



CITY COUNCIL AGENDA

Tuesday, September 1, 2026, 6:30 PM
1020 E. Pioneer Rd.
Draper, Utah 84020

6:30 PM STUDY SESSION (ADMINISTRATIVE CONFERENCE ROOM)

CLOSED MEETING, IF NECESSARY - TO BE ANNOUNCED IN MOTION

The Draper City Council may temporarily recess the meeting and convene in a closed meeting as provided by UCA § 52-4-205.

Council/Manager Reports

7:00 PM BUSINESS SESSION

1. **Call to Order**

2. **Pledge of Allegiance**

3. **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.

4. **Consent Items**

4.a **Approve the August 12, 2026 and August 18, 2026 City Council Meeting Minutes**

4.b **Approve Resolution #26-40**

A resolution reappointing Geneva Woodmansee as a member of the Draper City Parks, Trails, and Recreation Committee. Staff: Kellie Challburg.

4.c **Approve Resolution #26-41**

A resolution appointing Laura Fidler as a regular member of the Draper City Planning Commission. Staff: Kellie Challburg.

4.d **Approve Resolution #26-42**

A resolution appointing Drew Martinez as an alternate member of the Draper City Planning Commission. Staff: Kellie Challburg.

5. **Items for Council Consideration**

5.a Action Item: Approve Ordinance #1737

An ordinance of the Draper City Council amending Title 3, Chapter 4 of the Draper City Municipal Code regarding Government Records Access and Management. Staff report by Nicole Smedley.

6. Recess to a Community Reinvestment Agency Meeting

7. Adjournment

I, the City Recorder of Draper City, certify that copies of this agenda for the **Draper City Council** meeting to be held **September 1, 2026**, were posted at Draper City Hall, Draper City website www.draperutah.gov, and the Utah Public Notice website at www.utah.gov/pmn.



Nicole Smedley, CMC, 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 Nicole Smedley, City Recorder at (801) 576-6502 or nicole.smedley@draperutah.gov, at least 24 hours prior to the meeting.

MEMO



To: City Council

From:

Date: 2026-09-01

Re: Approve the August 12, 2026 and August 18, 2026 City Council Meeting Minutes

Comments:

ATTACHMENTS:

[2026-08-12 DRAFT Truth in Taxation Public Hearing Minutes.pdf](#)

ATTACHMENTS:

[2026-08-18 DRAFT City Council Meeting Minutes.pdf](#)

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, AUGUST 12, 2026, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Kathryn Dahlin, Bryn Heather Johnson (via Zoom), Tasha Lowery, and Fred Lowry

EXCUSED: Councilmember Mike Green

STAFF: Mike Barker, City Manager; Kellie Challburg, Assistant City Manager; Pat Evans, Lieutenant; Rhett Ogden, Parks and Recreation Director; Linda Peterson, Communications Director; Nicole Smedley, City Recorder; Jake Sorensen, Network Manager; John Vuyk, Finance Director, and Jared Zacharias, Deputy Finance Director

1. Call to Order by Mayor Troy K. Walker

2. Public Hearing: Proposed Property Tax Rate Increase

Mayor Walker said the Council would hear public comment on the proposed property tax increase, but would not take action that evening. Finance Director John Vuyk presented a property tax impact statement and schedule for Draper residents in Salt Lake County. The property tax rate was estimated to increase the current tax rate from .000902 to .001128, and generate approximately \$2,696,000 (\$2,455,712 Salt Lake County + \$122,224 Utah County) of additional ad valorem tax revenue (25% increase) to be used to pay for operational and compensation costs.

	Monthly	Annual	%
Estimated increase to primary residence valued at \$941,000 (Salt Lake County)	\$9.75	\$116.97	25.0%
Estimated increase to a business valued at \$941,000 (Salt Lake County)	\$17.72	\$212.67	25.0%

Mr. Vuyk said with the property tax increase Draper would: reduce its reliance on fund balance to meet ongoing operational needs of the City; fund three new firefighter positions, reducing firefighter fatigue and reliance on overtime to meet minimum staffing levels; and have necessary funding to continue annual playground replacements at the recommended level in order to maintain compliance with risk and insurance mandates. Mr. Vuyk presented the combined notice of proposed tax increases throughout Salt Lake County, as required by State law, and displayed the notice on screen.

Councilmember F. Lowry asked what would happen if the Council did not approve the proposed tax rate increase. Mr. Vuyk said the FY2027 Budget appropriated almost \$3.3 million of Fund Balance to balance the budget, in addition to the property tax rate increase. He stated that if the proposed property tax increase was not approved, the appropriation from Fund Balance would increase by another \$2,461,000, for a total appropriation of \$5,756,700, reducing Fund Balance from 35% to 25%. He stated that the \$3.3 million appropriation would reduce Fund Balance to 29%.

Councilmember Johnson referred to the cost of major emergencies such as the 100-year rainstorm, and asked about the risk of reducing Fund Balance to 25%. Mr. Vuyk said Fund Balance represented the City's "rainy day fund", and reducing the balance to 25% would mean the City had less money for large emergencies. He said the State currently capped municipal fund balance at 35%, but there had been talk of the State lowering the cap, which was one reason staff proposed reducing Fund Balance in the FY2027 Budget down to 29%. Mr. Vuyk spoke of the importance of having a long-term financial plan and preparing for the future.

Councilmember T. Lowery said she had been impressed with the City's sales tax revenue, and pointed out the property tax rate would need to be higher if the City's sales tax revenue were lower. Mr. Vuyk said increased property tax or reduced services were the two options available to the City. He said the City had seen double-digit increases in sales tax revenue five to ten years ago, but the rate of new businesses coming into the City had slowed and sales tax revenue had become more volatile.

2.a Public Hearing: Proposed Property Tax Rate Increase – Salt Lake County

Mayor Walker opened a public hearing for the proposed property tax increase for Draper residents in Salt Lake County.

Alberto de la Torre, Draper resident, said he did not hear mention in the presentation of cutting costs, which he personally had to do every month and every year. He said it seemed when politicians wanted to spend money, they reached into the tax payer pocket. He said additional revenue from new growth had not been shown, and said he did not understand why politicians could not live within a budget.

Thomas Aramayo said his questions had been addressed in the presentation.

Michelle Polish, Draper resident, said most of her questions were answered in the presentation, and asked if the spreadsheet could be made available to residents. She asked if the City would consider a tax reduction if revenues ever improved, and asked what measurable outcomes the tax payers would receive from the proposed increase. Ms. Polish asked about alternate solutions discussed by the Council. She said she had understood the first responder costs that were discussed, but asked if there were less expensive, longer lasting options available for playgrounds. She asked if elected official compensation would increase with the proposed tax rate increase.

Quin Horrocks, Draper resident, said he did not think the title “truth in taxation” was accurate, and expressed confidence that tax rates would continue to go up like everything else. He said he had to live within his budget, and referred to flood tax revenue received by the City. Mr. Horrocks suggested reducing snow-plow/street-salt service on 13800 South, and suggested better cooperation in park maintenance. He said increasing the property tax rate was not the answer, and expressed the opinion that something needed to change.

Mayor Walker called a brief break to allow staff to reconnect the Zoom feed.

Ashley Collier, Draper resident, said as a realtor, mortgage broker, and contractor, she helped residents buy, sell, build, and finance homes. She said she opposed the proposed property tax rate increase. She said people were angry about the rising cost of living, and said many Draper residents lived on fixed incomes. Ms. Collier spoke of the rising cost of insurance premiums and property taxes. She said the fact that Draper tax payers were funding a flock safety camera system without public consent was only one example of how money was being misspent.

Julene Walton, Draper resident, said she attended a Council meeting for the last proposed tax increase, and said she believed the Council had already decided before the public hearing. She said with the proposed increase, the Council would have increased property taxes 45% in the last

three years. She said the City population had grown 800% in the last 30 years, and said every new building represented more property tax revenue, and the proposed increase in tax appeared to be nothing more than greed. She said everyone had to do more with less.

Scott Brown, Draper resident, said that the Council would be making an uninformed decision if the decision was based on the presentation given that evening. He said his property value went up every year, so property tax revenue received by the City would increase accordingly. He said property tax should be a last resort, and suggested the Council look at reducing costs.

Jeff Hansen, Draper resident, asked the Council to respect the residents who attended that evening, and listen to what the community said. He said inflation had been killing his family over the last six years, and listed multiple entities that were increasing tax rates. Mr. Hansen suggested commercial areas should be taxed more than other areas for police and fire services. He commented that Draper had a lot more homes and businesses in recent years, and asked why a property tax increase was necessary.

Shauna Fuller, Draper resident, said she wondered if community members would be willing to help cut costs by volunteering to help clean up where they could. She said she only knew about the public hearing because a friend texted her, and suggested more of a public notice effort. Ms. Fuller suggested a "shop local" campaign.

Mayor Walked welcomed participation from online attendees.

Christian Shank, Draper resident, said he strongly opposed the aggressive property tax rate increase. He said asking residents to pay higher taxes based on skyrocketing home valuations was not fair. He said the City had successfully run structural operating surpluses in six of the last ten fiscal cycles, and said the existing tax rates generated more than enough revenue under normal conditions. Mr. Shank suggested the Council start tightening the budget, beginning with cancelling the \$39,000 annual renewal fee for the flock surveillance system. He also suggested cutting back on the discretionary community events budget. He urged the Council to prioritize residents and vote against the tax increase.

Marvin Cluff, Draper resident, said he was surprised about the late notification of the meeting. He said he disagreed with the suggestion to eliminate the flock security cameras. He said a 45% property tax increase was difficult to absorb, and suggested half in FY2027 and half in FY2028. Mr. Cluff emphasized that services the residents wanted had to be paid for, and suggested the City do a better job of campaigning for annual rate increases.

Mayor Walker closed the public hearing, and thanked residents for their comments and their time.

2.b Public Hearing: Proposed Property Tax Rate Increase – Utah County

Mr. Vuyk presented a property tax impact statement and schedule for the Utah County portion of Draper City. He stated that the proposed tax rate was estimated to increase the current tax rate from .000902 to .001128, and generate approximately \$2,696,000 (\$2,455,712 Salt Lake County + \$122,224 Utah County) of additional ad valorem tax revenue (25% increase) to be used to pay for operational and compensation costs. Mr. Vuyk said a public hearing would be held on August 18, 2026 in conjunction with adoption of the final budget. Mr. Vuyk presented the combined notice of proposed tax increases throughout Utah County, as required by State law, and displayed the notice on screen.

	Monthly	Annual	%
Estimated increase to primary residence valued at \$838,000 (Utah County)	\$8.68	\$104.17	25.0%
Estimated increase to a business valued at \$838,000 (Utah County)	\$15.78	\$189.38	25.0%

Mayor Walker opened a public hearing for the proposed property tax rate increase for the portion of Draper in Utah County, and closed the public hearing seeing no one come forward.

Mayor Walker said in his 18 years of elected service on the Council and as Mayor, there had been one property tax rate increase. He referred to a public comment suggesting smaller annual increases, and said it had been his desire to not take residents' money unless the City needed it, and during years in which a property tax rate increase was not proposed,

it had not been needed. He said Draper had years of amazing sales tax growth that made a property tax rate increase unnecessary for a long time. Mayor Walker said the City tried a 10% property tax rate increase in FY2026, but the increase was not allowed by the State because of a technicality. He said he, staff, and the Council had spent months going over every line of the budget and cutting where possible.

Mayor Walker emphasized that costs of providing services had increased. He explained that the approximately \$11 million in property tax revenue would not cover the \$14,346,400 budgeted for Police Department expenses, and said sales tax revenue had allowed the property tax rate in Draper to remain relatively low.

Mayor Walker said many Draper residents lived within the Wildland Urban Interface (WUI). He spoke of the high quality of fire service provided by the City, and said the City's insurance rating helped enable some residents in the WUI to be able to obtain home insurance. Mayor Walker said Draper strove to provide the best quality public safety with good, fair pay.

The Mayor said resident survey responses had overwhelmingly asked for parks and recreation services, and said the Council had prioritized a substantial amount of money for parks and recreation. He spoke of the high cost of playground maintenance.

Mayor Walker stated the only way to significantly reduce the budget was to significantly reduce public safety personnel and equipment. He said he agreed with the public comment suggestion to raise fees for recreation participation, and said the Council could consider the suggestion. Mayor Walker said the City ran lean and did not have extra staff and positions that could be cut from the budget without reducing service level.

Responding to the public comment suggestion to cut the budget for events, Mayor Walker said the budget for Draper Days had been cut, and rodeo fees had been increased. He said residents had overwhelmingly said they liked and wanted the community events provided by Draper.

Mayor Walker explained equalization of property tax in the State of Utah, and said if a property value increased, the tax rate decreased. The State

Legislature had set up property tax so that the only way for a city to receive increased property tax revenue was to go through the truth in taxation process. He repeated that Draper City had only increased the property tax rate one time in the last 18 years, and said other taxing entities had increased rates fairly regularly. Mayor Walker stated that an elected-official compensation increase was not included in the proposed property tax rate increase.

Mayor Walker said the proposed property tax rate increase would not balance the FY2027 Budget, and repeated that even with the proposed increase, \$3,295,700 would be taken from Fund Balance. He spoke of the need to maintain sufficient reserves to be able to respond to emergency situations.

Mayor Walker spoke of The Point development, and potential for sales tax revenue in the future. He said Draper was a safe community with low crime, and said he did not think cutting emergency services to avoid a property tax rate increase would be in the community's best interest. He commented that many cities provided emergency services through special service districts that levied their own tax. Mayor Walker said he and the Council paid property tax just like everyone else, and said he personally believed property tax in Draper was a fair amount of money for the services provided.

Councilmember Dahlin encouraged residents to sign up for email and text notifications from the City. Councilmember Johnson said she appreciated everyone who attended and shared comments. Councilmember Johnson suggested Mr. Vuyk further explain how sales tax and property tax worked in Utah. She said she thought the Mayor did a good job of explaining that Draper did not receive increased property tax revenue from increased property values.

Mr. Vuyk explained that the State established property tax in a way that held municipal property tax revenue steady, with the exception of new growth. Councilmember Dahlin pointed out that additional explanation and information was available on the City website.

Mayor Walker invited residents to the Council meeting on August 18, 2026.

3. Adjournment

Councilmember F. Lowry moved to adjourn the meeting. Councilmember Dahlin seconded the motion, which passed by unanimous vote.

The meeting adjourned at 7:53 pm.

DRAFT

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, AUGUST 18, 2026, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Kathryn Dahlin, Mike Green (via ZOOM), Bryn Heather Johnson, Tasha Lowery, and Fred Lowry

EXCUSED:

STAFF: Mike Barker, City Manager; Kellie Challburg, Assistant City Manager; Scott Cooley, City Engineer and Public Works Director; Spencer DuShane, Assistant City Attorney; Rich Ferguson, Chief of Police; Traci Gundersen, City Attorney; Jennifer Jastremsky, Community Development Director; Rhett Ogden, Parks and Recreation Director; Derek Orth, Human Resource Director; Nicole Smedley, City Recorder; Clint Smith, Fire Chief; Jake Sorensen, Network Manager; and John Vuyk, Finance Director

Study Session

Closed Meeting

The Council did not meet in a closed session.

Report: Great Salt Lake Preservation Efforts

Jacob Young, General Manager for Jordan Valley Water Conservancy District (JVWCD), said because of conservation efforts in the last few years, JVWCD had been able to dedicate 21,000 acre-feet of water per year to the Great Salt Lake (almost one-third of the total amount that had been dedicated to date). He thanked Draper City for being part of the conservation efforts. Mr. Young said JVWCD had declared a Level 2 drought in the service area and asked for a 10% reduction in water use, and Draper City was currently at an 11% reduced water consumption level compared to the previous year.

Aspen Johnston, Strategic Coordinator in the Great Salt Lake Commissioner's Office, said the Great Salt Lake was unique in the world, and crucial to the area for ecological, economic, social, and other reasons. Mr. Johnston gave a presentation about how the Great Salt Lake had changed over time, and described efforts to increase the level of water in the lake.

Councilmember Johnson asked what Draper residents could do to help, and Mr. Johnston said residents could help by using less water outdoors. Mr. Young encouraged changing landscapes from being lawn dominant to water efficient. He said increased conservation efforts contributed to the delay of costly supply improvement projects.

Councilmember F. Lowry asked what impact 70,000 acre-feet of water would have on the Great Salt Lake. Mr. Johnston responded the impact would not be visible after one year, and said the objective was to change the trajectory of the Great Salt Lake on a long-term scale.

Mr. Johnston spoke of comprehensive municipal conservation strategies and flexible water management options. He shared his contact information and welcomed feedback from the Council. He invited the Council to participate in an air boat and education center tour at Farmington Bay. Responding to a question from Councilmember T. Lowery, Mr. Johnston said he believed there was a need for more urgency on the issue, and said the Commissioner's Office was doing everything the agency could do to the best of their ability to result in positive outcomes for the Great Salt Lake.

Discussion: Community Reinvestment Agency Overview

Jason Burningham with LRB Public Finance Advisors provided an overview of Community Reinvestment Agency (CRA) project areas and tax increment financing within Draper. Mr. Burningham said Draper currently had six active project areas: FrontRunner CDA, Crescent RDA, South Mountain CRA, Sand Hills RDA, East Bangerter EDA, and West Freeway. Each of the project areas had far outpaced what any natural development would have been. Some of the project areas were required to use a portion of project area tax increment income to benefit housing issues in the area. Mr. Burningham said the project area fund balances totaled almost \$31 million combined.

Councilmember F. Lowry asked if some of the available funds could be used to incentivize commercial in a particular vacant strip mall area. Mr. Burningham said there were guardrails for how some of the funds could be spent. Some of the funds could only be spent for a specific project area, and some of the funds were flexible. He emphasized that Sand Hills RDA, East Bangerter EDA, and West Freeway project areas only had two years remaining to expend funds or commit funds before money would be lost.

Councilmember T. Lowery asked about using some of the Crescent RDA funds to straighten Kimballs Junction at 700 East. Mr. Burningham said Crescent RDA had the most flexibility. He said the Council, acting as the RDA Board, could find that an infrastructure project would benefit and improve the project area, even if the project was outside the project area. He said he was confident the suggested project could qualify. Mr. Burningham said his team could help staff put together a list of projects. He suggested considering infrastructure projects that would help support affordable housing initiatives.

Responding to a question from Councilmember T. Lowery, Mr. Burningham said the biggest difference between a Housing and Transit Reinvestment Zone (HTRZ) and a CRA was governance. He said the plan and the budget for an HTRZ were specific to State initiatives and what the State wanted to accomplish. Mr. Burningham said it was important to look at the balance between local control and objective, and potential benefits and revenues from an HTRZ that would help support the objective. He suggested a project would need to be regionally significant for an HTRZ to make sense. Mr. Burningham encouraged members of the Council to reach out to him with questions about potential projects.

Council/Manager Reports

Business Session

1. **Call to Order by Mayor Troy K. Walker**
2. **Pledge of Allegiance led by Jake Sorensen**
3. **Oaths of Office**
Mayor Walker introduced Youth Council leadership, and Nicole Smedley administered the Oath of Office to new Draper City Youth Council members.
4. **Public Comments**
Sarah Brinkerhoff, Draper Library Branch Manager, said the branch would be closed for three months beginning the end of August for an update to the building.

Chase Kimball, Draper resident, asked the Council to put Flock cameras on the agenda for the next Council meeting to consider cancelling the contract. He said he had respect for police and what they did for the community, but expressed the opinion that the cameras violated Constitutional rights under

the 4th Amendment, and said the principle behind the 4th Amendment was to prevent policing from being taken to an extreme. He said the cameras twisted the idea of how policing should work by collecting data on innocent citizens.

Scott Standage said he agreed with Mr. Kimball's comments. He said he hoped Draper did not raise taxes, and expressed the opinion that Draper did not need more police on the road. He said he believed there was waste, fraud, and abuse in Draper City government, and asked if every line item in the budget had been examined to find things that could be cut.

Alberto de la Torre, Draper resident, said he concurred with Mr. Kimball's comments. He said he did not know how a city government could be run if residents only had three minutes to talk at the Council, and said some topics required more time than was allotted. Mr. de la Torre said residents were forced to live within their own budgets, and said he did not know how the City could justify raising taxes. He said he felt residents should have been asked for feedback before Flock cameras were implemented in Draper, and said the cameras were against 4th Amendment rights. He asked the Council to put Flock cameras on a future agenda.

Gary Free, Draper resident, congratulated the Council for everything they did for the City. He said a memorandum of understanding had been submitted regarding a museum for the City, and spoke of individuals who would submit additional comments. He emphasized that he would want the project to be financially feasible, and commented on the tax advantage of being a public facility.

Chris Foresta, Draper resident, expressed support for moving forward with a Draper historical museum and event center. He said the Historical Society was trying to preserve historical documents and artifacts in a facility never intended for long-term storage of such items. Mr. Foresta said he believed the concept and proposal deserved serious consideration. He asked the Council to continue working toward a formal agreement and help make the museum a reality.

Kathy Free, Draper resident, said she grew up with museums and developed a love and appreciation for the history of America. She expressed the opinion it would be lovely to see the history of Draper in a museum, because there was a lot to highlight and show.

5. Consent Items

5.a Minutes of the August 4, 2026 City Council Meeting

Councilmember Johnson moved to approve the Consent Agenda. Councilmember T. Lowery 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 Dahlin	X		

6. Items for Council Consideration

6.a Public Hearing: Ordinance #1736 amending the text of Chapter 9-11 of the Draper City Municipal Code related to residential units in the Town Center

Planner Todd Taylor said proposed text amendments were in response to errors in the text concerning the Town Center. He presented proposed text amendments pertaining to existing structures in Town Center, and said the Planning Commission reviewed the amendments and forwarded a positive recommendation.

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

Councilmember F. Lowry moved to adopt Ordinance #1736. 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 Dahlin	X		

6.b Public Hearing: Resolution #26-39 adopting the final Draper City Budget including compensation schedules and adopting the certified tax rate for the fiscal year 2026-2027

Finance Director John Vuyk showed a timeline of the FY2027 Budget process, which began in October of 2025. He said departments were asked to be prepared to make a 5% cut in departmental budgets. Mr. Vuyk shared a graph of sales tax growth in Draper since 2018, and emphasized that sales tax revenue had flattened out since 2023. He said the City needed to find a different source of revenue to cover continually increasing costs. Mr. Vuyk showed a table of City staffing since 2018, and said City staff had grown in response to the growth in Draper City. He showed a comparison of total number of city employees in other area cities, with the number of employees in Draper being low compared to Sandy City, West Jordan, and South Jordan.

Councilmember T. Lowery said when she started on the City Council, the City had been understaffed in Police and Fire for quite a long time, and had experienced an increase in crime. As the two departments had grown closer to what could be considered fully staffed, there had been a sharp decrease in crime in Draper. She said the City now had highly qualified paramedic staff that provided a high level of service to residents. Councilmember T. Lowery said public safety represented a large portion of the City budget, but also had tremendous value. Councilmember Green commented that traffic accidents had also decreased across the City.

Councilmember Johnson said she believed it was more financially responsible to be able to retain quality employees instead of hiring, training, and losing employees to higher paying entities. Police Chief Rich Ferguson said the worst business plan he could think of was to hire and train really good people and then lose them to competitors. He said it had been refreshing to see the level of support in Draper in recent years, and to be able to keep trained officers in the City.

Fire Chief Clint Smith said one of the most prevalent issues in public safety was poor mental health from stress and being required to work more than regular hours to cover shortages. He said the three additional firefighter positions would help keep staffing where it needed to be and lower the need for as much overtime, which took a heavy toll on firefighters.

Councilmember Dahlin said she appreciated the emphasis on public safety in Draper in recent years. She asked if the requested 5% reduction in departmental budgets had happened. Mr. Vuyk said there had been cuts, particularly within the Public Works Department. He said it was determined that a full 5% cut in some departments would not provide a positive impact, since the impact residents would see and experience would not justify the cuts that were proposed.

Responding to a question from Councilmember Dahlin, Mr. Vuyk confirmed that even with the proposed property tax rate increase, \$3,295,000 would be appropriated from Fund Balance to balance the FY2027 Budget, reducing the City's reserves. He said the City's Fund Balance was currently at the maximum 35% allowed by State law, and said he believed reducing the amount somewhat was prudent and something the City could afford to do.

Responding to a question from Councilmember F. Lowry, Chief Smith confirmed that without the three new firefighter positions, the number of firefighters on call at a time would need to reduce, possibly reducing the City's ISO (Insurance Services Office) fire rating. He said the current level of mandatory overtime was not sustainable.

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

Councilmember Johnson moved to adopt Resolution #26-39 adopting the Final Draper City Budget including compensation schedules, and adopting the Certified Tax Rate for the Fiscal Year 2026-2027. Councilmember T. Lowery seconded the motion.

Councilmember Dahlin said she appreciated the hard work and discussions that went into preparing the budget. She stated she was concerned about the spending pattern, said she believed the Mayor had led well during his time in the position, and said she believed sometimes tax increases were necessary. Councilmember Dahlin said her own family had struggled with inflation, and knew others were in the same position. She said there needed to be a balance. She said she believed adding three firefighter positions was better than continuing the current overtime pattern. Councilmember Dahlin said she believed it was important for the City to make hard cuts when asking residents for more property tax revenue.

Mayor Walker said Draper had implemented one property tax rate increase during his more than twenty years as an elected official. He emphasized that in Utah, municipalities did not receive an increase in property tax revenue when the value of homes increased. As property values increased, property tax rates decreased. Mayor Walker said he did not like raising property taxes, and pointed out the property tax rate increase would not balance the budget without drawing from Fund Balance. He spoke of good sales tax potential in the next several years, inflation, the City's comprehensive road improvement program, complex emergency measures, and the City's blended budget versus special service districts in other cities. He expressed the opinion that the blended budget was clear and transparent.

Councilmember Johnson thanked Mayor Walker for the information he had shared during the process to clarify how the City received revenue. She said the City had been successful in reducing budgets in many areas, and said she found it very impressive that Draper had been able to cover increased costs with sales tax revenue for 17 years.

Councilmember Dahlin said she believed it was important that the City had raised the level of service, but expressed concern that it had been done with deficit spending. She said she would support the budget and the proposed property tax rate increase because she believed in paying for what was promised, although she felt what was promised needed to be reviewed going forward. Councilmember T. Lowery commented that personnel was an ongoing expense, and pointed out there were cities that raised the property tax rate a small amount every year to keep up with inflation.

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 Dahlin	X		

- 6.c Action Item: Ordinance #1734 amending Title 3 of the Draper City Municipal Code governing the structure and procedures of the Planning Commission as required by State law

Assistant City Attorney Spencer DuShane said State law had changed concerning how Planning Commissions operated. He said adoption of Ordinance #1734 would delegate the authority to appoint and remove members of the Planning Commission to the Mayor with Council consent, consistent with current City practice. Mr. DuShane listed mandatory reasons for removal from the Planning Commission, and reviewed recusal and consanguinity or affinity with the Council.

Councilmember Dahlin moved to adopt Ordinance #1734. 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 Dahlin	X		

7. Recess to a Community Reinvestment Agency Meeting

Councilmember F. Lowry moved to recess to a CRA meeting at 8:35 pm. 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 Dahlin	X		

The Council returned to regular meeting at 8:58 pm.

8. Adjournment

Councilmember Green moved to adjourn the meeting. Councilmember Johnson seconded the motion, which passed by unanimous voice vote.

The meeting adjourned at 8:59 pm.

MEMO



To: City Council

From:

Date: 2026-09-01

Re: Approve Resolution #26-40

Comments:

ATTACHMENTS:

[R-26-40, PTRC Reappointment.doc](#)

RESOLUTION NO. 26-40

A RESOLUTION REAPPOINTING GENEVA WOODMANSEE AS A MEMBER OF THE DRAPER CITY PARKS, TRAILS AND RECREATION COMMITTEE

WHEREAS, the City is authorized to establish boards, commissions and committees within the City as deemed appropriate by the City Council; and

WHEREAS, the City has created a Parks, Trails and Recreation Committee within the City for the purpose of providing a framework for the management of City parks, trails and recreation assets; and

WHEREAS, the duties of this Committee are to recommend and monitor the establishment of facilities, programs and policies to meet the recreational and aesthetic needs of the citizens and Draper City; and

WHEREAS, the term served by Geneva Woodmansee has expired and she has expressed a desire to continue service as a committee member.

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

Section 1. Appointment. Geneva Woodmansee is hereby appointed to serve as a member of the Draper City Parks, Trails and Recreation Committee according to the laws, ordinances and regulations governing the Committee and its members for the term of September 1, 2026 through September 30, 2030.

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.

[Signature page to follow]

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS THE 1st DAY OF SEPTEMBER 2026.

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Nicole Smedley, City Recorder

VOTE TAKEN:

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

YES	NO	ABSENT
_____	_____	_____
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_____	_____	_____
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_____	_____	_____

MEMO



To: City Council

From:

Date: 2026-09-01

Re: Approve Resolution #26-41

Comments:

ATTACHMENTS:

[R-26-41 Planning Commission Member Appointment.doc](#)

RESOLUTION NO. 26-41

A RESOLUTION APPOINTING LAURA FIDLER AS A REGULAR MEMBER OF THE DRAPER CITY PLANNING COMMISSION

WHEREAS, the Draper City Council has adopted Ordinances which provide for the appointment of members to the Draper City Planning Commission; and

WHEREAS, members of the Planning Commission have been appointed by the Mayor with the advice and consent of the City Council; and

WHEREAS, there is a vacancy for a member of the Draper City Planning Commission; and

WHEREAS, Laura Fidler currently serves as an alternate member of the Draper City Planning Commission; and

WHEREAS, the Mayor desires to appoint and the Council hereby consents to the appointment of Laura Fidler as a regular member of the Planning Commission; and

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

Section 1. Appointment. Laura Fidler is hereby appointed to serve as a regular member of the Draper City Planning Commission, in accordance with the laws, ordinances, and regulations governing the Planning Commission and its members, for a term beginning September 1, 2026, and ending September 30, 2030.

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.

[Signature page to follow]

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS THE 1ST DAY OF SEPTEMBER 2026.

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Nicole Smedley, City Recorder

VOTE TAKEN:

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

YES NO ABSENT

_____	_____	_____
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_____	_____	_____

MEMO



To: City Council

From:

Date: 2026-09-01

Re: Approve Resolution #26-42

Comments:

ATTACHMENTS:

[R-26-42 Planning Commission Alt Member Appointment.doc](#)

RESOLUTION NO. 26-42

A RESOLUTION APPOINTING DREW MARTINEZ AS AN ALTERNATE MEMBER OF THE DRAPER CITY PLANNING COMMISSION

WHEREAS, the Draper City Council has adopted Ordinances which provide for the appointment of members to the Draper City Planning Commission; and

WHEREAS, members of the Planning Commission have been appointed by the Mayor with the advice and consent of the City Council; and

WHEREAS, there is a vacancy for an alternate member of the Draper City Planning Commission; and

WHEREAS, the Mayor desires to appoint and the Council hereby consents to the appointment of Drew Martinez as an alternate member of the Planning Commission; and

WHEREAS, Drew Martinez has expressed a willingness to serve as an alternate member of the Draper City Planning Commission and to participate in its deliberations.

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

Section 1. Appointment. Drew Martinez is hereby appointed to serve as an alternate member of the Draper City Planning Commission, in accordance with the laws, ordinances, and regulations governing the Planning Commission and its members, for a term beginning September 1, 2026, and ending September 30, 2030.

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.

[Signature page to follow]

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS THE 1ST DAY OF SEPTEMBER 2026.

DRAPER CITY

ATTEST:

Mayor Troy K. Walker

Nicole Smedley, City Recorder

VOTE TAKEN:

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

YES	NO	ABSENT
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MEMO



To: City Council

From: Nicole Smedley, City Recorder

Date: 2026-09-01

Re: Action Item: Approve Ordinance #1737

Comments:

The proposed ordinance amends Title 3, Chapter 4 of the Draper City Municipal Code regarding government records access and management. The amendments remove provisions that are duplicative of requirements established under Utah state law, including Title 63G, Chapter 2 and Title 63A, Chapter 12.

ATTACHMENTS:

[O-1737_Amending_Title_3_Chapter_4_GRAMA.pdf](#)

ORDINANCE NO. 1737

AN ORDINANCE OF THE DRAPER CITY COUNCIL AMENDING TITLE 3 CHAPTER 4 OF THE DRAPER CITY MUNICIPAL CODE REGARDING GOVERNMENT RECORDS ACCESS AND MANAGEMENT

WHEREAS, Title 3 Chapter 4 of the Draper City Municipal Code establishes provisions relating to government records access and management; and

WHEREAS, Title 63G, Chapter 2 of the Utah Code, known as the Government Records Access and Management Act ("GRAMA"), establishes requirements governing access to, classification, management, retention, and disclosure of government records; and

WHEREAS, Title 63A, Chapter 12 of the Utah Code, governing the Division of Archives and Records Service and the management of government records, establishes requirements appointing a records officer, and governing the management and preservation of government records; and

WHEREAS, certain provisions of Title 3, Chapter 4 of the Draper City Municipal Code duplicate or are otherwise addressed by state law; and

WHEREAS, the City Council desires to amend Title 3, Chapter 4 to remove provisions that are unnecessary or duplicative of state law; and

WHEREAS, the City Council finds that the amendments to Title 3, Chapter 4 are in the best interests of Draper City and will provide for the administration and management of City records consistent with applicable state law.

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

Section 1. Findings. The City Council hereby adopts the findings set forth in the recitals above and finds that the amendments to Title 3, Chapter 4 of the Draper City Municipal Code are consistent with applicable state law and serve the best interests of Draper City.

Section 2. Amendment. Title 3, Chapter 4 of the Draper City Municipal Code, "Government Records Access and Management," is hereby amended as shown in Exhibit "A," attached hereto and incorporated herein by reference.

Section 3. Correction of Editing Errors. The City Attorney is authorized to correct any punctuation, spelling, formatting, clerical, or *de minimis* errors prior to submitting this Ordinance for codification.

Section 4. Severability. If any section, part, or provision of this Ordinance is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable.

Section 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or 30 days after final passage, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THE 18th DAY OF AUGUST, 2026.

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Nicole Smedley, City Recorder

VOTE TAKEN:

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

YES	NO	ABSENT
_____	_____	_____
_____	_____	_____
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SECTION:

3-4-010: Short Title

3-4-020: Purpose

3-4-030: Definitions

3-4-040: Compliance With State Law

3-4-050: Right To Inspect Records And Receive Copies

3-4-060: Public, Private, Controlled, And Protected Records

3-4-070: Classification And Retention

3-4-080: Procedures For Records Requests

3-4-090: Fees

3-4-100: Appeals

3-4-110: Record Amendments

3-4-120: Penalties

3-4-130: Records Officer

3-4-140: Records Maintenance

3-4-010: SHORT TITLE:

This chapter shall be known as the *DRAPER CITY GOVERNMENT RECORDS ACCESS AND MANAGEMENT ORDINANCE*, ~~and may be so cited and pleaded.~~ (Ord. 1086, 3-4-2014)

3-4-020: PURPOSE:

In enacting this chapter, it is the purpose and intent of the city council to acknowledge and comply with the Utah ~~g~~Government ~~r~~Records ~~a~~Access and ~~m~~Management ~~a~~Act as contained in Utah Code Annotated ~~t~~Title 63G, ~~e~~Chapter 2, as amended, ~~and the government records management requirements contained in Utah Code Annotated Title 63A, Chapter 12, as amended.~~ ~~and specifically to conform with section 63G-2-701 thereof, which provides that the city may adopt an ordinance relating to information practices, including classification, designation, access, denials, segregation, appeals, management, retention, and amendment of records.~~ (Ord. 1086, 3-4-2014)

3-4-030: DEFINITIONS:

~~As used in this chapter:~~

~~ACT: The government records access and management act, Utah Code Annotated title 63G, chapter 2, as amended.~~

~~AGENCY: Any office, department, division, section, staff office, board, commission, committee or other division of Draper City, or any public or private entity which pursuant to contract with the city has agreed to produce and maintain public city records.~~

~~CITY: Draper City.~~

~~COMPUTER SOFTWARE PROGRAM: The series of instructions or statements that permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system, and any associated documentation, manuals, or other source material explaining how to operate the software program. "Software" does not include the original data or record which is manipulated by the software.~~

~~CONTROLLED RECORDS: Controlled under the provisions of this chapter and in accordance with the provisions of the act.~~

~~DATA: Individual entries, e.g., birth date or address, in records.~~

~~DISPOSE: To destroy, or render irretrievable or illegible, a record or the information contained in it by any physical, electronic, or other means, including unauthorized deletion or erasure of electronically recorded audio, visual, nonwritten formats, data processing, or other records.~~

~~NONPUBLIC RECORDS: Those records defined as private, controlled, or protected under the provisions of this chapter and the act.~~

~~PRIVATE RECORDS: Those records classified as private under the provisions of this chapter and the act.~~

~~PROTECTED RECORDS: Those records classified as protected under the provisions of this chapter and the act.~~

~~PUBLIC RECORDS: Those records which have not been classified as nonpublic in accordance with the provisions of this chapter and the act.~~

~~RECORD: A book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics, prepared, owned, received, or retained by the city where all of the information in the original is reproducible by photocopy or other mechanical or electronic means. "Record" does not mean:~~

~~A. A personal note or personal communication prepared or received by an employee or officer of the city in a capacity other than the employee's or officer's governmental capacity, or that is unrelated to the conduct of the public's business;~~

~~B. A temporary draft or similar material prepared for the originator's personal use or prepared by the originator for the personal use of an individual for whom the originator is working;~~

~~C. Material that is legally owned by an individual in the individual's private capacity;~~

~~D. Material to which access is limited by the laws of copyright or patent unless the copyright or patent is owned by a governmental entity or political subdivision;~~

~~E. Proprietary software;~~

~~F. Junk mail or a commercial publication received by the city or an official or employee of the city;~~

~~G.— A book that is cataloged, indexed, or inventoried and contained in the collections of a library open to the public;~~

~~H.— Material that is cataloged, indexed, or inventoried and contained in the collections of a library open to the public, regardless of physical form or characteristics of the material;~~

~~I.— A daily calendar or other personal note prepared by the originator for the originator's personal use or for the personal use of an individual for whom the originator is working;~~

~~J.— A computer program that is developed or purchased by or for the city for its own use;~~

~~K.— A note or internal memorandum prepared as part of the deliberative process by:~~

~~1.— A member of the judiciary;~~

~~2.— An administrative law judge;~~

~~3.— A member of any other body charged by law with performing a quasi-judicial function;~~

~~L.— A telephone number or similar code used to access a mobile communication device that is used by an employee or officer of the city, provided that the employee or officer of the city has designated at least one business telephone number that is a public record as provided in Utah Code Annotated 63G-2-304; or~~

~~M.— Information that an owner of unimproved property provides to the city as provided in Utah Code Annotated 11-42-205. (Ord. 1086, 3-4-2014)~~

3-4-040: COMPLIANCE WITH STATE LAW:

~~The following provisions of the act are hereby adopted and incorporated by reference as though fully set forth herein. Any inconsistency or conflict between this chapter and the following referenced statutes of the state of Utah shall be governed by the statute:~~

General provisions:	-
63G-2-102	Legislative intent
63G-2-103	Definitions
63G-2-104	Administrative procedures act not applicable
63G-2-105	Confidentiality agreements
63G-2-106	Records of security measures
63G-2-107	Disclosure of records subject to federal law
63G-2-108	Certification of records officer
Access to records:	-
63G-2-201	Right to inspect records and receive copies of records
63G-2-202	Access to private, controlled and protected documents
63G-2-205	Denials
63G-2-206	Sharing records
63G-2-207	Subpoenas—court ordered disclosure for discovery
Classification:	-

63G-2-301	Records that must be disclosed
63G-2-302	Private records
63G-2-303	Private information concerning certain government employees
63G-2-304	Controlled records
63G-2-305	Protected records
63G-2-306	Procedure to determine classification
63G-2-307	Duty to evaluate records and make designations and classifications
63G-2-308	Segregation of records
63G-2-309	Confidentiality claims
63G-2-310	Records made public after 75 years
Accuracy of records:	-
63G-2-601	Rights of individuals on whom data is maintained—classification statement—notice to provider of information
63G-2-602	Disclosure to subject of records—context of use
63G-2-604	Retention and disposition of records
Applicability to political subdivisions:	-
63G-2-701	Political subdivisions may adopt ordinances in compliance with chapter
Remedies:	-
63G-2-801	Criminal penalties
63G-2-802	Injunction—attorney fees
63G-2-803	No individual liability for certain decisions of a governmental entity
63G-2-804	Violation of provision of chapter—penalties for intentional mutilation or destruction—disciplinary action

(Ord. 1086, 3-4-2014)

~~3-4-050: RIGHT TO INSPECT RECORDS AND RECEIVE COPIES:~~

~~A.—Right To Inspect Records And Receive Copies Of Records: Every person has the right to inspect a public record free of charge, and the right to take a copy of a public record during normal working hours, subject to Utah Code Annotated sections 63G-2-203 and 63G-2-204 of the act and the provisions of this chapter.~~

~~B.—Obligation To Create: In response to a request, the city is not required to:~~

~~1.—Create a record;~~

- ~~2. Compile, format, manipulate, package, summarize, or tailor information;~~
- ~~3. Provide a record in a particular format, medium, or program not currently maintained by the city;~~
- ~~4. Fulfill a person's records request if the request unreasonably duplicates prior records requests from that person; or~~
- ~~5. Fill a person's records request if:~~
 - ~~a. The record requested is accessible in the identical physical form and content in a public publication or product produced by the city;~~
 - ~~b. The city provides the person requesting the record with the public publication or product; and~~
 - ~~c. The city specifies where the record can be found in the public publication or product. (Ord. 1086, 3-4-2014)~~

~~3-4-060: PUBLIC, PRIVATE, CONTROLLED, AND PROTECTED RECORDS:~~

- ~~A. Public records shall be as defined in section 63G-2-201 of the act and this chapter.~~
- ~~B. Private records shall be those records classified as private as defined in section 63G-2-302 of the act and as classified and defined in procedures established pursuant to this chapter. Private records shall be made available to:~~
 - ~~1. The subject of the record;~~
 - ~~2. The parent or legal guardian of an unemancipated minor who is the subject of the record;~~
 - ~~3. The legal guardian of a legally incapacitated individual who is the subject of the record;~~
 - ~~4. Any other individual who:~~
 - ~~a. Has a power of attorney from the subject of the record;~~
 - ~~b. Submits a notarized release from the subject of the record or the individual's legal representative dated no more than ninety (90) days before the date the request is made; or~~
 - ~~c. If the record is a medical record described in subsection 63G-2-302(1)(b), is a healthcare provider, as defined in Utah Code Annotated section 26-33a-102, if releasing the record or information in the record is consistent with normal professional practice and medical ethics; or~~
 - ~~5. Any person to whom the record must be provided pursuant to court order as provided in subsection 63G-2-202(7) or a legislative subpoena as provided in Utah Code Annotated title 36, chapter 14, legislative subpoena powers.~~
- ~~C. Controlled records shall be those classified as controlled as defined in Utah Code Annotated section 63G-2-303 of the act and as classified and defined in procedures established in this chapter. Controlled records shall be made available to a physician;~~

~~psychologist, or certified social worker, insurance provider or producer, or a government public health agency upon submission of a release from the subject of the record that is dated no more than ninety (90) days prior to the date request is made; and a signed acknowledgment of the terms of disclosure of controlled information.~~

~~D. Protected records shall be those records classified as protected as defined in Utah Code Annotated section 63G-2-305 of the act and as classified and defined in procedures established in this chapter. Upon request, and except as provided in Utah Code Annotated section 63G-2-202(10) or (11)(b), the city shall disclose a protected record to:~~

~~1. The person who submitted the record;~~

~~2. Any other individual who:~~

~~a. Has a power of attorney from all persons, governmental entities, or political subdivisions whose interests were sought to be protected by the protected classification; or~~

~~b. Submits a notarized release from all persons, governmental entities, or political subdivisions whose interests were sought to be protected by the protected classification or from their legal representatives dated no more than ninety (90) days prior to the date the request is made. (Ord. 1086, 3-4-2014)~~

~~3-4-070: CLASSIFICATION AND RETENTION:~~

~~All records and records series of any format shall be classified and scheduled for retention according to the provisions of the act and this chapter. Records classification and scheduling for retention shall be conducted under the supervision of the city records officer. Assistance may be requested from the city attorney as needed. Classification and retention scheduling forms and guidelines shall be prepared and promulgated by the records officer. The city shall by resolution establish a retention schedule for all city records and records series. (Ord. 1086, 3-4-2014)~~

~~3-4-080: PROCEDURES FOR RECORDS REQUESTS:~~

~~A. Under circumstances in which the city is not able to immediately respond to a records request, the requester shall furnish the city a written request on forms provided by the city. The date and time of the request shall be noted on the request form and all time frames provided under this chapter shall commence from that time and date. Requesters of nonpublic information shall adequately identify themselves and their status prior to receiving access to nonpublic records.~~

~~B. The city may respond to a request for a record by approving the request and providing the records, denying the request, or by giving such other appropriate response as may be established by policies and procedures.~~

~~C. In most circumstances, the city shall respond to a written request for a public record as soon as reasonably possible, but no later than ten (10) business days after receiving the written request as described in this section.~~

~~D. Extraordinary circumstances shall justify the city's failure to respond to a request for a public record within ten (10) business days and shall extend the time for response to~~

~~that time reasonably necessary to respond to the request, as determined by the city. Extraordinary circumstances shall include, but not be limited to, the following:~~

~~1. Another governmental entity is using the record, in which case the city shall promptly request that the governmental entity currently in possession return the record;~~

~~2. The record requested is for either a voluminous quantity of records or requires the city to review a large number of records or perform extensive research to locate the materials requested;~~

~~3. The city is currently processing a large number of records requests;~~

~~4. The decision to release a record involves legal issues that require the city to seek legal counsel for the analysis of statutes, rules, ordinances, regulations, or case law;~~

~~5. Segregating information that the requester is entitled to inspect from information that the requester is not entitled to inspect requires extensive editing; or~~

~~6. Segregating information that the requester is entitled to inspect from information that the requester is not entitled to inspect requires computer programming.~~

~~E. When a record request cannot be responded to within ten (10) days, the city shall give the requester an estimate of the time required to respond to the request.~~

~~F. The failure or inability of the city to respond to a request for a record within the time frames set out herein, or the city's denial of such request, shall give the requester the right to appeal.~~

~~G. Any record which has been requested that is disposable by the approved retention schedule may not be disposed of until the request is granted and fulfilled, or sixty (60) days after all appeals are completed.~~

~~H. No record, disposable by the approved retention schedule, which is subject to pending litigation or audit shall be disposed of until the litigation or audit has been completed or resolved. (Ord. 1086, 3-4-2014)~~

~~3-4-090: FEES:~~

~~A. The city may charge a reasonable fee to cover the city's actual cost of providing a record. The fee shall be as stated in the city's consolidated fee schedule.~~

~~B. When the city compiles a record in a form other than that normally maintained by the city, the actual costs may include the following:~~

~~1. The cost of staff time for compiling, formatting, manipulating, packaging, summarizing, or tailoring the record either into an organization or media to meet the person's request;~~

~~2. The cost of staff time for search, retrieval and other direct administrative costs for complying with a request; and~~

~~3. In the case of fees for a record that is the result of computer output other than word processing, the actual incremental cost of providing the electronic services and products together with a reasonable portion of the costs associated with formatting or interfacing~~

~~the information for particular users, and the administrative costs as set forth in Utah Code Annotated section 63G-2-203(2)(a)(k) and (ii).~~

~~C. The City may fulfill a record request without charge when it determines that:~~

- ~~1. Releasing the record primarily benefits the public rather than a person;~~
- ~~2. The individual requesting the record is the subject of the record, or an individual specified in Utah Code Annotated section 63G-2-202(1) or (2); or~~
- ~~3. The requester's legal rights are directly implicated by the information in the record, and the requester is impecunious.~~

~~D. The City may not charge a fee for reviewing a record to determine whether it is subject to disclosure or for inspecting a record. (Ord. 1086, 3-4-2014)~~

~~3-4-100: APPEALS:~~

~~A. A requester or interested party may appeal an access denial to the City Manager within thirty (30) days after the City sends a notice of denial. A notice of appeal shall contain the name, mailing address, and daytime telephone number of the requester or interested party; and the relief sought. The requester or interested party may file a short statement of facts, reasons, and legal authority in support of the appeal.~~

~~B. If a City claims extraordinary circumstances and specifies the date when the records will be available and, if the requester believes the extraordinary circumstances do not exist or that the date specified is unreasonable, the requester may appeal the City's claim of extraordinary circumstances or date for compliance to the City Manager by filing a notice of appeal with the City Manager within thirty (30) days after notification of a claim of extraordinary circumstances by the City, despite the lack of a "determination" or its equivalent.~~

~~C. If the appeal involves a record that is the subject of a business confidentiality claim, the City Manager shall:~~

- ~~1. Send notice of the appeal to the business confidentiality claimant within three (3) business days after receiving notice, except that if notice under this section must be given to more than thirty five (35) persons, it shall be given as soon as reasonably possible; and~~
- ~~2. Send notice of the business confidentiality claim and the schedule for the City Manager's determination to the requester or interested party within three (3) business days after receiving notice of the appeal.~~
- ~~3. The business confidentiality claimant shall have seven (7) business days after notice is sent by the City Manager to submit further support for the claim of business confidentiality.~~

~~D. The City Manager shall make a decision on the appeal within five (5) business days after receipt of the notice of appeal or twelve (12) business days after the City sends the notice of appeal to a person who submitted a claim of business confidentiality.~~

- ~~1. If the City Manager fails to make a decision on an appeal of an access denial within the time specified, the failure is the equivalent of a decision affirming the access denial.~~

~~2. If the City Manager fails to make a decision on an appeal within the time specified, the failure is the equivalent of a decision affirming the claim of extraordinary circumstances or the reasonableness of the date specified when the records will be available.~~

~~3. The provisions of this section notwithstanding, the parties participating in the proceeding may, by agreement, extend the time periods specified in this section.~~

~~E. The City Manager may, upon consideration and weighing of the various interests and public policies pertinent to the classification and disclosure or nondisclosure, order the disclosure of information properly classified as private or protected if the interests favoring access are greater than or equal to the interests favoring restriction of access.~~

~~F. The City shall send written notice of the City Manager's decision to all participants. If the City Manager's decision is to affirm the access denial in whole or in part, the notice shall include:~~

~~1. A statement that the requester or interested party has the right to appeal the decision to the State Records Committee. The statement shall include the time limit for filing an appeal and the contact information for the State Records Committee. (Ord. 1256, 4-11-2017)~~

~~3-4-110: RECORD AMENDMENTS:~~

~~Government records held by the City may be amended or corrected as needed. An individual may contest the accuracy or completeness of any public, or private, or protected record concerning him or her by submitting a written request to the City to amend the record. However, this section does not affect the right of access to private or protected records. The request shall contain the requester's name, mailing address and daytime telephone number and a detailed statement explaining why the City should amend the record. The City shall issue a decision either approving or denying the request to amend no later than thirty (30) days after receipt of the request. The City shall inform the requester in writing of its decision. The requester may appeal the denial of the request to amend a record pursuant to the provisions contained in this chapter regarding appeals. This section does not apply to records relating to title to real or personal property, medical records, judicial case files, or any other records that the City determines must be maintained in their original form to protect the public interest and to preserve the integrity of the record system. (Ord. 1086, 3-4-2014)~~

~~3-4-120: PENALTIES:~~

~~A. Any City employee who knowingly refuses to permit access to records in accordance with the Act and this chapter, who knowingly permits access to nonpublic records, or who knowingly, without authorization or legal authority, disposes of, alters, or removes records or allows other persons to do so in violation of the provisions of the Act, this chapter, or other law or regulation, may be subject to criminal prosecution and disciplinary action, including termination.~~

~~B. In accordance with the Act, neither the City nor any of its agencies or employees shall be liable for damages resulting from the release of a record where the requester presented evidence of authority to obtain the record, even if it may be subsequently determined that the requester had no such authority. (Ord. 1086, 3-4-2014)~~

~~3-4-130: RECORDS OFFICER:~~

~~A.— There shall be appointed a city records officer to oversee and coordinate records access, management and archives activities. The records officer shall make annual reports of records services activities to the city manager.~~

~~B.— A person may be designated by each department of the city to assist with and work under the direction of the city records officer in implementing the policies and procedures set forth in this chapter. (Ord. 1086, 3-4-2014)~~

~~3-4-140: RECORDS MAINTENANCE:~~

~~A.— Records maintenance procedures shall be developed to ensure that due care is taken to maintain and preserve records safely and accurately over the long term. The city records officer shall be responsible for monitoring the application and use of technical processes in the creation, duplication, and disposal of records. The records officer shall monitor compliance with required standards of quality, permanence, and admissibility pertaining to the creation, use, and maintenance of records.~~

~~B.— All records shall remain the property of the city unless federal or state legal authority provides otherwise. Property rights to records may not be permanently transferred from the city to any private individual or entity, including those legally disposable or obsolete records. This prohibition does not include the providing of copies of records otherwise produced for release or distribution under this chapter.~~

~~C.— Custodians of any records shall, at the expiration of their terms of office, appointment or employment, deliver custody and control of all records kept or received by them to their successors, supervisors, or to the city records officer.~~

~~D.— All records which are in the possession of any city agency shall, upon termination of activities of such agency, be transferred to any successor agency provided that such transfer is consistent with the formal provisions of such termination. (Ord. 1086, 3-4-2014)~~