



CITY COUNCIL AGENDA

Tuesday, January 21, 2025, 6:00 PM
Council Chambers
1020 E. Pioneer Road
Draper, UT 84020

6:00 PM STUDY MEETING

Discussion: Town Center Station Area Plan - Kellie Challburg, Jen Jastremsky, and Todd Taylor

Council/Manager Reports

7:00 PM BUSINESS MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Oath of Office**
Police Department Master Officers
4. **Presentation: Upcoming 2025 Utah State Legislative Session - House Representative Cal Roberts**
5. **Public Comments**
To be considerate of everyone attending the meeting, public comments will be restricted to items that are not listed on this or a future agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.
6. **Consent Items**
 - 6.a **Approval of the January 7, 2025, City Council Meeting Minutes**
 - 6.b **Approval of Resolution #25-03**
A Resolution reappointing Walt Rosemann to the Draper City Tree Committee.
 - 6.c **Approval of Resolution #25-04**
A Resolution authorizing the Mayor of the City of Draper to appoint Nicole Smedley as City Recorder for the City of Draper.

7. **Items for Council Consideration**

7.a **Public Hearing: Providing Local Consent for a Single Event Permit for Craft Culinary Concepts LLC dba Vermilion Hospitality Group.**

Staff report by Travis DeJong.

8. **Adjournment**

I, the City Recorder of Draper City, certify that copies of this agenda for the **Draper City Council** meeting to be held **January 21, 2025**, were posted at Draper City Hall, Draper City website www.draperutah.gov, and the Utah Public Notice website at www.utah.gov/pmn.

Date Posted:



A handwritten signature in blue ink that reads "Laura Oscarson".

Laura Oscarson, MMC, City Recorder
Draper City, State of Utah

In compliance with the Americans with Disabilities Act, any individuals needing special accommodations or services during this meeting shall notify Laura Oscarson, City Recorder at (801) 576-6502 or laura.oscarson@draperutah.gov, at least 24 hours prior to the meeting.

MEMO



To: City Council

From:

Date: 2025-01-21

Re: Approval of the January 7, 2025, City Council Meeting Minutes

Comments:

ATTACHMENTS:

[CC 1.7 Minutes - draft.pdf](#)

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, JANUARY 7, 2025, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, Councilmembers Mike Green, Bryn Heather Johnson, Tasha Lowery, and Fred Lowry

EXCUSED: Marsha Vawdrey

STAFF: Mike Barker, City Manager; Kellie Challburg, Assistant City Manager; Steve Alsop, IT Director; Scott Cooley, City Engineer and Public Works Director; Spencer DuShane, Assistant City Attorney; Rich Ferguson, Chief of Police; Jennifer Jastremsky, Community Development Director; Malena Murray, Human Resources Director; Rhett Ogden, Parks and Recreation Director; Laura Oscarson, City Recorder; Linda Peterson, Communications Director; Clint Smith, Fire Chief; Jake Sorensen, Network Manager; John Vuyk, Finance Director; Pat Evans, Police Lieutenant; Brandy Anderson, Fire Inspector; Todd Draper, Planning Manager; Don Buckley, Fire Marshall; Travis DeJong, Business License Official; Brad Jensen, Parks and Recreation Project Manager

Study Session

Presentation: Point-in-Time Report by Salt Lake County

None

Discussion: Phebe Brown Trail recommendations Brad Jensen

Parks and Recreation Director Rhett Ogden said the City received two responses to an RFP for the Phebe Brown Trail. He reminded the Council that \$350,000 was budgeted for the project three years ago, and was still available in the CIP Fund. Parks and Recreation Project Manager Brad Jensen presented the two options, one of which would involve a fence. Councilmembers said it was their understanding fences were not allowed within the easement. Mr. Jensen said the canal company would be okay with a fence along the canal. Councilmember T. Lowery said she believed neighbors would fight about a fence.

Mr. Jensen explained that three of the thirteen neighboring properties had no encroachments. Four of the neighboring properties had grass that caused minimal encroachment. Existing fences would need to be removed on two of

the neighboring properties with Option A, and existing fences would need to be removed from two other properties with either option. Mr. Jensen said the remaining two neighboring properties contained significant encroachments that would need to be removed with either option. He shared cost estimates, and said with the current budget of \$350,000, Option A would require an additional \$250,000 and Option B would require an additional \$425,000.

Responding to a question from the Council, Mr. Jensen said the cost estimates were solely construction estimates and did not include estimated litigation costs. Responding to a question from Councilmember T. Lowery, Mr. Jensen said he believed fencing would be necessary with a dirt trail. Councilmember T. Lowery said she questioned whether a fence would be allowed along the canal.

The Council discussed the need to treat all encroachments the same. Councilmember Green said he did not think it would be fair for \$200,000 of taxpayer funds to be used for the trail to go around some of the encroachments. Staff commented the project would be eligible for use of impact fee revenue. The Council discussed the potential for litigation with any of the alternatives. A majority of the Council indicated support for proceeding with Option A.

Council/Manager Reports

None

Closed Session

Councilmember T. Lowery moved to recess to a closed session to discuss the deployment of security personnel, devices, or systems, as provided by UCA 52-4-205. Councilmember F. Lowry seconded the motion.

A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green	X		
Councilmember Johnson	X		
Councilmember T. Lowery	X		
Councilmember F. Lowry	X		
Councilmember Vawdrey			X

Business Session

1. Call to Order by Mayor Troy K. Walker

2. Pledge of Allegiance:

Cub Pack #4444 provided a flag ceremony and led the Pledge of Allegiance.

3. Oath of Office

Traci Gundersen was sworn in as the Draper City Attorney by City Recorder Laura Oscarson.

4. Public Comments

None

5. Consent Items

5.a December 3, 2024, City Council Meeting Minutes

5.b December 10, 2024, City Council Special Meeting Minutes

5.c Resolution #25-01 appointing Melissa Day as a member of the Draper City Historic Preservation Commission

5.d Resolution #25-02 amending an Interlocal Agreement with other entities currently within the boundaries of the Alpine School District for the creation of the new school district

Councilmember T. Lowery moved to approve the Consent Items. Councilmember Green seconded the motion.

A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green	X		
Councilmember Johnson	X		
Councilmember T. Lowery	X		
Councilmember F. Lowry	X		
Councilmember Vawdrey			X

6. Items for Council Consideration

6.a Public Hearing: Providing Local Consent for a Full-Service Restaurant License for Mint Sushi and Tapas 5 LLC dba Mint Sushi and Tapas

Business License Official Travis DeJong explained the request for local consent for a Full-Service Restaurant License and reported the application met all distance requirements.

Mayor Walker opened a public hearing, and closed the public hearing seeing no one come forward.

Councilmember Green moved to approve Local Consent for a Full-Service Restaurant License for Mint Sushi and Tapas 5 LLC dba Mint Sushi and Tapas. Councilmember Johnson seconded the motion.

A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green	X		
Councilmember Johnson	X		
Councilmember T. Lowery	X		
Councilmember F. Lowry	X		
Councilmember Vawdrey			X

6.b Public Hearing: Ordinance #1630 amending the official Zoning Map of Draper City for approximately 1.28 acres of property from the C-2 (Neighborhood Commercial) to the CG (General Commercial), located at approximately 2021 East Village Green Circle, otherwise known as the Suncrest Reception Center Zoning Map Amendment

Community Development Director Jennifer Jastremsky explained the request to rezone the subject properties from C-2 to CG Zone. The C-2 Zone was an older zone from the 1999 City Code, and could not be amended, since amendments could only be made to the current City Code. She said the City had received several public comments via email.

Ms. Jastremsky said a reception center was not a listed use within the 1999 City Code. She showed use charts for the CG Zone and the CN Zone (Neighborhood Commercial Zone in the current Code). A reception center was not permitted in the CN Zone but was permitted in the CG Zone. The establishment of a CG Zone required a minimum area of one acre. The three subject properties together totaled 1.2 acres.

Ms. Jastremsky listed the following uses allowed in CG, but not C-2: auto, truck, RV, and equipment storage; office warehouse; wholesale and warehousing limited; general daycare; reception center; tattoo establishment; and manufacturing, limited (some specific uses allowed in C-2). She said the

Planning Commission reviewed the request on December 12, 2024, and forwarded a positive recommendation with a 4-1 vote.

Responding to a question from Councilmember F. Lowry, Ms. Jastremsky said the 1999 Code included a requirement that all uses in Commercial/Industrial Zones within 100 feet of a residential dwelling in a Residential Zone required conditional use permit approval, but said the current Code did not include such a buffer requirement.

Adam Koch, the applicant, said the C-2 Zone would only allow a temporary trailer incidental to construction work on the property. Mr. Koch said the design of the two buildings on the properties did not lend themselves to any of the permitted uses within C-2. He said the building on his property was labeled as office use but was specifically built for large gatherings. He said he believed the building was initially meant to be turned over to the HOA as office and gathering space, and said he did not think it was originally meant to be owned by a private owner.

Mr. Koch said concerns expressed by residents centered around parking, and possible uses for the property in the future with a zone change. He said he owned approximately 48 parking spaces on his property, compared to 13 parking spaces owned by the HOA on neighboring property. Mr. Koch said there was a lot of overlap with parking issues in the summer when the HOA pool was open. He said he served on the HOA Board, and the parking issue had been discussed. Mr. Koch expressed the opinion that it was time for SunCrest to provide for its own parking needs and not rely entirely on what he owned. He suggested it was not fair for the HOA to use the parking on his property, yet try to cut him out of being able to use the parking on his property for his purposes. Mr. Koch emphasized his building averaged three wedding receptions per month, typically only in the evenings.

Mr. Koch said SunCrest was a unique area, and said SunCrest would not be a good location for any business reliant on foot traffic and customers passing the building. He expressed the opinion not many people would drive up the hill to have their pet groomed or their nails done. Mr. Koch said a wedding reception was a unique situation with people motivated to attend, and said he believed the location would be difficult for a retail business. He stated all wedding receptions would be confined to within the building moving forward, so noise would not be a problem. Mr. Koch said the HOA Board had plans in

place to solve the parking issue. Responding to a comment from Councilmember T. Lowery, Mr. Koch said his facility was smaller than Siempre, with a maximum occupancy of around 81 people.

Mayor Walker opened a public hearing.

Gina James, a Draper resident in the SunCrest neighborhood, spoke in favor of the proposed zoning change. She said her husband was a Trustee on the HOA Board and also supported the proposed zone change, but was unable to attend the meeting. Ms. James said she had learned that sometimes changes that looked like they could be really bad, did not turn out to be so bad. She said she thought a small wedding venue could be a benefit for the neighborhood.

Larry Nilssen, a Draper resident, said he was a Trustee of the SunCrest HOA Board. He said the Trustees had intensely examined the proposal in great detail, with updated information, and recommended denying the rezoning request for three reasons. He said 1.2 acres was far too small to accommodate additional people and their vehicles, especially during SunCrest owner events, which must take priority. He said SunCrest owners would be forced to compete with outsiders for limited SunCrest space because spillover onto SunCrest property would be inevitable. Second, Mr. Nilssen said the rezoning would mean SunCrest owners would lose control over possible following businesses. Finally, Mr. Nilssen said allowing a reception venue by rezoning would expose SunCrest owners to liability and possible insurance issues, as well as noise and destruction. He expressed the opinion the original zoning was perfect for the community and asked that the Council respect SunCrest owners and their interests and decline the rezone.

Bradley Byington, a Draper resident in SunCrest, said he and his wife had their wedding reception at the K2 building five years ago. He said Adam Koch was welcoming and remained engaged in the community. Mr. Byington said he was glad the HOA Board had decided to oppose the proposed rezoning. Mr. Byington stated the proposal would create an inconsistent zone, dissimilar to the surrounding area. He said the requested zone would be incompatible with the General Plan primarily due to completely inadequate parking. Mr. Byington said he reviewed the property maps and believed that Mr. Koch did not have all of the parking spaces he claimed. He asked the Council to maintain the current zoning.

Scott Steadman, a Draper resident in SunCrest, expressed opposition to the proposed rezoning. He said expanding uses on the property by rezoning to CG would open the door to a variety of uses with extended hours, higher traffic, increased parking demand, or noise-generating activities, contrary to the original Master Plan and City zoning guidelines. He said the applicant had previously operated outside the permitted use, and granting approval may set a precedent for the City. Mr. Steadman said he believed the applicant had closer to 29 parking stalls. He said the decision would affect two separate parcels, including The Ridge Restaurant, which was currently for sale. He said rezoning the second parcel would raise serious concerns due to inadequate parking and limited prior discussion regarding The Ridge. Mr. Steadman asked the Council to deny the requested rezoning.

McKenzie Castellanos, a Draper resident in SunCrest, said there would be no resident benefit and no gain to the Association with extra traffic taxing HOA resources. She said the HOA would have no control over what business could be at the location if the rezoning was approved, and said she agreed with previous comments that the proposal was against the HOA spirit. She said she would probably not have purchased her home if she had realized there was a wedding venue up there, because it completely changed the neighborhood vibe. Ms. Castellanos said the benefit would be too one-sided for her to give support.

Daryl Acumen, a Draper resident in SunCrest, said he wanted to see the business succeed and wanted The Ridge to succeed. He said he loved seeing receptions in the neighborhood but felt making a zoning change without the parking situation fixed and having clarity would be dangerous. Mr. Acumen read aloud his wife's comments about insufficient parking at The Ridge and dangerous parking conditions. Mr. Acumen suggested the parking situation should be addressed before a rezoning.

Paul Kearsley, a Draper resident in SunCrest, said he supported the idea of having a reception venue at the location, and said it seemed reasonable that the building be used for the intention for which it was built. He expressed support for the application.

Steve Saxton, a Draper resident, referred to the history of the SunCrest neighborhood. He said the building on the subject property was pigeonholed

and could only have one use. He said he knew some residents were afraid of having something like a 7-Eleven on the location in the future, but he did not think that would be possible given the property. He said Adam Koch, a neighborhood resident, had stepped in and used the property for its best use.

Justin Peel, a Draper resident in SunCrest, said he opposed the proposal. He said the receptions had felt like an attack on the HOA because of parking issues. Mr. Peel questioned why the use should be allowed now when the rules had not been followed previously. He pointed out the property was surrounded by residential, and expressed the opinion it should be zoned for neighborhood commercial.

Nate Crowther, a Draper resident, said he rented an office in the building from Mr. Koch for about a year. He said he was shocked to understand how many parking spaces Mr. Koch shared with the HOA. Mr. Crowther said his goal was for his property value to go up, and said he was in favor of the proposal so the building could be used for its best use.

Mark Dion, a Draper resident in SunCrest, said he opposed rezoning the K2 building. He said any zoning change would dramatically increase traffic, noise, and other disturbances that would affect thousands of residents. He said the safety and peaceful environment would be threatened, and urged the Council to maintain the current zoning.

Neil Rosenberg, Draper resident in SunCrest, expressed opposition to the proposed rezoning and suggested there were other options, or more information was needed. He spoke of the recent Planning Commission meeting in which the matter was considered and said the Planning Commission voted in favor of the rezoning in a desire to legitimize the reception center, but could not determine a better mechanism at the time. Mr. Rosenberg said the General Plan called for gradual transitions of land use, and respecting the character of adjacent neighborhoods. He said rezoning would open the door to unwanted commercial development in the area, and suggested the applicant should try to utilize a different tool to try to legitimize the business.

Peter Drubin, Draper resident in SunCrest, said he opposed the proposed rezone, and questioned why the rezone was even considered with the

business already having operated in violation of the City Code and received multiple citations from the Fire Marshal.

Jeff Brown, Draper resident in SunCrest, said he lived a block from the event center. He said without the proposed zoning change, someone would be put out of business, and the neighborhood would get an empty building. He said empty buildings did not increase property values. Mr. Brown said he had seen The Ridge fail twice in the time he had lived in SunCrest, and said it was not good when The Ridge was empty. Mr. Brown said he supported the proposed rezone because it was the only way to keep the business functioning. He said it would be difficult to keep a business running at the subject location.

Kevin Smith, a Draper resident in SunCrest, expressed support for the proposed zoning change. He expressed the opinion that, given the complaints regarding parking and traffic, the HOA might as well shut the pool down, since the same conditions applied to the pool. Mr. Smith said parking was an issue, but should not be an excuse to limit a business and cause empty buildings. He said he believed the business deserved the right to get it right.

Mark Vincent, a Draper resident, said he was sure the property owner knew the zoning situation when the property was purchased, and said he was sure the property owner was only seeking a rezone to increase the value of the property for a better return. Mr. Vincent said no other business in Utah would be allowed to open with that many parking spots.

Morgan Ryan Angel, a Draper resident, said he opposed the proposed rezone and agreed with other comments made. He expressed the opinion that more members of the community would have attended to share opposition but did not because of intimidation or fear of backlash.

Christina Oliver, a Draper resident and former Community Development Director for the City of Draper, spoke of insurance issues due to the location in the wildland-urban interface, an issue being discussed by the State Legislature. Ms. Oliver said the proposed rezone issue was nuanced, with the applicant having previously operated in flagrant disregard of the City Code. She said the applicant had made contradictory statements. Ms. Oliver questioned who would police future disregard of fireworks and use of private park regulations. She said the applicant had already put all the residents' safety and personal property in jeopardy and caused increased insurance

premium costs. Ms. Oliver suggested the proposed rezoning would be very irresponsible and that a parking study should be done, the HOA should erect barriers by the park, and a stringent development agreement should be implemented.

Tim Mitchell, a Draper resident in SunCrest, said he opposed the proposed amendment and spoke of the risk the entire community was being asked to accept.

Aaron Arnesen, a Draper resident in SunCrest, said he was opposed to the proposed rezone and agreed with the comments in opposition that had been made. Mr. Arnesen spoke of potential future parking issues and said he believed the applicant's position on the HOA Board constituted a conflict of interest. He said he believed there would be at least two receptions a week at the reception center during the busy season.

Colin Rivera, Salt Lake City resident and attorney representing ten SunCrest residents, said the neighborhood was currently zoned appropriately. He said the applicant was fully aware of the zoning restrictions when he bought the property. Mr. Rivera said the private HOA green had been advertised on the applicant's website as a perk for the business, and said some of the guests of the reception center had used fireworks, which were illegal in that part of town. He said it was not the government or residents' responsibility to make the business successful.

Christy Foster, Draper resident in SunCrest, said she was opposed to the proposed rezoning, which was not consistent with the goals, objectives, and policies of the SunCrest community, in that it would not directly benefit the residents of SunCrest in any way, and would increase traffic liability and maintenance. Ms. Foster said the proposed rezone was not harmonious with the overall character of the existing development in the vicinity of the property.

Carl Lempke, a Draper resident, said he was not a resident of SunCrest but did work at the venue. He said the applicant was meticulous in making sure the green was cleaned up and looked good whenever it had been used for an event. Mr. Lempke said the use of sparklers by guests of the property was not approved by the applicant, and said the applicant had great respect for the area. Mr. Lempke said he was in favor of the proposed rezoning.

Cherie Smith Romney, Draper resident in SunCrest, said her house and property, directly across from the green and fire station, would arguably be the most impacted by the proposed zone change. She said she had spent tens of thousands of dollars in the last three years to protect her children and her parking strip from the applicant's customers. Ms. Romney said the neighborhood was intended for walkability. She said she agreed local businesses should be supported as long as the support could be balanced with the safety and overall good of the community. She asked why the benefit and financial well-being of the commercial business owners in the neighborhood would be placed above that of her family and neighbors. Mr. Romney said SunCrest was a residential neighborhood, and when she bought her home, she never thought there would be a reception center across the street.

Mayor Walker closed the public hearing.

Mr. Koch said a second parking lot had been approved and designed for the HOA to fix the HOA parking issue, yet he had been criticized for parking issues even though he had provided his parking for the HOA. Mr. Koch said the success of any business at the location in the future would be contingent on the support of the neighborhood. He said he owned 41 parking spaces, but the mentioned 29 parking spaces would still be sufficient for an 80-person occupancy limit, based on City Code. Mr. Koch said guests had used sparklers in the front of the building one time. He said he was not proud it happened but worked hard to ensure it would never happen again. He said he would be happy to offer first-right-of-refusal to the HOA if he ever decided to sell the property, although he had no plans to sell at that time. Mr. Koch stated alcohol was not sold on the property. He said, that although he was a member of the SunCrest HOA Board, he had been recused from all discussions related to this issue. Mr. Koch said there were no options available to him with the C-2 Zone, and said without a zone change, the building would be empty and property values in the community would reduce.

Councilmember Green asked if Mr. Koch could give a specific land use-related reason for needing the zone change. Mr. Koch said office use was the only use available in C-2 for which the buildings could be used. He said he had assumed the zoning was commercial when he purchased the property. Councilmember Green commented that Mr. Koch's lack of due diligence was not the Council's problem. Mr. Koch said office use was no longer a viable option.

Councilmember T. Lowery expressed the opinion that the logical rezone would be to Neighborhood Commercial. Mr. Koch responded he would not be able to operate a reception center in a CN Zone, which was the only idyllic use of the space. He said if he sold the property to the HOA, the building would be used for the same gathering/event purpose. Councilmember T. Lowery said she remembered the building being used as a sales office for SunCrest. She pointed out no infrastructure change had occurred to support the proposed rezoning.

Councilmember Green commented this was the one land-use/property right situation in which the community got to have a say. He said public clamor was sufficient justification for denying a rezone. Councilmember F. Lowry said the requested zone was not consistent with the surrounding area, and said he was not supportive of the application. Mr. Koch said he would appreciate suggestions of any other use allowed in the C-2 zone that would be successful.

Councilmember F. Lowry said the application was not to zone the property for a reception center, the application was to rezone the area to commercial, which was a serious consideration for the Council. The Council needed to consider the potential impact of the many possible uses allowed under the requested zone.

Councilmember Johnson said the other parcel included in the application (The Ridge) was for sale. She said the idea of changing the zoning to CG made her nervous. Councilmember T. Lowery said it was her understanding use of fireworks had occurred more than once. Mr. Koch responded he was only aware of the one incident on his property. Councilmember T. Lowery said the incidents were documented, and asked Chief Smith for input. Chief Smith said his department was sent to investigate reports of fireworks being used at the venue associated with receptions on several occasions.

Councilmember T. Lowery moved to deny Ordinance #1630, having found the requested rezone was not consistent with surrounding uses, and would negatively impact adjacent properties. Councilmember Green seconded the motion.

A roll call vote was taken. The motion passed unanimously.

Yes No Absent

Councilmember Green	X	
Councilmember Johnson	X	
Councilmember T. Lowery	X	
Councilmember F. Lowry	X	
Councilmember Vawdrey		X

The Council took a five-minute recess.

6.c Public Hearing: Ordinance #1631 approving the Hidden Canyon Estates - Mercer Mountain Estates Development Agreement 10th Amendment for approximately 25.9 acres of property located at approximately 2635 East 15040 South within Draper City

Community Development Director Jennifer Jastremsky outlined the history of the Mercer Mountain Estates Development Agreement, and explained the request to amend the Development Agreement to:

- allow additional fill in a specific area, reduce roadway width from 56 feet to 50 feet;
- update roadway location and grade in some areas;
- make minor adjustments to the area of the land swap approved with the 8th Amendment;
- set requirements for temporary fencing during construction;
- restrict discharge rates and require fencing for stormwater infrastructure;
- set water system and water quality responsibilities; and
- approve City slope easements for cuts and fills along the proposed roadway (3.23 acres).

Ms. Jastremsky said the Planning Commission reviewed the request and forwarded a positive recommendation. She said she recommended requiring sidewalks on both sides of the reduced road width and eliminating the park strip, instead of eliminating sidewalks on one side of the road as proposed. Ms. Jastremsky said engineers had not yet evaluated the effect on the grading of the sidewalk on both sides.

Pratt Dimond, the applicant, emphasized the proposal would allow space for snow removal, and said the area would be planted with native vegetation and pine trees. Responding to a question from Councilmember T. Lowery regarding the safety of streets with sidewalks on both sides versus only one

side, Mr. Dimond said the street would be within a private, gated community, and said he doubted many individuals would walk in and out.

Mayor Walker opened the public hearing.

Darren Atkinson, a Draper resident, expressed the opinion that Hidden Canyons, Lone Peak, and Mercer Mountain should be the same as previously agreed upon and look similar. He said he believed all the residents would walk in and out, and said Mercer should have a park strip for snow removal and to enhance aesthetics.

Peter Drubin, a Draper resident, said his property bordered the road in question. He said he wanted to make sure the slide area had been addressed and that the road was stable.

Brad Byington, a Draper resident, commented that the road in question ran through two of his wife's favorite mountain bike trails, and said he hoped the mountain bike trails would be accounted for.

David Mast said he owned the property in question. He mentioned multiple properties he had donated to Draper City. Mr. Mast said he was cognizant of the trails. He said Mercer would be a private community, and said he did not think the buyer would want to restrict public access. Mr. Mast said he wanted to eliminate huge cuts and have a place for snow storage.

Mayor Walker closed the public hearing.

Councilmember T. Lowery asked about sidewalk connectivity to adjacent neighborhoods and safety. Mr. Mast referred to other areas of the road that did not have sidewalks and said Mercer would be an outstanding development out of respect for Draper.

Councilmember Johnson said she would prefer sidewalks on both sides for safety. Mr. Mast said he was more than willing to put sidewalks on both sides. Councilmember F. Lowry emphasized it would be a gated community, with only residents and guests entering. The Council discussed the benefits of not including sidewalks on both sides of the subject road, including reduced cuts and snow storage.

Councilmember Green moved to approve Ordinance #1631. Councilmember F. Lowry seconded the motion.

Councilmember T. Lowery asked that the applicant make sure students dropped off by the school bus would have a clear path, and make sure bike trail crossings had signage or crosswalks for safety.

A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green	X		
Councilmember Johnson	X		
Councilmember T. Lowery	X		
Councilmember F. Lowry	X		
Councilmember Vawdrey			X

7. Recess to a Draper City Community Reinvestment Agency Meeting

Councilmember Green moved to recess to a Draper City Community Reinvestment Agency Meeting. Councilmember Johnson seconded the motion.

A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green	X		
Councilmember Johnson	X		
Councilmember T. Lowery	X		
Councilmember F. Lowry	X		
Councilmember Vawdrey			X

The Council returned to regular meeting at 9:39 pm.

8. Adjournment

Councilmember Green moved to adjourn the meeting. Councilmember Johnson seconded the motion, which passed by unanimous voice vote (4-0).

The meeting adjourned at 9:39 pm.

MEMO



To: City Council

From:

Date: 2025-01-21

Re: Approval of Resolution #25-03

Comments:

ATTACHMENTS:

[R-25-03, reappointing W. Rosemann, Tree.pdf](#)

RESOLUTION #25-03

A RESOLUTION REAPPOINTING WALT ROSEMANN TO THE DRAPER CITY TREE COMMITTEE

WHEREAS, the City is authorized to establish subordinate bodies within the city as deemed appropriate by the City Council; and

WHEREAS, the City has created a Draper City Tree Committee to act as an advisory board to the City Council and other City departments on all matters relating to tree culture including the establishment, maintenance, and upkeep of all trees, shrubs, and other plant life located on City property; and

WHEREAS, the Mayor desires to reappoint and the Council hereby consents to the reappointment of Walt Rosemann to the Tree Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH AS FOLLOWS:

Section 1. Reappointment. Walt Rosemann is hereby reappointed to serve as a member of the Draper City Tree Commission according to the laws, ordinances, and regulations governing the committee and its members for the term specified herein.

Walt Rosemann January 21, 2025 through January 31, 2029

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH,
THIS THE 21ST DAY OF JANUARY 2025

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Laura Oscarson, MMC, City Recorder

VOTE TAKEN:	YES	NO	ABSENT
Councilmember Green	_____	_____	_____
Councilmember Johnson	_____	_____	_____
Councilmember T. Lowery	_____	_____	_____
Councilmember F. Lowry	_____	_____	_____
Councilmember Vawdrey	_____	_____	_____
Mayor Walker	_____	_____	_____

MEMO



To: City Council

From:

Date: 2025-01-21

Re: Approval of Resolution #25-04

Comments:

ATTACHMENTS:

[R-25-04, N. Smedley-City Recorder.pdf](#)

RESOLUTION NO. 25-04

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF DRAPER
TO APPOINT NICOLE SMEDLEY AS CITY RECORDER FOR THE CITY OF
DRAPER**

WHEREAS, the Mayor desires to appoint Nicole Smedley as City Recorder of the City of Draper in accordance with the appointment procedures provided by law and City Ordinance; and

WHEREAS, Draper City Municipal Code 2-5-040 requires that the City Recorder be appointed by a majority vote of the City Council; and

WHEREAS, Draper City Municipal Code 2-5-020 requires the advice and consent of the City Council in order for the Mayor to fill a vacancy in an appointed office; and

WHEREAS, Nicole Smedley has the credentials, experience, and professionalism necessary to be the City Recorder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Appointment. The Mayor is hereby authorized to appoint Nicole Smedley as City Recorder, in accordance with appointment procedures provided by law and City Code.

Section 2. Severability Clause. If any part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all provisions, clauses and words of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall take effect on February 18, 2025.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 21ST DAY OF JANUARY 2025.

Mayor Troy K. Walker

ATTEST:

Laura Oscarson, MMC, City Recorder

VOTE TAKEN:

Councilmember Green
Councilmember Johnson
Councilmember T. Lowery
Councilmember F. Lowry
Councilmember Vawdrey
Mayor Walker

YES	NO	ABSENT
—	—	—
—	—	—
—	—	—
—	—	—
—	—	—
—	—	—

MEMO



To: City Council
From: Travis DeJong
Date: 2025-01-21

Re: Public Hearing: Providing Local Consent for a Single Event Permit for Craft Culinary Concepts LLC dba Vermilion Hospitality Group.

Comments:

Craft Culinary Concepts LLC dba Vermilion Hospitality Group will hold an event serving alcoholic beverages on February 14, 2025 from 5:00PM until 11:00PM at 12033 S Lone Peak Pkwy . They are seeking Local Consent for a Single Event Permit.

They have provided the following:

- Liquor liability insurance.
- Bond payable to the Department of Alcoholic Beverage Services.
- Floor map showing where alcohol is to be served, stored, and consumed.
- A background check conducted by the Bureau of Criminal Identification.

The findings for Local Consent approval are as follows:

- Per Utah State Code 32B-9-201(5), single event permits do not have any proximity requirements to meet.
- DCMC 6-4-050 states that organizations are limited to four (4) single event permits per calendar year if at least one permit is a one hundred twenty (120) hours single event permit. Organizations may apply for up to twelve (12) single event permits per calendar year if they are all seventy-two (72) hour single event permits.
 - The applicant has applied for one seventy-two hour permit in calendar year 2025 and meets this requirement.
- DCMC 6-4-050 places no restrictions on the total number of single event permits that can be granted by the City.

ATTACHMENTS:

[Bond.pdf](#)

ATTACHMENTS:

[Floor Map.pdf](#)

ATTACHMENTS:

[Liquor Liability Insurance.pdf](#)

ATTACHMENTS:

[Craft Culinary Concepts PowerPoint.pdf](#)

UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE SERVICES

1625 S 900 W • PO Box 30408 • Salt Lake City, UT 84130-0408 • Phone (801) 977-6800 • Fax (801) 977-6889

SINGLE EVENT BOND

BOND # 108080079

KNOW ALL PERSONS BY THESE PRESENTS:

That Principal, Craft Culinary Holdings LLC, a single event permittee, doing business as (DBA) Vermilion Hospitality Group, and Surety, Travelers Casualty and Surety Company of America, a corporation organized and existing under the laws of the state of CONNECTICUT and authorized to do business in Utah, are held and bound unto the Utah Department of Alcoholic Beverage Services in the sum of \$1,000, for which payment will be made, we hereby bind ourselves and our representatives, assigns, and successors firmly by these presents.

Dated this 27 day of June, 2024.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, the above principal has made application to the Utah Alcoholic Beverage Services Commission for a single event permit pursuant to the provisions of 32B-9-304, Utah Code.

NOW, THEREFORE, if said principal, its officers, agents, and employees shall faithfully comply with the provisions of Title 32B, Utah Code, and the rules and directives of the Utah Alcoholic Beverage Services Commission and the Utah Department of Alcoholic Beverage Services, then this bond shall be void; but, if said principal, its officers, agents, and employees fail to comply with the provisions of the laws, rules and directives or orders as the commission or department may issue, then this bond shall be in full force and effect and payable to the Utah Department of Alcoholic Beverage Services. This bond shall run for a continuing term effective June 27, 2024 unless canceled by service of written notice upon the Utah Department of Alcoholic Beverage Services, which cancellation shall be effective 30 days after receipt of such notice; provided, however, that no part of this bond shall be withdrawn or canceled while violations, legal actions or proceedings are pending against said permittee/principal.

Travelers Casualty and Surety Company of America

Surety

Bonnie L. Rice
Attorney in fact

Bonnie L. Rice

Craft Culinary Holdings LLC dba Vermilion Hospitality Group

Principal / Licensee

Char Bustos
Authorized signature

Char Bustos / Corporate
Name / Title Controller

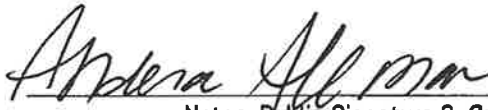
{ Corporate Seal }

STATUTORY AFFIDAVIT FOR CORPORATE SURETY

STATE OF: Tennessee

COUNTY OF: Knox

On the 27 day of June, 2024, personally appeared before me,
Bonnie L. Rice, who, being by me duly sworn, did say that he / she is
the attorney in fact of Travelers Casualty and Surety Company of America, Surety, and that said instrument
was signed in behalf of said surety by authority, and acknowledged to me that he / she as such attorney in
fact executed the same.



Notary Public Signature & Seal

Andrea Allman

Commission Expires: February 28, 2028



Note: *Corporate surety's own certificate/affidavit also acceptable*



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company
Farmington Casualty Company**

POWER OF ATTORNEY

Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, St. Paul Fire and Marine Insurance Company, and Farmington Casualty Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and the Companies do hereby make, constitute and appoint **Bonnie L. Rice** of **KNOXVILLE, TN** their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge the following bond or undertaking, and any riders thereto:

Surety Bond No.: 108080079

Principal: Craft Culinary Holdings LLC dba Vermillion Hospitality Group

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **16th** day of **February, 2024**.



State of Connecticut

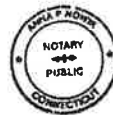
City of Hartford ss.

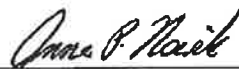
By: 
Bryce Grissom, Senior Vice President

On this the **16th** day of **February, 2024**, before me personally appeared **Bryce Grissom**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2026**




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

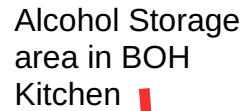
I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **27** day of **June, 2024**.

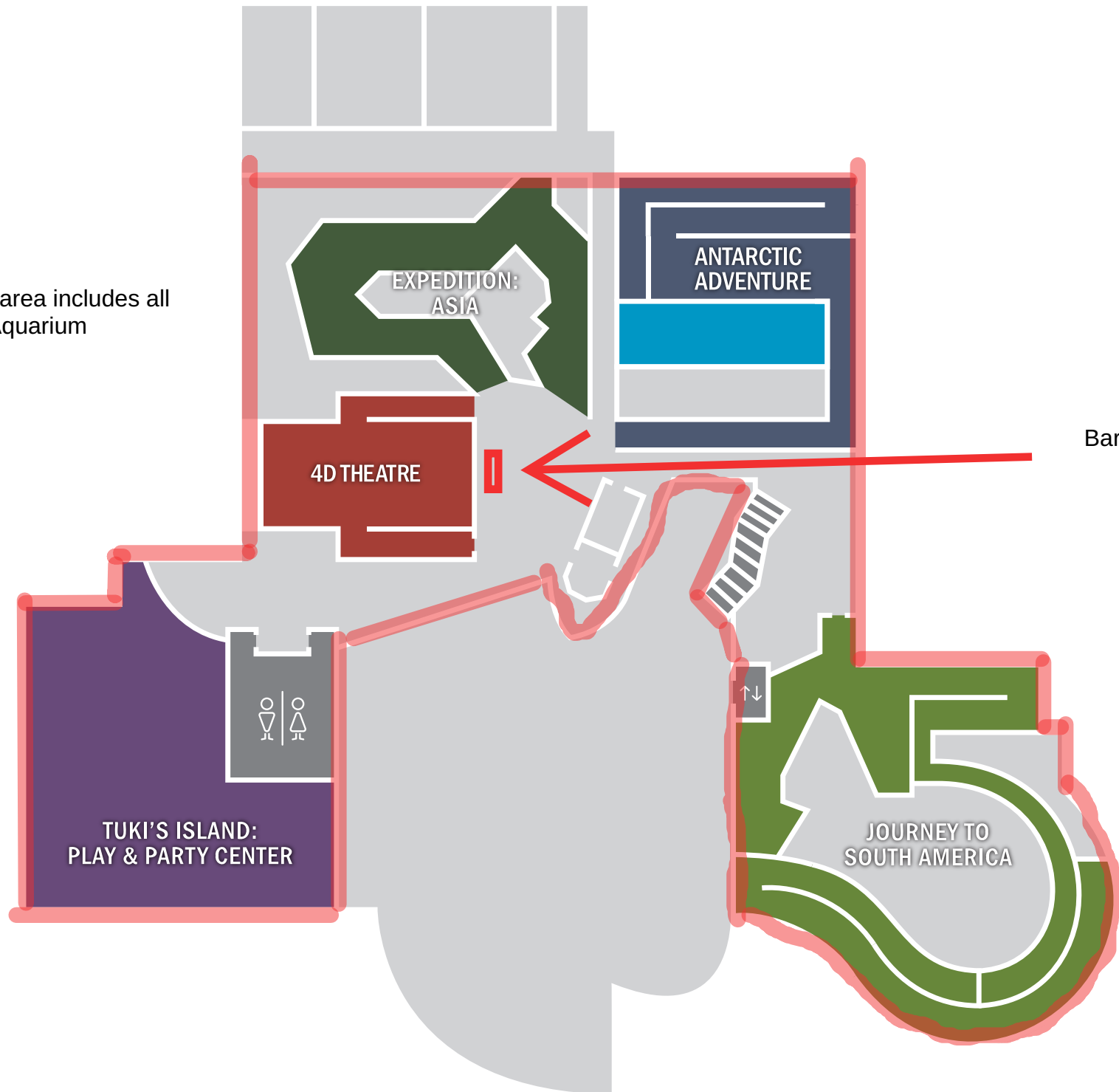



Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**



Consumption area includes all areas within Aquarium





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/12/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MARSH USA LLC. 2325 E. Camelback Road Suite 600 Phoenix, AZ 85016 Attn: Phoenix.CertRequest@marsh.com / F: 212-948-4364 CN102576016-LL2-GAWUX-24-25	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A : The Charter Oak Fire Insurance Company INSURER B : N/A INSURER C : N/A INSURER D : N/A INSURER E : INSURER F :	NAIC # 25615 N/A N/A N/A
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COVERAGES **CERTIFICATE NUMBER:** LOS-002706689-07 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:			P6303Y022784COF24	05/01/2024	05/01/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability			P6303Y022784COF24	05/01/2024	05/01/2025	Each Common Cause \$ 1,000,000 Aggregate \$ 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: Location at 12033 South Lone Peak Parkway, Draper, UT 84020

CERTIFICATE HOLDER

Department of Alcohol Beverage Services
1625 S 900 W
Salt Lake City, UT 84104

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Marsh USA LLC

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Draper City Business Licensing Single Event Permit

Craft Culinary Concepts LLC
dba Vermilion Hospitality Group

12033 S Lone Peak Pkwy
Draper, UT 84020

Travis DeJong



Details



Kisses and Fishes

Date(s) and time: February 14, 2025 5:00pm to 11:00pm

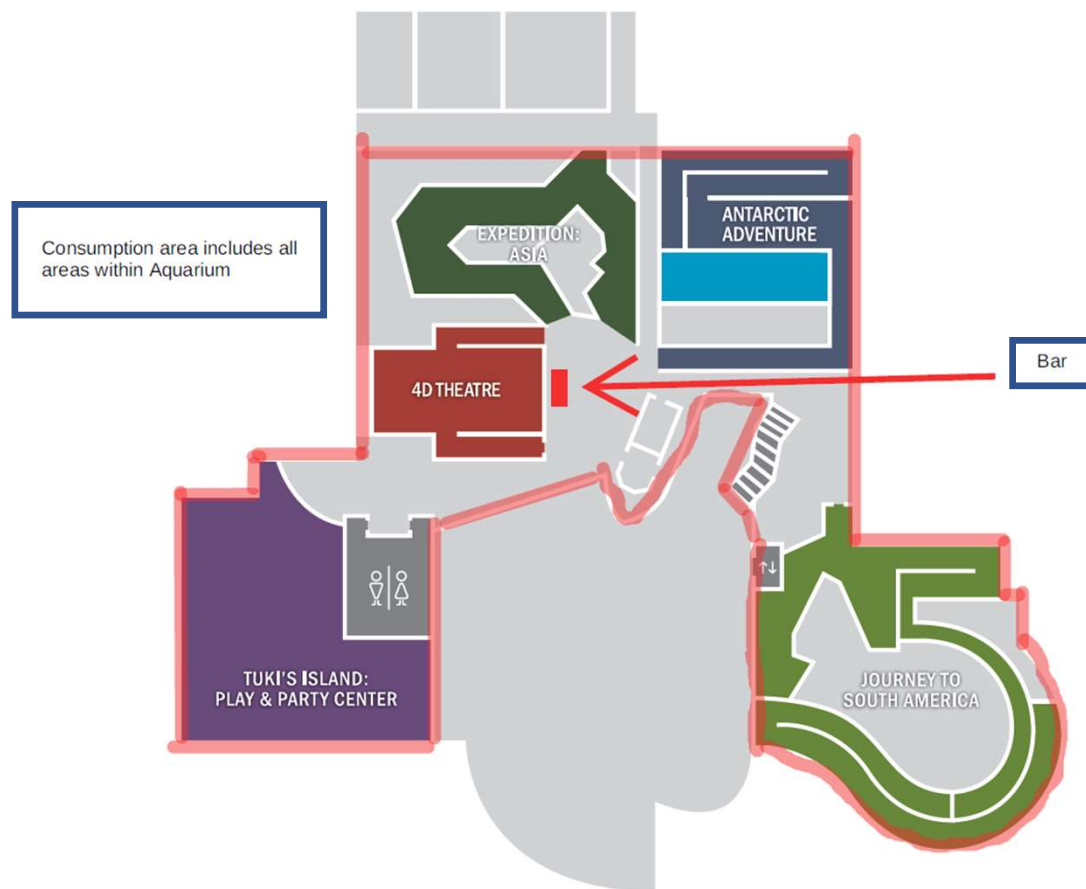
Single Event Permits allow the storage, sale, and consumption of alcohol for a limited duration (up to 120 hours).

Bars will Serve

- Beer
- Wine
- Liquor



Details Cont.



Single Event Permits allow the storage, sale, and consumption of alcohol for a limited duration (up to 120 hours).

Bars will Serve

- Beer
- Wine
- Liquor

Kisses and Fishes

Floor 2

Date(s) and time: February 14, 2025 5:00pm to 11:00pm



Qualifications

a. Number Of Permits: Qualifying organizations may apply for up to four (4) single event permits per calendar year if one or more of the single event permits is a one hundred twenty (120) hours single event permit; or up to twelve (12) single event permits per calendar year if each of the single event permits is a seventy-two (72) hour single event permit. ...

Applicant has only applied for one 72 hour event permit in 2025.



Action: Provide Local Consent or Deny Local Consent

DCMC 6-4-050: ON PREMISES LICENSES

e. Restrictions On Licenses: There shall be no limitation on the number of single-event permits granted by the City.

