



CITY COUNCIL AGENDA

Notice is hereby given that the Draper City Council will hold a **City Council Meeting** on **Tuesday, December 8, 2020, at 5:30 PM**, in the City Council Chambers at 1020 East Pioneer Road, Draper, Utah.

The Agenda will be as follows:

Electronic Meeting Notice

This meeting will be an electronic meeting according to Draper City Municipal Code 2-1-040.

I, Mayor Troy K. Walker, do hereby determine conducting an electronic meeting of the Draper City Council with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and hereby authorize the Draper City Council to conduct electronic meetings without an anchor location.

The foregoing determination is based on the following facts:

- Federal, state, and local leaders, including the Draper City Mayor and City Council, have all recognized a global pandemic caused by the spread of the COVID-19 virus.
- Governor Herbert and the Utah Department of Health have recently issued updated orders in response to record numbers of COVID-19 cases and COVID-19-related hospitalizations. The orders implement statewide what has been termed a “mask mandate” and have severely limited social gatherings in an attempt “to prevent and control the rapidly changing consequences of COVID- 19 throughout the state.”
- It is difficult, if not impossible, to predict the number of attendees at any meeting and to manage issues regarding social distancing in order to comply with applicable health orders.
- COVID-19 poses a continuing and immediate threat to the health, safety, and welfare of Draper City residents and the public in general.
- The City has the technological capability to provide means by which the public may hear, or view and hear, the open portions of the meeting and to participate in public hearings.

To participate, please see the options below:

- Listen through the Draper City Website- <https://www.draper.ut.us/95/Agendas-Minutes>
- Email comments to public.comment@draper.ut.us. These will become part of the public record.
- Those wishing to speak during the meeting, send a request and include your name, address, and the phone number which you will be calling from, for the Zoom meeting ID to public.comment@draper.ut.us.

STUDY SESSION

1. **Presentation: Locally Preferred alternative for the Point of the Mountain - Patti Garver**
2. **Presentation: Logo Survey Results - Britnee Johnston**
3. **Closed Session: By Motion**
The Draper City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, or the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.
4. **Council/Manager Reports**

7:00 p.m. BUSINESS SESSION

1. **Call to Order**
2. **Presentation: Police Department Holiday Card Winners - Chief John Eining**
3. **Recognition: Rachel Rasmussen - Youth Peer Court Mentor, 5 Years of Service - Chief John Eining**
4. **Presentation of the 2020 Popular Annual Financial Report (PAFR)**
Staff report by Jared Zacharias
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**
 - a. **Approval of the November 10, 2020, and the November 17, 2020, City Council Meeting Minutes**
 - b. **Approval of the 2021 Annual Meeting Schedule**
7. **Public Hearing: Provide Local Consent for a Limited-Service Alcohol License**

**for Spark Group Restaurants LLC DBA Paradise Biryani Pointe
(Administrative Action)**

Staff report by Christina Oliver.

8. Adjournment

SALT LAKE COUNTY AND UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, certify that copies of the agenda for the **Draper City Council** meeting to be held **December 8, 2020**, were posted on the Draper City Electronic Bulletin Board, Draper City website www.draper.ut.us, the Utah Public Notice website at www.utah.gov/pmn, and sent by email to the *Salt Lake Tribune* and the *Deseret News*.

Date Posted: December 4, 2020



Laura Oscarson, 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 Laura Oscarson, City Recorder at (801) 576-6502 or laura.oscarson@draper.ut.us, at least 24 hours prior to the meeting.



MEMO

To: City Council Meeting
From:
CC:
Date: December 8, 2020
Re:



MEMO

To: City Council Meeting
From:
CC:
Date: December 8, 2020
Re:

ATTACHMENTS:

Description	Upload Date	Type
POM Transit Presentation	12/4/2020	Cover Memo



POINT OF THE MOUNTAIN TRANSIT STUDY

Draper City Council
Meeting
December 8, 2020



Transit Study Overview

➤ Project purpose

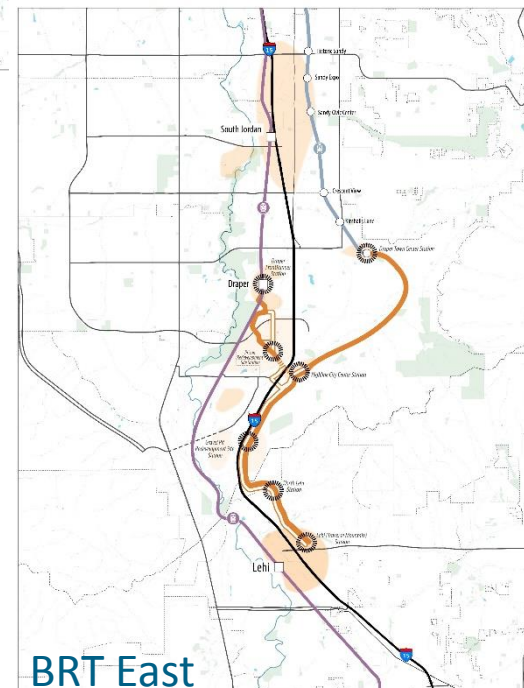
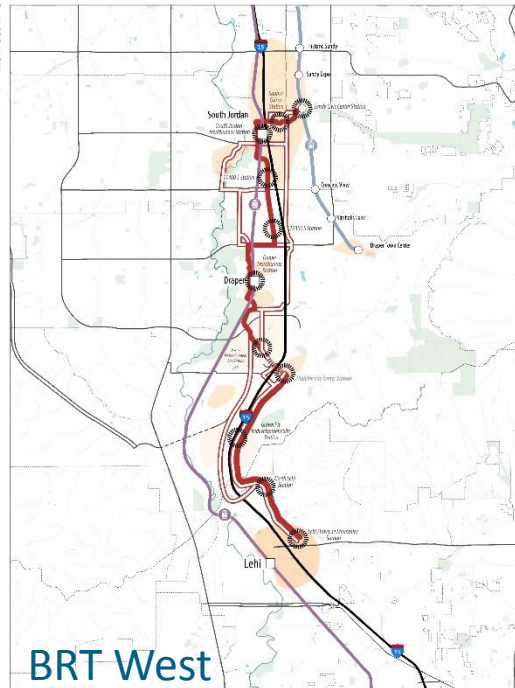
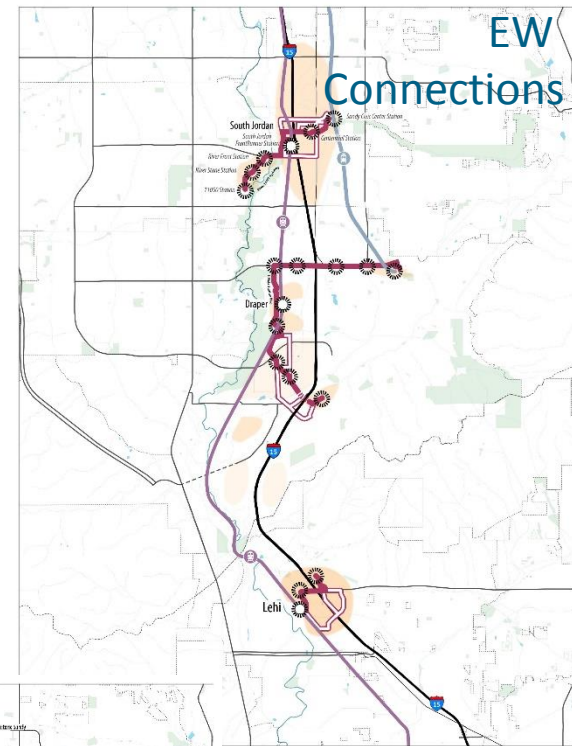
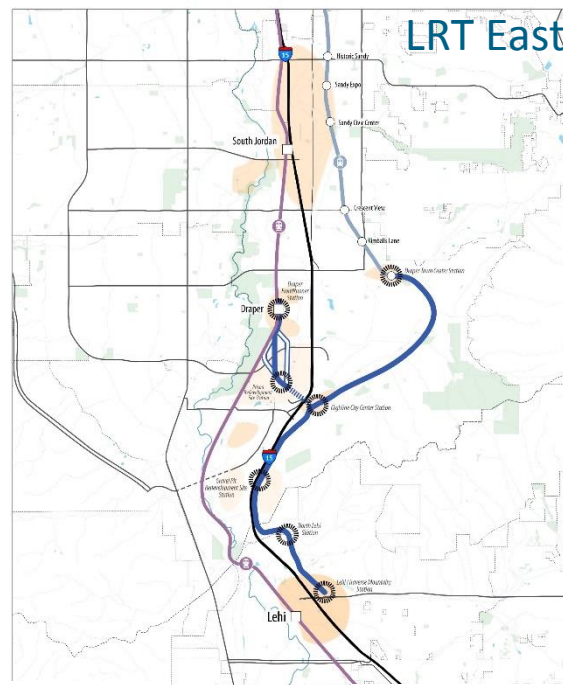
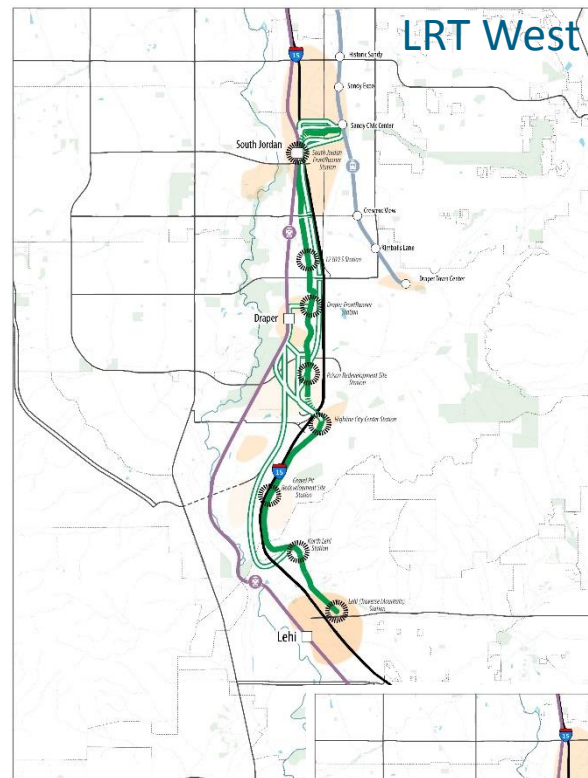
- Provide high-capacity transit connection between southern Salt Lake County and northern Utah County
- Connect and serve existing and emerging development areas

➤ Collaborative process with UTA, UDOT, MAG, WFRC, Sandy, Draper, South Jordan, Bluffdale, and Lehi

➤ Transit Study Process Overview:



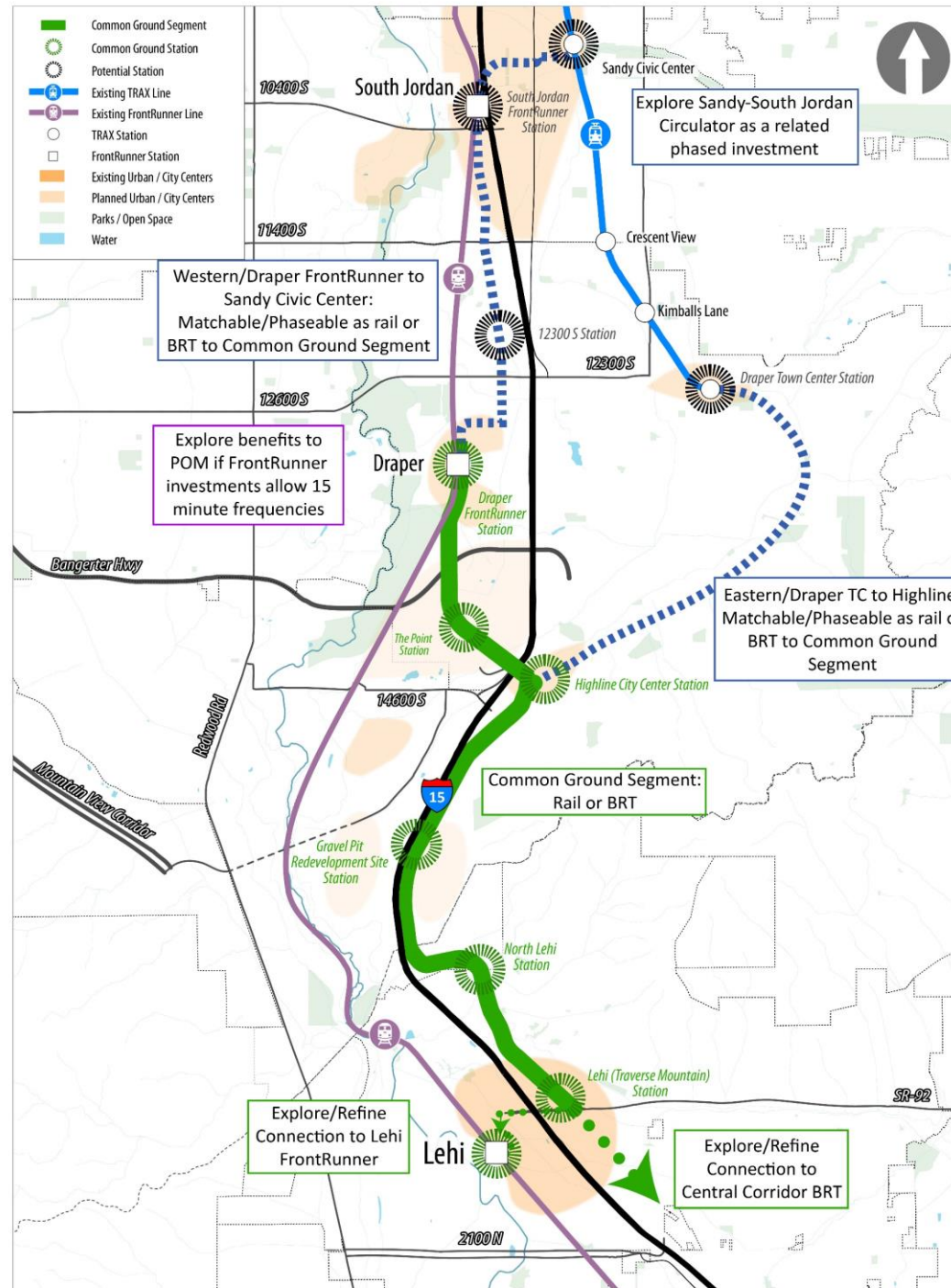
Initial Alternative Evaluation



Recommendation for Detailed Alternative Evaluation:

- Economic development benefits are a critical driver
- Urgency in project implementation
- Focus on a common segment of all alternatives that connects the stations/areas with the strongest economic development potential
 - A compelling, well supported initial project as a catalyst for economic development
 - Focus on a project that is more likely to receive funding and quicker and more feasible to implement
 - Retaining ability to make other phased investments in the Point of the Mountain

Level 2 Alternatives Overview



Recommendation from Level 1:

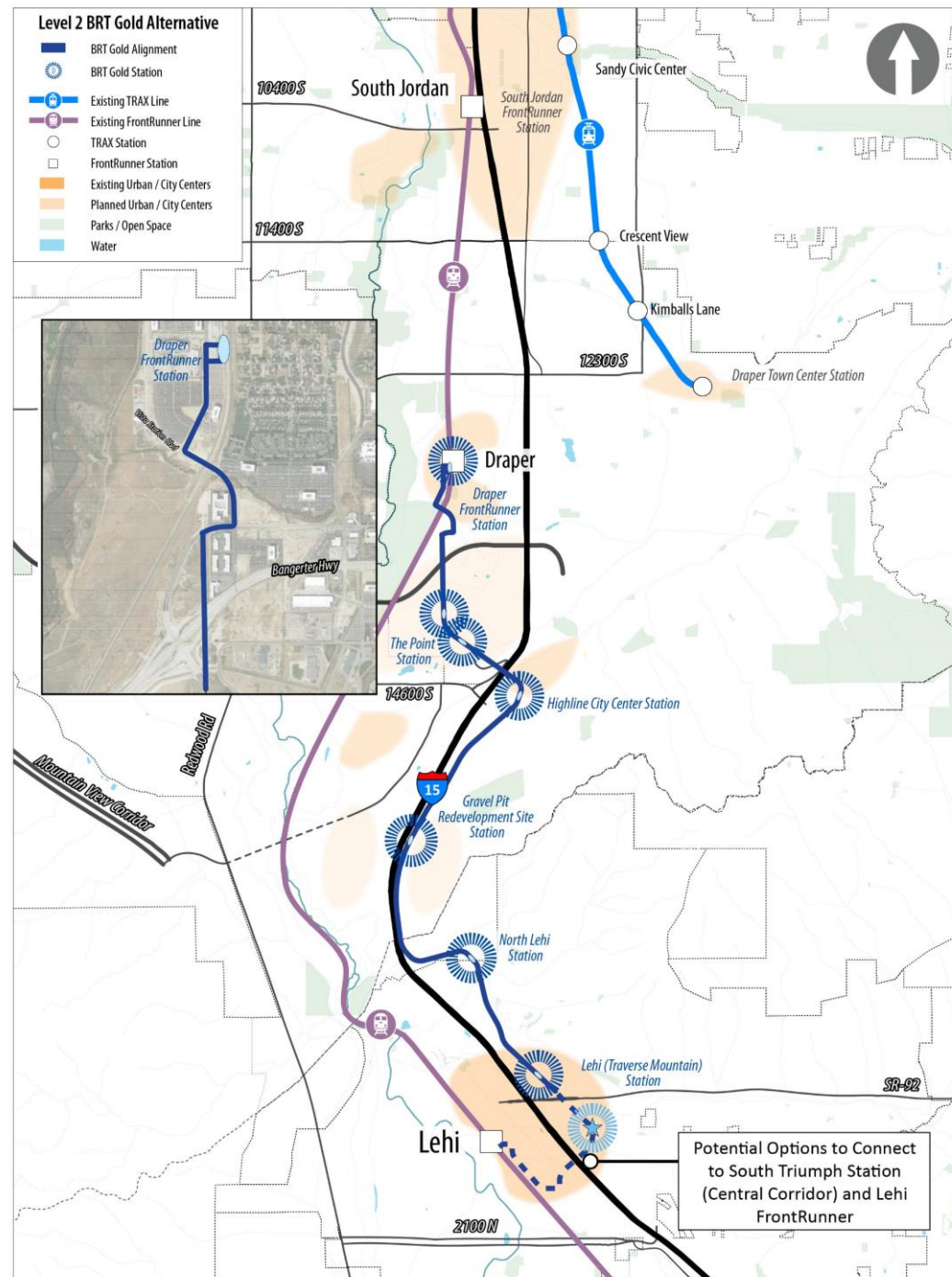
➤ Common Ground Segment

Two mode alternatives to consider in Level 2:

➤ BRT

➤ Rail

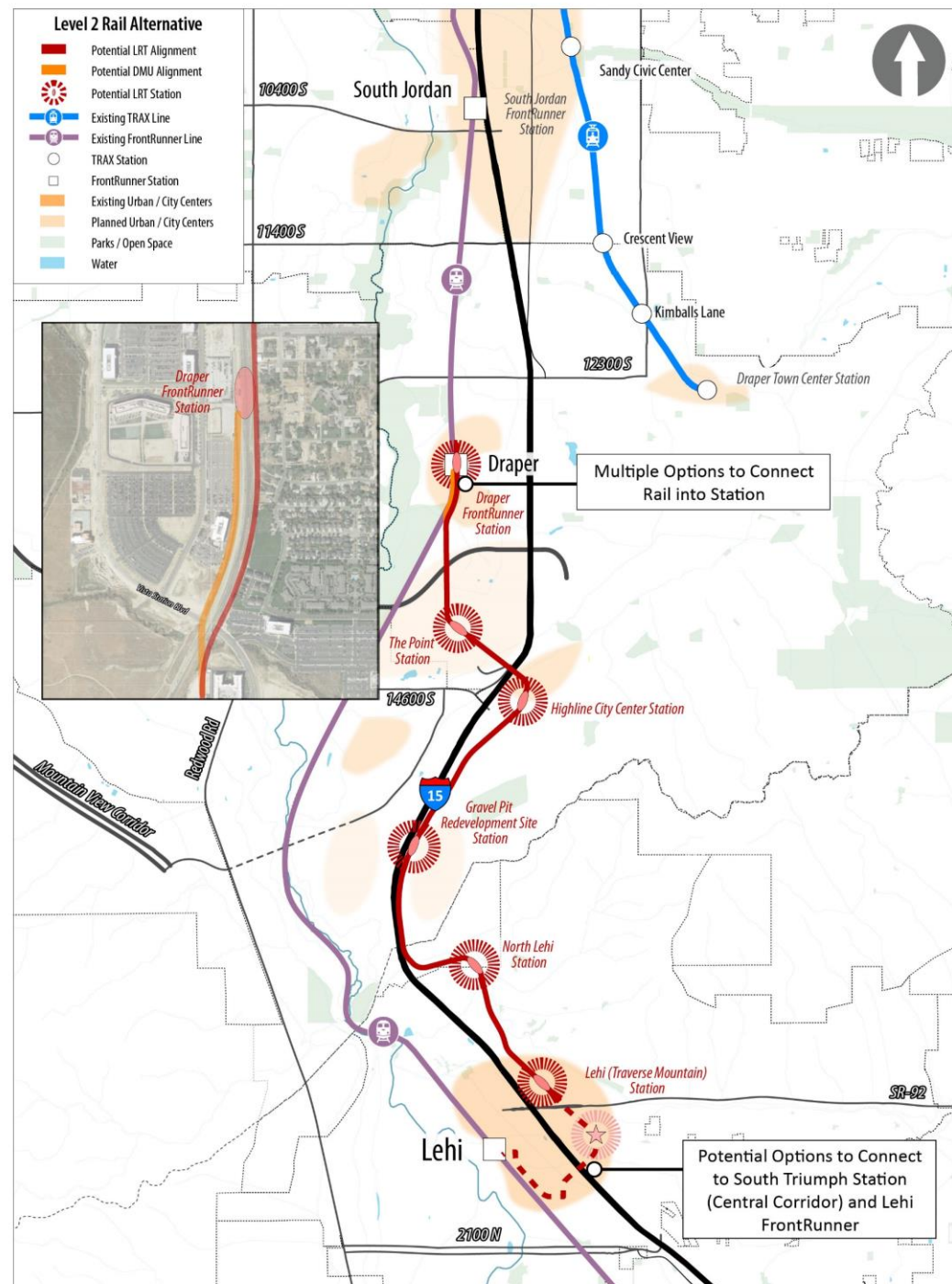
Level 2 Alternatives - BRT



- High-quality “gold standard” BRT
- Nearly 90% exclusive operations with distinctive guideway
- 6 to 7 stations with enhanced area amenities, option for 2 more to south



Level 2 Alternatives - Rail



- Two technologies considered: Diesel Multiple Unit (DMU) and Light Rail Transit (LRT)
- Nearly 95% exclusive operations in an independent rail line
- 6 stations with enhanced area amenities, with option for 2 to the south
- Connected to Satellite maintenance facility nearby



Level 2 Alternatives

– Key Findings

Key Differentiators

➤ Cost

- BRT – \$300-450M
- Rail – \$450-650M DMU | \$600-850M LRT

➤ Construction and Operational Complexity

- BRT has less complex construction and operations, but both rail and BRT development are helped by the largely undeveloped corridor they would use

➤ Timing and Implementation

- BRT's lower cost and reduced complexity may make it faster to implement, depending on funding availability

➤ Cost/ridership related transit integration in Lehi

- BRT – lower cost to add (with greater flexibility), with increased ridership
- Rail – higher cost to add, with increased ridership

Level 2 Alternatives – Key Findings

Key Similarities

➤ Land Use and Economic Development

- Good results tied to high-quality investment, regardless of mode

➤ Ridership

- Similar based on preliminary report from WFRC
- Minor differences influenced by mode transfer in Lehi between POM and Central Corridor
- Room for improvement given the future population and employment in the corridor: transit share of all trips is still low

➤ **LPA Recommendation for Steering Committee**

- Common Ground Segment from Draper FrontRunner to Lehi (Traverse Mountain)
 - 8 miles
 - Up to 7 stations (up to two at The Point)
- BRT mode

➤ **Option to extend to include two additional stations and transit way**

Public Engagement Update

➤ Public Outreach Period

- Web-based November 20th – December 9th
 - Survey to gather public input on project findings
 - Public feedback advisory to all UTA media outlets
- Presenting Common Ground Segment
 - Video/Presentation (providing additional education on BRT)
 - Additional project materials and updates on Common Ground Segment alternative findings

Schedule and Next Steps

➤ **Current analysis of Common Ground Segment – LPA Recommendation from Technical Advisory Committee December 3**

➤ **Next Steps**

- Steering Committee – December 10th
- Wrap up transit study end of 2020
- Start environmental study in early 2021



MEMO

To: City Council Meeting
From:
CC:
Date: December 8, 2020
Re:

ATTACHMENTS:

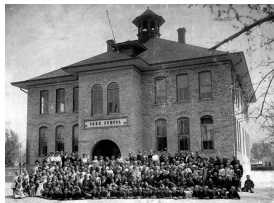
Description	Upload Date	Type
FY2020 PAFR	12/1/2020	Cover Memo

CITY OF DRAPER, UTAH

POPLUAR ANNUAL FINANCIAL REPORT
FISCAL YEAR ENDING - JUNE 30, 2020



OUR COMMUNITY



Incorporated in 1978 and nestled in the southwest corner of the Wasatch Front mountain range, Draper City is a community of more than 48,000 residents bridging two metropolitan areas – the Salt Lake City metropolitan area and the Provo-Orem metropolitan area.

Draper was first settled in 1849 and remained a small farming community until the late 1990's when its population began growing exponentially. Known as the 'egg basket' of America in the 1940's, Draper continues to value its agricultural and farming heritage while embracing a vibrant urban lifestyle.

Today, Draper City includes over 30 square miles and is now the 16th largest city in the state of Utah. With over 4,500 acres of open space in the City, this community has become nationally renowned for its dedication to outdoor recreation. It is a place many are proud to call home.

The City is served by more than 270 full time equivalent employees (FTEs) providing high quality public safety, culinary water, storm drains, solid waste collection, roadway construction and maintenance, parks and recreation facilities, street lighting and many community and cultural events.



LETTER FROM THE FINANCE DEPARTMENT

We are proud to present this year's version of the Popular Annual Financial Report (PAFR). The information found within this report is a mixture of information presented in the FY20 independently audited Comprehensive Annual Financial Report (CAFR) and the current FY21 budget. This report is unaudited.

The City strives to meet the highest standards in financial reporting and received the Certificate of Achievement of Excellence in Financial Reporting award for the report issued for FY19.

This year the City has experienced a lot of changes as the impacts of COVID-19 have rippled through our local economy. This report only covers the financial impact through June 30, 2020. It is now December and we are still in a position in which there are many unknowns ahead. That being said, the City ended the fiscal year in a strong financial position and has only added to our confidence over the past several months. The City expects be able to continue to provide the high caliber services the you have come to know.

As you read this report, note that all sources of information not identified within this report can be found in the CAFR. This report, as well as the CAFR can be found at www.draper.ut.us. On behalf of the City, we thank you for reading this report. We welcome any input or comments you may have. Also, be sure to follow us @drapercity on Twitter and on our Facebook page for the most up-to-date information.

Sincerely,
Jared Zacharias, CGFM
Assistant Finance Director
(801) 576-6573



ELECTED OFFICIALS AS OF DEC 2020

Mayor	Troy Walker
Council Member	Mike Green
Council Member	Tasha Lowery
Council Member	Fred Lowry
Council Member	Calvin Roberts
Council Member	Marsha Vawdrey

INCLUDED IN THIS REPORT

- Page 2: General Information
- Page 5: All Funds (Government-Wide) Financials
- Page 6: General Fund Financials (Tax Supported)
- Page 8: Business-Type Funds Financials (Fee Supported)
- Page 9: Performance Statistics

DEMOGRAPHIC INFORMATION

<i>Fiscal Year</i>	<i>2019</i>	<i>2020</i>
<i>Population</i>	48,319	48,587
<i>Population per sq. Mile</i>	1,604	1,613
<i>Residents 18 Years and Older</i>	32,422	33,136
<i>Median Home Value</i> <i>(Source: Salt Lake and Utah County Assessors Office)</i>	\$510,900	\$586,700
<i>Average AGI (Source: Utah State Tax Commission)</i>	\$107,374	\$112,067
<i>Draper City Employees (FTEs)</i>	263	271
<i>Average Unemployment Rate</i>	3.0%	4.0%

TOP 5 PRINCIPLE EMPLOYERS

<i>Employer</i>	<i># of Employees</i>
<i>eBay, Inc.</i>	1,000-1,999
<i>Health Equity</i>	1,000-1,999
<i>Utah State Prison</i>	500-999
<i>Progressive Finance, LLC</i>	500-999
<i>Coca-Cola Bottling Corp.</i>	500-999

TOP 5 PROPERTY TAX PAYERS

<i>Tax Payer</i>	<i>Assessed Taxable Value</i>
<i>LD Bowerman Investments</i>	\$89,367,400
<i>Harbert MSB Lone Peak</i>	\$82,987,500
<i>Women's Hospital Indianapolis</i>	\$70,899,100
<i>Coca-Cola Bottling Corp.</i>	\$69,402,200
<i>Miller Family Real Estate, LLC</i>	\$68,029,700

CITY OFFICES, LOCATIONS & HOURS

Draper City Hall
1020 E Pioneer Rd (12400 S)
Draper, Utah 84020
(801) 576-6500

Draper Public Works
72 E Sivogah Ct (14525 S)
Draper, Utah 84020
(801) 576-6557
Hours: Monday - Friday
7:00 am - 3:30 pm

Fire Department Admin. Office
Fire Station # 21
780 East 12300 South
Draper, UT 84020
(385) 557 -2805

Draper Police Department
1020 E. Pioneer Rd.
Draper, UT 84020
(801) 576-6314 - Admin.
(801) 840-4000 - Non Emergency
Dial 911 - Emergency

Animal Control
12375 S. Vista Station Blvd. (550 W.)
Draper, UT 84020
(801) 576-6345
Shelter Hours: Monday - Friday
9:00 am - 4:00 pm

ANNUAL SALES TAX AMOUNT PER RESIDENT
Based on FY19 data as reported in the CAFR reports.



DRAPER'S FORM OF GOVERNMENT

Draper City operates under the council-manager form of municipal government. The City Council is the legislative branch of the City government and is composed of the Mayor and five Council members. The term for each of these elected offices is four years. The City Council is responsible for passing ordinances, adopting the budget, appointing the City Manager and other City officials required through state or local policy to be appointed by Council. They are also responsible for appointing committees.

The City Manager serves as the chief administrative officer responsible for directing the day-to-day operations of City affairs, and the implementation of City Council ordinances and policies. As the City Council's chief advisor, the City Manager prepares a recommended budget for the Council's consideration and recruits, hires and supervises City staff.

WHAT IS THE GENERAL FUND?

The general fund is the primary operating fund of the City and it accounts for the resources that are used to pay for the services traditionally associated with local government.

Draper City's funding comes from two major sources: taxes and fees. The majority of services provided by the City are financed through tax revenue.

Five categories of fees collected are taxes, licenses & permits, charges for services, fines, and miscellaneous revenues.

FUNDS ADMINISTERED BY THE CITY

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. All of the City's funds can be divided into two categories: Governmental Funds and Proprietary Funds.

Tax Supported Funds

(Governmental):

- General (Chief Operating Fund)
- Municipal Building Authority
- Capital Improvement Projects
- Fire Impact Fee
- Transportation Impact Fee
- Park Impact Fee
- Police Impact Fee
- Redevelopment Agency
- Traverse Ridge Special Service District
- Cemetery permanent fund

Fee Supported Funds

(Business Type):

- Water
- Storm Water
- Solid Waste
- Ambulance

MISSION STATEMENT AND VALUES



Independent Audit

An independent audit of the City's finances was conducted by Hanson, Bradshaw, Malmrose and Erickson, P.C., and a clean opinion statement was issued. Complete financial information including the city's Comprehensive Annual Financial Report (CAFR) can be found at www.draper.ut.us/finance.

GOVERNMENT WIDE HIGHLIGHTS

The assets of the City exceeded the liabilities of the City at the close of FY20 by \$566,341,805 (net position), which is up \$9,878,709 over last year. Of this amount, \$80,774,162 is in unrestricted net position which is available to meet ongoing obligations.

Net position in the governmental activities improved by \$4,249,120. Significant changes include a (\$8,151,234) reduction in capital grants revenue, an increase of \$1,478,175 in highways and streets and a \$1,840,213 increase in the parks and recreation expenses.

Net position for the business-type activities improved by \$5,626,589. Significant changes include a \$2,911,564 reduction in capital grant revenues.

The outstanding bonds at year-end bonds payable is \$24,440,440. The City also has outstanding notes payable of \$11,257,815 to be paid back with impact fees only if collected.

BREAKING DOWN NET POSITION

The largest portion of the City's net position reflects its investment in capital assets, less any related outstanding debt. Capital assets are things like roads and sidewalks; and as such, they can't be spent like cash.

Unrestricted net position may be used to meet the City's ongoing obligations to residents and creditors. Much of this amount, though, not legally restricted, has been assigned by the council to meet obligations.

Restricted net position represents cash, or cash like assets that are legally restricted for specific purposes such as impact fees or taxes collected for B&C roads (gas tax).

TOTAL PRIMARY GOVERNMENT NET POSITION

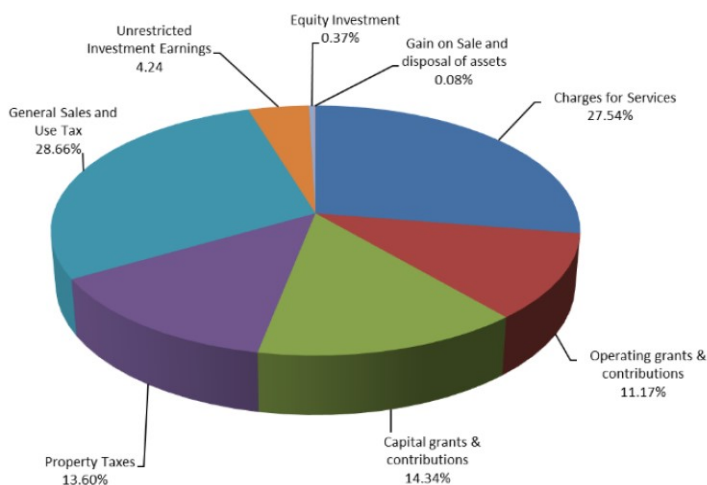


NET POSITION:

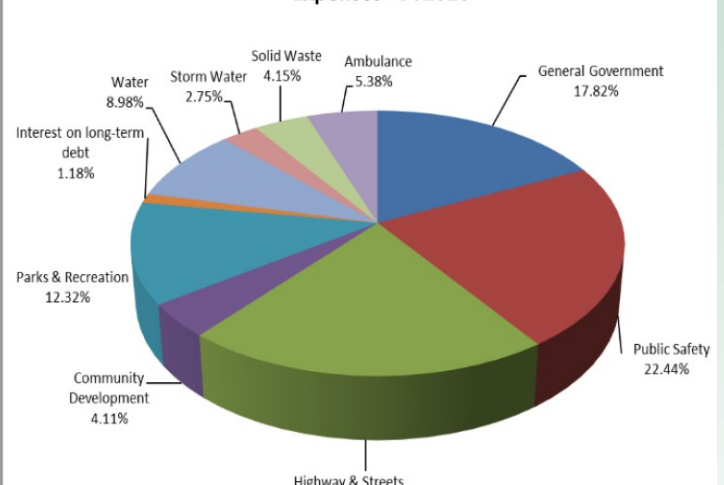
Represents all of Draper's assets and liabilities, with the difference between the two reported as net position. An increase or decrease over time may be used as an indicator of whether the financial condition of the City is improving or declining.



Total Government-Wide Revenues - FY2020



Total Government-Wide Expenses - FY2020



GENERAL FUND HIGHLIGHTS:

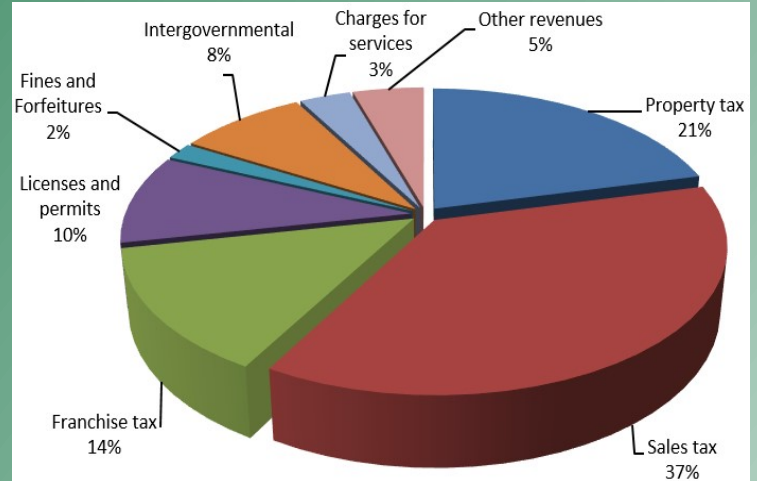
General fund revenues before any transfers or sale of asset revenue was \$38,519,858. This is an increase of \$967,067 or 2.58% over the prior year. Revenues from taxes continued to be the largest source of revenue which accounted for \$27,663,300 or 71.82%. The most notable change from FY19 to FY20 is the revenues from the new local sales tax option for transportation use. These funds are restricted to transportation uses and came in at \$1,329,808.

Expenditures in the general fund were \$31,213,135 before transfers or bond payments. All departments within the general fund came in under budget. The excess between these revenues and expenditures was \$7,306,723. The net change for all transfers, bond payments and sale of capital assets was (\$6,311,776) resulting in a net change in fund balance of \$994,947.

The ending unassigned fund balance is \$13,936,253 which can be used for any purpose. As a matter of fiscal prudence, the majority of the unassigned fund balance will be preserved to cover emergencies or future revenue shortfalls.

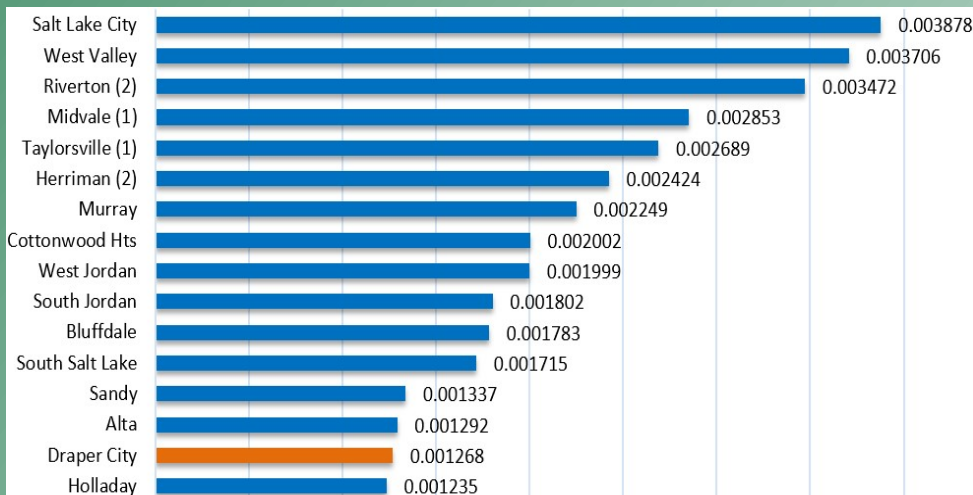
REVENUES BY SOURCE

	FY19	FY20
Property tax	\$7,939,405	\$8,145,862
Sales tax	13,450,317	14,255,962
Franchise tax	5,269,126	5,261,476
Licenses and permits	4,832,300	3,783,877
Fines and forfeitures	826,774	708,741
Intergovernmental	2,027,411	3,248,329
Charges for services	1,625,856	1,304,299
Other revenues	1,581,573	1,811,312
Total	\$37,552,762	\$38,519,858



PROPERTY TAX RATES FOR 2019

The following tax rate provided funding for the services provided during fiscal year 2019 -2020. The rates for Draper have dropped over the last several years as home values have increased. Historically, increases to the property tax collected is a result of new growth in both residential and commercial property, as property tax rates



(1) Includes taxes for fire services.

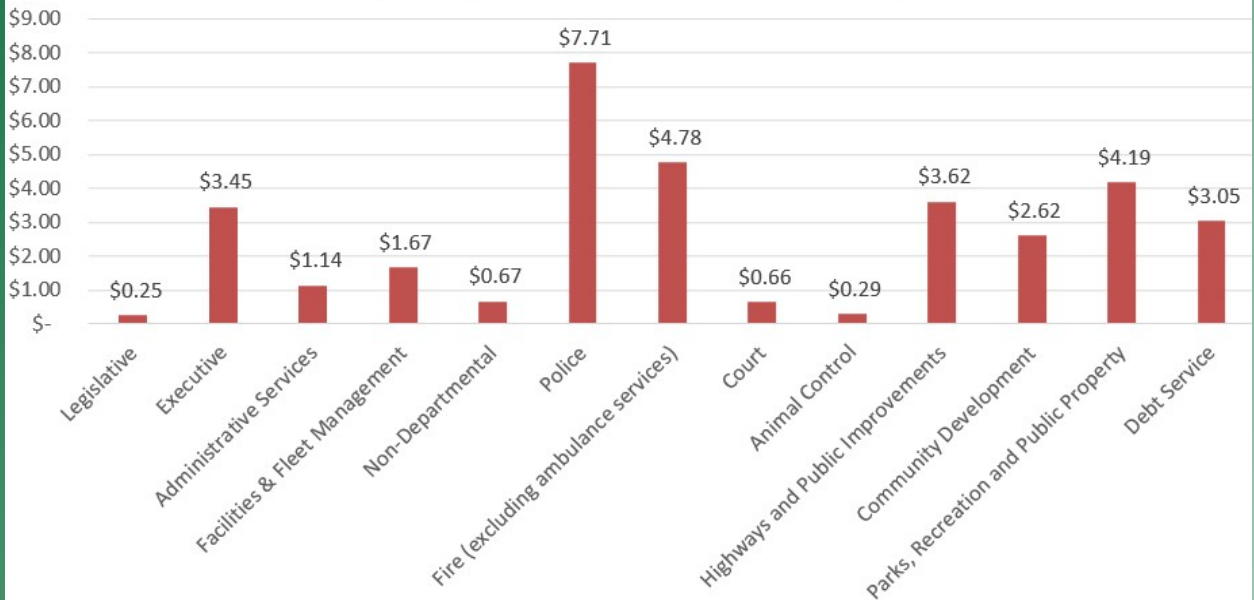
(2) Includes taxes for police and fire services.

REVENUE SUMMARY:

- ◆ Sales tax revenues were the largest tax revenue contributor in FY20, and increased by \$805,645 (or 6.0%) as compared to FY19. Sales taxes are still strong but have been showing signs of leveling off after seeing a few years in a row at 10% growth.
- ◆ Fines and forfeitures decreased by (\$118,033) which is due to fewer citations due to COVID.
- ◆ Building permits decreased (\$1,048,423) or (21.7%). This is due more to FY19 having a very unsustainable year with many new planning projects.
- ◆ B&C Road fund allocation decreased by (\$24,626) due to less fuel purchases and demand during the last quarter.
- ◆ Interest increased \$312,936 to \$1,693,770 earned in FY20. This is due to many funds locked into longer term yields prior to the federal rate reductions.

2018 Median owner-occupied home value was \$510,900.
 Calculation Notes: $\$586,700 \times .55$ (Taxable Value)
 $\times .001268$ (2019 Draper tax rate) = \$379 /12 * % of total
 expenditures. Source: Salt Lake & Utah County

**Draper City's Monthly Portion of the Property Taxes on a Median Valued Owner
 Occupied Single Family Home - Year Ended June 30, 2020**

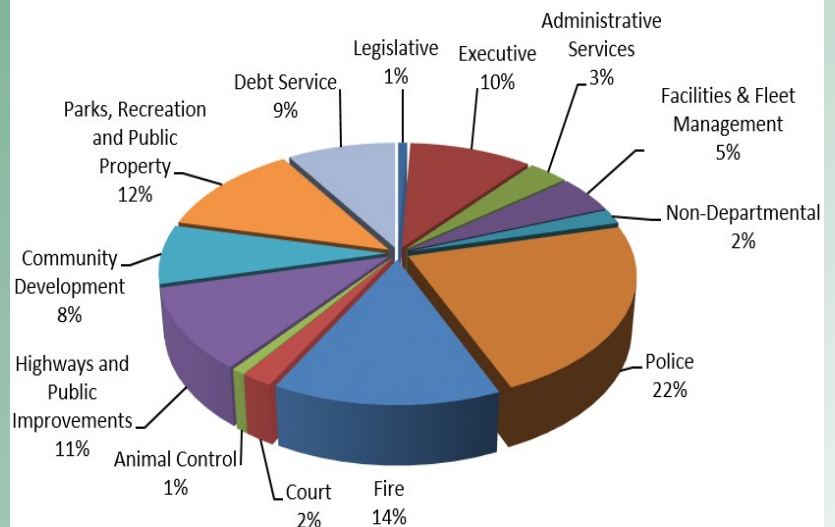


EXPENDITURE SUMMARY:

- Expenditures had a net increase of \$1,556,119.
- Public safety payroll pay plan adjustments and increased staffing resulted in a \$943,937 increase.
- Highways and public improvements spent \$2,232,857 more in B&C funds alone over FY19 because in FY19 money was collected but not spent in order to "save" up for larger maintenance projects that were done during FY20. The gas tax funds at June 30, 2020 was \$3,045,477.
- Parks and recreation increase \$131,854 or 3.6% over last year.
- Community development expenses increased by \$79,113. Many of the planning cost associated with the FY19 higher revenues are now being processes as building department expenses.

EXPENDITURES BY FUNCTION

	FY19	FY20
Legislative	\$255,675	\$232,205
Executive	2,762,088	3,161,144
Administrative Services	1,071,526	1,041,626
Facilities & Fleet Management	1,754,529	1,532,810
Non-Departmental	418,684	610,119
Police	6,364,932	7,056,088
Fire (excludes ambulance services)	3,906,803	4,373,858
Court	598,427	601,830
Animal Control	252,800	262,657
Highways and Public Improvements	3,454,408	3,314,515
Community Development	2,317,925	2,397,038
Parks, Recreation and Public Property	3,703,911	3,835,845
Debt Service	2,795,228	2,793,400
Total	\$29,627,016	\$31,213,135



Operating Revenues by Service

	FY19	FY20
Water Sales	\$5,028,877	\$5,198,470
Storm Water Utility	3,113,077	3,270,980
Sanitation Sales	2,577,409	2,638,524
Water Connection Fees	50,580	73,705
Miscellaneous Income	73,045	65,667
Ambulance Services	1,700,430	1,442,590
Total	\$12,643,418	\$12,689,936

Storm Water Fund — Revenues from storm water utility increased \$52,946 (or 1.6%) as compared to the previous fiscal year 2019. Operating expenses increased \$71,351 from \$1,530,497 in FY2019 to \$1,601,848 in FY20. The storm water fund recognized an operating income of \$1,695,873 before non-operating revenues/expenses and before capital contributions. After capital contributions of \$1,114,226 and other non-operating revenue of \$218,329 the storm sewer fund had a positive change in net position of \$3,028,428.

Cash has built up in the fund over the past few years as the City has been able to obtain grants that paid for some of the larger needs and road widening projects. \$1.5M is currently earmarked for a portion of a future public works building.

Operating Expenses by Service

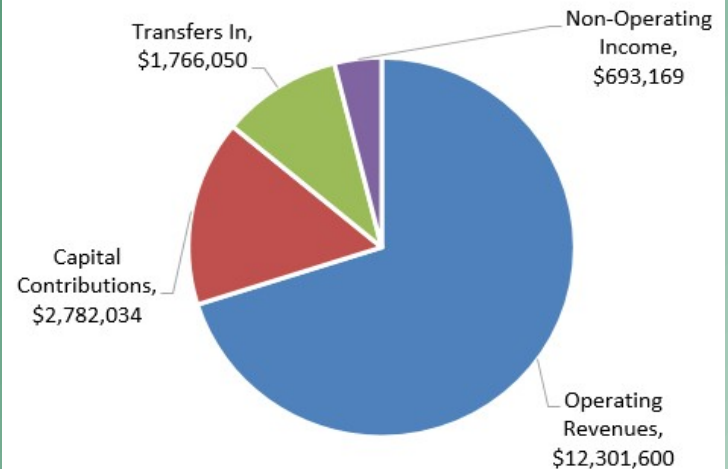
	FY19	FY 20
Salaries and Wages	\$3,696,047	\$3,857,601
Utilities	348,813	392,052
Water Charges	2,005,823	2,247,715
Landfill and Sanitation Fees	427,860	448,765
Claims and Insurance	184,500	228,660
Supplies and Repairs	1,033,105	950,979
Administration	1,587,299	1,876,725
Depreciation	2,127,452	2,299,103
Total	\$11,410,899	\$12,301,600

Solid Waste Fund — Revenues from solid waste utility fees increased \$55,701 as compared to the previous fiscal year 2019. Fee increases are due to the increase in the number of new accounts as opposed to a rate increase. Operating expenses showed an increase of \$152,286 from \$2,262,816 in FY19 to \$2,415,102 in FY20. The solid waste fund recognized operating income of \$243,642 before non-operating revenues/expenses and before capital contributions. After non-operating revenues (expenses) of \$353,431 the solid waste fund had a positive change in net position of \$597,073. FY20 also saw the introduction of an optional glass recycling program.

Water Fund — Operating revenues from water activities increased \$195,711 as compared to FY19. Operating expenses showed an increase of \$607,699 from \$4,588,127 in FY2019 to \$5,195,826 in FY2020. The water fund recognized \$95,055 operating income before non-operating revenues/expenses and before capital contributions/transfers. The water fund posted a positive change in net position of \$1,667,808.

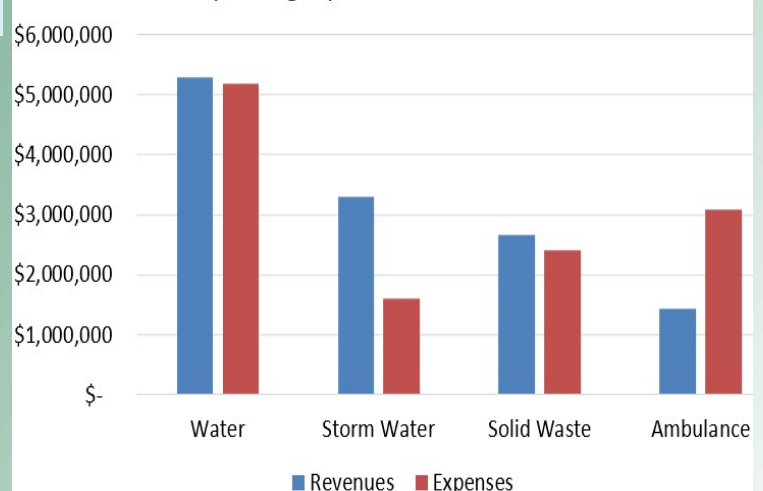
The most significant change in FY20 over FY19 was the increase in capital contributions of \$291,753 to bring contributions up to \$1,667,808. Most of these are water systems installed for new subdivisions and do not represent a cash increase to the fund.

Revenues by Source FY20



Ambulance Fund — Revenues from charges for services was \$1,442,590 which is (\$257,840) less than FY19. This was a result of fewer elective transports during the year. The ambulance fund recognized a loss in operating income of \$1,646,234 before non-operating revenues/expenses and before capital contributions. The loss for the prior year was \$1,329,029. The general fund transferred \$1,766,050 to assist in offsetting the cost to administer medical services. The FY19 transfer was \$1,205,690. It is anticipated that the general fund will need to continue to make annual transfers in order to support this service or support other alternatives so that the fund is balanced.

Operating Expenses and Revenues FY20



PERFORMANCE MEASURES AND STATISTICS

Fiscal Year	FY18	FY19	FY20
Police			
Calls for service – through dispatch	25,011	26,823	26,729
Calls for service - officer initiated	5,461	6,423	8,343
Citations written	4,395	5,233	2,656
Fire			
Medical Calls	2,890	2,895	2,871
Fire Calls	832	798	763
Ambulance Transports	N/a	N/a	1,573
Community Development			
Building permits issued	1,337	1,692	1,784
Streets			
Snow plow hours	2,457	4,955	4,955
Tons of salt	4,505	9,538	9,538
Gallons of brine spread	N/a	50,599	78,868
Economic Development			
Business licenses issued	1,923	1,792	1,329
Build permits issued	1,337	1,692	1,784
Garbage & Recycling			
Number of customers	10,314	10,522	10,633
Total annual waste in tons	17,749	17,054	17,717
Total annual recycle in tons	2,201	1,889	1,813
Water			
Number of customers	4,062	4,168	4,302
Average daily use per household (gal)	809	811	846
Parks and Recreation			
Program registrations processed	5,017	5,775	5,325
Recreation participants	6,789	7,656	5,402
Park Reservations processed	2,036	2,474	1,720
Total parks	44	44	45
Total trails (in miles)	116	122	124

RECENT ACCOMPLISHMENTS (PARTIAL LIST)

Legislative Department:

- ◆ Glass recycling program
- ◆ Jordan river trail connecting bridge
- ◆ Idle-free resolution to reduce emissions

Executive Department:

- ◆ E/V charging stations installed
- ◆ General plan completed
- ◆ COVID-19 safety changes implemented

Police Department:

- ◆ 719 arrest; only 22 included used of force
- ◆ Participated in over 18 community events
- ◆ Implemented a new records management and CAD dispatch system.

Fire Department:

- ◆ Implemented the new First Due and Community Connect programs for pre-planning and response
- ◆ Participated in 4 Wildland Deployments: 3 to California and 1 in-state
- ◆ Began a comprehensive strategic plan

Public Work Dept.—Engineering Division:

- ◆ 13800 S widening from 300 E to Fort Street
- ◆ 11950 S connector road
- ◆ 2019 master transportation plan
- ◆ 14000 S/Bangerter Pkwy signal

Public Works Dept.—Street Division:

- ◆ 384 street signs repaired or replaced
- ◆ 207 tons of asphalt road repairs
- ◆ 870 feet of sidewalk and curb replacement
- ◆ 500 feet of sidewalk grinding trip hazard completed

Parks & Rec. Department: Recreation Division:

- ◆ Completed two new baseball fields at Galena Park to create a 4-plex to allow large scale tournaments
- ◆ #1 Top program as presented by the Utah Jazz for the largest (most participants) Youth Jr. Jazz basketball league for our class of city+
- ◆ During the COVID pandemic programs and events held followed CDC guidelines.

Parks & Rec. Department: Trails Division:

- ◆ Added hiking and equestrian only trails: Lupine, Jungle, extension of Hoof N Boot and Coyote footpaths
- ◆ Added multi-use: Fango trail extension, Limelight, realigned Maple Hollow downhill and Rattle N Hum
- ◆ 4,800 volunteer hours logged

APPOINTED POSITION

NAME

CITY MANAGER	DAVID DOBBINS
ASSISTANT CITY MANAGER	RUSSELL FOX
CITY ATTORNEY	MICHAEL BARKER
CITY RECORDER	LAURA OSCARSON
CITY TREASURER	LOURDES RAMOS
COMMUNITY DEVELOPMENT DIRECTOR	CHRISTINA OLIVER
FINANCE DIRECTOR	ROBERT WYLIE
FIRE CHIEF	CLINT SMITH
HUMAN RESOURCES DIRECTOR	HAZEL DUNSMORE
JUSTICE COURT JUDGE	DANIEL BERTCH
PARK & RECREATION DIRECTOR	RHETT OGDEN
POLICE CHIEF	JOHN EINING
PUBLIC WORKS DIRECTOR/CITY ENGINEER	SCOTT COOLEY

Do you like this report? Would you like to see more information? Please let us know by contacting Jared Zacharias by email at jared.zacharias@draper.ut.us. For more information on our services, visit our website at www.draper.ut.us.



DRAPER CITY
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DRAPER, UT 84020

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POPULAR ANNUAL FINANCIAL
REPORT (PAFR)
FOR THE FISCAL YEAR ENDING
JUNE 30, 2020



MEMO

To: City Council Meeting
From: Laura Oscarson
CC: City Council
Date: December 8, 2020
Re:

Comments:

The draft minutes from the November 10, 2020 City Council Meeting have been attached for review before approval.

ATTACHMENTS:

Description	Upload Date	Type
CC 11.10 Minutes	12/4/2020	Cover Memo
CC 11.17 Minutes	12/4/2020	Cover Memo

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 10, 2020, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Fred Lowry, Cal Roberts, and Marsha Vawdrey, the councilmembers participated electronically.

EXCUSED:

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, City Recorder; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Rhett Ogden, Recreation Director; Christina Oliver, Community Development Director; Clint Smith, Fire Chief; Britnee Johnston, Communications Director; and Bob Wylie, Finance Director

This meeting will be an electronic meeting according to Draper City Municipal Code 2-1-040. Determination 2020-05, pursuant to Utah Code Annotated 52-4-207(4)

I, Mayor Troy K. Walker, do hereby determine conducting an electronic meeting of the Draper City Council with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and hereby authorize the Draper City Council to conduct electronic meetings without an anchor location. The foregoing determination is based on the following facts:

6. Federal, state, and local leaders, including Draper City Mayor and City Council, have all recognized a global pandemic caused by the spread of the COVID-19 virus.
7. Under Governor Herbert's COVID-19 Transmission Index, Salt Lake and Utah Counties are classified as "high" level meaning both counties meets "high" level criteria in at least two of the three following criteria: 7-day average positivity rate, 14-day case rate per 100,000 people, and statewide ICU utilization.
8. It is difficult, if not impossible, to predict the number of attendees at any meeting and to manage issues regarding social distancing in order to comply with State Phased Guidelines.
9. COVID-19 poses a continuing and immediate threat to the health, safety, and welfare of Draper City residents.
10. The City has the technological capability to provide means by which the public may hear, or view and hear, the open portions of the meeting and to participate in public hearings.
11. The original of this written determination is on file in the City Recorder's office.

Residents were able to participate by:

1. Listen through the Draper City Website- <https://www.draper.ut.us/95/Agendas-Minutes>
2. Email comments to public.comment@draper.ut.us by 3 PM on the day of the meeting. These will become part of the public record.
3. Those wishing to speak during the Public Comment or Public Hearing portions of the meeting may send a request for the Zoom meeting ID to public.comment@draper.ut.us by noon the day of the meeting.

Study Session

1.0 Report: Historic Preservation Commission, Accomplishments of 2020, and Goals for 2021

- 1.1 LaRayne Day, Chair of the Historic Preservation Commission, thanked the Council for the opportunity to meet with them. She said that Draper City established the Draper City Historic Preservation Commission in 1985. The purpose of the commission was to work with and assist the City in identifying, preserving, protecting, and enhancing historic buildings, sites, and monuments within Draper City. She informed the Council about what the commission is currently doing. The commission received a certified preservation grant through the state and was in the process of funding three restoration projects: the Crossgrove home would get a new roof, restoration work on the brick of the side of Sherrie Smith's home had been completed, and work on the porches on the Beck home. Also, the commission had been working with homeowners to identify homes that might be eligible to be placed on the national register of historic buildings.

Ms. Day said that she wanted to talk tonight about saving or preserving some part of the current Utah State Prison site. Instead, she felt that she needed to focus the attention on saving the Draper Historic Preservation Commission. She said that she was taken by surprise over the weekend when she received an email from one of the commission members who told her that he had received a letter that two of the commission members would not have their terms on the commission renewed because the City was moving in a different direction. She noted that she had attended a meeting with Mayor Walker and David Dobbins, City Manager, on November 3, 2020. The meeting was focused on informing Ms. Day that the City had received feedback in a letter from the Point of the Mountain Project in response to a survey they had conducted. According to Ms. Day, at that meeting, she was instructed that sending such a letter without the blessing of the mayor and the Council was inappropriate. The commissioners' names were not mentioned during the meeting and Ms. Day knew nothing of the intent to remove them from the commission. Since then, Ms. Day said that both Mayor Walker and Mr. Dobbins had called to apologize for the oversight.

Ms. Day said that she realized that the Council had the authority to appoint or dismiss any member of the commission at will. However, she did not see any reason for the removal of the two commissioners in question. She said that they had served on the commission since 2016. During that time, they had only missed one meeting. She added that these commissioners had suggested having plaques made for the Draper Historical Park to let visitors know that the area was once a fort and that the first church in Draper had been located on that spot of the land.

Ms. Day asked the Council if the commissioners were being removed from the commission because the City was going in a different direction. If so, she wondered what that direction would be. She wanted to know if the Council intended to do away with the Draper Historic Preservation Commission. She said that there currently were not enough members on the commission to hold a meeting. She said that her first instinct after receiving the email

about the removal of the commissioners was to cancel this meeting and offer her resignation. However, after much thought, she decided that historic preservation in Draper was worth fighting for. She hoped that the Draper City Council felt the same.

- 1.2 Councilmember T. Lowery wanted to thank Ms. Day for her work on the commission. She said that she could not speak for all of the councilmembers, but she felt that many of them felt that they do truly value the work of the Historic Preservation Committee and they see a great need for it.
- 1.3 Councilmember F. Lowry echoed Councilmember T. Lowery's comments and apologized for the miscommunication that occurred. He said that he did not think that there was any intent for Ms. Day not to be included in the communication.
- 1.4 Councilmember Green said that he was very troubled by the commission. He said that he read a newspaper report that did not go through the City's communication office. He said that he did not feel as though the commission did not have the best interest of the entire community in mind. He said that the City had an opportunity at the Point of the Mountain and the prison that meant that Draper needed resources from the State. The City needed to figure out how tax funding was going to come to the City, land for a fire department and police station, etc. Because of this, the City needed the State Land Commission to be Draper's partner. There needed to be a unified front when any action was taken as a City that interacts with the State Land Commission. He said that when the Draper City Historic Preservation Commission goes rogue and does not go through the Communications Department and takes a position contrary to that of the rest of the City it causes a lot of concern. He said that there needed to be a clear understanding of what the commission's role was and how the commission interacts with other outside entities, as well as its authorities and recommendations. He wanted to make sure that those concerns were addressed before moving forward.
- 1.5 Ms. Day said that she appreciated Councilmember Green's feelings. She hoped that the commission could get themselves straightened out to be able to do what was best for the City.
- 1.6 Councilmember F. Lowry asked if Ms. Day had any concerns with her commission's ability to help follow the recommendations and guidelines of the City.
- 1.7 Ms. Day said that everyone was volunteers and therefore do not always know everything that they ought to know. She said that she felt as though they needed to have a session with those who are in the know to get some additional instruction and training.
- 1.8 Councilmember T. Lowery commented on land and the Mayor being the only person appointed to have a seat at the table. The comment was hard to understand because of audio distortion and feedback.
- 1.9 Todd Shoemaker, a member of the Historic Preservation Commission, stated that the commission had called this meeting to state their desire to save part of the Wasatch portion

of the Utah State Prison that consists of eight acres of the 700-acre prison site. This was barely over one percent of the prison area. He said that the commission wanted to hear from the Council, Draper City's leaders, about their thoughts on saving some portion of the prison. He said that if there were differences in the Council and Commission's goals, he hoped they could have an open and transparent discussion. He stated that cities that have preserved their historic infrastructure have found that heritage tourism was a real and tangible economic force. Developers had discovered that money spent rehabilitating historic buildings was an investment in the future. The structures become showpieces of a rejuvenated city and spaces for new and existing businesses to prosper. The DHPC feel it would be beneficial if they could meet closely and frequently with the listed individuals who represent Draper's interest in the Point of the Mountain State Land Authority Prison plan:

- (1) Mayor Troy K. Walker: co-chair of the infrastructure and land use working group, and one of the eleven board members of the Point of the Mountain State Land Authority.
- (2) Jeff Stenquist: a member of the stakeholder working group, former Draper Councilmember, and Utah Representative.
- (3) Councilmember Tasha Lowery: a member of the stakeholder working group and Draper City Councilmember.
- (4) Christina Oliver: a member of the infrastructure and land use working group and Draper City Community Development Director
- (5) David Dobbins: Draper City Manager who attended the July meeting of the infrastructure land use working group.

Mr. Shoemaker said that the commission appreciates the valuable work these service members do for the community. He added that today they wanted to engage in a constructive meeting with the Mayor and Council to converse back and forth. However, the commission was informed that they had only 15 minutes. This was disappointing to the commission. He asked how to discuss a topic this important in 15 minutes. He said that there was a cloud hanging over the meeting because of the recent removal of two commissioners. He asked why these members were removed. He continued that he assumed that the Council had read through the commission's response to the Point survey. He explained that I provided a background of the commission's research, efforts, and reasons for wanting to preserve a portion of the prison, as well as their concerns about not being heard. He then turned the time over to the Council to ask the commission any questions about the survey. He would then like to make a few more comments.

Mayor Walker interjected that this was not a discussion. The commission was making a presentation.

Mr. Shoemaker continued that from the presentation it had become apparent to him that there had been a true lack of communication between the two groups. He said that actions were taken out of context, both parties jumped to conclusions and misread the other's intent. He said that both parties need to take a step back and take a deep breath to realize that they were all good people doing the best they could for the City. He said that he would

like to see the two commissioners reinstated, that commission meets again in January, and that in the interim the commission and Council truly engage with one another individually or in small groups to forge a united body to show the Point of the Mountain Land Use Authority that Draper City was a united body to lead the development of the Point and preserve its historic past.

- 1.10 Councilmember Green said that he was fine to meet again. He said that he felt as though the political capital that Draper City had needed to be recognized and that it needed to be used in the Point of the Mountain Land Authority in a very strategic way to get what was most important. He said that if that meant that the City was not going to consider historical preservation, he was okay with that trade-off. He added that if they wanted to install a plaque that said that the prison was once located there, that was fine. However, he was not going to waste all of the political capital the city had to preserve buildings. He said that there were much bigger issues at stake. He said that he was not in support of fighting to preserve buildings.
- 1.11 Councilmember T. Lowery said that she agreed with Councilmember Green: Draper had limited authority because the land was state held. Draper did not have a lot of control over what happened with a single seat on the board. She said that Draper does not get to determine what gets to stay because of the limited control. Leaders were trying to push development in Draper's favor as much as possible, but it would not be that much. She said that everyone needed to be realistic about what was possible.
- 1.12 Councilmember F. Lowry wanted to validate a comment made by Mr. Shoemaker. He agreed that it was important that the parties be unified. He said that some misunderstandings needed to be cleared up. However, as those misunderstandings were cleared up they needed to be handled between the commission and the City. When problems are taken to the media and released without consulting the City, some of the unity is destroyed. He said that he did not want to showcase parts of the prison site that to him were not features that were a great part of Draper's history. He felt that what needed to be preserved in Draper were sites and buildings that helped to celebrate and honor Draper City.
- 1.13 Councilmember Vawdrey stated that she was in favor of having a preservation commission. However, she felt as though the current commission needed to be revamped and better understand their role. She said that she was disappointed in the tone of what had been presented to the Council tonight. She said that she felt that there were a lot of things that needed to change.
- 1.14 Councilmember Roberts outlined his view on how the City Council ought to operate with the various commissions. He said that the Council was elected by Draper City residents and was therefore accountable to them. Ideally, the Council should reflect what residents want. By extension, the commissions ought to operate as arms of the City Council. He felt that the Council needed to find a way to be more closely tied with the commissions so that their objectives and agendas were better implemented through those commissions. He said that he recognized the tremendous value and importance of preserving historical sites,

but the two parties needed a shared agenda that reflected the will of the Council that was aligned with the will of Draper residents.

- 1.15 Mayor Walker wanted to correct a couple of statements that were made. He said that the two commissioners were not removed from the commission. He said that the only way a person can be removed from a commission was by the Council who had to take a vote. Rather, the individuals were simply not reappointed. He explained that as Mayor he had the authority to appoint members to the commission. The Council's role was then to approve those appointments. The Mayor explained that he wanted to hold interviews with others who were interested in serving. He had no issues with the individual's service. People just do not serve on commissions forever. Not everyone gets reappointed. He clarified that the lack of reappointment had nothing to do with the individuals' service. Because the Council wanted to see the commission go in a different direction, the Mayor felt he ought to make different appointments.

**** Susan Edwards, Corner Canyon School District, had an item to present to the Council. She stated Scott McCombs and Denise Haycock were also joining her.**

Ms. Edwards stated that it was always nice to join with the Draper City Council. She said that the District had been working with Councilmember F. Lowry, who was on the Foundation Bboard, to address the connectivity issue for all of the kids in Corner Canyon School District. She said that there was a map that showed where there were connectivity issues for students. It was anticipated that connectivity issues would only appear in certain hotspots, but a recent study showed that connectivity problems were district-wide. She said that there were kids and families without connectivity that the district had a laser focus on finding solutions. One of these solutions was Eduroam that was newly available to K-12 education. Ms. Edwards said that she would let the district's tech person explain the technology as he could do it better than she could. The other solution the district was trying to implement was getting A/V systems into every classroom to help assist with synchronist learning.

Scott McCombs, Corner Canyon School District IT Director, thanked the Council for their partnership and asked if it would be possible to show a 40-second video clip about Eduroam. He played the video that talked about how Eduroam provides secure Wi-Fi connections throughout different locations worldwide. Typically, in higher education, institutions share their bandwidth to create an Eduroam network. There are two types of Eduroam licenses. The first is a service provider that means an institution is not adding accounts or users, but rather is letting other users authenticate and use their network. The other type of license was for an organization like the Corner Canyon School District who was providing Eduroam to all its staff and students. They feel as though Eduroam was a tool that could bridge the digital divide. They hoped to put Eduroam in all of their locations and partner with the county and cities to ask if they would consider using some of their bandwidth to strengthen the network. If a city or community center were allowing Eduroam, Canyon's students would be allowed to go to that network and use the district credentials and be able to sign in on the network to connect to the district resources. He said that it was a great thing because it worked for Canyon's students and staff, but also

would work for most other K-12 and higher education students. He said that if they could push Eduroam out into communities they would not only be helping marginalized students who are part of the digital divide but would also be providing an opportunity to help all students. He said that it was known that the digital divide was impacting college students as well as K-12 students.

Mr. McCombs continued that one of the nice things about Eduroam was that there was not a lot of costs associated with the service. He said that if an organization allows the district to partner with them and puts Eduroam on their network, the authenticated user will use a portion of bandwidth that came with a cost. The bandwidth, however, could be shaped to be what an organization wanted it to be so that Eduroam did not consume all of the bandwidth. However, organizations would be volunteering to allow students and staff to use a portion of their bandwidth. There would be some small overhead in configuring Eduroam. The University of Utah, Salt Lake Community College, UVU, BYU, and the Front Runner all have Eduroam. However, it was not until now that it had made it into the community. He saw this as groundbreaking. The Canyon School District would be the first in the world to bring Eduroam into the community.

Ms. Edwards said that they had talked with Councilmember F. Lowry and City Manager David Dobbins to brainstorm helpful Draper locations and had reached out to the County to put Eduroam at some county locations such as the library and the recreation center so that students could go there to access the internet. Also, they had brainstormed the triangle area between the library, chamber of commerce, and park pavilion (where a lot of kids are already playing). There were a couple of spots out by the Adagio apartments that were particularly lacking and at the mobile home park. Ms. Edwards emphasized that it would be extremely low cost and would be an opportunity to extend the City's internet access to some public locations, where any students could use the internet if someone needed to.

Councilmember F. Lowry asked Mr. Dobbins if staff had been able to get a bid yet regarding the cost to add some of the stations at the park.

Mr. Dobbins said that staff did not have a cost estimate yet, but they could get one pretty quick. He said that if the option were something the Council would like staff to explore, they could report back with an estimate.

Councilmember F. Lowry told the rest of the Council that he felt that this would be very worthwhile for the City to look into because the cost was relatively low for a high benefit to students. He asked Ms. Edwards if the addition of these locations would be a help.

Ms. Edwards said that she felt it would be a great help to residents and the students and families of Draper. She said that they intended for there to be a significant roll out to let people know. She also said that they intended to reach out to businesses that were currently extending their network. This would provide them a level of protection because what students would be able to do would be limited. Also, if there was a security breach, the district knows who was signed on and where to be able to track down any problems. She

noted that it would not only be beneficial to the Canyons District but to charter schools in the area as well.

Councilmember F. Lowry asked if the businesses would also be sharing their bandwidth. Mr. McCombs interjected that Eduroam worked very much like a guest network. However, the problem with a guest network was that it was open to anyone. With Eduroam, there was a unique user and password for everyone getting on the network. The password cannot get shared because it was the student and staff's credentials, eliminating the issues that often arise with guest networks.

Councilmember F. Lowry said that he did not know how the rest of the Council felt, but that he wanted the City to pursue this as he felt it would be important in the coming months.

Mayor Walker said that he agreed with Councilmember F. Lowry. He said that it seemed like a good opportunity to get a better connection and was a worthy expense. He suggested that they see if it was C.A.R.E.S Act eligible and if it was, he was 100% supportive of doing it.

Councilmember T. Lowery said that she was also supportive of the initiative. Councilmember Vawdrey said that she was willing to look into it. Councilmember Green said that he was supportive, he just wanted to see the cost. Councilmember Roberts said that he agreed.

Ms. Edwards said that she could provide the Council with the cost data. She suspected it would involve the City's tech people. She said that the district would work with Mr. Dobbins to figure it out. She added that the Council had asked for some information and numbers on the cameras being installed in the classrooms. She asked if the Council wanted her to present on that issue. After getting to go-ahead from Mayor Walker, she said that they were trying to get cameras in every classroom where teachers are broadcasting. Some teachers were working from their computers, however, there were camera kits, at \$200 apiece. Draper proper had 229 classrooms in the Canyon District. The kits were \$200 a kit, meaning it would require \$45,800 to equip every classroom with the cameras within the Draper City boundaries. There were some schools outside of the Draper boundaries that Draper City kids attend. The total classrooms with Draper City kids in them are 464. If all of these classrooms were equipped with cameras the total cost would be \$92,800. She said that if the City had C.A.R.E.S funding remaining and was looking for a place to distribute it that had a pretty good bang for its buck, she would suggest allocating that funding towards these cameras. White City did this to show their support to teachers. If Draper City supported an initiative like this the district would work with the City to make sure they received visibility for their support.

Councilmember F. Lowry asked how short they were on the funding for those cameras. Mr. McCombs said that they had prioritized. He said that there were 2,250 classrooms in the district. He said that they had been trying to do this first in high schools and then moving to secondary schools and then elementary. He said that in trying to meet every

classroom they were short. Through the use of their C.A.R.E.S Act funding, they had purchased about 500 kits. The supply chain was an issue, but funds were a bigger issue.

Councilmember T. Lowery said that she had a question that they could feel free not to answer if it was awkward. She asked if the district had spent all of their C.A.R.E.S Act funding. She said she asked this because the City had received guidance that they should not be spending their C.A.R.E.S Act funding to assist the school district until you had used up all their C.A.R.E.S Act money.

Ms. Edwards said it was a great question. She said that they had already provided the report to Councilmember F. Lowry and Mr. Dobbins that showed all of the expenditure of the district's C.A.R.E.S Act funding. Every dime had been allocated and spent.

Councilmember T. Lowery asked if the district would be getting more funding from the third round. Ms. Edwards said that they did not know. She said that the other cities were trying to fund this during this round of funding.

Councilmember F. Lowry expressed thanks for everything that they were doing for the school district and to support schools. He said that it was an amazing time where there were a lot of heroes out there.

Ms. Edwards thanked the Council for their support and stated that the district's relationship with the City was amazing. They appreciated the Council's nice words of encouragement. Everyone was tired and needed it.

Councilmember T. Lowery said that she felt that it was assumed that all of the kids in Draper were doing fine. However, the digital divide was real and there were a lot of kids in Draper who were struggling and needed additional support. She thanked them for looking out for those students.

2.0 Discussion: Public Hearing Information Submittal Deadlines – David Dobbins

No discussion was held on this item.

3.0 Closed Session: By Motion, the Draper City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, or the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.

3.1 Councilmember F. Lowry moved to recess from the City Council Meeting and to convene in a closed session for litigation. Councilmember Green seconded the motion.

3.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

4.0 Council/Manager Reports

- 4.1 Councilmember T. Lowery brought up again Ranked Choice Voting. She said that she was interested in moving forward with it. She felt that after coming out of the election season there was a lot of interest in Ranked Choice Voting. She felt that residents were amenable to Ranked Choice Voting, which was not as negative and as intense as what was just experienced. She felt that it could lead to a better campaign season, which was perhaps not quite so soon.

Councilmember Green said that he supported Ranked Choice Voting. Councilmember F. Lowry said that he was supportive, too. He felt it would be a good system for them to try to see how it worked. Councilmember Vawdrey said she was supportive.

Councilmember Roberts asked if he was voicing his support of pursuing it further. Mayor Walker clarified that he thought that Councilmember T. Lowery was ready to put it on the agenda as an item to adopt. Councilmember T. Lowery said that she was ready to move forward. Councilmember Roberts said he was happy to have it be a resolution and have a debate.

Business Session

1.0 Call to Order: Mayor Troy K. Walker

2.0 Public Comments

There was no one present for the general public comment.

3.0 Consent Items

- a. **Approval of October 6, 2020, and October 20, 2020, City Council Meeting Minutes.**
 - b. **Approval of Agreement #20-149, approving an Interlocal Cooperation Agreement between the City of Draper and Salt Lake County designating each party's responsibilities and compliance requirements of the Utah Pollution Discharge Elimination System (UPDES) Co- Permit with the Jordan Valley Communities. This Co-Permit primarily deals with the requirements for stormwater discharge.**
- 3.1 **Councilmember T. Lowery moved to approve the Consent Items. Councilmember F. Lowry seconded the motion.**
- 3.2 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**

4.0 Public Hearing: Ordinance #1457, Short Subdivision Zoning Map Amendment (Legislative Action), on the request by Alex Short, to amend the zoning designation for the property from RA1 (Residential Agricultural, 40,000 square foot lot minimum) to RA2 (Residential Agricultural 20,000 square foot lot minimum). The property is approximately 1.5 acres in size and is located at approximately 1017 East 13200 South.

- 4.1 Todd Draper, planner, said that the item was a re-zone request to go from the RA1 to the RA2 zone. The current land use designation was residential low-medium density. He displayed slides of the site that showed the home currently under construction on the front property and a potential layout for a subdivision. He said the item was being re-heard today at the request of the Council at the last meeting to consider some of the additional items that the applicant had submitted such as the Ptarmigan Pointe Phase 2 Plat and the subsequent amendments. He stated that the applicant was present to share additional information.
- 4.2 Alex Short, the applicant, stated that he would have Dave Wilding, his engineer, or Derek Coulter would make a better presentation.
- 4.3 Derek Coulter stated that procedurally he was concerned at the October 6, 2020 hearing that the information that had been presented to the Planning Commission had not been presented and disclosed to the City Council. He explained that there were five factors for the approval of the application set forth in 9-5-060 subparagraph E. Generally, they pointed towards if the amendment was consistent with the City goals, the nature of the neighborhood, and no adverse impact to the neighborhood. He said that he believed those conditions had been covered. They had an agreement with the City that was entered into many years ago that allowed him to have the first half-acre lot in the front where the existing home was and then two lots behind. The plan was to have the first lot where the home was expanded into one acre and then the half-acre lot in the back. The impact on the neighbors would not only be less than what was contractually allowed but would enhance the neighborhood. He said that he felt as though the Council was a little premature in looking at the access for the rear lot because they were not there to deal with the subdivision issues, but rather with the zoning. Regarding the zoning, the plan was consistent with the neighborhood. He said that Lamont Smith's one-acre lot just to the west of the property was subdivided into two half acres. Almost everything else directly around the property was also zoned at a half-acre. Because of that, he believed that the request was consistent with the neighborhood and should be approved. He said that there was a comment at the October 6, 2020 hearing that one person preferred some larger parcels to be retained. This, however, was not one of the five factors that could be considered.

Councilmember Green asked if the item was not a zone change. He said that if it was a zone change, the Council had absolute discretion and was not bound to any of those factors. He said that it was purely discretionary. He said that the applicant had no zoning rights. He was trying to understand why the factors would be relevant.

Councilmember T. Lowery said that she was confused, too. She said that it seemed as though Mr. Coulter was telling the Council how to do their jobs.

Mr. Coulter said that he was referring back to the City's ordinance. He stated that the City Council should consider the five factors for approval. He said that if they had been allowed to answer any of the questions during the October 6, 2020, hearing that they would have been able to address the City's concerns. However, they were not given that opportunity. He said that he was not trying to tell the Council how to do their job, he was simply citing back to the ordinance that applied to zone changes. He said that he would be happy to address any questions. He was unsure how the item got to be such an adversarial issue. He said that the applicant was trying to cooperate with the City and make the property a better fit for the neighborhood than what they were contractually able to do.

4.4 Mayor Walker opened the public hearing. Mayor Walker noted that there was no one online to give comment, but that written comments had been submitted and given to the Council. Mayor Walker then closed the public hearing.

4.5 Councilmember F. Lowry addressed Mr. Coulter's comment that the applicant was unable to address the Council's concerns. He asked what items Mr. Coulter wanted to clarify that he felt he was unable to clarify at the previous meeting.

Mr. Coulter said that one of the questions that came up on September 15, 2020, was the access to the subdivision to the rear lot which was on the northern portion of the acre and a half. He said that Dave Wilding, of Wilding Engineering, could also speak to this, but that there is access to the back portion of the lot from the private lane. He said that was not the issue that they were dealing with, but the zoning issues. At the time, he did not have what was on the screen, the Ptarmigan Pointe Phase 2 Plat. He said that from a legal standpoint he did not think the access issues were germane as they were not pertinent to the subdivision issues. However, he felt that the access could be addressed by Dave Wilding, the applicant's engineer.

4.6 Dave Wilding, of Wilding Engineering, said that the reason why they submitted the Ptarmigan Pointe Plat was that it was the document that gave access to the private lane to the property under question. He wanted to assure everyone that there was legal access to the lane and property. He said that they had recently done a similar development with Lamont Smith's property which bordered this property on the west. The same process occurred with getting it re-zoned. He said that the applicant was just asking for something similar that was just completed with the adjacent property. He said that other properties around Draper had similar requests and had received zone changes. He said that to be fair, this area deserved to have the zone change like all of the neighbors had. Mr. Wilding also said that from the agreement with the City when he granted the 13200 South portion of his property to the City, the agreement was made that he would be able to develop three lots on the property. Mr. Short subsequently only wanted two lots. He said that was very consistent with what was going on with the surrounding properties. As a result, the applicant was respectfully asking that the RA2 zoning be granted. They wanted to be

compatible with the neighborhood. The applicant was also wanting to make improvements to the lane. He said that it was a win-win for everyone.

Councilmember F. Lowry said that he understood the argument that other half-acre lots were developed in the area. However, the only thing that he saw that was similar to the properties was that some half-acre properties were developed in the area. He stated that he did not see the rezone as something positive for the area. As a Council, they have to consider how a rezone might adversely impact an area. Councilmember F. Lowry said that he sees approving the rezone as something that would adversely impact the area.

4.7 Councilmember F. Lowry moved to deny Ordinance #1457, Short Subdivision Zoning Map Amendment. Councilmember T. Lowery seconded the motion.

4.8 Councilmember Green asked Mike Baker, City Attorney, what the applicant was entitled to. With the mention of the contract which suggested that there was some type of development agreement out there, he wanted to make sure that there was not a legal issue.

Mike Barker, City Attorney, said that when 13200 South was widened, the City wanted to condemn a portion of Mr. Coulter's property, the subject property this evening. The City was not able to negotiate a settlement, so litigation ensued. As part of the settlement of that condemnation action, the parties entered into an agreement back in October of 2016. One of the slides shows a concept plan that was a possibility. He said that he felt as though he and Mr. Coulter have interpreted the terms of the agreement differently. He said that he did not feel as though the settlement agreement in and of itself was a contract to approve the rezoning of the property. Rather, he interpreted the settlement agreement such that to get the three lots, a rezone would have to be agreed to by the City Council. He said that he knew that Mr. Coulter took the opposite view, as expressed this evening. Mr. Barker said that in the end, it would come down to a matter of contract interpretation if the issue ended up in litigation.

4.9 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor to deny. The motion passed unanimously.

5.0 Public Hearing: Ordinance #1454, City Initiated 2020 Q3 Bulk Text Amendment (Legislative Action), on the request of Draper City for approval of a Text Amendment to various sections of Title 9 and 17 of the Draper City Municipal Code concerning development access points and reducing or eliminating the requirement for paper submissions with applications.

5.1 Jennifer Jastremsky, planner, explained that the City had been evaluating development access points and how to ensure that the proper number of ingress and egress points existed for development. She said it had been reviewed for most of the year since a notice of intent was posted to amend the code in March of 2020. Part of the solution that staff came up with was to clarify the specific access points that were required, including what constituted an access point, and the types of access points based on types of dwelling units. She said that she had both a summarized version of the text that outlined the changes, as well as the

detailed text that she could go through with the Council. The type and number of access points were defined based on dwelling types:

Single-family units:

- a. One access point required for up to 30 units.
- b. Private rights-of-ways can serve up to 20 single-family units.
- c. Widen street width standards of private right-of-way to ensure a 20-foot minimum width asphalt.

Two-family units and townhome unit developments:

- a. One access point required for up to 30 units.
- b. Two access points are required for 31 units or more.

Multi-family unit developments other than townhome unit dwellings:

- a. One access point is required for projects with up to 100 dwelling units.
- b. Two access points are required for a project with 101 or more dwelling units.

The code also defined an access point as: *A roadway access into a subdivision or development that provides unrestricted access to residents, the public, and emergency services. This definition does not prohibit a gated community entrance that is designed to service residents, guests, and the general public.*

She then displayed the more formal text. She said that three different width standards were set for single-family rights-of-way based on the number of homes.

Single-family dwellings:

- a. 2-5 dwelling units: the current code requires 20 feet total. It is proposed to require 24 feet of width: 20 feet of asphalt and then the curb and gutter on either side.
- b. 6-10 family lots: the street width would go from 26 feet to 31 feet. That would require 26 feet of asphalt with a curb and gutter on either side. It would allow for parking on one side of the road and still allow for fire access.
- c. 11-20 family units: the street width would go from 36 feet to 37 feet. 26 feet of asphalt would be required with a sidewalk required for these larger subdivisions.

Regarding private rights-of-ways, the staff has clarified when parking would be allowed and what type of parking in section F is based on asphalt width. Section G addressed how dead-end streets were handled in subdivisions, as well as subdivisions with one access point. If a subdivision does have a stub street; they would still be limited to the 30- or 100-unit restriction based on the type of housing. Once the stub road was extended through there would be potential for additional units. Any temporary turn arounds would have to meet any engineering or fire standards.

The second component to the proposed text amendments pertained to paperless applications. She said that as a result of COVID-19 and City Hall being closed they had to accept digital applications only. The code technically requires paper submittals. The staff has proposed to eliminate the paper requirement to be able to continue to accept digital-only submittals. She said that would help them to operate a little more functionally. The exception to this would be that the staff would continue to require two paper copies of geotechnical and geophysical reports because consultants want a wet stamped copy from the geotechnical engineer that put together the report. Currently, the City requires physical sample boards for material building plans. With the amendment, they would require color elevations but allow the zoning administrator to request material samples if someone proposed some unique material.

The Planning Commission reviewed the text amendment and recommended approval 5-0.

- 5.2 Councilmember F. Lowry asked for clarification if the code change would require an electronic as opposed to a physical copy. He wanted to know if an applicant could only submit their application digitally or if they could do either one.

Ms. Jastremsky said that the code would require an electronic copy, typically a PDF. However, if the applicant came in with paper, the staff had the capabilities to scan them to make them digital. However, the staff would be looking for the PDF from their engineer. She said that sometimes they run into that with a home occupation where someone is not a developer and did not have access to an engineer. She said that in those instances staff would just scan the application in.

- 5.3 Councilmember F. Lowry said that he understood that the one access point becomes wider with more units. However, he was concerned that they were allowing one access point for up to 30 units. He felt that was limited access for a lot of units, despite it having a wider driveway.

Ms. Jastremsky said that the 30 units were the standard from the National Fire Code.

Chief Clint Smith reiterated that there were some cases where access to 30 units could still be a challenge for access, however, it was based on the currently adopted fire code.

- 5.4 **Mayor Walker opened the public hearing. Mayor Walker closed the public hearing.**
- 5.5 **Councilmember Green moved to approve Ordinance #1454, City Initiated 2020 Q3 Bulk Text Amendment. Councilmember Vawdrey seconded the motion.**
- 5.6 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**
- 6.0 **Recess to a Draper City Redevelopment Agency Meeting.**

6.1 Councilmember T. Lowery moved to recess to a Draper City Redevelopment Agency Meeting. Councilmember Green seconded the motion.

7.0 Adjournment

7.1 Councilmember Green moved to adjourn the meeting. Councilmember T. Lowery seconded the motion.

7.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

7.3 The meeting adjourned at 8:11 p.m.

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 17, 2020, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Fred Lowry, Cal Roberts, and Marsha Vawdrey

EXCUSED:

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, City Recorder; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Christina Oliver, Community Development Director; Clint Smith, Fire Chief; Britnee Johnston, Communications Director; and Bob Wylie, Finance Director

This meeting was held electronically according to Draper City Municipal Code 2- 1-040. Determination 2020-25, pursuant to Utah Code Annotated 52-4-207(4)

I, Mayor Troy K. Walker, do hereby determine conducting an electronic meeting of the Draper City Council with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and hereby authorize the Draper City Council to conduct electronic meetings without an anchor location. The foregoing determination is based on the following facts:

1. Federal, state, and local leaders, including the Draper City Mayor and City Council, have all recognized a global pandemic caused by the spread of the COVID-19 virus.
2. Governor Herbert and the Utah Department of Health have recently issued updated orders in response to record numbers of COVID-19 cases and COVID-19-related hospitalizations. The orders implement statewide what has been termed a “mask mandate” and have severely limited social gatherings in an attempt “to prevent and control the rapidly changing consequences of COVID- 19 throughout the state.”
3. It is difficult, if not impossible, to predict the number of attendees at any meeting and to manage issues regarding social distancing in order to comply with applicable health orders.
4. COVID-19 poses a continuing and immediate threat to the health, safety, and welfare of Draper City residents and the public in general.
5. The City has the technological capability to provide means by which the public may hear, or view and hear, the open portions of the meeting and to participate in public hearings.

To participate, please see the options below:

1. Listen through the Draper City website - <https://www.draper.ut.us/95/Agendas- Minutes>
2. Email comments to public.comment@draper.ut.us. These will become part of the public record.
3. Those wishing to speak during the meeting, send a request and include your name, address, and phone number which you will be calling from, for the Zoom meeting ID to public.comment@draper.ut.us.

Study Session

1.0 Report: Alta View Hospital's community response during the pandemic - Scott Roberson and Amber Nielsen

- 1.1 Scott Roberson noted that he was a Draper resident of more than 20 years and thanked the Council for their support to his family and the Draper community. He explained that Alta View Hospital was a 60-bed hospital located in Sandy just north of the Draper boundary. He said he felt that things were going as well as they could for their hospital. Like most places in Utah, they had been greatly impacted by the surge in the COVID-19 pandemic. He said that they were proud of the work that they did and of their caregivers. However, they were feeling stressed out and are getting close to reaching a breaking point. He said that because it was such a demanding time for any healthcare working, anything anyone could do to offer support was appreciated.

Mr. Roberson informed the Council that there were currently 375 patients hospitalized in an Intermountain Health Care facility. Seven of those were at Alta View. He noted that they were a small community hospital that had an eight-bed intensive care unit. However, when patients got really sick, they were sent out of Alta View hospital to a larger facility where they could be grouped with other really sick COVID patients. That was a good thing, allowing patients to be treated by experts in a specific field. Despite that, there were still those seven patients at Alta View. The role of Alta View was to take care of less sick COVID patients and continue to offer other services expected from a community hospital such as orthopedic surgery and general surgery.

Alta View had recently completed an extensive renovation and remodel to create a new patient tower. That left a lot of old, unused space on the campus, including 35 beds and rooms in the old emergency space that could be used as overflow for COVID positive patients. He said that those rooms had been refurbished and equipped with all of the supplies and other equipment that is typically needed to treat COVID patients so that the rooms stood ready to be used by Intermountain Healthcare if needed.

Mr. Roberson then shared some information specific to the south end of the valley. He said that since COVID started, Alta View had taken care of 197 COVID positive patients. The average length of stay for those patients in the ICU was about six days. Patients on the regular floor were admitted for an average of 3.5 days. Interestingly, since October 1, the hospital had taken care of 111 COVID positive patients. 56% of the COVID patients Alta View cared for came in during the last six weeks. He said that the hospital was doing something really good for their patients and community; if a patient shows up at Intermountain Medical Center where the sickest patients are being directed, Alta View has served as an extension to handle less severe cases to keep beds free for the sickest COVID patients.

Mr. Roberson said that they were hopeful that in a couple of months the vaccine would make a difference as it became available to the public. He also stated their gratitude for

the support received from the community throughout this process. He said that several businesses within Draper City had brought food items like smoothies for their caregivers that had brightened their team's day.

- 1.2 Amber Nielsen added that Alta View was a great place to receive care and that the community surrounding it did support its caregivers. She also thanked Draper for the support.
- 1.3 Councilmember Green thanked the Alta View representatives and stated that if they ever needed anything from the Council that they should not hesitate to ask. The Council would support them however they could.
- 1.4 Councilmember F. Lowry echoed Councilmember Green's comments of appreciation. He said that the Council could only imagine the challenges they were dealing with right now. He asked about the proper protocol to bring different items to caregivers such as smoothies to help lift folks. He also asked what Draper could do as a City to help support caregivers.
- 1.5 Mr. Roberson said that the right protocol would just be to call him at 801-501-2700. He would then put the giver in touch with the volunteer services manager. He said it was an easy process. He said that it meant so much to caregivers dealing with the tough stuff. He said that although Alta View did not have a lot of COVID patients right now, they had an increase in other patients.
- 1.6 Councilmember T. Lowery clarified that Alta View was not full of COVID patients currently. She asked what percentage was COVID patients.

Mr. Roberson said they currently had seven COVID patients, which translated into roughly 20% of their patients being COVID positive. He said that last week 50% of patients were COVID positive. He said that their capacity depended on the week and how sick the patients got. He said that if someone arrived at Alta View and did not need to be on a ventilator, chances were that they could stay at Alta View. However, if someone were put on a ventilator they would be transferred to another hospital where they could receive more specialized care.

Councilmember T. Lowery asked if that was a trend. She further inquired if they were seeing the COVID numbers go down since last week, or if the numbers were arbitrary.

Mr. Roberson said that a couple of things had happened. The other hospitals that he had mentioned who took care of sicker patients had gotten more creative with their space and were making new units and departments to place COVID patients. LDS hospital had recently opened up 35 new beds to take care of sicker patients. The medical center in Murray converted some of their units into COVID units. Riverton Hospital had a pediatric unit that they had since closed to pediatrics to open to COVID patients. Because of this, there was more capacity across the valley for COVID patients causing a decrease in volume at Alta View. He also noted that anytime there was a public policy change the hospital sees the impacts of the change about two weeks after the change was made. Following this

trend, they would not expect to see any change from Governor Herbert's mandates for about another week.

2.0 Discussion: Public Hearing Information Submittal Deadlines - David Dobbins

- 2.1 David Dobbins, City Manager, explained that the code currently states that if an item is continued then it needed to be re-noticed. He stated that he thought the code intended that if the actual public hearing needed to be rescheduled, the City would send out notification again to ensure that the public was aware of the new public hearing date. He noted that on tonight's agenda there was an item to clarify that if the Council closed the public hearing, but the item itself was continued, the City would not send out additional noticing because the item would be listed as an action item on the next agenda.

As a follow up to this point, Mr. Dobbins said that the Council's policy raised a couple of questions. First, if a public hearing is closed and the item is continued to the next council meeting, people will often send emails to and want to communicate with the Council about an item even though the public hearing was closed. Sometimes that could create a problem because if an applicant submits information that the neighbors were not aware of, the neighbor might ask when they can comment on that new information. Because of this, staff inquired if the Council wanted to clarify their practice/policy so that the public hearing is either kept open to allow people to submit written comments or if the Council wanted to tell the public that they would no longer accept any public comment. They could send an email; it just would not become part of the public record for that particular item.

Mr. Dobbins asked if the Council had any suggestions on how they wanted to move ahead.

- 2.2 Councilmember F. Lowry asked if they were simply talking about instances when the public hearing closed, and the Council ended up not voting on an item.

Mr. Dobbins reiterated they were talking about instances when the Council closed the public hearing but chose not to vote, so the item got bumped to the next agenda. Staff wanted feedback on what the Council's policy was about receiving public comment between when the two meetings. He said technically the public hearing was closed so staff needs clarification if the Council still wanted to receive public comment. Essentially if residents called staff, were they supposed to thank the resident for the information, but inform that the public hearing was closed and therefore not pass the information on to the Council, or did the Council want to keep the public hearing open so that everyone could see the shared information.

Councilmember F. Lowry summarized that by leaving the public hearing open it would allow the Council to review emails that were sent in between when the live public comment was held and the meeting when the item was voted on.

Mr. Dobbins said that this was a gray area. The Council could receive the emails. He asked the Council to assume it was a controversial item and the applicant sent an email saying that all the public comment that was received at the last meeting was incorrect. In

response, the neighbors say, “hold on, I disagree. When do I get to speak to what the applicant just said?” Because the public hearing was closed, the neighbors would only be able to send an email or written comment.

He said that staff was suggesting that if the Council wanted to continue to receive comments and discuss them at the next meeting, they might want to consider keeping the public hearing open.

- 2.3 Councilmember T. Lowery said that she felt as though the public comment should be kept open because if the applicant can keep submitting information, but the public was not able to respond an equity issue was created.

Mr. Dobbins said that if someone emailed the Council and the public hearing was closed, the Council should read it. The question was how to make that available to everyone.

Mayor Walker said that the issue would occur that if the Council continued a bunch of stuff, there would be a second meeting for every single event. If there was a lot of public comment that was closed and then continued, then the Council would have to do it all over again. This would create a substantial amount of work.

Mr. Dobbins said that they could tell people that the public hearing was closed. Information could be submitted in writing, but it would not be a part of the official record or that particular item.

Mayor Walker said that they should not have the applicants making more stuff either. He said the item was being continued so that the Council could think about how they wanted to vote. He did not think that the applicants should be able to submit additional information either so that it was fair to both the applicant and the public.

Councilmember T. Lowery said that the continuation of the item was strictly for deliberation for the Council.

Mr. Dobbins said that staff would make sure to communicate that to the public; once the public hearing was closed, they were not soliciting any formal feedback.

- 2.4 Mayor Walker asked if it were not true of the code now that if the Council did not make a motion that it would roll to the next agenda.
- 2.5 Mike Barker, City Attorney, said that it was those instances that they were trying to address. He said that they were trying to clarify what needed to be included in a motion to continue an item. He said that there could be instances where the Council wanted to continue to receive more input and if that were the case, this could be specified in the motion. However, if the item was continued because of silence (a lack of a motion) they were trying to address what the idea was behind the silence: the Council wanted to mull over what was said and vote at the next meeting.

3.0 Update: Draper City Logo – Britnee Johnston

- 3.1 Britnee Johnston, Communications Director, reminded the Council that last time they had discussed the logo as a group they had decided to come up with a few more logo options before sending them out for a public survey to residents and employees. She said that she had been working to come up with those new options as displayed. She noted that they were created with the new direction offered by the Council that life was good in Draper, that open space was the gem of the City and what set Draper apart, and focusing on a single aspect of Draper as opposed to trying to incorporate multiple ideas in the logo.

She proposed that they send the five new designs and the current logo out to the public survey. It would be conducted through email as ranked based voting. A person would have to take each logo and rank them from number one (their favorite) to number six (their least favorite). A comment box would also be provided in the survey for any public comment. The survey would go out to 1,200 residents, the same sample group that received the general plan resident survey. The sample group already represents the demographics and neighborhoods of Draper. After getting the survey results, Ms. Johnston would work with the Council to pick a single logo and make any final edits to it based on the public input.

Ms. Johnston clarified that the Council was not deciding on a logo today but specifying if they were at a point to move on to the public input portion of the logo development.

Also, Ms. Johnston went through each of the logos briefly so that the Council could know the thought behind them. For each of the logos, she displayed alternative logo formats in one color black, and one color blue. She also displayed what they would look like on apparel, a city truck, a street sign, and on doors.

- Option 1: (Square logo featuring Lone Peak and the word Draper contained within the square.) She said the logo was unique and stands out because there was no other City around Draper that had a square logo. It was also not the typical landscape as it used a mosaic style that featured open space in the foreground and a sunlit sky in the back. She noted that upward pathways were representing new opportunities. Also, the logo was quite colorful compared to past logo iterations. The logo represents a liveliness, that Draper has diverse opportunities, and that the City was vibrant and full of life. The colors would also look great on the website.
- Option 2: (An oval containing Lone Peak with the word Draper flagged across the center and extending beyond the oval of the logo.) Ms. Johnston described this logo as “bold, yet simple.” The Draper name stood out with Lone peak more defined in this option. The bottom of the logo had an open space with the roads leading upwards. She said that this logo was also in alignment with Silicon Slopes that also featured their name within a circle. Because of this, the logo communicated that Draper was on trend with the tech industry.

- Option 3: (A D, with Lone Peak, depicted in the bottom third portion of the letter and its summit extending into the negative space of the letter. Draper follows outside of the vertical line of the D.) Ms. Johnston explained that this was one of the original selections from the internal logo committee. The designer tried other colors, gradients, and mountain illustrations. The original illustration was the best. As a result, they stuck closely to the original logo, but removed the tech squares and removed the gradient to put it into a single dark teal blue. She said that she felt as though the mountain illustration showed strength and could represent the strength in Draper's commerce, economy, and community.
- Option 4: (A letter D shape filled in with a more abstract depiction of Lone Peak with open space and leading lines in the foreground. Draper and Utah appear stacked underneath the logo.) Ms. Johnston described this as a simpler version of the letter D more to the blues and greens of the current colors. These were a little more calming. There was open space and foothills in the front with a simple peak in the back.
- Option 5: (An oval with the bold color scheme with Lone Peak in the background and the open space in the foreground. Draper and Utah appear stacked underneath the logo.): Ms. Johnston noted that this was a similar illustration as Option 1, but from a slightly different angle and contained in a ring. She said that the ring gave it a slightly different feeling of classy containment. There were the unique mosaic illustration and the bold colors representing liveliness and diversity and the upward pathways of new opportunities.

3.2 Councilmember Green asked Ms. Johnston what was her favorite logo. Ms. Johnston said that he could ask her that. She said that she was good with any of them. Councilmember Green said that it was her area of expertise.

Ms. Johnston said that she felt that the second option (the oval with Draper flagged across is) had the most widespread appeal. She felt that the first and fifth options were the most unique if the Council wanted to stand out.

Councilmember Green said that he agreed with her on option two. He said that these options were much better and that the second iteration was much cleaner. He said he appreciated this very much and that she went through the process and doing all of the work. Mayor Walker said that he liked options two and three. Councilmember Green said that he felt Ms. Johnston was good to move forward with getting resident feedback.

3.3 Councilmember Vawdrey said that she liked option three. The only thing that she did not like about it was that on the truck and the sign it looked like ID because the word Draper looked like an I from a distance.

3.4 Councilmember F. Lowry said that he had been favoring option 3 until she presented the new versions. He said that he felt options 1, 2, 4, and 5 all outshined option 3 now and looked cleaner.

- 3.5 Ms. Johnston said that if the Council felt as though there were at least one or two options that they liked in this group she felt as though they should move on to the public. There was enough variety to choose from.

When Mayor Walker asked, the Council concurred with Ms. Johnston taking the logos to the public.

Councilmember Roberts said that he was partial to option 2 and that he hoped the public felt the same.

- 3.6 Councilmember F. Lowry said that he was also partial to option 2. He wondered how the logo would look if they took the mountain shape from option 4 and put it in place of the mountain shape in option 2.

Ms. Johnston said that she would keep that input in mind. She explained that after they had received all the input from the public they could return to the Council's ideas. However, she felt that it would be good to get what the public was favoring so that they did not spend too much time on a logo option that the public did not want. She recommended keeping the logos as is and then revisiting them afterward.

4.0 Council/Manager Reports

- 4.1 Councilmember F. Lowry said that he had met with the Tree Commission in the morning. He said that they were seeking counsel from the Council on what their goals were. He said that they were concerned about presenting different plans on tasks they could help do, only to have the Council shoot down their options from a budgetary standpoint. One of the primary projects discussed was the entryway from Riverton into Draper and coming up with a plan on what could be done there. He said that Rhett Ogden, Parks and Recreation Director was helpful on the call through his realization that to do that entry right would require more effort than just the Tree Commission to help beautify that area. He wanted to give a heads up that there would likely be a report from the Tree Commission soon. Because of this, he felt that the Council needed to be open to what projects they would like to support the Tree Commission with, and determine the available funds to put towards beautifying the City.

Mr. Ogden said that Parks and Recreation would be happy to help with a project in that area or whatever the Council desires. He said that the entryway had been on their beautification list for several years. If it were something the Council wanted to move forward on, Parks and Recreation would be happy to work on it with the Tree Commission.

Councilmember T. Lowery said that she would love to see some beautification off of the 14600 South entrance. She said that she didn't feel as though it had to happen right now, but that as they got closer to having the Plural Sight campus open, she felt it would be a gateway into the City as well. It would be quite nice to have it be a little bit nicer right there.

Councilmember F. Lowry said that the Tree Commission had discussed that area as one of the locations to look at improving. He asked Mr. Dobbins if he recalled correctly that the area was under UDOT's jurisdiction and responsibility. He asked if the City would need to talk to UDOT to make changes to that area.

Mr. Dobbins said that the City would need to talk to UDOT because they would need to put a water or power source out there in a UDOT right-of-way. He said that would be easy to coordinate with UDOT.

Councilmember F. Lowry asked if Mr. Dobbins could explore that. He said that if that area was determined a priority over the Riverton entrance or if the Council wanted the Tree Commission to participate in both projects. He said that he felt that they had some really good individuals that were willing to dive in to do some things, but that they felt as though they were spinning their wheels because they did not have a full direction from the Council.

Councilmember T. Lowery said that even if they invested in xeriscaping the 14600 South exit it would be so much better than the weeds and garbage that existed now.

- 4.2 Councilmember Vawdrey said that a resident had contacted her and said that they had a one-acre property, but that they were only able to have six chickens on the acre, the same number of chickens someone was allowed on a 10,000 square foot lot. The resident felt as though it was a problem that she was not allowed to have more chickens on an acre parcel. Councilmember Vawdrey wondered if that was something they wanted to consider changing as she felt that six chickens were not a lot on an acre.

Councilmember Green said he felt it was fine to look into. He said that his grandfather used to tell him about how during the Depression they survived off of the eggs, chickens, and food they grew in their backyard. He said that he did not feel as though they should restrict that.

Councilmember Vawdrey said she did not feel as though the sky needed to be the limit, but she did feel as though there were already quite a lot of restrictions on chickens. People cannot have a rooster, which she felt was smart. However, she felt it was good that the resident asked. The resident could apply to change the code, or it was an item the Council could discuss and determine if it was a reasonable request.

Councilmember F. Lowry asked what Councilmember Vawdrey's recommendation was to adjust the code. Councilmember Vawdrey said that she should talk to staff about it before a decision was made. She thought that on an acre lot, a resident should be able to have at least a dozen if a half-acre was allowed six.

Councilmember F. Lowry said he would like to know the reasoning behind why the chickens had been limited to six. Councilmember Vawdrey said that there were animal units allowed per acre. She felt that six chickens should constitute one animal unit if a horse was an animal unit.

Christina Oliver, Community Development Director, said that she would take the thoughts and do an analysis of units for chickens.

Mayor Walker noted that Draper used to be the egg capital of the world. He also said that in his own experience with chickens he bought six chicks and every one of them ended up being a rooster.

- 4.3 Councilmember T. Lowery wanted to thank the Parks and Recreation team for the Haunted Trails that they put on for Halloween. She said that she felt it was awesome and so many people loved it and had an amazing time. She thought it was a huge success. She said that she knew that a ton of work went into it and wanted to make sure that they knew that she appreciated it.

Councilmember Vawdrey echoed that appreciation. She said that she had a few people reach out to her hoping that it was going to happen again next year because they loved it so much. Councilmember F. Lowry agreed. He added that the flags at the park on Veterans Day were awesome, too.

- 4.4 Mayor Walker suggested that in addition to the lights at Christmas that they do a live stream from City Hall with a countdown to turning the lights on. People could be in their cars and Livestream the turning on of the lights with mask-wearing. He said that folks love the lights and people like seeing them turned on.

Councilmember T. Lowery asked if the cute little hallmark Christmas girl could do it as she would be “really cute.” Mayor Walker agreed and said she and her brother were really busy. He said that he knew the lights were going up in Historic Park. He asked if the Council wanted them all turned on at the same time.

Councilmember T. Lowery said she had seen something really cute where residents had said that on Christmas Eve, everyone was going to go outside of their homes and at a certain time turn on their Christmas lights and ring a bell. She suggested making that a thing to have everyone in Draper turn on their Christmas lights and ring a bell for Draper's holiday spirit.

- 4.5 Mayor Walker also said that he was going to sign an emergency order to keep City Hall closed through the Thanksgiving Holiday in conjunction with the Governor's pandemic orders. Employees who could work from home would be working from home. The public was not interacting in City Hall. He said that hopefully, the numbers would come down moving forward. That closure would allow the City to use more C.A.R.E.S money to be able to cover some expenses. He said that it was his impression that most people that he had heard from were trying to comply with the orders. He said that he has seen people wearing masks now more than he ever had. He said that every business was requiring them. There had been some reports of Draper businesses that were not complying with the order. When it was investigated, they were in fact following the order.

He said that the virus does not kill everyone who gets it, but for those who do, it sure can linger. He said that his legal secretary had been sick for 24 days. He sent her home at noon today because she was coughing like she had emphysema. She just could not shake it.

- 4.6 Councilmember F. Lowry asked about the gift cards that were sent out. He wanted to know how the response had been and if staff and the City were interested in doing another round of them. He said that he was concerned that there were a lot of people who did not realize that the gift cards were coming, and they might have been thrown away. He also said that he heard that some folks had them stolen out of their mailboxes.

Mr. Dobbins said that staff had heard of a lot of people who were using them. He said that there was one neighborhood that said they did not get the gift cards. Several people had called to ask for the gift cards. He said that he felt that they ought to give the program another week to see the response.

Ms. Johnston said that there had been a great business response. Over 100 businesses signed up to participate in the program.

Councilmember F. Lowry asked how labor-intensive the program was on the administrative end. Mr. Dobbins said that Ms. Johnston had put in most of the work upfront in getting everything ready. He said that the most work right now was just handling all the calls from residents who wanted extra gift cards or said that they had a big family. He said he anticipated that would die down shortly. Once the program was done, the business would have to bring their paperwork in to be reimbursed. There would be some work on the backend.

Ms. Johnston said that if the City were to do another round, the template had already been created and the printer already had the needed information. This would make it pretty quick and easy to implement if the Council were interested. Mr. Dobbins said that if all the gift cards were used, they amounted to about half a million dollars. He said it did come with a pretty hefty price tag.

- 4.7 Chief Clint Smith provided the Council with an update on Fire's response concerning the implementation of a new CAD dispatch system out at Valley Emergency Communications Center (VECC). He said that it was a project that had been years in the making in trying to standardize the response process within the Salt Lake Valley and implement a new CAD system that allowed both the 911 response centers within Salt Lake County (VECC) and the Salt Lake City 911 Dispatch Center. He explained that the issue that had existed for many years was that these two primary dispatch centers operated on different programs. The call center that emergency calls went to depended upon where people called or what cell tower their call was directed from. If it went to Salt Lake City but was determined to be a response in Draper City, the call center would have to transfer the resident and make a call to the other call center, which caused a delay in the response across the board.

The issue was one that was taken up by the state legislature a couple of years ago. They wanted to see the consolidation of dispatch centers to significantly reduce the number of

call transfers that happened across the state. The new standardized system allows each dispatch center to see the calls coming into the other location, eliminating the need for transfers.

The system implemented was called Versaterm, the same system that had been adopted at the change of the fiscal year by Draper City Police to also help address some dispatch problems. In addition to the dispatch consolidation, the other significant change that occurred with the switch to Versaterm was the use of Automatic Vehicle Locators (AVL's). These are essentially GPS units that are live on all of the first response units across all departments that are dispatched out of VECC.

All of the Fire Chiefs got together and had a frank discussion about responding to address the dislike that had long existed about boundaries and different departments responding to calls, not within their boundaries. With the implementation of the new technology, the Chiefs were able to drop their guard and stop fighting over jurisdictional boundaries. Instead, they decided that the closest unit would be most appropriate to respond to 911 calls to provide aid as quickly as possible.

Chief Smith said that there were pros and cons to everything. With the implementation of the new CAD system and the AVL dispatching, all of the first response vehicles will be dispatched by their AVL location at the time the call comes in moving forward. If the crews were in the station, the station location would be used to coordinate and determine the response time it would take them to get to an address and compare it to the surrounding units and agencies. Whichever unit was deemed the closest would be the unit that was dispatched. Anything within Draper as far as ambulance response would utilize Draper ambulances. He said that the new system was providing good data on the holes within Draper's response within its boundaries because of distance. However, what it meant, and what he wanted the Council to be aware of, was that other agencies would be seen within some parts of Draper, such as the north and west part of the City, more frequently than in the past. Bluffdale assisted a lot of the west side and Sandy and South Jordan both assisted on the north border of the City.

The valley Fire Chiefs committed to giving the AVL response a solid six-month trial to acquire data before making tweaks to the response. One of the challenges for Draper was the remote nature of the Suncrest Fire Station which perhaps had them under-utilized because of the distance to get them down the hill.

Chief Smith emphasized the shift in how responses were being organized, but the value of the data that they would be gathering in the coming months regarding response times and distances.

Business Session

1.0 Call to Order: Mayor Troy K. Walker

2.0 Public Comments

There was no one present for the general public comment.

Mayor Walker made the Council aware that a written general public comment had been received from resident Kathy Anderson about Vestry Drive.

The comment is at the end of the minutes.

3.0 Consent Items

a. Approval of Resolution #20-52, amending Personnel Policy Section 5040 regarding Holiday Leave.

3.1 Councilmember F. Lowry moved to approve the Consent Items. Councilmember Vawdrey seconded the motion.

3.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

4.0 Action Item: Resolution #20-51, accepting the Audit and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ending June 30, 2020.

4.1. Rob Wood said that he was appreciative of the fact that Draper City trusted his firm to provide the annual report services and financial audit that was a requirement of the state. He explained that pages 1-3 were the summary of the auditor's report. He said that he had given Draper an unmodified opinion. That was the best opinion he, as an auditor, could give an organization. In essence, the firm did not feel as though there was any material missing in any of the financial reports.

Mr. Wood then pointed out a few highlights. He pointed the Council to the Management Discussion and Analysis on pages 4-15. He said that it was a condensed financial synopsis of how the City performed not only for 2020 but also for the fiscal year 2019. It was the only place where there was comparative information.

Overall, once past the entity-wide statements, there were fund statements. He explained that was an area that the Council had a greater hand in because it approved expenditure for each fund and reviewed them regularly, especially the General Fund. Mr. Wood was happy to report that all of the funds were in a positive fund balance position.

After the financial statements were presented there were two different reports. The first was a requirement for government auditing standards. The firm found no problems with internal controls of the City or any deficiencies regarding compliance with laws and state regulations. The final report was required by the Utah State Auditor's Office. Some of the areas that the firm tested Draper on were about budgetary compliance and fund balance calculations. That was the requirement that the general fund balance totals needed to be

between 5-25%. This was an area the firm had a finding on. When they completed the fund balance calculation for Draper, its General Fund balance was sitting at 36.8%, over the requirement. That indicated that the City Council could go out and fund projects.

The second finding related to state compliance with how court costs were tracked with Draper's Justice Court. The coding was slightly different. They had been encouraged to reach out to the administrative office of the courts to get additional training in how the costs should be coded in the system.

He said that City was functioning at a really strong capacity. He did note that there were some issues with the blended component with the TRSSD, but those issues would be addressed separately.

4.2 Councilmember Green moved to approve Resolution #20-51, accepting the Audit and Comprehensive Annual Financial Report (CAFR) for Fiscal Year ending June 30, 2020. Councilmember T. Lowery seconded the motion.

4.3 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

5.0 Public Hearing: Ordinance #1465, Rasmussen Family Commercial Zoning Map Amendment (Legislative Action), a request by One West Construction, representing the Rasmussen Family Limited Partnership, to amend the zoning map designation from the A5 (Agricultural, 5 acre minimum) Zone to the CN (Neighborhood Commercial) Zone for the property located at approximately 12197 South 300 East.

5.1 Maryann Pickering, planner, oriented the Council to the location of the site discussed. She displayed an overlay of the current land use designation, neighborhood commercial, of the property, and the surrounding area. The site was also currently zoned A5, with commercial zoning to the west (CR) and south (CC).

The item was a request to change the zoning of the property from A5 to CN. The proposed zoning designation of CN was compatible with the current land use designation. The zoning was requested to subdivide the property into two lots through a plat amendment. The lot was 9.8 acres in size. The rezone was being requested because there was a pending application for a charter school which was scheduled for the Planning Commission on Thursday, November 19, 2020.

Ms. Pickering noted that charter schools were allowed in any zone according to state law. Because of this, regardless of if the area was rezoned to CN or remained A5 the charter school would be a permitted use. She then displayed pictures of the property from different angles. The Planning Commission voted unanimously on November 12, 2020, to forward a negative recommendation on the zoning map amendment.

5.2 Mayor Walker opened the public hearing.

- 5.3 Scott Sabey spoke for the applicant. He said they were there for a simple rezone to match the general plan of the Rasmussen property from A5 to CN. He noted that the parcel did touch three vacant residential lots. To the east, there were 25 three-story buildings with 225 units in them. To the south in the CC zone, there was a McDonald's, Chick-fil-A, a car wash, and a credit union. To the west of the property was the CR zone with a gas station and mall. He described these features to make the point that while this parcel did touch three residential properties, it was surrounded by fairly intensive use. The application was simply to bring the property from the A5 to match the commercial uses of the surrounding area. He noted that they did want to divide the parcel into two portions. That was driven by the request to run 12230 south through to the roundabout that would force the property into two separate parcels and result in the lower parcel being less than five acres.

He stated that when the item was brought before the Planning Commission, they thought it was a fairly simple and straight forward application based on the history and comments made in the past. However, there was a significant amount of discussion after the applicant was no longer addressing the presentation regarding traffic. He said that because of this he wanted to briefly go through the Draper Municipal Code section that was relevant to modifying the plan as it related to the parcel. That was section 9-5-060(E)(1) (a-e). He read and commented on the different sections of code as follows:

- a. When a proposed amendment is consistent with the goals, objectives, and policies of the city's general plan;
 - i. Mr. Sabey noted that they were obviously seeking to match exactly what the General Plan was.
- b. Whether the proposed amendment is harmonious with the overall character of the existing development in the vicinity of the subject property;
 - i. Mr. Sabey reiterated that all of the different commercial and intensive uses in the surrounding area that touch three sides of the property meant that the zone changes clearly matched the overall character of the area.
- c. Whether the proposed amendment is consistent with standards of any applicable overlay zone;
 - i. Mr. Sabey said this had already been addressed.
- d. The extent to which the proposed amendment may adversely affect the adjacent property;
 - i. Mr. Sabey said that he did not feel that this would adversely affect adjacent properties in any way, except for possibly impacting the three residential lots to the north. He said that anything other than leaving the property as rows of corn would affect them. Ultimately, the landowner was entitled to develop his property as all of the surrounding properties had been developed.

- e. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks, and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.
 - i. Mr. Sabey said that the staff report stated that there were no concerns regarding services. The one item that did come up following their presentation to the Planning Commission was traffic. One of the comments that were made was that the proposal for a rezone should not come without also presenting a subsequent site plan and intended development. He said they were following the City's process of bringing forward the rezone application. They were not hiding anything as the development plan had been put forward. However, the difficulty in addressing traffic in detail now was that it was not part of the rezone amendment process. While there had been traffic studies and a significant amount of time had been spent with staff and UDOT, that was not all before the Council now, nor was it properly before you now, so those items were difficult to address. He said there was concern about the weight of traffic on 300 East. The development that was proposed had committed to mitigating all traffic input which included spending up to \$1 million on roadways. Having spent a significant amount of time with UDOT and staff to understand what the City thought was necessary to be installed in the area, he felt the applicant had pulled together all of the parties necessary to address the City's problem. He said that he phrased it that way because the problem had existed for years. A warrant study was done in 2017 that talked about the failure of the roads for an overload of traffic which had nothing to do with the Rasmussens or their occupation of the property or anything to do with the proposed development. However, in trying to address those for the City and trying to help mitigate any additional traffic the development would add, they have brought all of those problems to bear. He said that the Council did not have the traffic studies before them because this step was not the right time to do it. However, he would say that for the last 135 years the Rasmussen Family who has occupied that property and been a good member of the community, has watched all the land around them be developed and get what they wanted. Now that they were surrounded by businesses and have seen residents move into what was once farmland and benefit from homes being built, they feel as though it is their turn to benefit from development as well.

5.4 Charles Wilkenson, resident 1284 South 580 East, said that he had attended many Council Meetings in the past on various items and always wanted to be a helpful influence. He said that the neighbors' concern was the infrastructure. He felt as though a lot of people on 12100 South were witnessing that development. He said that the development was something that was discussed when the apartments were put in. He said that because 12100

South ran into those apartments they had tried to get those apartments to exit somewhere else than 300 East that is already taxed by traffic from the exit of St. Johns Juan Diego High School. The infrastructure had caused a lot of traffic to come down to 12100 and 12200 South because they want to avoid all of that entanglement. He said that the speed tables that were put in had not been much of a deterrent. Although they were at the beginning since the roads were re-asphalted, the speed table is no longer as high, so people still speed down the road trying to save time. Unfortunately, half of 12100 South did not have any sidewalks. As a result, children were outside playing with people rushing around. He said that an integral part of the whole discussion was where would the traffic go because the infrastructure was not designed to handle the level of development. He was concerned that if it were a 1,000-student school and everyone was being dropped off and picked up, the additional traffic would not only overload 300 East but would increase the amount of traffic on 12100 South. He felt that there had to be a solution before moving forward.

- 5.5 Carl Sile, resident 12024 South 235 East. He said that he was the president of the Redmond Place Homeowners Association, a 34 home, single-family, low-density development to the north of the Rasmussen property. He said that their association did not support any commercial use of the property that was not low-density, single-family because of the traffic issues already addressed. He said that they already received significant traffic through their small, 34 home community from Juan Diego High School. He said it comes through the community to avoid the stop sign that was immediately south of the school. He said that there were not any speed bumps in his neighborhood which caused drivers to travel at high speeds. He said that they did not want any additional traffic caused by a new school, or any commercial development, supporting their opposition to the proposed re-zone.
- 5.6 Lisa Hansen, resident at 12057 South 300 East, lives five houses north of the Rasmussen property. She said that the proposed zone change was not necessary for what they intend to use the property for. The zone change was not needed to build the school. She said that by denying the zone change, the Council could ensure that neighbors were not shackled with additional traffic from the school, plus commercial development. She said that no one knew what would go in the three acres they wanted to subdivide. She said that it was super frustrating for residents to be in this position because last year, Richmond American came with a plan and requested a re-zone for residential development with 71 single-family homes. Most of the neighborhood was in support of that project. The Planning Commission and City Council denied the application because of density and parking concerns. She said that it would be very inconsistent for the Council to decide tonight to approve this zone change when the previous zone change was denied. Additionally, the city code required a substantial buffer between RA1 and RA2 properties and high-density usage. She said that if the Council looked at the map, there was no buffer anywhere. She stated that the section of the code was 9-10-080(E.I). She said if this commercial were allowed, residents would be boxed in on all sides with high-density usage. She said that she understood that the master plan allowed for that use, but the master plan also did not account for the high density that had been put in at Draper Village apartments across the street; Victoria Woods, the subsidized housing on 12200 South; nor the Day Dairy. Regarding the adequacy of facilities, she said there were not adequate roads and traffic

controls in the area. All of the intersection was already strained. She said that although the applicant said that they were going to spend \$1 million on road improvements, she wanted to know what they actually would be. She said that in one of the traffic studies she read, an important element of fixing the problem was widening 12300 South. That would be a massive undertaking. She wanted to know where all the money was going to come from and the priority to make those things happen. She said that residents were pretty powerless, and asked that the Council deny the zone change so that residents did not get both school and commercial traffic.

- 5.7 Christian Cole, resident at 11963 South 645 East, said that he echoed much of what had already been said by other residents. He wanted to add that the Juan Diego infrastructure did not support its parking. He said that even when they hold events, there would be cars parked up both sides of the street on 12100 South. He said there have been times when residents have not even been able to enter 12100 South because cars were parked up and down both sides. Because of this, neighbors have been required to drive around 700 East to be able to enter their neighborhood. He said that he was with the Hansens to deny the application because they do not need the zone change to build the charter school and the neighborhood was adamant to fight the development to the end. He said that the neighbors had been in 100% support of residential use of that property from the get-go. When the neighbors have been asked what they would like to see in that area, he said they have said again and again that they would like to see half-acre or third acre lots with a single-family residence. He said that just because it fits does not mean you should. Those who question the traffic should go grab themselves a shake a McDonalds at noon. He said, good luck when you are in the Post Office parking lot trying to get out of it. He said that it was absurd to try and shoehorn in a school there.
- 5.8 Jeff Hansen, resident at 12057 South 300 East. He also echoed what several other residents had expressed. He said that the thought of another school coming in so close to the neighborhood within 200 meters of his house was insane to him. He said they already had Juan Diego. He was not sure that they needed another school. He said that the Richmond America, 71 single-family plans had been mentioned. He wanted to reiterate Draper City Code regarding parking. In section 9-25-30(a) the code reads, "every land use established under the authority of this title shall have parking as required by this chapter. Each person who establishes any such land use shall provide the required parking. The establishment of land use shall include any change in uses and any increase in the capacity or intensity of an existing use." He said that he knew that a parking study was done by Hale Engineering who said that 300 spaces would be sufficient, but there were only 200 usable parking spots, 198 stalls. He said that was sufficient. However, because this was a charter school, there would not be any buses running, meaning that the high school kids that would be attending, would be driving their vehicles or be dropped off, creating a ratio of 3.1 high school students per stall. Compared with other schools around, Juan Diego comparatively had about 800 parking spots for not twice the student count. This did not make any sense. When Juan Diego holds an event, it brings back bad memories of 1-15 during the Olympics when it was really dangerous to be driving on the freeway. He said that he did not feel as though the proposed parking was sufficient. He felt that they either needed to forgo the three-acre commercial lot plan and deny the zone change or just be denied the plan all

together due to the parking. He said that was one of the reasons why Richmond America was denied: because of parking.

- 5.9 Rebecca Dura, resident at 446 East 12000 South located in a home just north of property under discussion. She wanted to emphasize that she did not want to separate the rezoning issue with the intention of how the site was intended to be developed. She said the site was intended to be subdivided with a school placed there. She said that it was likely that the school could only afford to build there if the property was subdivided and the other portion of the property was sold for commercial use. She also wanted to point out that there was additional development going on at the park off of 12300 South. They were building out more at that location. She said when the traffic study from Hale Engineering was reviewed, it had holes in it because it did not consider the new park that was being built and the new additional commercial the area would take on if the rezoning was approved and subdivided. She stated that she was with the other homeowners; she did not support an additional K-12 school on 300 East. She said that she was a charter school mom with her kids attending APA in Draper. She said that charter schools pull unique traffic from all over the valley. She said it was all commuting, with no buses. She said that when she sits in the carpool line, every single car has a single parent sitting in the vehicle picking up one or two kids, resulting in a high traffic volume during condensed periods. She said that when you put two K-12 schools together with peak times, and the peak that commercial draws in specifically in the afternoons, there would be an infrastructure disaster. She also noted that K-12 schools also have teenage drivers who were not a safe driving group. This caused the neighbors to be additionally concerned about traffic and safety. She said that many of the streets also lacked continuous sidewalks creating an additional safety hazard. Because of this, she claimed that residents were adversely affected. The proposal was not harmonious with existing development.
- 5.10 Tory Thornock, resident at 12121 Encampment Circle. She said that the corner of her property touches the corner of the Rasmussen property. She said that when they purchased two and a half years ago, they were told that the Rasmussens had an easement between them and the park at Day Dairy. She said that although she was not as eloquent nor as educated as her neighbors, that she was 100% behind what they were telling them. She noted how the roundabout would be taxed with the addition of charter school traffic and would not only cause 300 East to collapse, but also 12100, 12000, and 12300 South during peak hours. She said that she is a teacher at a charter school and had been a teacher at different districts in the state of Utah, in addition to being a parent with school-aged children. She said that a charter school on that lot would be a disaster that the Council would regret approving if they do. She said that regardless of if the school goes there, the zone change was a terrible idea. She said that the surrounding roads absolutely could not handle the zone change under consideration. She begged the Council to listen to what residents said. She said they were not approaching the item from anger or impulse, they simply understand more than a traffic study can communicate, how developing the land would impact the area.
- 5.11 Susan Nelson, resident at 12073 South 300 East, said that she lived four houses to the north of the land. She agreed with all of her neighbors. She said that she was a good friend with

most of the people involved with the Rasmussen exchange. She said that they had been able to sell lots of other parts of the land. If it did not work out for the zone change, they would be able to sell it in time. She said she was not super worried about that for them, despite being great friends. She wanted to be a great neighbor as well. Ms. Nelson said that the master plan was also capable of changing. She said with the residential area to the north it might make more sense to consider residential in that area given the surrounding commercial development. This was what was hoped for by residents, despite being previously denied and have a lesser impact than the current proposal. She believed that the charter school would not be able to afford to build on the land if it were not subdivided, with the three acres sold off. Because of this, if the Council did not approve the zone change the school might not be able to build. This was her hope because she did not feel as though the area could support the school. She noted that she was also a charter school family. She said that if the Council did not change the zoning, the neighbors might be able to get something else with less impact to 300 East and the surrounding neighborhood.

- 5.12 Richard Miller, resident at 241 East 11989 South, echoed what had been said. He reiterated that 10 acres were not very much land for the amount of parking that would be needed for a school. Portioning off part of that would not create sufficient parking for the school. He said that if the footprint of the proposed school was compared with St. John the Baptist, there was little there comparatively. He also said that with his experience with the asphalt field—he had seven years of experience—one million dollars in road reparation and traffic mitigation was not very much money. It would probably cover the cost to go from the traffic circle to Day Dairy. He said that when you drive down 700 East at 12000 South there was the office building that was empty behind the Auto Zone. If there were already buildings empty, why did additional commercial space need to be added? Mr. Miller then voiced the safety of the neighbors' children. He said that they were constantly seeing people zoom by without the area being patrolled. In regards to adding the fourth leg to the traffic circle, not only would it increase traffic on 300 East, but it would cause an increase in traffic from Day Dairy, as it was difficult to turn east onto 12300 South coming out of some of those locations. With the option, they would come down to the traffic circle and go out on 300 East, resulting in an additional increase in traffic. He noted that currently St. John the Baptist was zoned as agricultural. He said he would appreciate it if the Council would consider denying the rezone as it would cause havoc to the neighbors in the area.
- 5.13 Gary Fujimoto, resident at 12100 South 441 East, said that he was on the first street to the north. He said that his neighbor across the street on the south side's backyard was adjacent to the property. He wanted to support what he had heard from his neighbors. He said that when he moved in in 2003, he was told that 300 East would never be punched through and that 12100 South would be a quiet street because 12200 South would go all the way through to bear the commercial traffic. He said it was very disappointing because they built their dream house and the area had not ended up being the neighborhood, they wanted to live in. He said that they loved their neighbors and community, but the area and traffic had not become what they planned. He wanted to support what neighbors had said and that anything to keep the traffic down was in the best interest of the residents.

- 5.14 Daniel Dura, resident at 446 East 12000 South, wanted to voice that he also felt that it was a bad use of the land to rezone the property. He said that it was disingenuous in the sense that the developer was treating these as separate ideas that the school was different than the zone change because the zone change was trying to go through before the school was developed. The neighbors could not prevent the school from being developed even though they did not want that to happen. However, the idea that there could be a school and additional commercial property was pretty outrageous. He said that area was failing. The idea that they were going to punch through 12200 South, while they were under construction while there was massive additional development at the park, did not take into consideration the traffic study. He said that Chick-fil-A was popular, serving something like 200 cars an hour during their peak time. He said that he understood it would not stay agricultural forever and that anything more than corn would create traffic. However, there was a difference between putting additional commercial property on 300 East and zoning it residential, that everyone in the neighborhood was okay with. They had been surrounded by commercial properties and high-density housing. This property was the last hope for residents to have some buffer from commercial development. He noted that there had been developers who wanted to put residential in that property. He said to look at the zone change at face value and to recognize that it did not seem to make sense at this time. He said that if low or medium-density residential were being proposed, the neighbors would approve it and were disappointed that the Richmond American development was not approved. He wanted it acknowledged that any change to the property to anything but residential would have a severe impact on their neighborhood.
- 5.15 Megan Menlove, resident in the new Cove Development. She wanted to speak on behalf of the neighborhood. She has to get through 11800 South near Juan Diego and has noticed how poor the traffic flow is in this area during peak hours already. She could only imagine what would happen if another K-12 school was added. Ms. Menlove was an administrator of a high school who knows how teenagers drive. She felt it would be ridiculous to add a school that close to Juan Diego and thought it would impact traffic on the north side of the school. She wanted to speak against the rezoning and in support of those who live in that area. She did not feel it was a good idea for the City as a whole or the neighborhood.
- 5.16 Mayor Walker closed the public hearing.**
- 5.17 Mr. Sabey said that it was difficult to listen to some of the public comments when they called the applicant disingenuous when the applicant was following the process of Draper City ordinances. They were required to make the rezoning application before the site plan. That was the order outlined. They were not hiding the site plan. It was scheduled to go before the Planning Commission the following Thursday. All of the comments heard revolved around the site plan which would not be addressed until Thursday. He said that he had a problem with the fact that the public comment addressed a traffic study that the Council did not have. The public comment made several erroneous comments about the traffic study, which he cannot set forth and show the Council because they do not yet have it. He said that the application was based on the City's master plan that was less than a year old. He said that he thought some people had the impression that circumstances had changed to make the area remain residential. However, the City's master plan was updated

on November 19, 2019. The City did not want residential and wanted commercial, which is why the application was brought forward. He said to go through the traffic study would not be effective for the Council because they did not have it in front of them. The complaints made about traffic could not be addressed without money being spent. The City would not pay to fix the problems unless everyone was going to agree to a significant increase in taxes. He said that perhaps residents were not aware of it, but that part of the way that these problems get fixed was as a result of the development process. New infrastructure cannot go in without the development that offsets the cost of the infrastructure. In response to the comment that \$1 million does not cover much, Mr. Sabey said that his client had developed over 50 charter schools. He said they would not develop one in the location if it were going to be a disaster as it would hurt their business. They knew what they were doing. They planned to bring in UDOT to help cover the costs of infrastructure improvements. He said that the plan for the client was not to profit by subdividing and selling a portion of the property as commercial development. The City wanted 12300 South to go through which divides the property and the Rasmussens were retaining the remaining portion. The traffic study did provide for more than 300 stalls. Under the site plan and when it was brought before the Planning Commission and the City if the project did not meet the required stalls, 311, then the City could deny it. However, talking about traffic issues now was not appropriate because the Council did not have the materials. He said that his clients had been working for eight months with the City and UDOT to figure out how to mitigate problems and get the infrastructure in place. He said that would be achieved through the development. He said his client was dedicated to mitigating any traffic impact caused by their development and would help solve existing problems. He said that the matter before the Council was simply the rezone to match the general plan.

- 5.18 Councilmember T. Lowery said that the general plan to which Mr. Sabey was speaking was not a document that was set in stone. She said that it was simply a guideline. She said that his claim that it was something that the City had to follow was simply not true. She said that she was also curious about his request for the zone change. She said that it had been noted several times by residents that the school could go in any zone. She said that as a result, what she is led to believe is that what the zone change is truly about is the commercial development, not truly about building the school. Everyone knows that the applicant is already legally allowed to build a school wherever they want. It was her impression that what he was requesting tonight was two adjacent high intensity uses. She asked if staff could pull up the Draper City Municipal Code (DCMC) 9-5-060. She said that her concerns lie with subsections d and e: the adverse impacts on the adjacent properties and adequacy of the facilities, namely the roadways.

Mr. Sabey said that the master plan or general plan was not set in stone. He said that he did not believe that he had implied that. He apologized if he gave that impression. What he meant to say was that the City had indicated that it wanted the area zoned as Neighborhood Commercial and that was the application brought forward.

Councilmember T. Lowery clarified that the master plan indicates that the area could be neighborhood commercial if they so desired. The area can be whatever they want it to be. She felt that it should be residential, just not high-density residential.

Mr. Sabey said that was fine. The City indicated that it wanted residential then that would have been the application brought forward. He said that his point was simply that they were trying to do what the City had indicated. He said that as a member of the public, he feels that he should be able to reasonably rely on the representations the City makes on its webpage and the things that staff says. More to the point, he said it was fine for the City to make it residential. He said that they could build in residential.

Councilmember T. Lowery said that the applicant had not asked for residential, they asked for commercial. Mr. Sabey said that was because that was what the City had designated the area and the last time a residential application was brought to the City it was denied. He said the master plan showed the area as neighborhood commercial so that is what the applicant brought forth. He said the City could designate it anything they wanted; the applicant would still be able to build a school on it.

Councilmember T. Lowery agreed. She wanted to know why they were requesting a zone change when they could build a school tomorrow. Mr. Sabey said that the City wants the road through the property. That cuts the lot in half. One half of the lot would be five acres or more, so it met the current zoning. The other half, once the road the City wanted was installed...

Councilmember T. Lowery said that the City wanted a road because of all of the traffic that the applicant proposed to bring to the area.

Mr. Sabey said that the City wanted the road. After all, if you looked at 12230, it dead-ends into a field because it was intended to go through and tie in at a four-way circle. That would divide the lot into two portions and the bottom portion would be less than five acres making it an illegal subdivision. The suggestion was made to his client to come in for a commercial neighbor zone application because the other lot did not require a minimum of five acres. If the master plan showed the area as one-acre residential then the application would have been for a rezone to one-acre residential. The applicant did not care. They had no plan to develop the subdivision. They will not own the southern portion. The application was done as it was because that is what the City map said. He said that they could build in residential. If it had said residential that is the application, they would have made.

- 5.19 Councilmember F. Lowry wanted to make sure to recognize the Rasmussen Family. He said that it is clear that they have been a great neighbor to the community. He appreciated the contributions that they had made to the City of Draper and had been a great neighbor to all of us. He wondered if staff could help clarify for the Council the proposed use.

Christina Oliver, Community Development Director, stated for clarification what was done in 2019 to update Draper City's general plan. She said that in 2019 staff went through and

conducted an analysis of problem areas where the built environment did not match the land use map. What they did not do was go through each undeveloped vacant parcel and ask that the City Council what the land use should be. The current land use map represents what has been assigned to the property for years, before Day Dairy and the surrounding development that had been realized around the particular parcel.

She said that Mr. Sabey brought up the fact that the staff, her staff, had discussed the current zoning application. The reason behind this was because the parcel as it stood could not be split into two lots. She said that she knew this addressed Thursday's application, but that it bore clarification. The school would like to purchase the northern portion of the parcel. The southern portion of the parcel, they did not want to purchase. Without a rezone, as the Council was being asked to look at this evening, they would not be able to make the split because A5 requires a five-acre parcel. Splitting the 9.8 acres in the manner it would need to be split would result in the southern parcel being under three acres.

- 5.20 Councilmember F. Lowry said that he was perplexed about the request for the rezone because the school could still be developed. He wanted to support comments made by Councilmember T. Lowery about having never received a question about how he thought that area should be developed. He did not understand that claim that the City had indicated a preference in how the area developed. He recognized that he was new to the Council, but he certainly would not have encouraged the applicant to put forth this zone change. He said that what he found interesting was that the applicant outlined the issues that the Council had: the area was surrounded by high-density housing and the failures shown in the 2017 traffic study. He hoped that the applicant could appreciate that it was those very same issues that the Council considered.

Councilmember T. Lowery said that the Council supports their right to do something with the property. As another resident noted, the property will ultimately be developed. She felt that there were possibilities of development that could go in the property that would not adversely affect residents.

- 5.21 **Councilmember Green moved to deny Ordinance #1465, Rasmussen Family Commercial Zoning Map Amendment. Councilmember T. Lowery seconded the motion.**

- 5.22 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor of denial. The motion passed unanimously.**

- 6.0 **Public Hearing: Ordinance #1464, Rockwell Point Text Amendment (Legislative Action), a request by Todd Amberry representing Rockwell Point, LLC to amend the permitted land uses to the existing Major Freeway Arterial Frontage Road (MARF) zoning district. The changes will amend Draper City Municipal Code (DCMC) Section 9-11-110. The proposed changes would apply citywide.**

- 6.1 Maryann Pickering, planner, explained this was a text amendment to change the use table found in section 9-11-110. Currently, four uses were not permitted in the zone. The request

was to change those uses to permitted. The four uses were a car wash, convenience store, gasoline service station, and restaurant. There would be no changes to the development standards for the zone. On the November 12, 2020, Planning Commission meeting, they gave a positive recommendation on the item with a 4-1 vote.

- 6.2 Todd Amberry, the applicant, said that when the project was approved a little over a year ago, they did not have the same intentions due to COVID or know who the users would be. After going through the uses and the desired uses to where the market for some of the parcels had changed and demanded that the use tables be expanded to a restaurant, carwash, and a gas station.
- 6.3 **Mayor Walker opened the public hearing. No one came forward so Mayor Walker closed the public hearing.**
- 6.4 **Councilmember F. Lowry moved to approve Ordinance #1464, Rockwell Point Text Amendment. Councilmember Vawdrey seconded the motion.**
- 6.5 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**
- 7.0 **Public Hearing: Ordinances #1468 and #1469, Shadow Mountain Subdivision Zoning Map and Land Use Map Amendment (Legislative Action), a request by Sean Shah and David Johnson for approval of a Zoning Map Amendment from the RA1 zone to a split zoning of RA2 and R3, and to amend the Land Use Map on a portion of the property from Residential Low/Medium Density to Residential Medium Density designation.**
- 7.1 Travis Van Ekelburg, planner, said that the applicant had requested to amend the land use and zoning map for a 0.29-acre property located at 671 East 13800 South. The zoning was RA1. The land use designation was residential low-medium density. With the application, the applicant requested the residential medium land use designation. He said that there was not any medium land use density contiguous to the property but there was across the street. He said that the map was created by the GIS division. As part of the staff's initial review process, the GIS division takes a look at the legal description submitted by the applicant to make sure they were correct. With this item being a split zone, he had the GIS division draw up the map to provide a better visual for the public meetings. The back property was requested to be rezoned as RA2 from RA1. The front property was requested to be rezoned R3. He said that the RA1 zoning designation requires a minimum lot size of 40,000 square feet. The R2 requires 20,000 square feet. The front area would have to be rezoned R3 to meet minimum zoning requirements. He said that if the rezone and land use map were approved tonight, a separate subdivision would need to be submitted by the applicant to create two lots. At that time, access for the RA2 area (orange) would be reviewed under the subdivision application for access off of the main lot. At the Planning Commission meeting on October 22, 2020, the Planning Commission voted approval with a vote of 5 to 0.

Mr. Van Ekelenburg noted that following the Planning Commission meeting he received one public comment from Mr. Stevens who lived on Shadow Mountain Lane. His concern was that having an additional lot would create development problems for residents that had been on the lane longer. There were also several residents at the Planning Commission meeting who spoke in support of the application.

7.2 Councilmember F. Lowry asked what comments were made by the residents. Mr. Van Ekelenburg said that the residents in support stated their support. These included Brad (last name unclear on the audio) who lived up the street from the parcel who had a previous application recently. The residents next door also voiced their support. He believed that those residents intended to speak during the public comment portion of the item.

7.3 Councilmember T. Lowery asked what the residents' specific concern was. Mr. Van Ekelenburg said the resident had stated that he was one of the first residents on the private lane and that his concern was that some of the other residents further up on the private lane wouldn't be able to develop properly because once more lots were added to the private lane then street improvements were required, including widening the private lane.

Councilmember T. Lowery asked if Mr. Van Ekelenburg saw that as a real issue. Mr. Van Ekelenburg said that the Draper Code does say that when you increase the number of lots on a private lane, the width of the road does need to be increased. The improvements include curb and gutter, as well as road widening, making them pretty expensive.

7.4 Councilmember Vawdrey asked the number of lots that can be on the lane before the improvements were triggered. Jennifer Jastremsky, a planner, stated that the Council just looked at modifying the private lane standards at the last meeting. They increased the width standards to those lanes slightly. For five lots or less the lane was required to be 25 feet wide, up to 10 lots the lane has to be 31 feet wide, and then for up to 20 lots, the road width is required to be 37 feet wide. She said that the entrance to Shadow Mountain was about 30 feet in width currently. She thought that there were four or five lots on the lane. As they added additional lots, the increase in lane width would have to occur. She said, however, that lot development was on a first come first serve basis. As more applications came forward, staff would evaluate the lane to make sure it complied with the code.

7.5 Sean Shah, applicant, said that he appreciated the Council. He said that he was excited to do two subdivisions in Draper and help keep the City's pristine look. He said the subdivision had been done before. He ran some statistics, and there was a 67% chance that if you pick a lot on the north side of 13800 there was a probability that it wasn't going to be up to code as most of the lots were grandfathered in.

7.6 **Mayor Walker opened the public hearing. No one came forward so Mayor Walker closed the public hearing.**

7.7 **Councilmember F. Lowry moved to approve Ordinances #1468 and 1469, Shadow Mountain subdivision Zoning Map and Land Use Map Amendment. Councilmember Vawdrey seconded the motion.**

7.8 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

8.0 Public Hearing: Resolution #20-53, amending the current Fiscal Year 2021 Budget.

8.1 Bob Wylie, Finance Director, explained that this was the second reopening of the fiscal year 2021 budget. He said that there were seven items for approval with the reopened budget:

1. **FY21-24 (Police Wing 3rd Floor Remodel):** The Police Department requested funding to remodel the third-floor police wing. These changes would be in the detective division. They have estimated that it would cost \$20,000 to remodel and add additional growth for a conference and interview room. The money would come from sales tax revenue.
2. **FY21-25 (South Valley Chamber):** The South Valley Chamber had several programs that they wanted to continue through June of 2021. The programs included Women In Business, Small Business Board, and other programs. They request a \$25,000 budget amendment for these programs that would also come from sales tax revenues.
3. **FY21-26 (Vacation Buyback):** Due to conditions with COVID-19 there was a need to keep employees at work. As a result, management approved a one-time buyback of vacation time of employees that would exceed the annual pay over amount under City policy. Employees at the end of the calendar year have a maximum amount that they can buy back. This would allow the City to buy out some of this time. The cost of this was estimated at \$125,000 that would also come from sales tax revenues.
4. **FY21-27 (Student Wi-Fi):** This funding request came from the Canyon School District, as discussed in the previous week's study session, to increase internet access and remote learning capabilities. The project was estimated to cost \$15,000. Again, the request would be funded by sales tax revenues.
5. **FY21-28 (Surveyor):** Staff identified the need to contract with a surveyor to identify property lines adjacent to Draper City open space. The project was estimated to cost \$50,000 with funding coming from sales tax revenue.
6. **FY21-29 (Council Room Microphones):** Staff requested to upgrade the microphones in the City Council room so that multiple microphones could be used simultaneously. The project was estimated to cost \$60,000 with the funding coming from sales tax revenue.
7. **FY21-30 (Merit Increases):** In the original budget that the City was presented for FY2021, 18% of the normal budget was taken out as a COVID precaution

to balance out the fiscal year with the anticipation of losing revenue. However, the first couple of sales tax revenues had come in about 22% higher than budgeted. The reduction had not yet been seen, so they were looking to put a 3% merit increase back in the budget for employees that was pro-rated from December to June. This would total \$218,000 that would be added back into the budget and funded through sales tax revenues.

Mr. Wylie noted that all of the items were funded by sales tax revenues which had come in 22% higher than originally budgeted.

- 8.2 Councilmember Green expressed thanks to Mr. Wylie. He clarified that all of the items were covered by sales taxes. Mr. Wylie said that was correct. He said that in the first two months the City had received about \$460,000 higher than had been budgeted for those months. He said that at this point they felt as though the sales tax revenue was not dropping the 18% that they had originally taken out. He explained that the original budget took out about \$2.5 million in sales tax revenues for precautions. However, so far it was coming in okay.

Councilmember Green said that he was happy that they were doing the merit increase. He wondered if that was a 3% ongoing obligation. In Mr. Wylie's projections for next year, he asked if the City would be able to sustain it. Mr. Wylie said that throughout the state of Utah sales tax revenues were coming in much higher than anticipated. If the sales tax continued at a level pace, they would be able to afford the merit increase ongoing.

- 8.3 Councilmember F. Lowry said, "Great job!" He appreciated the vacation buy back to recognize the employees who have worked the extra time.

- 8.4 Councilmember T. Lowery said that she agreed; there was a lot of important stuff in this round of budget amendments. She appreciated that there was stuff for the schools here.

- 8.5 **Mayor Walker opened the public hearing. No one came forward so Mayor Walker closed the public hearing.**

- 8.6 **Councilmember Green moved to approve Resolution #20-53, amending the current Fiscal Year 2021 Budget. Councilmember T. Lowery seconded the motion.**

- 8.7 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**

- 9.0 **Public Hearing: Ordinance #1467, City Initiated Notice of Continued Item Text Amendment (Legislative Item), a request by Draper City for a Text Amendment to amend Sections 9-5-045 and 17-1- 085 of Draper City Municipal Code. This application is known as the City Initiated Notice of Continued Item Text Amendment.**

- 9.1 Todd Draper, planner, said that the item was previously introduced to the Council by Mr. Dobbins in the study session. It was intended as a text change to help eliminate the

confusion the public experienced when an item was continued after the public hearing was closed. He said it was a simple change to sections 9-5-045 and 17-1-085 to add a line of text. This line would indicate that no additional notice would be required if an item is continued as an action item after a public hearing has been closed. Notice would still be given on the agenda for the meeting. At the November 12, 2020, Planning Commission meeting, a positive recommendation was forwarded to the Council with a vote of 5-0.

9.2 Mayor Walker opened the public hearing.

****** Mr. Nichols and Nancy Nichols stated that they intended to comment on the previous item, the Shadow Mountain Subdivision. They said that they were not able to unmute themselves and that they were finally informed to use the raise your hand.

Mayor Walker said that the Shadow Mountain item had already been approved by the Council. Ms. Nichols said that they had not been allowed to speak when they had already registered to speak on the item. Mayor Walker said that there was nothing that could be done about it at this point, as the item had already been voted on. Ms. Nichols stated that she did not feel as though that was fair.

Mr. Nichols said that there had been two meetings about the property that surrounds their home on three sides. Mayor Walker said that the Council had already voted and approved the item. He said that he was happy to give them three minutes to make a public comment but wanted them to know that it could not be considered in the vote because the vote had already been taken. However, a Councilmember might be spurred to bring it back. He said that was as fair of a remedy as he could offer. He said that meetings were held via Zoom because of COVID-19 and said there were public difficulties.

Brew Nichols, a resident, said that they were concerned about the widening of the road issue. He said that they had been told by the surveyor that it would mean 17 additional feet, which would encroach on their property to provide that additional road width and curb and gutter. He said that they felt as though they had been shut out of the entire process and that they had not been helped to feel comfortable with what was going on.

Ms. Nichols said that they had already been in process with something with the City to add to the garage, which included what was going to be widened on the road. The project happened before they knew that Sean was working with Davey.

Mr. Nichols said that from their part they would like someone who has the authority to make decisions to talk with them to work things out with them, be that through a sit-down meeting or a Zoom meeting. They felt as though the process was not very democratic.

Mayor Walker reiterated that the Council had already been voted on. He said that with the pandemic the order was that people could either make a public comment online through the link or in the public forum. He said that there was always the opportunity to comment by email through the link system tied to agendas. He said that in the future that if they wanted to make sure their public comment got through he recommended using the link so

that the text comment could make it into the record and minutes and the Council was able to review the comment.

- 9.3 Mayor Walker closed the public hearing.**
- 9.4 Councilmember Green moved to approve Ordinance #1467, City Initiated Notice of Continued Item Text Amendment. Councilmember F. Lowry seconded the motion.**
- 9.5 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**
- 10.0 Action Item: Ordinance #1466, adopting a Temporary Land Use Regulation permitting the use of Tents and Canopies for Temporary Restaurant Dining Space (Legislative Action), a request by Draper City for a temporary land use regulation permitting the use of tents and canopies for restaurant dining space. This application is city wide and not associated with a single site.**
- 10.1 Todd Draper, a planner, said that the text amendment was an attempt to increase the tools available to help the City through the pandemic. This was specifically detailed towards restaurants that had lost roughly 50% of their capacity due to the new seating and distancing requirements. The proposed regulation would be temporary, limited to six months. It would apply to legally operating restaurants in Draper City with an active business license and approved indoor seating area. Application requirements include (a) Each individual restaurant must make an application; (b) A provided site and seating plan; (c) Tents and canopies could not impede pedestrian or emergency access; (d) Property owner permission required; and (e) The City would review applications within 15 days

In regards to the location tents/canopies: (a) Must be on the same site or on adjacent property within 250 feet of the restaurant; (b) Must be on asphalt or concrete surfaces; (c) May be in a parking area; (d) May not be in the public right of way; (e) May not encroach into landscaping; and (f) ADA parking stalls and facilities to remain accessible

Size would be limited to: (a) No more than two tents/canopies; (b) Total combined size may not exceed the square footage of existing indoor dining space; and (c) May not cover more than 15% of required parking stalls for restaurant

Other operational requirements included that: (a) Interior dining space must continue to be utilized; (b) Restaurants may not share tent or canopy with other restaurants; and (c) Use of tents or canopies still subject to other agreements and regulations such as lease agreements and State Division of Alcoholic Beverage Control.

Anchoring requirements included that: (a) all tents or canopies be secured in case of wind; (b) they must be anchored by water, cement or sand barrels, no stakes; and (c) setbacks are per International Fire Code and International Building Code.

In regards to fire safety tents/canopies: (a) must comply with International Fire Code; (b) required a permit from the Fire Marshal; (c) must provide construction documents and structural calculations for Fire Marshal review; (d) have marked fire extinguishers and marked exits; (e) require an emergency evacuation plan; (f) have combustible waste stored away from tent or canopy; and (g) prohibit smoking inside the tent.

He reiterated that the proposed regulation was intended for six months unless repealed by the Council before then. Any tents or canopies would be required to be removed within five days of repeal.

10.2 Councilmember F. Lowry said he felt that it was a great thing for the City to do to help businesses.

10.3 Councilmember T. Lowery said that she supported the initiative and that she was grateful to Christina Oliver for looking into the item. She knows that many businesses have struggled to maintain normal customer levels when they cannot have them all inside. She felt that this was a creative and innovative way to support local businesses.

10. Councilmember Vawdrey moved to approve Ordinance #1466, adopting a Temporary Land Use Regulation. Councilmember T. Lowery seconded the motion.

10. A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

11.0 Council/Manager Reports

12.0 Adjournment

12.1 Councilmember Green moved to adjourn the meeting. Councilmember Vawdrey seconded the motion.

12.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

12.3 The meeting adjourned at 8:56 p.m.

From:
Kathy Anderson
14389 Lapis Drive, Draper

To:
Mayor, City Council, and Departments,

Thank you

- Thank you for establishing this virtual mode of communication in City Council meetings and inviting the public to participate.
- Thank you for continuous documentation and publishing City documents.
- Thank you for distributing Draper City local business coupons to residents to use at participating Draper City businesses.
- Thank you for maintaining critical services during a difficult time. I was especially grateful for my garbage bin to be emptied today. I understand residential garbage removal is more of a challenge, now, and am glad for Draper City's commitment to public health.
- Thank you for corresponding and meeting with me about my safety concerns about the traffic control device removal in September at the crest of the hill at the intersection of Vestry and Henry Day/Debian Way near my home and for giving me access to the ruling and guiding texts Draper City complies with when making traffic flow changes.

About Vestry

Quantitatively analyzing the vertical curve per the Policy on Geometric Design of Highways and Streets should objectively answer the question of safety at the intersection of Vestry and Henry Day/Debian Way; whether the geometric context, alone, at that intersection, is sufficient per the ruling and guiding texts to protect pedestrian and vehicular road users at their current recorded median and mid-upper percentile velocities, or whether those ruling and guiding texts dictate or suggest the use of traffic control devices to compensate for significant safety concerns inherent in that geometric context. The engineering study by WCEC used as justification for the removal of stop signs on Vestry did not analyze the vertical curve per the Policy on Geometric Design of Highways and Streets and, therefore, neglected to determine whether the vertical curve's curvature limits the sight

distance of road users to a degree that poses a hazard that a stop sign would mitigate.

Questions

Will you please direct me to where I can access a street design sheet for the vertical curve on Vestry spanning between Bangerter parkway and Salina or at least the full length of the vertical curve? If there is no design sheet, is there a table recording the characterizing parameters of the curve: vertical offset at the VPI, sight distance, length of curve, percent algebraic difference in grades, and rate of vertical curvature? Would these design factors be in City documents or County documents?

Also, I look forward to the upcoming results of the recent Vestry speed study near that intersection. Do you have an idea when that data will be ready to share?

I do not need to take videoconference time at tonight's meeting. However, I do respectfully request my comments and questions be read and recorded in official minutes and look forward to a response whether through e-mail or phone call or future meeting discussion or minutes.

Thank you,

Kathy Anderson



MEMO

To: City Council Meeting
From: Laura Oscarson
CC: City Council
Date: December 8, 2020
Re:

Comments:

The proposed 2021 Draper City Meeting Schedule is attached for review before approval.

ATTACHMENTS:

Description	Upload Date	Type
2021 Meeting Schedule	12/4/2020	Cover Memo

2021 Meeting Schedule													
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
City Council-2021	Business Meetings	12	2	2	6	4	1	6	3	7	5	9	7
Study Session at 5:30 pm	1st and 3rd Tuesdays	19	16	16	20	18	15	20	17	21	19	16	21
Business Session at 7 pm													
Planning Commission	2nd and 4th Thursdays	14	11	11	8	13	10	8	12	9	14	4	9
Business Meeting at 6:30 pm		28	25	25	22	27	24	22	26	23	28	18	16
Redevelopment Agency	Meetings as needed												
Municipal Building Authority	Meetings as needed												
ARENA BOARD	4th Wednesday at 6 pm	27	24	24	28	26	23	28	25	22	27	24	22
PARKS & TRAILS	1st Wednesday at 7 pm	6	3	3	7	5	2	7	4	1	6	3	1
TREE COMMISSION	1st Tuesday at 8 am	5	2	2	6	4	8	6	3	7	5	2	7
HISTORIC PRES	3rd Wednesday at 6 pm	20	17	17	21	19	16	21	18	15	20	17	15
EXEC EMERG PREP	1st Wednesday at 4 pm	6	3	3	7	5	2	7	4	1	6	3	1
DIVERSITY/INCLUSION	2nd Wednesday at 7 pm	13	10	10	14	12	9	14	11	8	13	10	8
AUDIT COMMITTEE	Meetings as needed												
**Dates in red have been changed or may be changed due to holidays or events.													
**Meeting Dates may be changed as needed.													

[illegible]



MEMO

To: City Council Meeting

From: Christina Oliver

CC:

Date: December 8, 2020

Re: Public Hearing - Local Consent for a Limited-Service Alcohol License for Spark Group Restaurants LLC

Comments:

The applicant, Sagar Srungarakavi, is requesting Local Consent for a Limited-Service Alcohol License for Spark Group Restaurants LLC DBA Paradise Biryani Pointe, located 280 E 12300 S Suite 110, Draper, Utah.

The findings are as follows:

The Local Consent for the Limited-Service Alcohol License meets the pedestrian pathway distance requirement (300+ feet) from a community location, the boundary distance requirement (200+ feet) from a community location, and the provisions of Chapter 6-4 of the Draper City Municipal Code.

Draper City Municipal Code does not limit the number of Limited-Service Alcohol Licenses within City boundaries.

ATTACHMENTS:

Description	Upload Date	Type
280 E 12300 S Suite 110 - Pedestrian Distance	12/2/2020	Cover Memo
280 E 12300 S Suite 110 - 200' Alcohol Buffer Map	12/2/2020	Cover Memo



280 E 12300 S Suite 110

12450 S

Rawlins Ln

Ashlyn Ln

300 E

Rosewood Park Ln

Pebblebrook Way

Stonebridge Cir

Bridgewood Ln

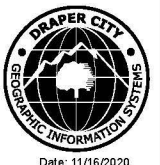
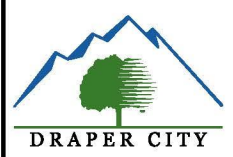
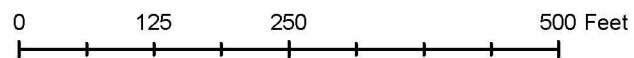
Stonebridge Dr

2110'

12600 S

Stonebridge Park

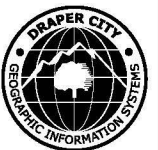
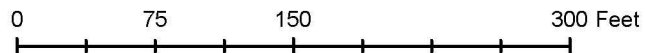
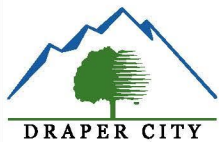
280 E 12300 S Suite 110
Approx. 2110'



Date: 11/16/2020



280 E 12300 S Suite 110
200' Alcohol Buffer



Date: 11/16/2020