Drive repairs. He also noted the City needs to show how the B&C Road Funds are contributing to the roads in SunCrest.

Mr. Dobbins expressed that by the next meeting they should have a summary of the comments from the Open House in reference to the salt dome. He agreed that Deer Ridge Drive does need to be repaired. Mr. Dobbins then stated he believes that Traverse Ridge Road was repaired using General Fund dollars.

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4.2 Councilmember Stenquist stated the City has accounted for the expenses coming out of multiple departments for the TRSSD. He said the residents ask for and are given a breakdown each year.

Councilmember Colbert stated they should be able to show the General Funds that are used in this budget discussion. Mr. Dobbins noted staff will have that ready for the Council to review as part of the tentative budget.

Councilmember Stenquist suggested this might be the year for the Council to lower the rate for the TRSSD. The Council then discussed options for repairing Deer Ridge Drive.

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4.3 Councilmember Vawdrey stated she would like to get more information in reference to the road connection the Council received an email about.

Mr. Dobbins noted the City has talked to the developer about the connection, but they do not want to build the connection because it would separate their building from their parking lot. The connection is not a part of the Transportation Plan, and this development

is not changing the Utah Department of Transportation's (UDOT) plan to build a new interchange. The neighbor's are not losing any access they currently have with this development.

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4.4 Councilmember Rappleye noted Councilmember Vawdrey had a good suggestion last meeting in reference to having a Green Waste Program in Draper. He stated they should at least have a spring cleanup with dumpsters. He suggested they do a study for a periodic green waste pickup for the neighborhoods.

Councilmember Rappleye then stated he is not sure how the City disposes of their surplus computers; however, there is a local technical school that takes computers, fixes them, and donates them to families that cannot afford a computer.

Mr. Wiley indicated he has spoken with the IT Manager about this. It is Mountainland Applied Technology that has that program. Staff will look into donating a portion of the surplus computers for this purpose.

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4.5 Glade Robbins, Public Works Director, indicated the construction for the 13200 South Widening Project Phase 2 has gone out for bid. He briefed the City Council on two road closures that will be done in conjunction with the construction. The first is on Fort Street, which will be a hard closure for up to four weeks. The second is on 13200 South. It will be a soft closure and will take up to ten weeks. This will allow the roadway to be ready in time for the Draper Days parade.

Business Meeting

1.0 Call to Order

[7:01:15 PM](#)

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

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2.0 Comment/Prayer and Pledge of Allegiance

[7:02:22 PM](#)

2.1 The prayer was given by Pastor Bill Young from The Rock Church.

[7:04:09 PM](#)

2.2 The pledge was led by Ashley Lee and Kiyana Luna of the Corner Canyon Girls Softball Team.

[7:04:48 PM](#)

3.0 Citizen Comments

[7:08:51 PM](#)

3.1 Susan Edwards, 13885 Corner Ridge Court, said she is here tonight to speak about the need for softball fields. The City and the Recreation Manager has seen that there is a need for this, and her group is here to add their support and to explain the need even greater. Draper currently has no softball fields available to play on, and there is no recreation or competition league for the Draper girls to play on. The girls have to go to the surrounding cities to play and most of them drop out because of the inconvenience. There are many other sports fields in the city, and Draper has done an amazing job with the recreation opportunities in the community. However, they still need a softball program. Corner Canyon is on moratorium for the near future. Summit and Juan Diego would both benefit from a developmental program in the city. She has spoken with both of those schools, and they would lend their support of the new fields for a new feeder system. She asked as the City Council moves forward with their new park, that they consider this need and build a place for the girls to play ball.

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3.2 BB Carroll, Corner Canyon Softball, advised she has been playing softball since she was seven. She started playing in Murray and then moved to Draper. Draper did not have a program, so she had to go play in Herriman. She expressed her opinion that building the softball fields in Draper would be incredible. Corner Canyon needs a feeder program to build their team.

[7:13:12 PM](#)

3.3 Madeline Healy, Corner Canyon Softball, indicated she has lived in Draper for ten years, and started to play softball about five years ago. When she started playing, they looked for the closest league, which was in Sandy. She played there for a year but then left because it was not competitive or organized. She then played for Oquirrh Mountain, but the commute was a problem. She has two younger sisters that want to play, but her mom does not have to time to drive them that far. Building a complex in Draper will help increase the chances for the girls in the community to play softball. It would also help the school in the future. She expressed her opinion that making feeder programs will help the students and coaches in representing Corner Canyon High School.

[7:15:05 PM](#)

3.4 Garrett Hone, 12084 Heron Ridge Circle, advised he is the coach for the Corner Canyon girls softball team. He stated he is from Spanish Fork, and that community is all about baseball and fields. He stated he needs a recreation program for girl's softball to help with his program. He said he plays competitive men's fast pitch, and he is committed to the sport. There is a need for a youth program, and it will start with these two fields. He is willing to do what is needed to make this program succeed.

[7:19:54 PM](#)

3.5 Councilmember Summerhays asked Mr. Hone what he plans to bring to the City as far as tournaments go if the City constructs those fields. Mr. Hone indicated he is very well connected throughout the State, and he can bring teams in. He gives a lot of pitching lessons, so a lot of people know him. He foresees building the program and bringing in teams.

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- 3.6 Councilmember Rappleye stated his daughter-in-law's niece is a fast pitch player, and he follows her playing. She is in college on a full-ride scholarship. This brings far more value to the community than just a sport. It brings educational opportunities to the youth in terms of scholarships.

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4.0 Consent Items

- a. Approval of March 25, 2014, Minutes
- b. **Proclamation** – Fair Housing Month in April
- c. **Proclamation** – National Child Abuse Prevention Month in April
- d. **Resolution #14-27**, Amending the Personnel Policy Pertaining to Personnel Files and Records.
- e. **Resolution #14-28**, Amending the Personnel Policy Pertaining to Equal Employment Opportunity (EEO).

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

[7:18:27 PM](#)

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

[7:18:40 PM](#)

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

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- 5.1 Mr. Dobbins advised the applicant would like to continue this item to the next meeting.

[7:19:06 PM](#)

- 5.2 **Councilmember Rappleye moved to continue this item to April 15, 2014. Councilmember Summerhays seconded the motion.**

[7:19:25 PM](#)

- 5.3 **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 **Public Hearing: For Approval of a Full Service Restaurant Alcohol License for Toscano.**

[7:23:21 PM](#)

6.1 Keith Morey, Community Development Director, advised Toscanos is applying for a full service restaurant alcohol license. Staff has done all of the necessary reviews for the license, and this business clearly meets all of the requirements. Staff is recommending approval of the license.

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

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6.3 Councilmember Rappleye moved to suspend the rules. Councilmember Stenquist seconded the motion.

[7:25:13 PM](#)

6.4 Councilmember Rappleye stated this is a great area for a new restaurant, and the City has found that they need a full service alcohol license in order to have a good quality restaurant.

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6.5 Mayor Walker noted he has eaten there a number of times. The food is good, and he is excited for it to come to Draper.

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

[7:26:03 PM](#)

6.7 Councilmember Rappleye moved to approve a full service restaurant alcohol license for Toscano Restaurant. Councilmember Vawdrey seconded the motion.

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6.8 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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7.0 Public Hearing: Ordinance #1088, On the Request of Bryon Prince, Representing Ivory Development for Approval of 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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7.1 Mr. Morey gave a history of this property. He noted it came before the Council with a different project with some increased density, and there was concern expressed by the surrounding neighbors with that proposal. Ivory Homes has come forward with a different project. They have worked pretty closely with the surrounding community to address concerns. Mr. Morey reviewed the development proposal for the Council. The developer and staff have been working on a development agreement. Although the zone change would allow more density than Ivory is planning, the development agreement shows that the desire is not to maximize the density on this property. The entire project will be single-family homes. It will have 34 lots, which is 4 dwelling units per acre. They could have a maximum of 8 units per acre in the proposed zone. The minimum square footage of the lots is 7,200 square feet with setbacks of 25 feet in the front, 6 feet in the sides, and 20 feet in the rear yard. Mr. Morey then displayed pictures of the parking problem when the school has events.

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7.2 Councilmember Colbert stated this concept is a big improvement from the proposal they had before. He asked whether the developer needs the rezone to do what they are asking for.

Mr. Morey explained they do need the rezone in order to get the density they need. The City Council has different options this evening. They could approve the zone change if they wanted with the “handshake” agreement that Ivory will come back with the development agreement. If they are concerned with that, the Council could take public comment tonight, and continue this item to the next meeting and approve the development agreement and the zone change at the same time. The developer understands the Council may want to continue this item.

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7.3 Councilmember Summerhays asked what the setback is for the driveways. Mr. Morey noted they are 25-foot front setbacks and 6-foot side yards. They are public roads.

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7.4 Chris Gamvroulas, Ivory Development, expressed appreciation for Mr. Morey’s presentation. He said he does not have a lot to add; however, he is happy to come to the next meeting with a signed development agreement. Ivory plans to construct thirty-four single-family lots, and in order to do this, they need to change the setbacks. He expressed appreciation for the Council’s consideration of this application.

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7.5 Councilmember Rappleye noted there is a history in this area, and there are a lot of problems that do not have anything to do with the development of this property. He asked whether the neighbors gave the developer feedback in the neighborhood meetings and questioned whether that is why the proposal changed. Mr. Gamvroulas indicated they had originally planned to build townhomes; however, they listened to the neighbors and came

up with this concept. The traffic is an issue, but it is an issue that predates the development of this property. They cannot fix a preexisting condition. The parking problem is there because 300 East does not bisect the campus. They are trying to help mitigate some of the problems, and when they finish this development, the road will be widened.

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7.6 Councilmember Summerhays said he has received a lot of calls from the neighbors in support of this project. His concern is the twenty-five foot setback. If they can do a ten-foot setback from the back and leave a thirty-five foot setback in the front, that would be better. A large truck would hang over the sidewalk and many people park cars back to back in the driveway, which could also cause a problem. The City has created a similar problem in other areas of Draper, and he does not want to create another one.

Mr. Gamvroulas joked that anyone who has a super-cab truck that needs that deep of a driveway could buy a home in Draperville Farms, which is two blocks away from this subdivision. The typical parking space length is nineteen feet. A twenty-five foot setback is pretty standard and is more than sufficient for two cars being parked in the driveway. The setbacks at Bellevue vary from twenty-three to twenty-eight feet, and they have not seen those kinds of parking problems. He stated he was doing an analysis for the neighbors, and there are thirty-two of his house plans that have three-car garages that would fit on more than half of these lots. He expressed his opinion that a ten-foot rear yard setback is just too small.

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7.7 Mayor Walker opened the public hearing.

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7.8 Jeff Hansen, 12057 South 300 East, noted this plan is completely different from the Garbett Homes proposal. He indicated there are currently no zones in the City Code that would allow for this type of development. He suggested the City look into establishing the R4 or R5 zone. He also recommended the Council continue this until April 15th to allow the development agreement to be finalized. Mr. Hansen stated the road is very narrow so anything that could be done to make this road wider would be appreciated. He would also like speed enforcement in the area, because the high school students speed all the time.

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7.9 Richard Lewis, 86 Cranberry Drive, said he would like the quarter-acre lots implemented rather than increasing the density. That could really make the area crowded. The plan itself is a good idea for this area.

[7:48:03 PM](#)

7.10 Karen Tsujimoto, 441 East 12100 South, advised she was not able to attend the Thursday meetings in reference to this request. She said she likes that the lots are bigger, but she is

concerned with the traffic and school activities. She would like larger lots with fewer homes; however, she likes this proposal better than the Garbett Homes application.

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7.11 Mayor Walker closed the public hearing.

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7.12 Mayor Walker asked what the home prices would be. Mr. Gamvroulas noted they will start at the low-\$300,000s and up to the mid-\$500,000s, which is similar to Galena Grove.

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7.13 Councilmember Colbert stated he looks forward to seeing the development agreement, so the Council can take action on this at the next meeting.

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8.0 Public Hearing: Ordinance #1090, Vacation and Realignment of Upper Corner Canyon Road.

[7:50:45 PM](#)

8.1 Doug Ahlstrom, City Attorney, displayed the area on an overhead map. He gave a brief history of the Upper Corner Canyon Road and the SunCrest area.

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8.2 Councilmember Colbert asked what the road width will be. Mr. Ahlstrom replied it is fifty-six feet wide, and is called a mountain collector.

[8:00:48 PM](#)

8.3 Mr. Ahlstrom advised tonight the action is to vacate the old alignment and dedicate the new one.

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8.4 Mayor Walker opened the public hearing.

[8:01:18 PM](#)

8.5 Joe Orlet, 15077 South Eagle Crest, noted he knows where they are putting this road, but it seems to be on top of the old landslide area that was discovered five years ago. He wondered whether this was taken into account. He noted that his home and five other homes are on top of that newly found geological feature, and that causes him a lot of concern. Mr. Orlet expressed his opinion that this seems like a lot of work for such a small piece of land. There is a lot of recreation that takes place in this area, and he is not sure this small amount of land is worth the money that will be put into this project.

[8:04:00 PM](#)

8.6 Mayor Walker closed the public hearing.

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8.7 Councilmember Summerhays explained the City has a commitment to DJ Investments and Zion's Bank to finish this. Hansen, Allen, & Luce is a professional firm, and he trusts their opinion.

[8:04:54 PM](#)

8.8 Councilmember Colbert stated DJ investment has vested rights to build on their property, and they already have a preliminary plat. This shift in the road is not significant enough to be a problem. There are outstanding issues up there, and he is concerned about some of the slide areas. He noted the residents need to make sure they do not over water their property. This project should address some of the storm drainage areas and increase the safety of the area.

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8.9 Mr. Dobbins pointed out that all of this is on private property, which is owned by DJ Investment. The Council will just be moving the dedication within the development, which has been planned for ten years.

[8:07:06 PM](#)

8.10 Councilmember Stenquist noted the City is involved in quite a bit of litigation with this area, and it has been complex and difficult to deal with. Anything the City can do to come to a resolution on some of the litigation issues is a relief for everyone involved.

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8.11 Mr. Ahlstrom clarified that there are no new channels being created with this project. Everything will be piped down Hog Hollow where it has always gone.

[8:08:11 PM](#)

8.12 Mayor Walker noted the water drainage has been an issue up there because the water has been on the road. That erodes the edges of the road. This is an opportunity to fix some design issues with the road in terms of water drainage, and it should improve the situation.

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8.13 Councilmember Rappleye noted he would like to make sure this project is done by professional engineers, and he would like all of these concerns addressed.

[8:09:21 PM](#)

8.14 Councilmember Colbert moved to suspend the rules. Councilmember Rappleye seconded the motion.

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

[8:09:42 PM](#)

8.16 Councilmember Colbert moved to approve Ordinance #1090, which vacates and realigns Upper Corner Canyon Road. Councilmember Rappleve seconded the motion.

[8:09:56 PM](#)

8.17 Councilmember Colbert noted the staff presentation documented the benefits of moving forward with this action. This is good for the City and the property owners in the area.

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

[8:10:43 PM](#)

9.0 Adjournment to a Closed-Door Meeting to Discuss the Character and Professional Competence or Physical or Mental Health of an Individual.

[8:10:55 PM](#)

9.1 A motion to adjourn to a Closed-Door Meeting was made by Councilmember Rappleve and seconded by Councilmember Summerhays.

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